

**CITY COUNCIL MEETING
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PUBLIC COMMENTS

SHERMAN LEWIS

ITEM #6 WS-17-018

DOWNTOWN SPECIFIC PLAN

Draft Comments on Plan for Downtown Hayward: Vision or Fiasco?

Sherman Lewis, HAPA, July 9, 2017

These comments assess the “Vision” as if it were a plan, and are based on my previous comments about what I had hoped to see in a plan. The Vision Plan is available at https://www.dropbox.com/s/wsyhixvvsix4mx8/LWC_Hayward_Vision%20Framework_Draft_052517.pdf?dl=0. Slide numbers below relate to this pdf. A deeper, more extensive, more analytical approach to downtown is available in *Ideas for Downtown Hayward* at <https://hapaforhayward.wordpress.com/downtown-hayward/>. You get my opinions below, but hopefully also get some ideas that will contribute to your thinking.

The Vision is a well-illustrated, well-organized report with many good ideas and some glaring problems. I’ll discuss the big peanut, parking structures, the numbers, important ideas ignored, and probable inadequacy of the DEIR.

The big peanut? The traffic lozenge? The oblong roundabout?



[See slides 41 to 47]

What do you think? If you are new to this image, it may take a while to figure it out. Foothill-South Mission and Foothill-Jackson seem to work reasonably well, like the old two way system

with a big median. South Mission and North Mission work poorly, with a bump to the left for southbound and a bigger bump to the right for northbound. D St. eastbound is a problem. See if you can figure it out.

The diagrams show a deterioration of traffic flow on D Street. They have a long detour lengthwise down the oval, easy access to E street, and two more blocks up Foothill to get back on D Street. It looks like Francisco Street becomes a major arterial.

This plan has other serious flaws. There is no traffic analysis and no basis for a traffic analysis because of the lack of any information about non-auto modes, TDM, and other policies that would increase access to downtown with fewer private cars, particularly from CSUEB Hayward and Chabot. There is no information about obvious alternatives. There is no discussion of the \$20 million or more available in the SR238 LATIP Fund. There is no real discussion of staging. There is a pretty drawing of something that works poorly that we can't afford. There is no comparative cost information; there is zero concern for cost-effectiveness. It is planning by image instead of by analysis. It is planning to impose a choice rather than provide choices. The Vision is a sales pitch, not an analysis.

The drawings of the Big Oblong show a significant number of businesses being demolished and more indirect routes and longer routes than would exist with alternatives. There is no evidence land would be gained by the peanut compared to more sensible alternatives. There is no sensitivity to the difficulty of making a small business successful, and how devastating loss of an affordable business rental could be.

The Vision shows an alternative to the Loop, but does not discuss it. The Vision ignores the more extensive analysis by HAPA. The Vision (slide 43) has a partial and vague critique of part of the Loop. Plain English is avoided in favor of planner talk: "Foothill Boulevard creates a physical and perceptual connectivity barrier." Translation: "Foothill is so wide pedestrians won't cross it." (The consultants are not alone in the effusive use of vague, fell-good language; it seems endemic to planners. Watch out for "robust," "gateway," "diverse," "active lifestyles," "enhance," "energy center," "welcoming elements," "vibrant," "fine grain," "meet the street," "welcoming environment.")

"A lozenge shaped roundabout proved to be the most preferred solution by the community." (Slide 41) Nonsense. The consultants are hearing what they want to hear from a few people without enough information for an informed decision. Without adequate quantitative analysis, we have no basis for choosing among major options.

Words – reality disconnect

"A potential new roundabout could create a gateway into Downtown and restore the street grid to provide opportunities for infill and redevelopment of 2-3 story buildings with ground floor retail and upper-story residential units." (Slide 42)

Let us analyze this language. It is not a real roundabout; it is much longer, creating problems most roundabouts don't have. Anything there creates a gateway. The term has no meaning: the Loop has a gateway; the alternatives would create gateways. The roundabout does not, in fact, restore the street grid. I am surprised the consultants would make such an obviously false claim. It is not clear if it provides any more opportunity for infill and redevelopment compared with the other options; it is clear a lot gets torn down.

Slide 44 claims that the oval roundabout would improve circulation but provides no evidence in support. “New landmark” and “distinct destination” are hand-waving fluff and no substitute for real analysis of substantive functionality among competing alternatives. Two-way roads can work well but the big oval roundabout is a different issue.

Study affordable, practical alternatives

The Vision is appealing about how things could look, and deficient on how things really work. This is a big disappointment.

Three alternatives need to be studied: 1. the two way system HAPA has proposed for years; 2. traffic circles at Mission-Foothill-Jackson and at Foothill-D St., and 3. Foothill realigned via E St. to create a large new block for development.

Parking structures

The Vision proposes three parking structures, undermining the credibility of the whole plan. Parking structures induce traffic and congestion, cause safety problems, pollute the air, discourage alternative modes, are enormously expensive, subsidize global warming, and are unnecessary for downtown growth. They require so much subsidy that they are economically very inefficient. They pre-empt space from directly productive uses.

Without admitting it, the Vision proposes a misuse of revenues from all tax payers to subsidize parking for a few and to deny funding to alternative modes.

Slide 22, for example, shows 844 structured parking spaces. The Vision has no information about how much the structure will cost or how it will be paid for. In the past the city has used tax funds to pay for structures where drivers park for free. Such an approach is a huge subsidy to global warming and completely contradictory to any effort to reach sustainability.

These structures contradict the Vision Statement: Downtown “...is accessible by bike, foot, car, and public transit.” (Slide 13) They are contrary to Key Priority #2 (slide 9) for sustainability, which cannot be achieved by spending tens of millions of dollars to increase car traffic downtown. It can only be achieved by emphasizing non-auto access to downtown. More subsidized parking is a hidden and wrong metric, just as wrong as auto LOS, which the Vision does criticize. Policies for parked cars are just as important as those for moving cars. The thinking behind slides 51 to 55 needs to be applied to parking structures: They do not contribute to alternative performance metrics.

Parking structures only provide parking on upper levels net of spaces on the ground level used to support the structure. Areas for ramps and parking lanes cannot be used for parking. It is expensive to build concrete and steel strong enough to support many tons of vehicles.

Parking structures should pay their own way, for land cost, construction, operating, and external costs, but the hourly rate would be so high few people would park there. Surface parking is also problematic, but far less expensive and more manageable using market parking charges. Surface parking can be converted more easily to social and economic uses when, hopefully, society matures in the future.

The numbers: adding things up

ABAG projections should be ignored, and the Vision does ignore them. ABAG projections are based on anti-sustainability assumptions, discussed in detail in other HAPA reports. The figures in the Vision are incomplete and required some assumptions about square feet to job ratios.

The Vision has about 66 percent less housing than ABAG projections and about 68 percent more jobs. In short, the Vision ignores the ABAG projections. See spreadsheet below.

| Growth Projections, Downtown Hayward | | | | | | | |
|--|-----------------------------------|-----------------------|---------------|---------------------------|--------------------------------|---------------------|----------------------|
| Vision Projections | | | | | | | |
| slide | site | New Residential units | New Retail SF | New Office SF | New Structured Parking | New Surface Parking | New Open Space acres |
| p. 22 | city center | 978 | 30,000 | 30,000 | 844 | - | 1.02 |
| p. 28 | downtown | 60 | - | 32,250 | 69 | - | 0.86 |
| p. 36 | BART | 487 | 92,850 | 168,000 | 385 | 63 | 3.75 |
| p. 42 | Foothill Mission | 198 | 74,800 | - | 115 | 239 | 3.75 |
| | | 1,723 | 197,650 | 230,250 | 1,413 | 302 | 9.38 |
| | assume 500 SF per retail employee | | retail jobs | + office jobs | = total jobs | | |
| | assume 200 SF per office employee | | 395 | 1,151 | 1,547 | | |
| ABAG Projections | | | | Vision Projections | Vision compared to ABAG | | |
| p. 5 | 2010 | 2040 | Growth | Growth | | # | % |
| Housing Units | 4,380 | 9,500 | 5120 | 1,723 | Shortfall = | 3,397 | 66% |
| Jobs | 7,570 | 8,490 | 920 | 1,547 | Excess = | 627 | -68% |
| slide 4: | | | | | | | |
| "Projections help communities plan ahead, making sure there is enough space for residential and non-residential uses in the future." | | | | | | | |
| Then why are they being ignored? | | | | | | | |
| Why aren't SF converted to jobs and vice versa? | | | | | | | |
| The Vision does not report SF per employee | | | | | | | |

The projections for 5,120 new units means about 12,000 more people, which would greatly help local purchasing power for downtown business. However, the job growth likely from so much housing growth and outside access seems too small.

Unfortunately, the reasoning behind ignoring ABAG is not presented. What is the basis for these projections? What is estimated demand from residents and outside access? What is the appropriate number of retail jobs to meet that demand? Why doesn't the number of jobs increase at the same rate as the housing units? What is the method to calculate the number of jobs needed to service the increased number of housing units? These data gaps and unjustified parking structures relate to the need for a real access study.

Important ideas needing more work

Performance measures

The most important slides in the Vision are 51 to 55 on performance measures. They are wholly inconsistent with subsidized parking structures. Unfortunately, the Vision only suggests the city apply these metrics and does not actually apply them, even though slides 56 to 65 seem to have sufficient specificity that, if all the policies for improving access while decreasing auto use were also considered, an assessment could be made (see study below). It would help if the concepts shown on slide 54 were clearly linked to specific implementations.

