

CITY OF HAYWARD

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



CITY OF
HAYWARD
HEART OF THE BAY

Agenda

Tuesday, September 26, 2017

7:00 PM

Council Chambers

City Council

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

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

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

ACTION ITEMS

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

CONSENT

1. [CONS 17-544](#) Adoption of a Resolution Authorizing the City Manager to Negotiate and Execute an Amendment to the Agreement with CSG Consultants, Inc., for Development Review Services in the Planning Division

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

2. [CONS 17-545](#) Adoption of a Resolution Authorizing the City Manager to Negotiate and Execute an Amendment to the Agreement with Stevenson, Porto & Pierce, Inc., for Planner Services

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

3. [CONS 17-561](#) Amendment of Professional Services Agreement with TJKM, Inc. for Neighborhood Traffic Calming Program (NTCP)

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

4. [CONS 17-582](#) Request for an Appropriation of \$75,000 from General Fund Reserves and Adoption of a Resolution Authorizing the City Manager to Execute a Professional Service Agreement with Moves the Needle for Lean Innovation Trainings
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
5. [CONS 17-585](#) Adoption of Ordinance Amending Chapter 2, Article 3, Section 2-3.50 of the Hayward Municipal Code to Provide for Increased Membership to the Library Commission
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Summary of Ordinance](#)
6. [CONS 17-588](#) Approval of Changes to the Adopted FY 2018 - FY 2027 Capital Improvement Program (CIP) Budget Related to the Road Repair and Accountability Act (RRAA - SB 1 Funding)
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Fund 211 RRAA \(SB1\) Project Summary](#)
 [Attachment IV Project 05230 Paving Rehabilitation RMRA](#)
 [Attachment V Fund 210 Gas Tax Project Summary](#)
 [Attachment VI Project 05214 Paving Rehabilitation Gas Tax](#)
7. [APPT 17-005](#) Appointment of Ms. Zaineb Sharafali and Mr. Luis Prada to the Library Commission
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
8. [CONS 17-591](#) Adoption of Resolution Calling for and Supporting Executive and/or Legislative Action by the Trump Administration and Congress to Restore, Renew, Extend and Expand Upon the Federal Deferred Action for Childhood Arrivals (DACA) Program and Those Protections Afforded Under DACA to Immigrants Who Came to the United States as Children
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)

WORK SESSION

Work Session items are non-action items. Although the Council may discuss or direct staff to follow up on these items, no formal action will be taken. Any formal action will be placed on the agenda at a subsequent meeting in the action sections of the agenda.

9. [WS 17-043](#) Hayward Community Taskforce Recommended Update to the 1992 Anti-Discrimination Action Plan (Report from City Manager McAdoo)

Attachments: [Attachment I Staff Report](#)
[Attachment II CIECC Plan](#)
[Attachment III The Commitment Appendix](#)

CITY MANAGER'S COMMENTS

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

COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS

Oral reports from Council Members on their activities, referrals to staff, and suggestions for future agenda items.

ADJOURNMENT

NEXT MEETING, October 3, 2017- 7:00 PM

PUBLIC COMMENT RULES

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

PLEASE TAKE NOTICE

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

PLEASE TAKE FURTHER NOTICE

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

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

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

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



CITY OF HAYWARD

Hayward City Hall
777 B Street
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File #: CONS 17-544

DATE: September 26, 2017

TO: Mayor and City Council

FROM: Interim Development Services Director

SUBJECT

Adoption of a Resolution Authorizing the City Manager to Execute an Amendment to the Agreement with CSG Consultants, Inc., for Development Review Services in the Planning Division.

RECOMMENDATION

That the City Council adopts the attached resolution authorizing the City Manager to negotiate and execute and Amendment to the Agreement with CSG Consultants, Inc.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution



DATE: September 26, 2017

TO: Mayor and City Council

FROM: Interim Development Services Director

SUBJECT: Adoption of a Resolution Authorizing the City Manager to Negotiate and Execute an Amendment to the Agreement with CSG Consultants, Inc., for Development Review Services in the Planning Division

RECOMMENDATION

That the City Council adopts the attached resolution authorizing the City Manager to negotiate and execute and Amendment to the Agreement with CSG Consultants, Inc.

SUMMARY

Staff has selected a qualified candidate to fill the Associate Engineer position, who is tentatively scheduled to start in October. Pending the onboarding of this permanent employee, staff requests that Council authorize the City Manager to execute an amendment to the Agreement with CSG Consultants, Inc., for an additional \$85,000, for a total agreement amount not to exceed \$510,000.

BACKGROUND

The Development Services Department employs a Senior Civil Engineer and a Development Review Specialist within the Planning Division. These positions are responsible for providing support at Hayward's One Stop Permit Center related to engineering inquiries, as well as serving as lead for the processing of all applications for tentative subdivision maps, lot line adjustments, lot mergers, associated encroachment permits, and special event permits. The Development Review Specialist position became vacant effective April 3, 2015.

On May 18, 2015, the City entered into an Agreement with CSG Consultants Inc., for \$25,000 to provide Development Review Engineering Services. The City Council subsequently approved Resolution 15-095 on June 9, 2015, authorizing Amendment No.1 to the Agreement with CSG for a total cumulative amount not to exceed \$130,000. Resolution 16-077 was approved by Council on May 17, 2016, authorizing Amendment No. 2 to the Agreement with CSG to increase the total cumulative compensation amount not to exceed \$300,000. Most recently, Resolution 17-012 was approved by Council on February 7, 2017, authorizing Amendment No. 3 to the Agreement with CSG to increase the total cumulative compensation amount not to exceed \$425,000.

DISCUSSION

Associated with the May 2015 Agreement, CSG Consultants has provided a qualified professional, Babak Kaderi, who also has an engineering background. Mr. Kaderi's experience and education has proven to be beneficial in the workflow and services of our customers by:

1. More readily providing support to the Senior Civil Engineer in Planning since both Messrs. Baquilar and Kaderi possess a background and requisite experience in engineering that is not currently required of the Development Review Specialist.
2. Providing more direct guidance on engineering issues to the planning staff as well as the general public at the Permit Center.
3. Having the ability to perform in an acting capacity for the Senior Civil Engineer in Planning in his absence.

Recruitment for a Development Review Specialist has proven difficult due to the unique title and structure of the position. The more advanced skills and engineering background of Mr. Kaderi has revealed the benefits of engineering knowledge in the Development Review Specialist position as well. Council approved the reclassification of the Development Review Specialist to Associate Engineer as part of the FY2017 mid-year budget amendment.

The Human Resources Department conducted a recruitment for Associate Engineer, and a qualified candidate has been selected with a tentative start date of October 2, 2017. The ability to extend the Agreement with CSG will allow time for this candidate to start employment, as well as for training and transition time.

STRATEGIC PRIORITIES

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

SUSTAINABILITY FEATURES

CSG does not provide any physical improvements to the City's infrastructure. Therefore, this section is not applicable.

FISCAL IMPACT

The \$85,000 increase to this agreement will come from multiple sources, one being the use of salary savings from vacant positions in the Development Services Department; the other will use appropriation authorized in the FY2018 Operating budget.

NEXT STEPS

If Council approves the attached resolution, staff will prepare for execution Amendment No. 4 to the Agreement between the City of Hayward and CSG Consultants.

Prepared by: Jade Kim, Management Analyst I

Recommended by: Stacey Bristow, Interim Development Services Director

Approved by:

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

Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 17-

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AMENDMENT TO THE AGREEMENT WITH CSG CONSULTANTS, INC., FOR DEVELOPMENT REVIEW SERVICES IN THE PLANNING DIVISION FOR AN AMOUNT NOT TO EXCEED \$510,000.