Pedestrians and bikers

The Vision proposes many ped and bike lanes, but has no basis for why people would actually use them, or how many would use them, or that how relates to parking structures. Sidewalks and bicycle lanes are necessary but not sufficient to achieve use. The LOS for bike lanes, sidewalks, and transit may be “A” for the facility and “F” in terms of actual use. The Vision does not analyze how much facilities would be used, so there seems to be no way of applying the LOS metrics.

The Vision needs reasons to believe that bike lanes would actually be used, particularly auto pricing measures and design measures to accommodate bicycles at the ends of trips. There then needs to be a quantitative estimate of ped and bike use based on an analysis of local development and external access (see study below).

Public autos: taxis, ehail rides, car share, car rental

The Vision does not discuss public cars: car share, car rental, taxis, and ehail rides. In fact, Lyft, Uber, etc. are not even mentioned, let alone evaluated for their potential to reduce the need for parking if properly supported by city policy.

Taxis are not discussed. They are losing ground due to excessive, out-moded city regulation. The City has failed to adjust the Greyhound parking and to support a taxi stand in the disabled parking loop. The disabled access is most efficient way for taxis to pick up passengers at the exit to the station.

The City has ignored the unfair competition of ehail rides with taxis for years, and ehail rides have surged. The City does not seem to know what proper policy is, based on failures in the Maple Main and Lincoln Landing project approvals. I am disappointed that HAPA’s proposals for a viable taxi stand at BART, for fair treatment of taxis, and for supporting ehail rides, car share and car rental were ignored.

It does not make sense to claim to support alternative modes and then not have policy to do so. Sustainability needs less car ownership, which is facilitated, among other things, by public autos. The Vision should recognize this.

Street cross sections

Slide 60 Main St. and the other street cross sections show real progress away from overly wide travel lanes hostile to non-car modes. Even if the exact ideas are not used, they provide a new cook book for designing complete streets.

HAPA strongly supports bicycle lanes buffered from traffic and shorter pedestrian crossing distances with safety medians. However, some cross sections show three and four lane wide roadways that create long pedestrian crossings.

It is disappointing the HAPA's recommendations for a pilot project for back-in diagonal parking was ignored. It would be safe and easier to use, once people got used to it.

Implementation Strategies

Slides 67 to 73 fail to mention the importance of transit, walk and bike access which can be far more important than parking, let alone parking visibly adjacent to stores. This section is not about transportation, but slide 69 could at least mention the importance of increasing access by non-auto modes.

Until Hayward gets serious about transit, not just as a subsidized service to the poor, but as major high-quality mobility for the middle class, we will not get sustainable growth downtown. Sustainable growth downtown depends both on optimizing cost-effective surface parking and on increasing walk, bike and transit access. Transit access depends primarily on rapid buses as detailed in HAPA reports on downtown. The Vision needs to commit more boldly to mode shift.

Pricing measures

The Vision refers to, but does not actually recommend, pricing measures and TDM, and does not mention the major policies needed. (Slides 53, 55) The major needed policies are economic unbundling parking charges and market-based parking charges.

The BART site [1]

I am disappointed that HAPA's proposal for a mid-sized convention hotel with special access from BART was ignored (Slide 35). It would do more for Hayward than offices. Charles McKeag has pointed out that Hayward has too few hotels, and there are no hotels at all downtown.

The Downtown Block (slide 27)

I disagree with the proposal. Besides a parking structure, the drawing shows elimination of the parking we now have for CVS, Buffalo Bill's and everything else that surrounds the existing parking. It makes no sense to eliminate convenient parking and build a parking structure with slower access if the existing parking is actually underutilized.

However, the so-called "underutilized city-owned parking" is not, in fact, under-utilized. My family, friends, and I use this parking all the time. Our experience is that this mid-block parking is extremely well-utilized. The layout should be improved by combining the CVS and city parking into a more rational pattern, as HAPA has proposed. Certainly such improvement would be far more affordable than a parking structure. The vacant lot on B St. and the Salvation Army area could be redeveloped as suggested, and more could be done by razing the office building on A St., creating a direct connection to Maple Court, and redevelopment just east of the Salvation Army Building. These ideas are similar to the Vision but based on more non-auto access, which the Vision, at least in theory, is committed to.

What does "under-utilized" mean? The Vision needs clarity. Downtown lots and parking structures are less than 80 percent parked up most of the time. Sometimes the structures and the downtown block are full. With pricing, the supply would equal demand. Without pricing,

there can never be enough parking and resources are wasted. It is essential to implement some pricing to start the process of public education and acceptance. The Vision needs to propose this.

“A curb-less street shared by pedestrians, cyclists and motorists” (from the Vision) is exactly what we have now; motorists and pedestrians are already using the same space. [Also slide 33]

The MTC research has been ignored. The HAPA recommendations have been ignored. The potential for a circulator alignment has been ignored. In general, the Vision shows no awareness of how to make circulators and shuttles fast, frequent, free, and cost-effective, as explained in more detail in previous HAPA comments.

The Vision makes a number of claims that do not bear close examination. We don't need a parking structure to help form complete block faces. The vision assumes that parking loss to buildings must be replaced by parking elsewhere instead of by non-auto access. The Vision is inadequate because it provides no analysis of the ability to provide enough access by non-auto modes and without parking structures. The connection is not needed to catalyze infill buildings. The buildings do not need to be served by a public parking structure. The shared space connection already exists.

BART TOD

The private investment being proposed near BART (Slide 38) would be on land now used for disabled access, buses, and existing plaza. The vision needs to analyze if the proposal does anything at all to increase foot traffic and active uses compared to the existing situation. There is potential for building on the existing plaza in a way that would reduce its size by city hall, but the Vision text does not accurately describe what is on the drawing on slides 35-36. Building on part of the existing plaza would achieve the goals described in slide 39 without pre-empting adjoining space now used by bus riders, disabled people, and taxi/ehail ride users.

Keep the BART Intermodal

The bus stops should NOT be relocated from where they are now. The bus multimodal center was built at considerable public expense and has access from BART that is far more convenient than anything that could be accessed from the west side. The movement of buses from B St. into BART and out on C Street works very well and any plan for the west side would necessarily slow down transit access to downtown.

It makes no sense to reduce the number of bus bays when we're trying to increase public transit and make Hayward BART a major regional multimodal hub. We need instead to reallocate bays for the Chabot and CSUEB Hayward shuttles, not make them less attractive with a west-side access. If Hayward is serious about shuttles, many will need to a convenient stop at Hayward BART.

It is not practical to eliminate the disabled parking area off B Street. There is a reason why disabled access is from the east side, but the Vision does not seem to be aware of it.

A new pedestrian plaza is not needed; the existing station exit area and walkway to Watkins work fine. People have no problems crossing the bus lanes from the drop-off lanes to the station.

Moving bus stops away from the BART station to Mission and A makes no sense. Bus rapid transit is usually less cost-effective than rapid bus and would need to go to BART. Rapid bus to Chabot and CSUEB Hayward should be far higher, in fact, immediate, priorities.

It seems unlikely that the proposed open space will draw people into downtown any more than the existing situation.

Foothill Mission Gateway

Slide 45 shows the destruction of existing businesses, a new routing pattern, and new buildings, as a way to calm traffic, provide a gateway to downtown, and provide a “vibrant” space. These changes seem totally unnecessary. Traffic can be calmed through narrower streets and travel lanes, and speed humps. The term “gateway” is too vague to be meaningful. The keys to “vibrant space” are attractive businesses with adequate sidewalks and nice landscaping. Slide 45 shows an expensive way to achieve downtown renewal. The proposed coordinated signals would work equally well with two-way traffic or two simple traffic circles. As with the other proposals, this slide shows too much imagination and too little practicality.

B and C to two-way

The Vision assumes some benefit with no explanation; it does not demonstrate any clear benefit from B/C going to two-way. The consultants do not seem to realize that the Loop has increased through traffic on B and C, and that two-way might make things worse. The narrowness of B St. already assures slow traffic. If the purpose is to make traffic slower, B St. is already slow. If it would have more parking, what are the numbers? The Vision needs to discuss how deliveries would work, because now a travel lane is often blocked but traffic can still go around easily.

Study

The Vision lays out a plan that is visionary but too expensive to implement, is often impractical even in the medium term, ignores critical choices, has worthwhile goals disconnected from specific ways to achieve them, subsidizes traffic and global warming, and calls for ped and bike facilities with no analysis to show that people would use them.

The City needs a study that would compare the traffic-increasing approach of the Vision to one based on sustainability and quality of life. The study would consider all the policies that would reduce auto-access to downtown, many absent from the Vision. It should be in ten year phases.

The comparison would use the same housing and job projections, hopefully better reasoned than the ones used so far, showing congruence between resident and non-resident demand on the one hand and local business square footage on the other. There needs to be a holding capacity study which estimates units, square feet, and building heights as a basis for the projection. Instead of no proposals for the BART site or the city site at C and Main, a holding capacity estimate would list all parcels with estimates of developable land, fault-constrained land, and square feet of open space. Land use estimates are the basis for trip generation and absorption for all modes.

(How many people are in the housing units on slide 5? How many employed residents are in those units? Concerning jobs, how many are local-serving and how many are basic, such as specialized businesses that serve clients outside the downtown and industrial employment. Non-resident employees with basic jobs need to be considered in the purchasing power for local business.)

The study would estimate trips by residents and by people from outside downtown, and by all modes: auto, public auto, transit, bicycles, and walking.

The study would estimate how many trips and the modes they would use. The list below is a first attempt and needs better integration with the metrics, especially slide 54.

The study would

- Assume design measures to accommodate bicycles at the ends of trips,
- Study the four options for the Loop, including not only traffic but also cost-effectiveness (I predict that the four options will work about the same, so that lower cost should determine the choice),
- Study converting B and C to two-way (I predict that making B and C two way would not gain much if anything)
- Estimate non-auto access to downtown by BART, shuttles, public autos, bicycles, and walking,
- Include the corridor shuttle to CSUEB Hayward, with ridership based on Bayview Village, campus residential development, and Mission corridor development, all based on non-car modes as HAPA has proposed,
- Include the corridor shuttle to the Amador County Center, Southland, and Chabot,
- Include the downtown circulator as proposed by HAPA,
- Use HAPA's rapid bus concepts and proposals for shuttles and the circulator,
- Estimate traffic flow for the three practical alternatives for Mission-Foothill-Jackson—two-way with signals, two traffic circles, Foothill via E St.—as well as the lozenge. (I suspect that these three ideas and the lozenge will perform similarly and that the two-way concept is far less expensive),
- Include a table for Mission-Foothill-Jackson that would show square feet for the three alternatives. The table needs to show areas in pavement, the big oval, traffic circles, other open space such as fault-constrained area, buildings demolished, new buildings, bicycle lanes, parking, and sidewalks. (This table would be a subset of the holding capacity table),
- Include reduction of travel lanes and provision of more parking and bike lanes.
- Include market based parking charges as proposed by MTC and HAPA, including use of revenues for local improvements as determined by merchants,
- Estimate of how market charges combined with more surface parking increases access, parking turnover and consumer spending,
- Include economic unbundling and related rent reductions,
- Include employee cash out,
- Include other TDM as being required for Lincoln Landing,
- Estimate reduced auto access and auto ownership using all of the above.
- Estimate increased access using all of the above.

The analysis should be qualitative as current modeling methodologies are not sensitive enough to the assumptions, as explained in other HAPA academic papers. A qualitative approach is much easier to do, but requires transparency about assumptions.

Funding

The Vision has no discussion of funding and does not propose a top priority phase one project. Slide 73 fails to mention funding available from MTC and ACTC. There is no discussion of the \$20 million or more available in the SR238 LATIP Fund.

I disagree with phasing for a “quick win.” (Slide 59) The downtown plan top priority should be a real win, a simple reversion to a two-way system, something we could afford that would end the self-inflicted wound of the Loop. Hayward cannot move ahead until downtown is a place to go to, not go past.

The DEIR

These comments are aimed at getting adequate information developed. The analysis of parking structures as described above will have to show how much they subsidize global warming, increase traffic, and have other negative impacts. If parking structures are part of the plan for downtown subject to an EIR, HAPA will have to make sure that the anti-environmental impacts are fully disclosed. The DEIR needs to consider negative impacts, subsidy, and demand if there were no subsidy.

It is essential that parking pay its own way, for residents and employees not a market charge but an economic charge that reflects the real cost of the parking. For short-term parking, the number of spaces should be based on analysis of willingness to pay that is great enough to pay for the economic cost of the parking. Any evaluation, to be adequate, must also consider the ability of walkers, bicycle riders, and frequent high-quality transit to provide access. Portland, Oregon provides an example of how to do this planning successfully.

The DEIR needs to have an analysis of non-auto-access, not just drawings and level of service concepts that cannot be applied due to inadequate plans. We need to estimate how many people need to get to proposed downtown retail for it to be successful, and the modes people would use to get there. The Vision has no analysis of walk access, bike access, circulator ridership, corridor shuttles to CSUEB Hayward or Chabot, shuttle ridership based on Bayview Village, campus residential development, and Mission corridor development based on non-car modes. It has no analysis of access by BART, bus, and public autos, and no estimates of reduced auto access using TDMs like employee cash out, unbundling, and market-based street parking. The Vision is remarkably unsophisticated on these issues, with the performance of Nelson Nygaard being particularly disappointing. Their consultant showed many pedestrians walking on attractive successful shopping streets, but had no idea about how they got there. This kind of thing can happen in California; it would never happen in Portland or other progressive cities that understand sustainability and quality of life policy.

Conclusion

The Vision generally ignores HAPA’s specific recommendations at the same time that it is friendly to the general concepts behind them. The Vision presents five community priorities based on community input, which I assume are also ones that the consultants also support. They are nice, but do unfortunately exclude minority voices with additional good ideas. The vision has

far-out ideas for a far out future, which brings imagination to local planning we have not had before. However, the Vision lacks any suggestion of a top priority for initial phasing for the whole downtown. A Vision may be intentionally vague, on the way to a Specific Plan, in which case these comments should be taken as what HAPA looks for in a Specific Plan.

These comments analyze severe problems in the Vision for downtown. Rational analysis plays little role in politics, which is controlled by perceptions and culture. The consultants are very nice, intelligent people who know their profession well; it is the culture of the profession that is ignorant about the real economics of global warming and pragmatic policy that can reduce auto-dependency. The Vision relies on pretty images and vacuous, often very expensive, concepts lacking in practicality. There is no quantitative analysis of mode shift. Planning staff knows the rules for planning and how to write reports but also has its own culture of supporting subsidizing global warming without being aware that it is doing so. City management is also limited by demands on their time and the absence of enough voices calling for real policy. In May 2017 I sent the City Manager an email I thought was important and did not get an answer. I requested an acknowledgement but got no answer. I left a message with an assistant to let me know if the message was received, still with no answer. This kind of problem is not unusual. The City Council is there because of its sincere commitment to the welfare of the city and the confidence of the voters that they are good people to entrust with city affairs. The Council is chosen for its ability to listen to many voices and not for its inclination to academic analysis. With so many demands on its time and limited policy expertise, and without the depth of knowledge needed for effective policy for climate change, it has to rely on staff for analysis. All these cultural factors and the inertia of autonomous networks means that the City supports policies increasing global warming while claiming to oppose it. CSUEB Hayward is having the same problem.

The failure of policy is evident in not doing anything to eliminate bundling requirements in apartment rentals, not rescinding parking requirements in zoning, not supporting economic unbundling, not studying how much parking is really needed, in a lack of interest in market viability of less car-dependent life-styles, and not even supporting the smallest of pilot projects for market-based charges for street parking. The Council yielded to merchant concerns rather than provide leadership to educate the merchants, who really do not understand the issues (explained in more detail in other reports to Council). Many forward looking policies of the General Plan were ignored in the Maple Main and Lincoln Landing projects. The City approved the Green Shutter rehabilitation with no parking at all and believes there will be no problem, yet it requires excessive subsidized parking for other projects. The incompatibility of parking structures with sustainability is ignored; the culture of free parking is honored. The Vision does not mention many important policies. The Vision is far short of a comprehensive plan despite repeated advice to the City about how to do one.

While smart growth and complete streets have a cachet with consultants and officials, there is no real understanding of how to reduce auto dependency using a whole series of practical, related policies.

PUBLIC COMMENTS

BIKE EAST BAY

ITEM #6 WS-17-018

DOWNTOWN SPECIFIC PLAN



June 15, 2016

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Dear Damon Golubics,

Bike East Bay has reviewed the Long-Term Vision presentation for the Downtown Specific Plan, and we are impressed by the excellent work staff and consultants have done to strive toward a more walkable, bikeable, and human-scale downtown Hayward.

In particular, the presentation's section on mobility presents an excellent vision for the future, taking a deep dive into evaluation metrics and striving for a complete protected bikeway network. Responding to clear public input, the team has re-examined the one-way loop configuration, offering instead a future that restores the grid and increases accessibility for all users. There are a few elements in particular we support for the final plan, along with some comments and concerns:

1. The presentation slides on the shift from using Level of Service (LOS) as the primary performance metric are excellent. We support focusing on Multi-Modal Level of Service (MMLOS), safety, economic metrics, and reduction of Vehicle Miles Traveled (VMT) in all future evaluations. Bike East Bay has been asking all cities to include this transition away from LOS and we strongly encourage Hayward to become a leader in this shift as part of the Downtown Specific Plan. Policy M-1.5 of Hayward's General Plan supports flexible movement away from LOS, and this change will improve the downtown for all users.
2. The network of protected bikeways that allow bicyclists of all ages and abilities to access the goods, services, and resources of downtown Hayward looks excellent. As the city knows from community feedback, one of the greatest challenges to downtown Hayward are the massive, multi-lane arterials that ring the commercial area, making access for people on bikes and on foot extremely intimidating, dangerous, and uncomfortable.

A dense network of all ages and abilities bikeways not only increases access and safety for bicyclists, but also serves to help calm auto traffic and provide separation between faster vehicles and people walking on the sidewalk. The long-term proposed reconfiguration of the Five Flags is truly impressive, and would be truly transformative if implemented.