WHEREAS, the City of Hayward Development Services Department employs a Development Review Specialist within the Planning Division, which has been vacant since April 2, 2015; and

WHEREAS, an Agreement with CSG Consultants Inc., was executed on May 18, 2015 to provide the Development Review Specialist services to the City of Hayward for an amount not to exceed \$25,000; and

WHEREAS, CSG Consultants Inc., provided a highly qualified professional, Babak Kaderi, who's engineering background, experience and education has proven to be beneficial in the workflow and services of our customers; and

WHEREAS, Council approved Resolution 15-095 on June 9, 2015, authorizing Amendment No. 1 to the agreement with CSG Consultants Inc., which was executed on June 18, 2015 for an amount not to exceed \$130,000; and

WHEREAS, Council approved Resolution 16-077 on May 17, 2016, authorizing Amendment No. 2 to the agreement with CSG Consultants Inc., which was executed on July 27, 2016 for an amount not to exceed \$300,000; and

WHEREAS, Council approved Resolution 17-012 on February 7, 2017, authorizing Amendment No. 3 to the agreement with CSG Consultants Inc., which was executed on July 27, 2016 for an amount not to exceed \$425,000; and

WHEREAS, amending the agreement with CSG Consultants to increase the contract amount to \$510,000, will allow the current temporary employee, Babak Kaderi to continue the current workload, and train the permanent employee; and

WHEREAS, the costs to amend the agreement with CSG Consultants will be offset by salary vacancy savings, and further covered with the Consultant Services appropriation authorized in the FY18 approved budget.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hayward, hereby authorizes the City Manager to negotiate and execute a fourth amendment to the City's Agreement with CSG Consultants Inc., increasing the budget to an amount not to exceed \$510,000.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2017

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward



CITY OF HAYWARD

Hayward City Hall
777 B Street
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File #: CONS 17-545

DATE: September 26, 2017

TO: Mayor and City Council

FROM: Interim Development Services Director

SUBJECT

Adoption of a Resolution Authorizing the City Manager to Negotiate and Execute an Amendment to the Agreement with Stevenson, Porto & Pierce, Inc., for Planner Services

RECOMMENDATION

That the City Council adopts the attached resolution authorizing the City Manager to negotiate and execute an amendment to the agreement with Stevenson, Porto & Pierce, Inc. (SP2).

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution



DATE: September 26, 2017

TO: Mayor and City Council

FROM: Interim Development Services Director

SUBJECT Adoption of a Resolution Authorizing the City Manager to Negotiate and Execute an Amendment to the Agreement with Stevenson, Porto & Pierce, Inc., for Planner Services

RECOMMENDATION

That the City Council adopts the attached resolution authorizing the City Manager to negotiate and execute an amendment to the agreement with Stevenson, Porto & Pierce, Inc. (SP2).

SUMMARY

The City executed an Agreement with Stevenson, Porto & Pierce, Inc.(SP2) on September 20, 2016, to provide Planner services. Staff requests that Council authorize the City Manager to execute an amendment to the Agreement with SP2, to increase the compensation amount an additional \$37,600 for a total agreement amount not to exceed \$174,100.

BACKGROUND

Due to a shortage of staff last fall, it was critical to contract with outside firms for Planner services in order to maintain the day-to-day operations in the Planning Division. On September 20, 2016, the City entered into an Agreement with SP2 to supplant one of the four vacant planner positions within the Planning Division. Council further approved Resolution 17-044, on April 25, 2017 authorizing the City Manager to negotiate and execute Amendment #1 to the Agreement, increasing the compensation an additional \$61,500, for a total amount not to exceed \$136,500.

DISCUSSION

Associated with the September 2016 Agreement, SP2 provided a qualified professional, in Mike Porto, who has been instrumental in the progress of the following four projects:

- Mission Crossings: 93-room hotel with 7,200 sf of retail space and 140 condos (former Ford dealership site at 25501 Mission Blvd.)
- Matsya Villas: 57 condos and 2,300 sf of retail space (2nd & C Streets)

- Campways business site redevelopment: 97 units with 1,500 sf of retail space (28168 Mission Blvd.)
- Haymont Center redevelopment: 39 apts. and 35 condos with 1,100 sf of retail space (26699 Mission Blvd)

Mr. Porto has completed work for Mission Crossings and Matsya Villas; however, work for Campways (28168 Mission Blvd.), and Haymont Center (26699 Mission Blvd.), is still in progress.

The current request to amend the agreement with SP2 relates to retaining Mr. Porto to allow him time to bring these two projects to completion.

STRATEGIC PRIORITIES

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

GOALS:

GOAL 1: Improve quality of life for residents, business owners, and community members in all Hayward neighborhoods.

OBJECTIVES:

Obj. 1: Increase neighborhood safety and cohesion

Obj. 2: Foster a sense of place and support neighborhood pride

Obj. 4: Create resilient and sustainable neighborhoods

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

OBJECTIVES:

Obj. 1: Centralize and expand housing services

Obj. 2: Facilitate the development of diverse housing types that serve the needs of all populations

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

SUSTAINABILITY FEATURES

SP2 does not provide any direct physical improvements to the City's infrastructure. Therefore, this section is not applicable.

FISCAL IMPACT

All costs for this professional services agreement are included in the approved FY2018 operating budget for the Planning Division budget; this is simply to award the contract of funds previously authorized for this use. There is no additional impact to the General Fund.

NEXT STEPS

If the Council approves the attached resolution, staff will prepare for execution Amendment No. 2 to the Agreement between the City of Hayward and Stevenson, Porto & Pierce.

Prepared by: Jade Kim, Management Analyst I

Recommended by: Stacey Bristow, Interim Development Services Director

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 17-

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AMENDMENT TO THE AGREEMENT WITH STEVENSON, PORTO & PIERCE, INC., FOR PLANNER SERVICES.

WHEREAS, an Agreement with Stevenson, Porto & Pierce, Inc., was executed on September 20, 2016, to provide Planner services to the City of Hayward for an amount not to exceed \$75,000; and

WHEREAS, Stevenson, Porto & Pierce, Inc., provided a qualified professional, Mike Porto, who has been instrumental in the progress of the following projects that are still in progress:

- 28168 Mission Blvd.
- Haymont/Telles/KB Apartments; and

WHEREAS, amending the agreement with Stevenson, Porto & Pierce, Inc., will allow Mr. Porto time to bring these projects to completion; and

WHEREAS, the costs to amend the agreement with Stevenson, Porto & Pierce will be covered through the Consultant Services appropriation within the FY18 approved budget.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hayward, hereby authorizes the City Manager to negotiate and execute an amendment to the City's Agreement with Stevenson, Porto & Pierce, Inc., increasing the compensation an additional \$37,600 for a total amount not to exceed \$174,100.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2017

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward



CITY OF HAYWARD

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

File #: CONS 17-561

DATE: September 26, 2017

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT

Amendment of Professional Services Agreement with TJKM, Inc. for Neighborhood Traffic Calming Program (NTCP)

RECOMMENDATION

That Council adopts the attached resolution (Attachment II), authorizing the City Manager to execute an amendment in an amount not-to-exceed \$25,000 to the professional services agreement with TJKM, Inc. for costs associated with the development of a project summary report that will be uploaded to the City's website and traffic calming strategies/policies for arterial corridors (i.e., Hayward Boulevard and D Street).

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution



DATE: September 26, 2017

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Amendment of Professional Services Agreement with TJKM, Inc. for Neighborhood Traffic Calming Program (NTCP)

RECOMMENDATION

That Council adopts the attached resolution (Attachment II), authorizing the City Manager to execute an amendment in an amount not-to-exceed \$25,000 to the professional services agreement with TJKM, Inc. for costs associated with the development of a project summary report that will be uploaded to the City's website and traffic calming strategies/policies for arterial corridors (i.e., Hayward Boulevard and D Street).

BACKGROUND

In the fall of 2015, Council authorized execution of a professional services agreement with consultant group, TJKM, Inc., in an amount not-to-exceed \$95,000 to develop a Neighborhood Traffic Calming Program (NTCP) to address frequently voiced neighborhood traffic safety concerns such as speeding, cut-through traffic, and bicycle and pedestrian safety. In the absence of a NTCP and broad range of solutions, residents have typically requested the installation of speed lumps, STOP signs or police enforcement, some of which are not necessarily warranted, practical or cost effective.