We strongly support the presented vision for bike access, with some comments on the proposed network:

- While the vision presented is ambitious, the omission of Mission Boulevard from the bicycle network is unwise. Jurisdictions throughout Alameda County, including Hayward in other neighborhoods, are making moves to implement complete streets projects on the Mission Boulevard corridor, and downtown Hayward should do the same. While we appreciate the plan for a protected bikeway on Foothill, that would eventually lead to a freeway intersection, while Mission leads more directly to Cherryland and beyond. Please consider adding Mission back into the bikeway network.
 - Watkins and Grand are both crucial access points to the BART station and adjacent neighborhoods. These streets need high-quality bikeways to improve access to transit as well as to the downtown commercial core. In this case and for all the bikeway plans, it is important to always ask how a bicyclist or pedestrian would navigate from their home, for example in the Jackson Triangle, to downtown. If it involves a complicated detour to avoid unfriendly streets, the bikeway network is not complete. Enabling easy access from neighborhoods into downtown should be a top priority.
 - From the current map it is unclear precisely how bikes will access the BART station. Even if BART property itself is not part of the plan, the final draft should include more detail about how the city will facilitate multi-modal access to the edge of BART property.
 - Even though the East Bay Greenway is an exciting plan and Bike East Bay will be continually involved in its implementation, the future of railroad right of way acquisition is still very unclear. The Downtown Specific Plan should not rely on the trail as the sole north-south connection, instead providing more reliable parallel routes via on-street facilities. Again, Foothill becomes a freeway interchange and a reliable route should be identified and expanded on Mission, Grand, Montgomery, or ideally all three. Moreover, an off-street facility is never a substitute for safer streets.
3. We support the vision of a downtown for people, including reclaimed public spaces and human-scale placemaking. The sketches and ideas for creative use of alleyways, parking areas, and unused lots are exciting and thoughtful. For any new community identifiers, wayfinding, and gateway features, human scale should be considered carefully. Hayward has taken great pride in the large gateway features constructed as part of the Loop project, but these green signal arches and massive signs are clearly

designed to be seen from vehicles, not by bicyclists and pedestrians. All new placemaking features should be scaled for people on foot to see and enjoy.

4. Finally, the vision for infill development is excellent. In order to have a truly bikeable, walkable community, Hayward needs to be a place where people can live near their workplaces, schools, and services. Medium and higher-density infill development for people of mixed incomes, without excessive parking, will help Hayward contribute to a regional housing shortage while creating a downtown that enables a mix of uses, where people can work, study, and shop affordably and within reasonable proximity to their homes.
5. Access to downtown Hayward for people in other areas of Hayward should be central in the final plan. In particular, the results and recommendations from the ongoing but unfinished shuttle feasibility study should be incorporated with specific recommendations for multi-modal circulation into the downtown area. As bicycling advocates, we acknowledge that not all individuals can ride a bike. Providing affordable, reliable alternatives to single-occupancy vehicles will be vital for fostering a vibrant, bike-friendly downtown.

Thank you again for your hard work on developing the Downtown Specific Plan. The firms on the design and planning team have done truly impressive work, and at Bike East Bay we are excited to see and support the next draft of the plan. Please don't hesitate to be in touch with any questions.

Sincerely,



Susie Hufstader
Community Organizer
Bike East Bay
Susie@BikeEastBay.org

ITEM #6 WS 17-018

DOWNTOWN SPECIFIC PLAN

AGENDA QUESTIONS AND ANSWERS

AGENDA QUESTIONS & ANSWERS
MEETING DATE: JULY 11, 2017

Item #6: Downtown Specific Plan - Design Charrette Outcome, Update & Discussion (Report from Interim Development Services Director Bristow)

Q: For the Downtown Specific Plan item (#6), is the draft vision that the Task Force is responding to, this item:
[LWC Hayward Vision Framework Draft 052517.pdf?](#)

A: The answer is “no.” The posted framework vision is a more detailed version of the charrette outcome (May 2017 version; 74 pages in length). A more concise presentation was put together for the June 5, 2017, Downtown Specific Plan Task Force meeting ([Task Force Meeting #4 6/5/17](#)) which was 37 pages in length.

Item #7: Biennial Review of the Community Development Block Grant Program and Recommended Reallocations of One-Time Available Fund Balance in FY 2018 and FY 2019 (Report from Library and Community Services Director Reinhart)

Q: For Item 7, CDBG reallocation, was the report and proposed plan given to CSC Commissioners prior to their meeting?

A: The Community Services Commission received a comprehensive visual and verbal presentation of the biennial review results and proposed reallocation plan during their June 21, 2017 meeting. The materials were not provided in advance.

PUBLIC COMMENTS

KATE TURNEY

To: Hayward City Council
From: Kate Turney, 206 Hangar Task Force
Member

July 11, 2017

Mayor, Council and Staff:

The 206 Hangar Task Force has spoken at every Council meeting since April 13th, sharing with you the history of Hayward Airport, guidelines from the Airport Master Plan, written directives from the FAA, details of past practice and common law, the history of cooperation at this airport between managers, users of airport services and the City Council. We have shared our consultations with the FAA and the Department of Transportation. We have reviewed terms of hangar, private business and real estate leases and sales. When the airport managers have not been forthcoming with our requests for documents, we have used the Freedom of Information Act to uncover relevant material. We have formed a Task Force and offered to work cooperatively to find mutually agreeable solutions to our disagreements.

Through all of this, the Council has maintained a wall of silence, offering no response to appeals for legal opinion from the City Attorney, no indication of awareness of or interest in the history, past practice, legal agreements or delineations set forth by the FAA and the Department of Transportation.

Two of the Council members have actually said to us, "It doesn't matter what is written; we can do whatever we want."

That is not how the Department of Transportation and the FAA operate. That is not how this Airport has operated for 70 years.

In disputes between airport managers and airport users, the Department of Transportation writes, "The Department's preference [is for] direct negotiation and resolution between the parties." - FAA, Final Policy, The Federal Register, The Department of Transportation.

In two weeks the first annual 10% installment of the 50% rent increase on general aviation hangars goes into effect. That shocking, unilateral action is based on a questionable market study for which, according to the Airport Manager's Office, there is no written evidence of the Council's approval.

So, no law, no directive, no contract, no lease and no market study justify the rent hike you unilaterally impose on us in two weeks. You - each one of you - is accountable here. Not one of you has offered the rationale for the Council's action besides, "It doesn't matter. We can do whatever we want." There's a campaign slogan to motivate every voter in Hayward!

Again, we ask you to join us at the negotiating table, as past practice has established to our mutual benefit for the last 70 years.

It is not too late.

PUBLIC COMMENTS

JERRY TURNEY

HAYWARD airport is not a real estate development business. It is a community asset not subject to real estate's housing objectives.

Promoting the growth of flying transcends normal market place profit incentives.

THE FEDERAL AVIATION ADMINISTRATION POLICY, 1996

The FAA prefers *direct negotiations between airport managers and users*. This negotiating process has in *almost all cases produced reasonable and non-controversial results*.

The August 1, 2017 hangar 10% rent increase exhibits none of the elements.

THE FEDERAL AVIATION ADMINISTRATION'S OBJECTIVE¹, 2004

The FAA says, "It is to the benefit of aviation and the public that aeronautical users be able to use the airport at *rates below the cost of providing the aviation facilities*. The FAA promotes the practice of using non-aviation revenues to *subsidize aeronautical activities* since it *reduces the economic impact on aviation users*".

THE HAYWARD AIRPORT'S TWO MARKET STUDIES, 2007²

In 2007, the Council rejected the Hangar Market Study that recommended hangar rents increase 40%. Negotiations lasted for five months that resulted in a reasonable and non-controversial increase was found.

The 2017 Hangar Market Study is flawed. No additional studies will correct the fatal mistake.

As of this meeting, the airport manager cannot find any written authorization for the 2017 market study. Market studies are allowed every four years. The first market study was 2017, so possible study years are 2011, 2015, 2019, etc.

CPI determines 2017 hangar rent increases.

¹ FAA Docket No.16-03-11, January 3, 2004

²

<http://user.govoutreach.com/hayward/attachment.php?request=3253104&access=3364663331313464&aid=910501>

PUBLIC COMMENTS

CHARLIE PETERS



Clean Air Performance Professionals

STOP

California *Smog Check*

Save Billions In "Wallet Flushing" Car Tax

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

House panel to unveil self-driving car legislation soon

by David Shepardson / WASHINGTON / Reuters / July 11, 2017

WASHINGTON U.S. House Republicans expect to introduce bills later this week that would bar states from setting their own rules for self-driving cars and take other steps to remove obstacles to putting such vehicles on the road, a spokeswoman said.

The legislative action comes as major automakers are joining forces with auto suppliers and other groups to prod Congress into action.

Last month, a U.S. House of Representatives Energy and Commerce subcommittee held a hearing on a Republican draft package of 14 bills that would allow U.S. regulators to exempt up to 100,000 vehicles a year per manufacturer from federal motor vehicle safety rules that prevent the sale of self-driving vehicles without human controls.

Blair Ellis, a spokeswoman for the committee, said on Monday it was likely that legislation would be introduced this week and a formal hearing on the bills would occur next week.

Republican U.S. Representative Robert Latta said last month he hoped to win committee approval of a bipartisan legislative package by the end of July.

The draft measures would bar states from setting self-driving rules and prevent the National Highway Traffic Safety Administration from pre-approving self-driving car technologies.

Democrats say the NHTSA must play a more aggressive role in mandating self-driving car safety.

The Alliance of Automobile Manufacturers, a group representing General Motors Co (GM.N), Volkswagen AG (VOWG_p.DE), Toyota Motor Corp (7203.T) and others, and the Association of Global Automakers, representing major foreign automakers including Honda Motor Co (7267.T) and Hyundai Motor Corp (005380.KS), are forming the Coalition for Future Mobility to press Congress to act.

The group, which includes the Motor & Equipment Manufacturers Association, National Federation of the Blind and Securing America's Future Energy, a group of corporate officials and retired military leaders, plans to begin airing radio ads on Tuesday portraying the legislation as "liberating innovation for self-driving vehicles."

GM, Alphabet Inc (GOOGL.O), Tesla Inc (TSLA.O) and others have been lobbying Congress to preempt rules under consideration in California and other states that could limit self-driving vehicle deployment.

The administration of former Democratic President Barack Obama last year unveiled voluntary guidelines on self-driving cars. President Donald Trump's transportation secretary, Elaine Chao, has said she plans to quickly update those.

<https://www.reuters.com/article/us-usa-selfdriving-idUSKBN19W0YJ>

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

Detroit's Urgent Embrace of Self-Driving Cars

By Jeffrey Rothfeder / New Yorker / July 11, 2017

Last Friday, Tesla's Model 3, the upstart automaker's first mid-priced, mass-market electric vehicle, began rolling off the assembly line. The Model 3's price (around thirty-five thousand dollars), its range before needing to recharge (about two hundred and fifteen miles), and relatively inexpensive, high-performance battery pack have received a great deal of attention. But other automakers are increasingly more interested in another aspect of the Model 3: a self-driving system called Autopilot that, according to Tesla, uses cameras, radar, and ultrasonic sensors to see through rain and fog, set speed based on traffic conditions, stay in a lane, pass slow-moving vehicles, exit freeways, and park without driver input. Tesla's C.E.O., Elon Musk, predicted recently that in about two years people will be able to go to sleep in a moving Tesla and wake up to find they have arrived at their destination.

Traditional automakers have been dabbling in self-driving research for about two years, but with little urgency. Lately, though, attitudes have shifted dramatically. Suddenly, the prospect of autonomous vehicles looms as a tangible threat to traditional cars, and auto companies are plowing ahead with driverless experimentation, worried that if they don't they'll be left behind. That fear is behind a flurry of recent activity. Last year, General Motors purchased Cruise Automation, a self-driving software company, for about a billion dollars, and invested five hundred million dollars in Lyft, the ride service, to create an autonomous vehicle network. At last count, G.M. had already built nearly two hundred Chevrolet Bolt electric self-driving vehicles, the most of any automaker. Nissan has joined forces with NASA's Ames Research Center to develop terrestrial and space-ready driving machines that can navigate complex terrains with no human input, slated to be commercially available by around 2020, roughly the same year that Fiat Chrysler, BMW, Honda, Mercedes, and Ford plan to launch their driverless vehicles. Ford opened an R. & D. center in Palo Alto in 2015 and, subsequently, established a Smart Mobility unit. Skittishness about the imminent impact of autonomous cars was one reason that the Ford C.E.O. Mark Fields lost his job, in May. Ford's stock price had fallen but, more important, Bill Ford had become impatient with the slow progress of his company's self-driving car project. The new C.E.O., Jim Hackett, had been the first head of the company's Smart Mobility unit.

What changed? Put simply, Silicon Valley discovered Detroit. Pursuing new revenue streams outside of their usual markets, firms like Google, Apple, and Uber, along with well-heeled venture capitalists, poured hundreds of billions of dollars into partnerships and internal design teams to produce hardware and software for self-driving electric cars. It was a natural fit, a by-product of the advanced research in robotics and artificial intelligence that tech companies were already focussed on.

These investments linked previously unrelated businesses. Apple invested a billion dollars in the Chinese ride-sharing firm Didi Chuxing, mainly to amass a database of knowledge about

vehicle and driving maneuvers on busy streets. Uber also took a stake in Didi Chuxing, while Google invested in Lyft. The chipmaker Nvidia teamed up with the German mapping company Here to develop A.I.-based G.P.S. systems for driverless cars. And, in the biggest deal, a few months ago, Intel paid fifteen billion dollars for Mobileye, an Israeli maker of digital-vision systems for navigating complex traffic environments.

All told, a few dozen partnerships and startups involving autonomous vehicles surfaced in just the past couple of years—a wave of activity involving the auto industry that is astonishing to veteran observers. As Doug Newcomb, a longtime auto journalist and now the president of C3, a Web site devoted to car technology, told me, “Auto companies are conservative; they weren’t ready for this onslaught of outsiders at first. What industry would be? This never happens.”

Sacrificing profits in the short term, Silicon Valley firms are jockeying for position to provide the first glimpses of what the future of automobiles and transportation could be. (The Boston Consulting Group forecasts that, by 2035, autos with autonomous vehicle features will capture twenty-five per cent of the new car market.) Uber’s Otto unit made news not long ago when its driverless truck covered a hundred and twenty miles in Colorado, from Fort Collins to Colorado Springs, to drop off two thousand cases of Budweiser at a warehouse. The semi stood out on the highway with its curious sign: “Proudly Brewed. Self-Driven.” Google has fielded a fleet of some seven hundred self-driving vehicles, including Lexus S.U.V.s, Chrysler Pacific minivans, and a custom-built, bubble-shaped design oddity called Firefly. Since Google began its autonomous vehicle skunkworks, in 2009, its cars (now managed by a subsidiary called Waymo) have driven more than three million miles on public roads in California, Texas, Arizona, and Washington.

The magnitude of the technology investments has created a quandary for traditional automobile companies. They could cede a seemingly soon-to-be lucrative portion of their industry to Silicon Valley, essentially serving as subcontractors to the likes of Apple and Google, making shells of cars while the technology companies add their own sensors and software. That would leave the automakers with minimal profits from each vehicle, no residual revenue from, say, maintenance and service, and diminishing relationships with car buyers, their natural customer base. Or they could do the opposite—that is, treat the technology companies as suppliers and learn how to build autonomous cars themselves. They chose the latter.

One utopian vision of the future—one not necessarily shared by automakers—is that self-driving vehicles will ultimately lead to the elimination of individual car ownership. In this perspective, cities are emptied of traditional vehicles, while automated cars roam the streets twenty-four hours a day, on call via the cloud for anyone wanting a ride to the supermarket or the airport. Every shopping mall, airport, and school district would be navigated by self-driving shuttles.

If you believe this landscape is possible, then the economic rationale for purchasing an automobile falls apart. One prominent report, by the Rocky Mountain Institute, an environmental think tank, found that using an automated-mobility service—similar to Uber and Lyft but driverless—would cost consumers about the same as owning and operating a sedan, less than a dollar per mile, with none of the headaches of maintenance, parking, and battling traffic in a bad commute. A second study, by technology analysts RethinkX, argued that autonomous vehicles “will end the model of car ownership itself.” By 2030, the group said, ninety-five per cent of all U.S. passenger miles will be served by self-driving fleets—from two seaters to eighteen wheelers—and the average American family will save five thousand and six hundred dollars per year in transportation costs. The implication of these studies is that the car companies today are spending, in many cases, more than one-fifth of their R. & D. budgets to help perfect technology that could mostly put them out of business.

There are a number of obstacles to this scenario, the biggest of which might be that car companies are in business to make profits and will do their best to insure they maintain their sales market. There are also technological hurdles to a completely driverless world. The driverless car that is fully capable of taking itself anywhere, never needs human assistance, and has no controls for people to operate does not yet exist. The machine cognition needed to calculate how to navigate a road with one lane blocked by an emergency vehicle and a flagman intermittently waving cars through is well beyond anything invented today. In fact, most self-driving cars are afraid to leave their lane and, thus, can easily hiccup in stop-and-go mode behind a mail truck for miles—and a four-way stop sign can lead to paralysis.

It will take some doing to get to the point where cars don't need drivers, but safety experts are hoping for that outcome quickly. The number of highway deaths has risen distressingly in the last few years, to about forty thousand in the U.S. and well over a million worldwide—and as many as ninety-six per cent of these fatalities are the result of driver mistakes. Frustrated by not being able to put a dent in these statistics, the National Highway and Safety Administration, in September, issued detailed guidelines for testing and deploying autonomous vehicles and, at the same time, endorsed self-driving cars as a way to “dramatically decrease the number of crashes tied to human choices and behavior.” Still, that holds only if the human is never trusted with the wheel. In a number of studies, carmakers have found that people in self-driving vehicles are inadequate backup drivers—unable to quickly judge situations around them when called upon to drive suddenly, pulled away from a distraction like a cell phone, video game, or streaming movie. In other words, given our propensity for road rage and our inability to ignore the allure of a text message, maybe the smartest thing we could do is put our lives in the hands of dispassionate machines. At least, that's what Silicon Valley is banking on.

<http://www.newyorker.com/business/currency/detroits-urgent-embrace-of-self-driving-cars>

Trump Loves GMO corn Mandate

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



Clean Air Performance Professionals

Patrick O'Donnell

NO on AB 1274 unless Amended

**SCAQMD Self Driving Electric
Robot Transportation System Stinks**

**ARB Link Below includes our Proposed
Amendment to your Bill AB 1278**

<https://www.arb.ca.gov/lists/sip07/112-0777com0010.pdf>

CAPP an Award Winning Coalition of Motorists

A handwritten signature in black ink, appearing to read 'Charlie Peters', written over a white background.