City staff subsequently worked with TJKM and developed a comprehensive toolbox to effectively utilize the most appropriate solutions, flexible policies, and implementation procedures to better address neighborhood traffic calming concerns. Through this effort, a systematic prioritization process was developed to allocate limited City resources to traffic calming improvements. The NTCP was developed based on a collaborative approach of extensive public outreach and benchmarking (i.e., a comparative assessment of other cities in the Bay Area with similar programs).

DISCUSSION

The proposed contract amendment would cover the costs associated with development of a comprehensive on-line summary and traffic calming strategies for collector and arterial streets. Staff modified the original scope of work based on community and stakeholder feedback to include the following:

1. Develop a comprehensive summary of the NTCP that can be published online and made available to the public once adopted by Council. This document would provide the community with information about key policies, procedures, implementation processes, and the types of measures considered to address various issues.
2. Develop policies to address speeding and traffic safety concerns on collector and arterial streets. Ideally, NTCP's focus would be on neighborhood and residential streets; however, there was a need to address the frequent complaints received about speeding and traffic safety on collector and arterial streets throughout the city. Staff selected Hayward Boulevard and D Street as representative arterial streets to develop design concepts that could be used throughout the city when appropriate.

These concepts along with the comprehensive report was presented to Council for their review and input in fall of 2016.

STRATEGIC PRIORITIES

This agenda item supports the Complete Streets strategic initiative. The purpose of the Complete Streets strategy is to build streets that are safe, comfortable, and convenient for travel for everyone, regardless of age or ability, including motorists, pedestrians, bicyclists, and public transportation riders. This item supports the following goal and objectives:

Goal 1: Prioritize safety for all modes of travel.

Objective 2: Reduce speeding and aggressive driving behavior through 4Es: Education, Enforcement, Empowerment, and Engineering.

SUSTAINABILITY FEATURES

The action taken for this agenda report will not result in physical development, purchase or service or a new policy or legislation. Any physical work will depend upon future Council action.

FISCAL IMPACT

The amendment would allocate an additional \$25,000 to the existing professional services agreement that originally allocated \$95,000 for NTCP approved by Council on July 21, 2015. There is sufficient funding in the Transportation System Improvement Fund 460, Project 05734 to increase the contract amount.

PUBLIC CONTACT

Active engagement of the community was deemed to be an invaluable component in the overall development of the NTCP. In addition to the ongoing feedback received through the City's existing community involvement mechanisms, staff held two well-attended community workshops in October (at City Hall) and November (at Matt Jimenez Community Center) of

2015. Staff also presented draft NTCP strategies/policies to Council and the public attended the Council work session in September 2016. In these meetings, Council provided recommendations and residents reiterated their concerns regarding speeding and pedestrian safety, while expressing their appreciation for the City's efforts.

Once the NTCP comprehensive summary is published online, the public will be notified of the advantages and disadvantages of various traffic calming devices, their applicability, and associated costs. Online brochures will also be provided to educate the community on how to safely use public streets and enjoy their travel experience.

NEXT STEPS

Following the approval of this amendment, staff will present the information to the Council Infrastructure Committee during the October 2017 meeting and return in fall of 2017 with a final draft NTCP for Council adoption.

Prepared by: Fred Kelley, Transportation Manager

Recommended by: Morad Fakhrai, Director of Public Works

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 17-

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH TJKM TRANSPORTATION CONSULTANTS INC. FOR ADDITIONAL SERVICES ASSOCIATED WITH THE CITY OF HAYWARD'S NEIGHBORHOOD TRAFFIC CALMING PROGRAM.

WHEREAS, the aforesaid parties have entered into that certain Agreement dated the 15th day of December 2015, entitled "Agreement for Professional Services between the City of Hayward and TJKM Transportation Consultant's, Inc., for the Neighborhood Traffic Calming Program; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized and directed to negotiate and execute, on behalf of the City of Hayward, an amendment to the agreement with TJKM Transportation Consultants Inc., for additional services not-to-exceed \$25,000 associated with the City of Hayward Neighborhood Traffic Calming Program.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2017

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
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File #: CONS 17-582

DATE: September 26, 2017

TO: Mayor and City Council

FROM: City Manager

SUBJECT

Request for an Appropriation of \$75,000 from General Fund Reserves and Adoption of a Resolution Authorizing the City Manager to Execute a Professional Service Agreement with Moves the Needle for Lean Innovation Trainings

RECOMMENDATION

That the City Council approves an appropriation in the amount of \$75,000 from General Fund Reserves and adopts a resolution authorizing the City Manager to execute a professional services agreement with Moves the Needle (MTN) for Lean Innovation trainings.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution



DATE: September 26, 2017

TO: Mayor and City Council

FROM: City Manager

SUBJECT: Request for an Appropriation of \$75,000 from General Fund Reserves and Adoption of a Resolution Authorizing the City Manager to Execute a Professional Service Agreement with Moves the Needle for Lean Innovation Trainings

RECOMMENDATION

That the City Council approves an appropriation in the amount of \$75,000 from General Fund Reserves and adopts a resolution authorizing the City Manager to execute a professional services agreement with Moves the Needle (MTN) for Lean Innovation trainings.

SUMMARY

The City is in the process of facilitating an organizational cultural shift toward utilizing Lean Innovation methods and values to drive program development and evaluation. Lean innovation encompasses developing values, processes, and an overall philosophy to eliminate waste during the pursuit for scalable business models. Facing a persistent structural budget deficit and competitive human capital market, the City is engaging MTN to help facilitate four upcoming trainings relating to the Council's Strategic Priorities of Complete Streets, Complete Communities, and the Tennyson Corridor.

BACKGROUND

Over the past two years, the City leadership has facilitated an organizational culture shift toward utilizing Lean Innovation methods and values to drive program development and evaluation. "Lean Innovation" encompasses developing values, processes, and an overall philosophy in existing corporations in a way that eliminates waste during the pursuit for scalable business models. The Lean Innovation methodology teaches employees how to search for innovative opportunities by promoting combining aspects of design thinking, business management, entrepreneurship and the scientific method. Put simply, it enables employees to quickly search for tactics that work and immediately test those tactics through rapid experimentation and feedback.

A fundamental component of the Lean Innovation philosophy is the cultivation of customer empathy--generating information and data from the real behavior of customers to be used to make more informed decisions. The methodology affords staff to fail small through rapid experimentation to determine whether they should persevere, pivot, or abandon their proposed solution rather than spend the resources to fully develop a solution that may not work.

MTN is a firm dedicated to helping organizations implement Lean Innovation principles and strategies to “act bolder, move faster and become more customer-focused.” The group was founded by Brant Cooper, author of the New York Times Bestseller “The Lean Entrepreneur,” and Aaron Eden, who co-founded Intuit’s internal LeanStartIn which led to the education, enablement, and empowerment of thousands of Intuit employees. MTN has facilitated bootcamps with a variety of corporations like Intuit, CapitalOne, General Electric, LexisNexis and many other private sector companies. The City of Hayward is their only municipal client.

Prior City Engagements

Fiscal Year 2016

In September of 2015, the City engaged MTN to conduct the first Lean Innovation Boot Camp. The Boot Camp took place over three days and involved 25 employees in seven smaller project based teams. Over these three days, employees worked their ideas through the Lean Innovation process of program development.

In the spring of 2016, the City engaged MTN for two 12-week Lean Accelerator programs addressing internal Employee Engagement and Hoarding problems in the community. The Accelerator paired each team with a dedicated coach who led them through a longer process to develop and implement programmatic changes.