Charlie Peters

510-537-796

cc: interested Parties

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



Will Gonzalez

Will Gonzalez has over 15 years of legislative and political experience. In 2002 he established his firm, Gonzalez Public Affairs, which specializes in legislative advocacy on transportation, environmental, and energy issues and prides itself on its policy expertise and close bipartisan relationships. The firm has achieved significant legislative victories for its clients including securing millions in state transportation funding, helping pass sweeping renewable energy laws, and spearheading efforts to reform state procurement.

Prior to starting Gonzalez Public Affairs, Will Gonzalez served as legislative director to Assemblyman Darrell Steinberg who was recently elected as the Senate Pro Tem. As Legislative Director, Will helped secure over \$180 million in state funding for CNG transit buses and for innovative air quality programs aimed at helping the Sacramento region meet its conformity requirements. Will also served as Consultant to the Assembly Labor Committee and the Native American Repatriation Select Committee.

Upon leaving the legislature, Mr. Gonzalez joined Ford Motor Company where he lobbied on behalf of the company and the Alliance of Automobile Manufacturers in California and twelve other western states. Mr. Gonzalez is credited with securing state grants and tax incentives for electric and alternative fuel vehicles worth over \$140 million. He provided political communications services to Ford in response to the Explorer-Firestone crises, the costliest vehicle recall in company history.

<http://gqhlobby.com/>

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

FOR IMMEDIATE RELEASE

March 10, 2017

DMV Releases Proposed Rules for Driverless Autonomous Vehicles

Public Hearing to be held April 25, 2017 10 a.m.

Sacramento – The California Department of Motor Vehicles (DMV) today released proposed regulations to establish a path for testing and future deployment of fully autonomous vehicles without drivers.

“California has more manufacturers testing autonomous vehicles than any other state and today’s rules continue our leadership with this emerging technology,” said California Transportation Agency Secretary Brian P. Kelly. “These rules protect public safety, promote innovation and lay out the path for future testing and deployment of driverless technology. This rulemaking is the next step in working with stakeholders to get this right.”

“These rules expand our existing autonomous vehicle testing program to include testing vehicles where no driver is present,” said DMV Director Jean Shiimoto. “This is the next step in eventually allowing driverless autonomous vehicles on California roadways.”

The department received substantial feedback from manufacturers, consumer advocates, local government, insurance companies, and other stakeholders after it released revised draft regulations for testing without a driver and the deployment of autonomous vehicles in September 2016.

The proposed regulations were published in the Office of Administrative Law’s California Regulatory Notice Register on March 10, 2017, and mark the start of a 45-day public comment period, which ends April 24, 2017.

The proposed regulations address public safety concerns while recognizing the potential of autonomous technology to improve safety, enhance mobility and encourage innovation. The proposed regulations:

Recognize that the National Highway Traffic Safety Administration (NHTSA) is vested with the authority to develop Federal Motor Vehicle Safety Standards (FMVSS) and enforce compliance with safety and performance standards for motor vehicles. DMV is requiring certification to meeting these federal safety standards.

Establish a framework for testing without a driver.

Identify requirements that a manufacturer must meet in order to sell, lease, or otherwise make their vehicle available outside of a testing program.

Address other key topics related to autonomous vehicle deployment, including driver licensing and responsibility, vehicle registration, and advertising of autonomous vehicles.

To gather public input on the regulations, the department will hold a public hearing on Tuesday, April 25, 2017, in Sacramento.

Autonomous Vehicle Public Hearing / California Department of Water Resources Auditorium

1416 9th Street, Sacramento, CA 95814

<https://www.dmv.ca.gov/portal/dmv/detail/vr/autonomous/auto>

March 11, 2017

Brian P. Kelly (916) 323-5400 / fax 5440
Secretary CA Transportation Agency

Re: Vehicles that are Covered by California Emissions Performance Warranty

Currently there is information available regarding what is covered by an emissions performance warranty including the vehicle under hood label which is a 15yr 150,000 mile performance warranty in the event the check engine light is on. The under hood label is the primary accepted information source.

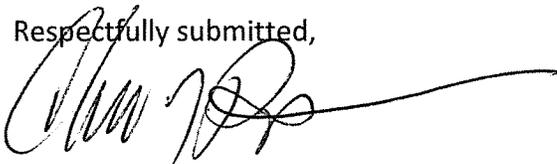
Here is the Air Resources Board (ARB) posted document outlining the areas covered and the time and mileage requirements.

PZEV ARB

In practice if a customer comes in with a check engine light on to the dealer, they are charged a diagnostic fee for analysis and in addition they are then charged for any repair parts and labor for all or part of the required repair to address the check engine light. This is part of the agreement between the Air Resources Board and the Manufacturer which should be covered by the performance warranty.

Customers are required to provide a letter from the manufacturer refusing to fix their car without charge in order for their complaint to be acted upon by the Air Resources Board who manages the manufacturer warranty program.

Respectfully submitted,



Charlie Peters / (510) 537-1796
Clean Air Performance Professionals
(CAPP) / cappcharlie@earthlink.net
Cc: interested parties

The Bureau of Automotive Repair (BAR) has stated that this is not in their jurisdiction but are willing to consider the complaint.

It is likely that cars under warranty that have customers paying for repairs that should be covered is significant.

The desired outcome is the creation of an audit for compliance of the diagnostic and repair warranty program.

Under this audit program cars in the market that fail could go to the referee who verifies the fail as a candidate for warranty coverage. They can then be asked to be used for the auditing process program. They are directed to the dealer as an undercover vehicle to evaluate warranty compliance. Cars repaired correctly are provided back to the customer, those that are aren't are addressed with the dealer at that time for possible additional evaluations to successfully complete the warranty service. A conversation for those times where further evaluation is required is initiated looking for ways to improve the over all process. Customers who's vehicles are used for this purpose are provided with a daily rental vehicle while their car is out of service.

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

Clean Air Performance Professionals

October 1, 2015

RE: VW Smog Check game

Honorable Governor Jerry Brown.

In a 1991 visit to Washington DC Environmental Protection Agency (EPA) upper management, EPA ask for an opinion of Smog Check test performance, can the IM 240 generate desired results?

The opinion provided was NO, even Federal Test Procedure (FTP) could not, NOT, control cheating results.

EPA was provided the opinion that the ethics of regulator and regulated with a proper audit system could perform superior to the modeled technology only results.

So what does it take to consider a Total Quality Management (TQM) E. Edwards Deming audit pilot study concept demonstration?

A California meeting in 1993 resulted in an "agreement" to start a pilot study to demonstrate proof of concept within 45 days.

Is it time to consider adding Little Hoover Commission to the game?

People matter.

Respectfully, CAPP an award winning coalition of motorists



Charlie Peters

510-537-1796

cappcharlie@earthlink.net

cc: interested parties

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



Clean Air Performance Professionals

Dec. 26, 2016 / 916-323-5400 / fax 5440

Dear California Transportation Secretary Brian Kelly,

RE: State "Union Member" Employee Jobs

Would a California Self-driving Electric Transportation Fleet Study Show a Change in Number of Employees?

Your Agency has Thousands of team Members, Lots of Jobs.

An Audit Study Might Prove interesting To Our California Motorists.

A Joy to See you At The DMV Capitol Regulatory Meeting.

Can your team Recommend A Contact Who Might Help us better understand Your Plan?

Respectfully

Charlie Peters

510-537-1796

cappcharlie@earthlink.net

cc: interested parties

<https://www.facebook.com/CruisinGarage/posts/1306544792712753>

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

Cheap Gasoline

Climate One at the Commonwealth Club, February 27th, 2015

Gas prices are plunging, and Americans can get back on the road again. What are the economic, geopolitical and environmental consequences of cheap oil?

Jason Bordoff, Founding Director, Center on Global Energy Policy, Columbia University; Former Special Advisor to President Obama, National Security Council Staff

Kate Gordon, Senior VP and Director, Energy & Climate Program, Next Generation

Bill Reilly, Former Board Member, ConocoPhillips; Senior Advisor, TPG Capital

Transcript

(snip)

We're talking about cheap oil and gasoline at Climate One. Let's have our audience questions. Welcome.

➤ **Male Participant (Charlie Peters):** I have a question that has been an awful fun part of this debate over time which is the issue of the use of corn to make products that were promoted to be a significant improvement in global warming, in carbon taxes. So my question is, there's an appearance that there's a divide there between possibly British Petroleum and Shell and DuPont wanting to go to butanol. And then the question becomes is it impacting our water supply being a carcinogen. Is that something that should be of concern? We never check our water supply anywhere ever

Greg Dalton: Thank you --

➤ **Male Participant (Charlie Peters):** So a response to that would be great.

Greg Dalton: So who'd like to -- Bill Reilly, you were on the board of DuPont, but the question, I think, is that people advocated for corn as a climate solution, corn turned out to

not be so good. Cellulosic ethanol has been disappointing. Your thoughts.

Bill Reilly: Well, if you make the ethanol out of switch grass or something of the sort, I think that you possibly do something very positive with respect to liquid fuels, and I would support that. I would not worry so much about contaminating the water supply with ethanol. I mean, we're talking about replacing some portion of the gasoline and we've been managing that with some success for, I think, some time. So I don't think that would be the major problem.

The major problem, I think, with the ethanol area is the enormous subsidies that have gone into it and for corn production and certainly my recollection from having administered the Clean Air Act is that the advantages of ethanol as an additive are for wintertime NOx [nitrogen oxides] control. So it's been touted as doing something far more significant than that and reducing our dependency on foreign imports and the rest. Those arguments, I think, have lost a great deal of their appeal.

Greg Dalton: Corn has been overhyped. ...

<http://www.climate-one.org/audio/cheap-gasoline>

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

Bar Sunset Review

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

By Charlie Peters, Clean Air Performance Professionals, Mar 8, 2014

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

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

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

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

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

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

About 1980 Ford, IBM. Harley-Davidson etc., etc. with W. Edwards as the prairie chicken, and mammals such as the Deming contributions made large progress in cost, quality & profit results.

Central Valley free inspection and repair program might prove an interesting audit study.

Who is Awet Kidane?

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

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

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

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

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

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

Clean Air Performance Professionals

From: "Woonacott, Richard@SCSA" <Richard.Woonacott@SC...>
To: "cappcharlie@earthlink.net" <cappcharlie@earthlink.net>
Subject: Nissan PZEV Warranty
Date: Feb 6, 2013 4:40 PM

Good afternoon Charlie: It was good to talk with you yesterday. I wanted to let you know that the issue is resolved, but that another meeting is scheduled tomorrow to discuss the diagnostic charges that consumers paid that should have been included as part of the warranty repair, and a discussion about California warranty in general. Please let me know if you need additional assistance. Regards, Richard

RICHARD D. WOONACOTT, MBA

Deputy Secretary, Legislation

State & Consumer Services Agency

www.scsa.ca.gov

"Because your own strength is unequal to the task, do not assume that it is beyond the powers of humankind; but if anything is within the powers and province of humankind, believe that it is within your own compass also."

~ Adapted from Marcus Aurelius

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

Clean Air Performance Professionals

21860 Main Street Ste A
Hayward, California 94541
June 20, 2011

Dear Dr. Armstrong,
Dep. Secretary of the State and Consumer Services Agency
915 Capitol Mall, Suite 200
Sacramento, CA 95814
(916) 653-3815 fax

Good morning Dr.

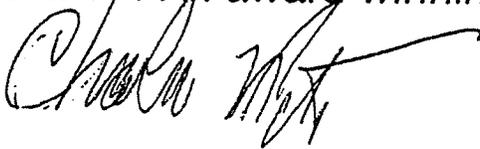
RE: PZEV emissions performance.

California has the best car emissions system but we need support to improve.

Will you consider a letter in support of the California Air Resources Board (CARB) efforts to improve compliance with the California Partial Zero-emissions (PZEV) standards.

Improved toxic impact from the car fleet will provide better health and economic performance for California.

(CAPP / An award winning coalition of motorists)



Charlie Peters
(510) 537-1796
cc: interested parties

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

Clean Air Performance Professionals

21860 Main Street STE 1
Hayward, CA 94544

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

From: Jim Conran

To: Brian Stiger@dca.ca.gov

Cc: Sherry Mehl

Sent: Friday, June 04, 2010 9:30 AM

Subject: Charlie Peters

Brian: Charlie Peters would like to meet with you. He has been active with BAR activities for a long time as well as the legislature. Since your appointment confirmation should be coming up in the next couple of months it might be advisable you see him so he doesn't show up at the hearing complaining that you won't meet with him. I am sure Sherry can fill you in on his background and issues or you can call me. His number is 510.537.1796. Thanks!

Jim Conran

Consumers First, Inc.

33 Southwood Drive

Orinda, California 94563

925.253.1937 - direct line

925.253.1359 - fax

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



Clean Air Performance Professionals

<http://latimesblogs.latimes.com/.m/greenspace/2009/07/global-warming-energy-california/comments/>

California CalEPA Secretary Linda Adams, signed a MOU with the UN in China on earth day. China gets about 50% of the world carbon tax and the China government gets a 50% tax of the credits.

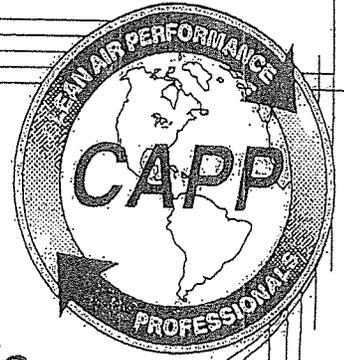
** China goods and services may increase

** We pay the carbon tax and Pew Business Environmental Leadership Council (BELC) Member Companies: ABB, Air Products, Alcoa Inc., American Electric Power, Bank of America, BASF, Baxter International Inc., The Boeing Company, BP, California Portland Cement, CH2M HILL, Citi, Cummins Inc., Deere & Company, Deutsche Telekom, The Dow Chemical Company, DTE Energy, Duke Energy, DuPont, Entergy, Exelon, GE, Hewlett-Packard Company, Holcim (US) Inc., IBM, Intel, Interface Inc., Johnson Controls, Inc., Lockheed Martin, Marsh, Inc., Novartis, Ontario Power Generation, PG&E Corporation, PNM Resources, Rio Tinto, Rohm and Haas, Royal Dutch/Shell, SC Johnson, Toyota, TransAlta, United Technologies, Weyerhaeuser, Whirlpool Corporation, Wisconsin Energy Corporation and friends may all share in the public/private partnership of corporate and NGO welfare

Clean Air Performance Professionals
Charlie Peters / CAPP
510-537-1796
cappcharlie@earthlink.net

cc: interested parties

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



Clean Air Performance Professionals

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

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

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

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

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

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

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

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

New air-board chief says he's been tough on air pollution, polluters

By David Danelski / The Press-Enterprise / April 28, 2017

Wayne Nastri's arrival a year ago as the chief of South California's air quality agency was seen by many as a coup for the business community.

The former Bush administration official and environmental consultant took the helm of the South Coast Air Quality Management District just after a takeover of the district's governing board by Republicans seeking a more business-friendly approach to smog cleanup strategies.

In June, Nastri unveiled a 15-year smog plan that calls for as much as \$1 billion a year in public money to help polluters retool to cut emissions. And he is now seeking volunteer reductions from port, rail yard and warehouse distribution centers.

Yet in an hour-long interview at the air district's Diamond Bar headquarters, where his office has a view of the crowded 60 and 57 freeways, Nastri said it is neither fair nor accurate to say he is averse to rule-making or afraid to enforce them.

On four occasions, he halted operations at metal processing businesses in Paramount because they were emitting harmful levels of hexavalent chromium, a cancer-causing pollutant.

And the smog plan with all those incentives, which was approved by state officials last month, also calls for phasing out a 22-year-old cap-and-trade marketplace used to limit air pollution from the region's top 275 or so industrial polluters and replacing it with traditional regulations. This marketplace has been criticized for allowing oil refineries to purchase "pollution credits" from shuttered factories rather than upgrading their emission-control equipment.

The plan also has new rules for diesel backup generators, water heaters, furnaces and other machinery.

"This plan has a much stronger regulatory approach," said Nastri, who grew up Carson, a refinery town, during the 1960s when choking smog regularly blanketed the region.

While representatives of business and environmental groups say Nastri is still unproven, both camps appreciate his disarming and approachable demeanor. And he is winning their respect.

"Nastri is a straight shooter, and open to listening to input from all sides," said Adrian Martinez, a Los Angeles-based attorney for Earthjustice, which does legal work for the Sierra Club and other environmental groups.

“At times, he has indicated that he is willing to stand up to the region’s biggest polluters.”

Bill La Marr, executive director of the Anaheim-based California Small Business Alliance, also had good words about Nastri.

“He is inclusive, accessible and willing to listen, and is a marked improvement from the previous administration,” La Marr said. “He puts you at ease.”

Incentive strategy Nastri said identifying \$1 billion in incentives is part of a strategy to spur talks with state and federal officials about what it will really take to clean up smog in the nation’s most-polluted air basin.

The sea-to-mountains air basin in Orange County and the urban portions of Los Angeles, Riverside and San Bernardino counties last year failed to meet the federal standard for lung-irritating ozone during 132 days. Most of the smog-forming emissions come from cars, trucks, locomotives and ships that fall under state or federal regulatory authority.

“We have zero and near-zero emission technology, whether that is battery electric or fuel cell electric vehicles,” he said. “The challenge, though, is the cost. So we are having a very honest discussion.”

This discussion, he said, replaced a past practice of not specifying where all pollution cuts would come from, leaving a “black box” gap to be closed by future, unidentified technologies and rules.

Nastri acknowledges finding funds is challenging.

But he hopes to get about \$100 million a year from pending legislation, AB 1274, that would move the requirement for a new car’s first smog test from six years to eight years after purchase. Vehicle owners would still have to pay a fee, but the money that would have gone to smog certificates would instead go to clean-air programs.

Nastri said that a federal infrastructure bill that President Trump has promised — some put its costs as high as \$1 trillion — could include funding for clean air.

“If you are going to be building the roads and bridges, you should make sure the vehicles themselves are clean, and not as polluting as can be,” Nastri said.

At the state level, a fee could be imposed on thousands of cargo containers that arrive at the ports before being transported through the air basin on trucks and trains.