Fiscal Year 2017

In the fall of 2016, the City engaged MTN to hold a second three-day bootcamp for 25 staff members as well as a one-day bootcamp for the City’s Executive Team. This was the Executive Team’s first training focusing on Lean Innovation principles. Additionally, the bootcamp provided the opportunity to train an additional 25 staff members who did not attend the first bootcamp. Projects in this bootcamp focused on a variety of topics ranging from internal budget development processes to illegal dumping.

In the Spring of 2017, the City engaged MTN to create a Lean Innovation “Coach on Retainer” to consult staff groups on their Lean projects outside of the bootcamp. This coach helped to troubleshoot and provide guidance on several staff led initiatives, like downtown parking signage and development services project noticing.

From FY2016 through today, the organization has conducted over 20 lean approaches to various projects or problems. These empathy outreach efforts are now known as HEART (Hayward Empathy Action Response Team) activations. Although these tasks range from small to large, each carries with it significant insights, efficiencies, and both short and long term and creative solutions. One such example includes a recent development project where empathy interviews ultimately changed the project from residential to mixed use and various key design changes that would have not been otherwise adopted.

In addition, an efficiency example of HEART was demonstrated during the consideration of a Community Preservation Ordinance amendment. Once staff surveyed the community, it was concluded that a new or amended Ordinance was not needed but instead more education to the community about what Code Enforcement does and how to report concerns. The pivot was not to revise an ordinance but an education campaign. Colorful mailers were sent out with area inspector photos. The response to the city-wide flyer was a success, and the tradeoff was approximately \$100,000 in savings by not

moving forward with an ordinance revision, and the opportunity to educate our residents on the program that resulted in a stronger connection to the community. The cost of the flyers was \$2,500.

Fiscal Year 2018

Earlier this summer, the City engaged MTN to complete an evaluation of the City's progress in scaling Lean Innovation throughout the organization and recommendations for ensuring the continuing success of this initiative. The report was then presented to the City Manager and Assistant City Manager as well as the Executive Team in a two-hour presentation. As a component of this work, MTN staff completed interviews with several Executive Team members to better identify barriers to the cultural transformation and steps to overcome them.

DISCUSSION

The Lean Innovation process has created a greater understanding among the trained Lean Innovation facilitators of the importance of testing ideas for program or service delivery improvements in small scale prior to broader scale implementation to ensure the solution(s) identified is the most viable one. The process also ensures that staff seek feedback from key stakeholders and customers to better understand the barriers. With the development of the 3 Council Strategic Priorities, the goal is to deploy Lean Innovation principles to ensure the strategy teams charged with the implementation of the two-year action plans have the tools needed to ensure implementation strategies are congruent with the community needs. This would create the result of the highest and best use of limited resources amongst a multitude of community priorities. Additionally, our goal is to begin developing the training capacity internally by creating internal coaches so that the City does not have to continue to rely on MTN moving forward while building middle management support for lean innovation.

The objective is to:

- Help the strategic initiative teams apply Lean Innovation to more efficiently gain deep customer insights, uncover new opportunities, and drive deep impact around the initiatives through a two-day bootcamp and 12-week accelerator;
- Increase middle management buy in and ownership of the cultural transformation, current barriers, and how they can support the strategic initiatives team and the organizational transformation through a two-hour working session, and
- Develop the ability to internally teach, coach and mentor the strategic initiative teams and other employees in Lean Innovation to reduce the need for external support and accelerate the cultural transformation.

Therefore, this training package includes four components as follows::

1. Lean Innovation Coach Certification for 4 People
2. Two-Day Lean Innovation Bootcamp
3. 12-Week Lean Innovation Accelerator
4. Two-Hour Management Update Lean Innovation Session.

The next steps in developing internal capacity for Lean Innovation is the training of staff to coach and lead other staff through the process, rather than rely on MTN. Under this contract, the City will identify four staff members to coach four staff teams through the bootcamp and accelerator over the next three months. These coaches will be able to coach future Lean Innovation projects as well as train additional staff in Lean Innovation.

Why Is This Worth It?

There are several reasons why the City needs, and is embarking on, an organizational cultural transformation utilizing Lean Innovation. The first of which is the recognition that with scarce resources, a need exists to maximize the use of these resources and to find innovative, efficient solutions. This requires staff to identify programs and services that are not providing efficient and effective value for our residents. Developing a culture of Lean Innovation values and expectations will help city staff, managers, and executives identify ways to iterate, fine tune, or eliminate programs and services in a manner that saves time and resources.

Second, the reliance on customer empathy means that staff will be crafting solutions to resident issues (i.e. customer issues) by getting out of City Hall, rather than staying inside, and into the community directly interacting and interviewing those residents who are experiencing issues and therefore gaining more understanding of the specific pain points that staff need to address.

Third, developing a fast paced, start-up like culture with roots in Lean methodologies will help to make the City an attractive workplace, making it easier for the City to recruit and retain top talent, especially in the Bay Area's hyper-competitive municipal staff market.

Lastly, as evidenced by numerous comments from managers down to line staff, rolling out Lean Innovation initiatives through the City has sparked curiosity and excitement through all levels of the organization. Staff want to learn these methods because they recognize Lean Innovation's value. It will help them do their jobs better, save time and stress, and engage employees with their work in a way they have not engaged before (i.e. customer empathy, rapid experimentation, etc.)

STRATEGIC PRIORITIES

This agenda item supports the implementation of the Complete Streets, Complete Communities and the Tennyson Corridor strategic initiatives, as the trainings outlined in this contract focus primarily on the successful and efficient implementation of the three Council strategic initiative's two-year action plans.

FISCAL IMPACT

The total cost of the training package is \$158,850, which includes a 5% municipal discount and a 5% discount for the City agreeing to be a part of a case study. A portion of this amount, \$83,850, is available in the 2018 approved budgets for the City Manager's and Human Resources Departments. The General Fund impact is \$75,000 for this one time additional appropriation request.

Previous Lean Innovation projects are yielding savings. The FY2016 Hoarding Policy Accelerator project financial analysis revealed that the process saved over 1,800 hours of cumulative staff time, which translates into a savings of at least \$164,000. The Development Service Department has recognized, conservatively, \$300,000 in savings from various Lean Projects, and because of that, staff anticipates that the long term fiscal impact of these trainings will recover the cost of this training. Lastly, the training of staff as coaches will help the City reduce its reliance on MTN as internal capacity expands.

NEXT STEPS

Following contract execution, the additional training sessions are tentatively scheduled to commence in October.

Prepared and Recommended by: John Stefanski, Management Analyst II

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 17-

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH MOVES THE NEEDLE FOR LEAN INNOVATION TRAINING FOR CITY EXECUTIVES AND STAFF IN AN AMOUNT NOT TO EXCEED \$174,735; AND APPROPRIATION OF \$75,000 FROM THE GENERAL FUND (FUND 100).

WHEREAS, the City of Hayward is in the process of facilitating an organizational cultural shift toward utilizing Lean Innovation methods and values to drive program development and evaluation; and,

WHEREAS, since fiscal year 2016, the City has contracted with Moves the Needle, Inc. to facilitate various trainings, boot camps, and seminars on Lean Innovation methods and ways to develop and scale its processes throughout the organization; and,

WHEREAS, projects that have utilized this process are yielding hundreds of thousands of dollars in savings for the City through newly identified efficiencies and reduced staff time on programs and projects that ultimately do not resolve resident pain points; and,

WHEREAS, the trainings covered by this contract will only pertain to the development of programs and policies for the Council's three Strategic Initiatives of Complete Streets, Complete Communities, and the Tennyson Corridor.

WHEREAS, these trainings will help to increase the City's internal capacity to train other employees, further reducing the City's reliance on Moves the Needle to conduct these trainings.

THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized and directed to negotiate and execute a professional services agreement with Moves the Needle for various lean innovation trainings as identified in the accompanying staff report in an amount not to exceed \$174,735; and

FURTHER BE IT RESOLVED that the City Council of the City of Hayward appropriates \$75,000 from the fund balance of the General Fund (Fund 100) to help cover the cost of these trainings.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2017

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward



CITY OF HAYWARD

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

File #: CONS 17-585

DATE: September 26, 2017

TO: Mayor and City Council

FROM: City Clerk

SUBJECT

Adoption of Ordinance Amending Chapter 2, Article 3, Section 2-3.50 of the Hayward Municipal Code to Provide for Increased Membership to the Library Commission

RECOMMENDATION

That the Council adopts the Ordinance introduced on September 19, 2017.

ATTACHMENTS

Attachment I Staff Report

Attachment II Summary of Ordinance Published on 09/22/2017



DATE: September 26, 2017

TO: Mayor and Council Members

FROM: City Clerk

SUBJECT Adoption of Ordinance Amending Chapter 2, Article 3, Section 2-3.50 of the Hayward Municipal Code to Provide for Increased Membership to the Library Commission

RECOMMENDATION

That the Council adopts the Ordinance introduced on September 19, 2017.

BACKGROUND

The Ordinance was introduced with an amendment to Section 2-3.50 by changing the word “Chairman” to “Chairperson.” The revised language would read as follows:

SEC. 2-3.50 – LIBRARY COMMISSION. MEMBERS.

The Library Commission shall consist of nine (9) members, one (1) of whom shall be designated Chairperson in the manner provided in Section 904 of the Charter. Members of the Library Commission shall serve to the expiration of their present terms of office and the appointment and qualifications of their successors.

The Ordinance was introduced by Council Member Salinas at the September 19, 2017, special meeting of the City Council with the following vote:

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

NOES: None

ABSENT: Mayor Halliday

ABSTAIN: None

STRATEGIC PRIORITIES

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

FISCAL IMPACT

There is no fiscal impact associated with this report.

PUBLIC CONTACT

The summary of the Ordinance was published in the Hayward Daily Review on Friday, September 22, 2017. Adoption at this time is therefore appropriate.

NEXT STEPS

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

Prepared and Recommended by: Miriam Lens, City Clerk

Approved by:

A handwritten signature in black ink, appearing to read "Kelly McAdoo". The signature is written in a cursive style with a long horizontal stroke at the end.

Kelly McAdoo, City Manager

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

ORDINANCE AMENDING CHAPTER 2, ARTICLE 3, SECTION 2-3.50 OF THE
HAYWARD MUNICIPAL CODE TO INCREASE THE NUMBER OF LIBRARY
COMMISSIONERS FROM SEVEN (7) TO NINE (9)

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

Section 1. Provisions

Chapter 2, Article 3, of the Hayward Municipal Code is hereby amended by amending the following section to read as follows:

SEC. 2-3.50 – LIBRARY COMMISSION. MEMBERS.

The Library Commission shall consist of nine (9) members, one (1) of whom shall be designated Chairperson in the manner provided in Section 904 of the Charter. Members of the Library Commission shall serve to the expiration of their present terms of office and the appointment and qualifications of their successors.

Section 2. Effective Date.

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

Introduced at the meeting of the Hayward City Council held September 19, 2017, the above-entitled Ordinance was introduced by Council Member Salinas.

This Ordinance will be considered for adoption at the meeting of the Hayward City Council, to be held on September 26, 2017, at 7:00 p.m., in the Council Chambers, 777 B Street, Hayward, California. The full text of this Ordinance is available for examination by the public in the Office of the City Clerk.

Dated: September 22, 2017
Miriam Lens, City Clerk
City of Hayward



CITY OF HAYWARD

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

File #: CONS 17-588

DATE: September 26, 2017

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT

Approval of Changes to the Adopted FY 2018 - FY 2027 Capital Improvement Program (CIP) Budget Related to the Road Repair and Accountability Act (RRAA - SB 1 Funding)

RECOMMENDATION

1. Approve creation of Fund 211 - RRAA-SB1
2. Approve Project 05230 - RRAA FY18 Pavement Rehabilitation in New CIP Fund 211 - RRAA-SB1
3. Approve changes to Fund 210 - Gas Tax and associated projects in the Adopted FY 2018 - FY 2027 CIP
4. Transfer of \$898,000 from Fund 210 - Gas Tax Project 05114 to Fund 211 - RRAA (SB 1) Project 05230

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution
Attachment III	Fund 211 - RRAA (SB 1) Project Summary
Attachment IV	Project 05230 - Paving Rehabilitation RMRA FY18 Project Description Sheet
Attachment V	Fund 210 - Gas Tax Project Summary
Attachment VI	Project 05214 - Paving Rehabilitation - Gas Tax - FY18 Project Description Sheet



DATE: September 26, 2017

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Approval of Changes to the Adopted FY 2018 – FY 2027 Capital Improvement Program (CIP) Budget Related to the Road Repair and Accountability Act (RRAA - SB 1 Funding)

RECOMMENDATION

1. Approve creation of Fund 211 – RRAA-SB1
2. Approve Project 05230 – RRAA FY18 Pavement Rehabilitation in New CIP Fund 211 – RRAA-SB1
3. Approve changes to Fund 210 – Gas Tax and associated projects in the Adopted FY 2018 – FY 2027 CIP
4. Transfer of \$898,000 from Fund 210 – Gas Tax Project 05114 to Fund 211 – RRAA (SB 1) Project 05230

BACKGROUND

On April 28, 2017, the Governor signed Senate Bill 1, the Road Repair and Accountability Act (RRAA) of 2017 to address basic road maintenance, rehabilitation, and critical safety needs through an increase in per gallon fuel excise taxes and vehicle registration fees.

The FY18-FY27 Capital Improvement Program (CIP) adopted on June 20, 2017 included Fund 210 – Gas Tax which listed the anticipated RRAA revenue. This revenue partially funded Project 05214 – Pavement Rehabilitation – Gas Tax – FY18. Since that time, draft guidelines were released from the California Transportation Commission (CTC) with specific requirements for SB 1 revenues and projects that are significantly different than the guidelines for other existing gas tax funds.

To receive each year's SB 1 apportionments, cities must apply for the funds by submitting a specific project list to the CTC. The project list must also be included in the Adopted CIP and the projects must reference the SB 1 Road Maintenance and Rehabilitation Account (RMRA), the funding account for RRAA. The project descriptions must contain a list of streets being rehabilitated, an estimated completion date of the project, and the estimated useful life of the paving methods utilized. The Council Resolution adopting the CIP is required to document the approval of the proposed projects in the CIP. As this year's CIP was already adopted when the guideline requirements were released, an amended resolution is required adding the RMRA project and project description to the CIP.

New CIP Fund 211- Gas Tax-RRAA (SB1) is created to receive apportionments and budget RMRA paving projects. This is similar to how Measures B and BB revenues and projects are budgeted in separate funds in the CIP. The new guidelines currently require that funds be collected prior to actual expenditure on roadway rehabilitation. However, based on CTC staff, this guideline may be modified to allow other funds to be expended prior to actual collection of RRAA funds to be used as reimbursement.

DISCUSSION

To comply with the draft guidelines, staff is requesting the addition of a new CIP Fund 211- Gas Tax-RRAA (SB1) and Project 05230- RMRA - Paving Rehabilitation FY18 in the amount of \$898,000 (Attachment III). FY 2019- FY 2027 apportionment estimates are also included in Fund 211. As required in the guidelines, the description sheet for Project 05230 (Attachment IV) contains the list of streets that are planned to be rehabilitated with the funding, the estimated completion date of the project, and the estimated useful life of the paving method.

Consequently, Fund 210 – Gas Tax (Attachment V) must be amended to transfer the SB 1 (\$898,000) revenues from Project 05214 – Paving Rehabilitation FY18 by (Attachment VI) to new project 05230 in the new RRAA (SB 1) Fund. Years FY 2019 – FY 2027 Gas Tax paving rehabilitation projects have been reduced accordingly based on the move of the RMRA revenue to the new RRAA (SB 1) Fund.

STRATEGIC PRIORITIES

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

SUSTAINABILITY FEATURES

The action taken for this agenda report will not result in a new physical development, purchase or service, or a new policy or legislation. Any physical work was approved in a prior Council action. Sustainability features for individual CIP projects are listed in each staff report.

FISCAL IMPACT

There is no fiscal impact to the recommendations. The RMRA funds are being moved from the Gas Tax Fund to the new RRAA Fund with no effect on the overall Adopted CIP budget.

PUBLIC CONTACT

There has been no public contact related to these changes to date.

NEXT STEPS

If Council approves these recommendations, staff will submit the street list and associated resolutions and documentation to the CTC by the October 16, 2017 deadline.

Prepared by: Karyn Neklason, Management Analyst II

Recommended by: Morad Fakhrai, Director of Public Works

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 17-____

Introduced by Council Member _____

RESOLUTION AMENDING RESOLUTION 17-088, THE BUDGET RESOLUTION FOR CAPITAL IMPROVEMENT PROJECTS FOR FISCAL YEAR 2018, RELATING TO NEW FUND 211- RRRRA (SB 1)

WHEREAS, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and Signed into law by the Governor in April 2017 to address the significant multi-modal transportation funding shortfalls statewide; and

WHEREAS, SB 1 includes accountability and transparency provisions that will ensure the residents of Hayward are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and

WHEREAS, the City must include a list of all projects proposed to receive funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, in the City budget, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

WHEREAS, the City will receive an estimated \$898,000 in RMRA funding in Fiscal Year 2018 from SB 1; and

WHEREAS, the City has undergone a robust public process to ensure public input into our community's transportation priorities; and

WHEREAS, the City used a Pavement Management System to develop the SB 1 project list to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the community's priorities for transportation investment; and

WHEREAS, the funding from SB 1 will help the City maintain and rehabilitate two sections of Fairway Street and one section of Calaroga Avenue this year and dozens of similar projects into the future; and

WHEREAS, the 2016 California Statewide Local Streets and Roads Needs Assessment found that the City's streets and roads are in an "at low risk" condition and this revenue will help us increase the overall quality of our road system and over the next decade will help bring our streets and roads into a "good" condition; and

WHEREAS, without revenue from SB 1, the City, would have otherwise been unable to fund these pavement rehabilitation projects; and

WHEREAS, if the Legislature and Governor failed to act, city streets and county roads would have continued to deteriorate, having many and varied negative impacts on our community; and

WHEREAS, cities and counties own and operate more than 81 percent of streets and roads in California, and from the moment we open our front door to drive to work, bike to school, or walk to the bus station, people are dependent upon a safe, reliable local transportation network; and

WHEREAS, modernizing the local street and road system provides well-paying construction jobs and boosts local economies; and

WHEREAS, the local street and road system is also critical for farm to market needs, interconnectivity, multimodal needs, and commerce; and

WHEREAS, police, fire, and emergency medical services all need safe reliable roads to react quickly to emergency calls and a few minutes of delay can be a matter of life and death; and

WHEREAS, maintaining and preserving the local street and road system in good condition will reduce drive times and traffic congestion, improve bicycle safety, and make the pedestrian experience safer and more appealing, which leads to reduce vehicle emissions helping the State achieve its air quality and greenhouse gas emissions reductions goals; and

WHEREAS, restoring roads before they fail also reduces construction time which results in less air pollution from heavy equipment and less water pollution from site run-off; and

WHEREAS, the SB 1 project list and overall investment in our local streets and roads infrastructure with a focus on basic maintenance and safety, investing in complete streets infrastructure, and using cutting-edge technology, materials and practices, will have significant positive co-benefits statewide.

THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that

1. Resolution 17-088, the Budget Resolution for Capital Projects for Fiscal Year 2018, is hereby amended to include Fund 211 – Gas Tax - RRRRA (SB 1).
2. The Capital Improvement Program for Fiscal Year 2018 is amended to incorporate Project 05230 –Pavement Rehabilitation -RMRA -FY 18 in Fund 211 – RRAA (SB1) with a transfer of \$898,000 from Fund 210 – Gas Tax. This project includes Fairway Street from Carroll Avenue to Brae Burn Avenue and from Brae Burn Avenue to

Mission Boulevard and Calaroga Avenue from Catalpa Way to Tennyson Road. The estimated useful life of these improvements is fifteen to twenty years. The project is anticipated to be started in November 2017 and completed by March 2018.

3. Fund 210 – Gas Tax Fund Project 05214 – Gas Tax - Pavement Rehabilitation - FY 18 appropriation is reduced by \$898,000.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2017

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

GAS TAX - RRAA (SB 1) - FUND 211

PROJ. NO.	PROJECT DESCRIPTION	PROJ. TOTAL	PRIOR YEARS	EST FY17	FY18	FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27
05230	Pavement Rehabilitation - FY 18 - RMRA - Fairway Ave/Calaroga Ave	898			898									
TBD	Pavement Rehabilitation - FY 19 - RMRA	2,650				2,650								
TBD	Pavement Rehabilitation - FY 20 - FY 27 -RMRA	22,850					2,700	2,750	2,775	2,875	2,850	2,950	2,950	3,000
	TOTAL PROJECT COSTS			0	898	2650	2700	2750	2775	2875	2850	2950	2950	3000
	TOTAL EXPENDITURES			0	898	2650	2700	2750	2775	2875	2850	2950	2950	3000
	REVENUES:													
	Interest				0	0	0	1	1	1	1	1	1	1
	RMRA (SB 1)				898	2,695	2,695	2,776	2,776	2,859	2,859	2,945	2,945	3,033
	REVENUE SUBTOTAL:			0	898	2695	2695	2777	2777	2860	2860	2946	2946	3034
	TRANSFERS IN FROM:													
	TRANSFERS SUBTOTAL:			0	0	0	0	0	0	0	0	0	0	0
	REVENUE TOTALS:			0	898	2695	2695	2777	2777	2860	2860	2946	2946	3034
	BEGINNING FUND BALANCE:			0	0	0	45	40	67	69	54	64	60	56
	ENDING FUND BALANCE:			0	0	45	40	67	69	54	64	60	56	90

CAPITAL IMPROVEMENT PROGRAM FY18 - FY27

CATEGORY: Road and Street Project Title: Pavement Rehabilitation - RMRA - FY18
 Project No.: 05230
 Fund 211 - RRAA (SB 1) Fund

(\$ IN \$1,000)

PROPOSED CIP EXPENDITURE AND REIMBURSEMENT SCHEDULE

	PRIOR FUNDING	ESTIMATED FY17	FY18	FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	TOTALS
Expenditures	0		898										898
Reimbursements													
Net Cost to Fund	0		898										898

DESCRIPTION:

Streets with deteriorated pavement conditions are structurally repaired, which includes spot repairs, placement of reinforcing fabric, and construction of an asphalt concrete overlay. The street for FY18 rehabilitation are: Fairway Street - Carroll Avenue to Brae Burn Avenue, Fairway Street - Brae Burn Avenue to Mission Boulevard, and Calaroga Avenue - Catalpa Way to Tennyson Road.

Estimated useful life for rehabilitation methods is fifteen to twenty years.

Project will start in November 2017 and be completed by March 2018.

JUSTIFICATION:

Application of slurry seal along with spot repairs extends service life of existing pavement and defers the need for total reconstruction of streets.

MAP NOT APPROPRIATE

REIMBURSEMENTS:

PROJECT MODIFICATIONS:

OPERATING BUDGET IMPACTS:

No measurable impact on the General Fund.