Logistics facilities

Still, Nastri added that regulations should not unfairly burden one sector of the economy.

“The challenge is, ‘how do you look at ways that equitably distribute the cost?’ ” he said. “You just can’t blame the transportation system that is providing goods that the consumer wants.”

One strategy is to collaborate with regulated industries.

Nastri is working to reach voluntary agreements with the operators of the ports, rail yards and warehouse distribution centers to reduce emissions from the trucks and other vehicles. And he plans to pivot to traditional rulemaking for such facilities if no meaningful agreements emerge.

This strategy prompted criticism from environmental and public health groups.

“The time for voluntary measures passed long ago, and we cannot allow some of the region’s biggest polluters to continue operating without any rules or requirements to clean up their own mess,” said Martinez, the attorney for Earthjustice.

Yet Nastri maintains that the district will achieve significant pollution cuts from such facilities without losing time. If volunteer measures don’t come to fruition, the air district will pivot to rulemaking.

Essentially the same work, such identifying pollution reduction strategies, needs to be done whether the district is “engaged in collaborative efforts” or “making rules,” he said.

“Where is the time wasted? We still have to all of these things,” he said.

Nastri acknowledged that cleaning up nation’s most polluted air is no easy task.

Just this month, the Legislature approved a fuel tax and transportation project bill contains language that curtails the ability to require upgrades on diesel trucks that meet 2010 emission standards for as long as 13 to 18 years. Gov. Jerry Brown signed SB 1 on Friday.

And diesel trucks are Southern California’s largest source of pollution.

“We are going to press ahead,” Nastri said. “We are going to move forward in our existing authority, and we going to look to expand our authority.”

<http://www.pe.com/2017/04/28/new-air-board-chief-says-hes-been-tough-on-air-pollution-polluters/>

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

Fact box:

Wayne Nastri

Age: 57

Home: Aliso Viejo

Resume:

- * 2013-present: Co-president, E4 Strategic Solutions Inc., government relations consulting firm.

- * 2011-2012: Senior vice president, Capitol Management, strategic counsel/government relations services.

- * 2009-2011: Senior vice president, Dutko Worldwide, develops and implements strategies to shape public policy outcomes.

- * 2001-2009: Administrator, U.S. Environmental Protection Agency, southwestern region administrator under President George W. Bush; the region covers California, Nevada, Arizona and Hawaii.

- * 1995-2001: President, Environmental Mediation Inc., government relations and public affairs firm focusing on the environment.

Source: LinkedIn

The Bait and Switch

Hemmings Motor News / Clean Air Performance Professionals, August 2002

In January 2001, California introduced legislation (AB-1058) to require the state Air Resources Board (CARB) to develop and adopt regulations to achieve the maximum feasible and cost effective reductions of greenhouse gasses emitted by motor vehicles.

As of June 28, 2002, AB-1058, also known as the global warming bill, was stalled in the Assembly. Many residents of California had let their representatives know that they didn't want a bill that could take away vehicle choice, impose taxes and subject them to regulations from a bureaucracy. But as the public prepared for their fourth of July vacations, the Legislature found an innocuous bill entitled Assembly Bill 1493, which originally dealt with state audits and had nothing to do with emissions. They then proceeded to do what is called a "gut and amend" and remove all the existing language of AB-1493 and replace it with the language of AB-1058, the bill authored by ex-school teacher Fran Pavley to limit CO2 emissions from cars and trucks.

But the public was sidestepped by effectively renaming the bill AB-1493 and rushing it through the Legislature in a matter of two business days. After Friday's "gut and amend," the bill was sent to the Senate floor Saturday night, where it passed in a matter of minutes without any discussion, debate or the customary committee oversight, as the big topic of controversy was the California budget with its \$24-billion deficit.

It came back to the Assembly on Monday morning, July 1, and was referred to the Transportation Committee, which held a non-noticed public hearing (effectively non-public hearing) in a room the size of your average dining room. It wasn't in the open; it was in a closed room that was inaccessible to the general public. The public didn't have a chance to make their views known. It passed out of committee, then it was brought to the floor under another procedure called a WOLF (without reference to file). A WOLF allows a bill to be brought to the floor without public notice that it was going to be heard. It was brought to the floor where it passed with the

minimum vote required. There has been much mis-information as to the bill going to the Governor's desk to await his signature. The bill is still sitting at the Assembly desk.

CAPP President Charlie Peters reported that, "Senator Quentin Kopp informed him in January of 1993 that Remote Sensing technology was in the wings to replace the current Smog Check inspections. June 26th, CARB held a workshop for another "Pilot Study" on remote sensing. Will this affect the old cars? You Bet! Old cars are NOT exempt from remote sensing."

"Last month, the Speaker of the Assembly's Chief of Staff John Stevens also mentioned that a deal with the Global Warming Bill and the bill to place San Francisco motorists into the Smog Check II Program was under consideration by Senator Burton. It will be interesting to see what happens regarding support for the Smog Check II Bill (AB-2637) now that AB-1493 has moved."

"In my opinion, the 'big' global

More next month ... **Stella**

<http://clubs.hemmings.com/clubsites/capp/aug02.html>

warming game is a shift from oil and internal combustion engines to bio-fuels and fuel cells. Oil is quick and cheap to bring to market and therefore the market cannot easily be controlled. Bio-fuels and fuel cells, however, are the result of government funded public/private partnerships which can control who gets to be a player and how much fuel is available."

"The Pew Charitable Trust's global warming partnerships with business <http://www.pewclimate.org/belc> appear to support the credit trading money game that can, if it is allowed to continue to develop along its present course, eliminate any market competition, in effect confiscating the market. Bio-fuel/fuel-cell carbon tax games may very possibly generate a privatized rapid transit business that can make the devastation of ENRON's energy activities look like a Sunday school picnic."

Sources say it is prophetic that AB-1493's passage by the Legislature occurred during the week of July Fourth, Independence Day!

NOTE



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

AIR RESOURCES BOARD

John D. Dunlop III
Chairman

December 28, 1995

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

Dear Mr. Peters:

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

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

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

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

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

Mr. Charlie Peters
December 28, 1995

-2-

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

Comment: Better communication between the BAR and the ARB

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

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

Sincerely,

John D. Dunlap, III
Chairman

(Note: retyped from poor quality original)

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

Clean Air Performance Professionals

<http://clubs.hemmings.com/capp/index.htm>

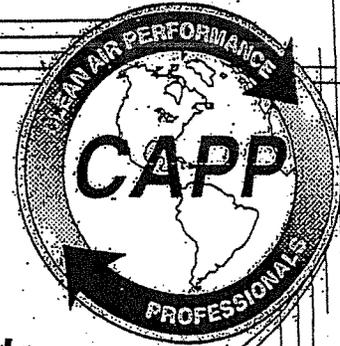


Hemmings Motor News ...

presents the Hobby Hero Award to Stella Pyrtok-Blond in July 1995

CAPP is an award winning international coalition interested in protecting personal property and the environment.

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



Clean Air Performance Professionals

HEALTH AND SAFETY CODE ARTICLE 6

Public Information

Section

44070. Public information program

44070.5. Public information program inclusions

44071. Funding

§ 44070. Public information program

(a) The department shall develop within the bureau, with the advice and technical assistance of the state board, a public information program for the purpose of providing information designed to increase public awareness of the smog check program throughout the state and emissions warranty information to motor vehicle owners subject to an inspection and maintenance program required pursuant to this chapter. The department shall provide, upon request, either orally or in writing, information regarding emissions related warranties and available warranty dispute resolution procedures.

(b) The telephone number and business hours, and the address if appropriate, of the emissions warranty information program shall be noticed on the vehicle inspection report provided by the test analyzer system for any vehicle which fails the analyzer test.

Added Stats 1984 ch 1591 § 3. Amended Stats 1988 ch 1544 § 57; Stats 1995 ch 91 § 93 (SB 975).

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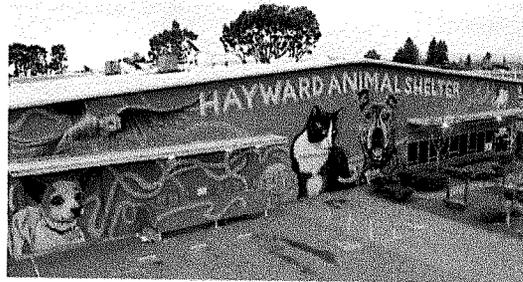
HAYWARD ANIMAL SHELTER

**FIRST ANNUAL PAWS FOR SCRAPBOOKING
FUNDRAISER**

HAYWARD
ANIMAL SHELTER

FUNDRAISER

FIRST ANNUAL PAWS FOR SCRAPBOOKING



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and
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Awareness
Program

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2 PAGE LAYOUT
INCLUDED WITH
TICKET PURCHASE
AND MORE



WHEN: AUGUST 5, 2017

TIME: 10 AM - 10 PM

WHERE: Hayward Veterans'
Memorial Building, 22737 Main
Street, Hayward

COST: \$65

RSVP Required
Coffee, Water, Pastries
available in the morning

CONTACT:
Heather Reyes, 510-415-2714
slingshot64@comcast.net
Rhonda Shively, 510-461-4462
rses_91@sbcglobal.net

Bring an item
for donaton to
the Hayward
Animal Shelter
and earn 3
raffle tickets