GAS TAX FUND - FUND 210

PROJ. NO.	PROJECT DESCRIPTION	PROJ. TOTAL	PRIOR YEARS	EST	FY18	FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27
				FY17										
05106	Project Predesign	457	N/A	57	40	40	40	40	40	40	40	40	40	40
05110	Pavement Management Program	430	N/A	34	41	55	20	55	20	55	20	55	20	55
05116	Congestion Management Program	1,450	N/A	114	103	109	116	123	130	137	144	151	158	165
05132	New and Replacement Streetlights	1,239	634	105	50	50	50	50	50	50	50	50	50	50
	<i>PG&E Rebate</i>	585	585											
05140	Miscellaneous Curb and Gutter Repair	340	N/A	40	30	30	30	30	30	30	30	30	30	30
05186	Traffic Signal Energy	4,763	1,050	321	324	327	331	334	337	341	344	348	351	355
05187	Traffic Signal Maintenance	3,351	896	258	210	212	214	216	219	221	223	225	227	230
05188	Streetlight Energy	7,751	2,628	415	450	455	459	464	468	473	478	482	487	492
05189	Streetlight Maintenance	2,479	918	180	132	133	135	136	137	139	140	142	143	144
05121	Wheelchair Ramps - FY15	122	20	102										
	<i>TDA</i>	122		122										
05123	Pavement Rehabilitation - Gas Tax - FY16	1,040	118	922										
05124	Rule 20A Payment	500	130		370									
05211	Wheelchair Ramps - FY16 - Districts 2 & 3	132	0	132										
	<i>TDA</i>	132		132										
05213	Wheelchair Ramps - FY17 - Districts 6 & 9	142	0	12	130									
	<i>TDA</i>	142			142									
05221	Wheelchair Ramps - FY18 - Districts 4 & 5	142			10	132								
	<i>TDA</i>	142				142								
TBD	Wheelchair Ramps - FY19 - FY27	1,130				10	140	140	140	140	140	140	140	140
	<i>TDA</i>	1,120					140	140	140	140	140	140	140	140
05210	Pavement Rehabilitation - Gas Tax - FY17	600	0	600										
05214	Pavement Rehabilitation - Gas Tax - FY18	652	0	50	602									
		0												
05219	Pavement Rehabilitation - Gas Tax - FY19	1,005			50	955								
TBD	Pavement Rehabilitation - Gas Tax - FY20 - FY27	8,096				50	1,055	825	825	775	1,166	1,100	1,150	1,150
	TOTAL PROJECT COSTS			3,342	2,542	2,558	2,590	2,413	2,397	2,400	2,775	2,763	2,797	2,851
	Transfer to General Fund for Street & Signal Maintenance	10,385	8,010	227	229	232	234	236	239	241	243	246	248	251
	Transfer to Fund 450 (Gas Tax "Swap" portion)	9,150	2,279	369	702	700	707	714	721	728	736	743	750	758
	Debt Service (CEC loan for Citywide streetlight conversion) - loan payment through FY23 (interest rate of 1%/yr)	2,489	552	276	276	276	276	276	276	281				
	TOTAL EXPENDITURES			4,214	3,749	3,766	3,807	3,639	3,632	3,651	3,754	3,752	3,795	3,860

GAS TAX FUND - FUND 210

PROJ. NO.	PROJECT DESCRIPTION	PROJ. TOTAL	PRIOR YEARS	EST	FY18	FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27
				FY17										
	REVENUES:													
	Interest			17	1	1	1	1	1	1	1	1	1	1
	Reimbursements (TDA)			254	142	142	140	140	140	140	140	140	140	140
	Apportionment Sec. 2105			900	946	924	933	943	952	962	971	981	991	1,001
	Apportionment Sec. 2106			548	576	563	569	574	580	586	592	598	604	610
	Apportionment Sec. 2107 & 2107.5			1,172	1,203	1,223	1,235	1,248	1,260	1,273	1,285	1,298	1,311	1,324
	Gas Tax "Swap" Sec. 2103			369	702	700	707	714	721	728	736	743	750	758
	One Time Loan Repayment				182	182	182							
	REVENUE SUBTOTAL:			3,260	3,752	3,735	3,767	3,620	3,654	3,689	3,725	3,761	3,797	3,834
	TRANSFERS IN FROM:													
	TRANSFERS SUBTOTAL:													
	REVENUE TOTALS:			3,260	3,752	3,735	3,767	3,620	3,654	3,689	3,725	3,761	3,797	3,834
	BEGINNING FUND BALANCE:			1,052	98	101	70	30	10	32	71	42	51	53
	ENDING FUND BALANCE:			98	101	70	30	10	32	71	42	51	53	27

CAPITAL IMPROVEMENT PROGRAM FY18 - FY27

CATEGORY: Road and Street Project Title: Pavement Rehabilitation - Gas Tax FY18
 Project No.: 05214
 Fund 210 - Gas Tax Fund

(\$ IN \$1,000)

PROPOSED CIP EXPENDITURE AND REIMBURSEMENT SCHEDULE

	PRIOR FUNDING	ESTIMATED FY17	FY18	FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	TOTALS
Expenditures	0	50	602										652
Reimbursements													
Net Cost to Fund	0	50	602										652

DESCRIPTION:

Rehabilitation of Calaroga Avenue from Catalpa Way to Tennyson Road and two segments of Fairway Street from Carroll Avenue to Mission Boulevard which includes spot repairs, placement of reinforcing fabric, and construction of an asphalt concrete overlay with an estimated useful life of ten years. The project will begin in November of FY18 and be completed in March of FY18.

Funding Provided by SB 1 - the Road Repair and Accountability Act

JUSTIFICATION:

Rehabilitation extends service life of existing pavement.

MAP NOT APPROPRIATE

REIMBURSEMENTS:

PROJECT MODIFICATIONS:

OPERATING BUDGET IMPACTS:

No measurable impact on the General Fund.



CITY OF HAYWARD

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

File #: APPT 17-005

DATE: September 26, 2017

TO: Mayor and City Council

FROM: City Clerk

SUBJECT

Appointment of Ms. Zaineb Sharafali and Mr. Luis Prada to the Library Commission

RECOMMENDATION

That the City Council adopts a resolution (Attachment II) appointing Ms. Zaineb Sharafali and Mr. Luis Prada to the Library Commission for terms of four years each.

ATTACHMENTS

Attachment I Staff Report
Attachment II Resolution



DATE: September 26, 2017

TO: Mayor and City Council

FROM: City Clerk

SUBJECT Appointment of Ms. Zaineb Sharafali and Mr. Luis Prada to the Library Commission

RECOMMENDATION

That the City Council adopts a resolution (Attachment II) appointing Ms. Zaineb Sharafali and Mr. Luis Prada to the Library Commission for terms of four years each.

SUMMARY AND DISCUSSION

The City Council, during its regular meeting on September 19, 2017, introduced an ordinance amending Chapter 2, Article 3, Section 2-3.50 of the Hayward Municipal Code. Following adoption of the Ordinance, the membership of the Library Commission will be increased from seven to nine.

During the annual interviews for Council's appointed bodies, the City Council selected Ms. Zaineb Sharafali and Mr. Luis Prada for service on the Library Commission.

Since Ms. Zaineb Sharafali and Mr. Luis Prada are unable to attend the City Council meeting on September 26, 2017, the City Clerk will administer the oath of office to each one of them prior to their first meeting of the Library Commission.

STRATEGIC PRIORITIES

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

FISCAL IMPACT

There is no fiscal impact associated with this report.

Prepared and Recommended by: Miriam Lens, City Clerk

Approved by:

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

Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 17-

Introduced by Council Member _____

RESOLUTION CONFIRMING THE APPOINTMENT OF ZAINEB SHARAFALI AND LUIS PRADA TO THE LIBRARY COMMISSION

BE IT RESOLVED that the City Council of the City of Hayward does hereby confirm the appointment of the following as members of the Library Commission so designated:

APPOINTMENTS

<u>Library Commission</u>	<u>Term Expires</u>
Zaineb Sharafali	September 2021
Luis Prada	September 2021

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2017.

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward



CITY OF HAYWARD

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

File #: CONS 17-591

DATE: September 26, 2017

TO: Mayor and City Council

FROM: City Manager

SUBJECT

Adoption of Resolution Calling for and Supporting Executive and/or Legislative Action by the Trump Administration and Congress to Restore, Renew, Extend and Expand Upon the Federal Deferred Action for Childhood Arrivals (DACA) Program and Those Protections Afforded Under DACA to Immigrants Who Came to the United States as Children

RECOMMENDATION

That the City Council adopts the attached resolution calling for executive and/or legislative action to restore, renew, extend and expand upon the federal Deferred Action for Childhood Arrivals (DACA) program and protections currently provided under the program, and directs staff to provide copies of the adopted resolution to our Congressional delegation.

ATTACHMENTS

Attachment I Staff Report
Attachment II Resolution



DATE: September 26, 2017

TO: Mayor and City Council

FROM: City Manager

SUBJECT Adoption of Resolution Calling for and Supporting Executive and/or Legislative Action by the Trump Administration and Congress to Restore, Renew, Extend and Expand Upon the Federal Deferred Action for Childhood Arrivals (DACA) Program and Those Protections Afforded Under DACA to Immigrants Who Came to the United States as Children

RECOMMENDATION

That the City Council adopts the attached resolution calling for executive and/or legislative action to restore, renew, extend and expand upon the federal Deferred Action for Childhood Arrivals (DACA) program and protections currently provided under the program, and directs staff to provide copies of the adopted resolution to our Congressional delegation.

BACKGROUND

The Deferred Action for Childhood Arrivals (DACA) program allows immigrants who came to the United States as children to apply for temporary protections against deportation and to receive work permits. In California, there are an estimated 200,000 DACA recipients, or “Dreamers” as they are also known, young people who are making important contributions to their communities, including the City of Hayward, a significant number of whom are Hayward Unified School District, Chabot Community College and California State University East Bay students.

In 2010, the City Council adopted a resolution in support of the Federal DREAM Act¹, expressing the City’s support for this bipartisan legislation that represents our shared values of opportunity, education, and achievement.

On September 5, 2017, U.S. Attorney Jeff Sessions announced that the Trump administration is terminating DACA effective March 5, 2018. This announcement and planned action has unnecessarily and callously put the lives of “Dreamers” in limbo, leaving them to entertain the prospect of being deported from the country they consider their own and, for many, the only country they have known.

¹ December 14, 2010 Agenda item: <http://citydocuments.hayward-ca.gov/WebLink/Browse.aspx?startid=131124>

DISCUSSION

The announcement of termination of DACA drew significant reaction nationally, statewide, and locally. That reaction included: a rally on the City Hall plaza organized by the Eden Area Interfaith Council denouncing termination of DACA; the filing of lawsuit led by the California Attorney General aiming to block the Trump administration from ending the program; and approval by the California Legislature of \$30 million in new funding to support DACA recipients.

Since the announcement that DACA was being terminated, there also have been news reports of potential agreements between President Trump and Congressional Democrats on legislative action to restore and extend DACA. However, as of the writing of this staff report, no federal legislative action has taken place and no new DACA applications are being processed pursuant to the Trump administration's announcement it is terminating the program.

NEXT STEPS

City staff will deliver copies of the adopted resolution to Hayward's Congressional delegation, use digital media tools and news media outreach to promote public awareness of the resolution, and will follow and report back on state and national developments pertaining to DACA.

Prepared by: Chuck Finnie, Public Information Officer Consultant

Recommended by: John Stefanski, Management Analyst II

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 17-
Introduced by Council Member

A RESOLUTION OF THE CITY COUNCIL OF HAYWARD, CALIFORNIA, CALLING FOR AND SUPPORTING EXECUTIVE AND/OR LEGISLATIVE ACTION BY THE TRUMP ADMINISTRATION AND CONGRESS TO RESTORE, RENEW, EXTEND, AND EXPAND UPON THE FEDERAL DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) PROGRAM AND THOSE PROTECTIONS AFFORDED UNDER DACA TO IMMIGRANTS WHO CAME TO THE UNITED STATES AS CHILDREN

WHEREAS, Hayward is one of the most richly diverse communities by population in all of California; and

WHEREAS, Hayward is a minority-majority city whose largest racial group, according to U.S. Census figures, are Hispanics and Latinos, followed by Asians, non-Hispanic whites, blacks and African-Americans, multi-racial people, native Hawaiians/Pacific Islanders, Native Americans/Alaskans and others; and

WHEREAS, according to U.S. Census figures, 37 percent of all Hayward residents are foreign-born, with slightly more than half of these residents not naturalized U.S. citizens; and

WHEREAS, laws and government policy pertaining to immigration and affecting immigrants are important to and hit home for many Hayward residents, regardless of place of birth, citizenship or immigration or asylum status; and

WHEREAS on September 5, 2017, the Trump administration announced termination, effective March 5, 2018, of the federal Deferred Action for Childhood Arrivals (DACA) program, which allows immigrants who came to the United States as children to apply for temporary protections from deportation and receive work permits; and

WHEREAS, there are an estimated 200,000 DACA recipients, or "Dreamers," in California who are making important contributions in their communities, including in the City of Hayward, with a significant number of them students attending class in the Hayward Unified School District or and at Chabot Community College and California State University, East Bay; and

WHEREAS, the accompanying staff report provides supporting information upon which the actions set forth in this resolution are based.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward calls for and supports executive and/or legislative by the President of the United States and Congress to restore, renew, extend and expand upon DACA and the protections that had been provided under the program to immigrants who came to the United States as children.

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent and provided to appropriate offices and representatives of the Trump administration and the congressional delegation representing the City of Hayward, U.S. Senators Dianne Feinstein and Kamala Harris and Congressman Eric Swalwell.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2017

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR

NOES: COUNCIL MEMBERS

ABSTAIN: COUNCIL MEMBERS

ABSENT: COUNCIL MEMBERS

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward



CITY OF HAYWARD

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

File #: WS 17-043

DATE: September 26, 2017

TO: Mayor and City Council

FROM: City Manager

SUBJECT

Hayward Community Taskforce Recommended Update to the 1992 Anti-Discrimination Action Plan

RECOMMENDATION

That Council reviews and provides feedback on the draft update to the 1992 Anti-Discrimination Action Plan Recommended by the Community Taskforce.

ATTACHMENTS

- Attachment I Staff Report
- Attachment II CIECC Plan
- Attachment III CIECC Appendix



DATE: September 26, 2017
TO: Mayor and City Council
FROM: City Manager
SUBJECT: Hayward Community Taskforce Recommended Update to the 1992 Anti-Discrimination Action Plan

RECOMMENDATION

That Council reviews and provides feedback on the draft update to the 1992 Anti-Discrimination Action Plan recommended by the Community Taskforce.

BACKGROUND

Earlier this year, Council sought to address heightened community concerns about human and civil rights, and about potential threats to Hayward residents based on political affiliation, economic status, place of origin, immigration status, religion, age, race, ethnicity, gender, gender identity, sexual orientation, physical ability, and other personal characteristics. In response to these concerns, on January 17, 2017, the Council adopted Resolution No. 17-004, which established a limited-term Community Taskforce (Taskforce) made up of Hayward community members, representing the diversity of the Hayward community.

The Taskforce’s charter was to update the City’s 1992 Anti-Discrimination Action Plan to reflect current social and political issues facing Hayward community members and to create a platform for public discourse around these issues.

Table 1 lists the community members appointed to the Community Taskforce¹:

TABLE 1: COMMUNITY TASKFORCE MEMBERS

Kristal Brister	Kari McAllister
Sheila Burks	Arzo Mehdavi
Frank Burton	Rosaura Mendoza
Freddye Davis	Linda Moore
Kevin Dowling	Vivian Phung
Myra Feiger	Galilea Rios

¹ Betty Deforest was a Community Taskforce member, but passed away soon after the Taskforce began its work.

TABLE 1: COMMUNITY TASKFORCE MEMBERS (CONTINUED)

Mohammed Khan	Giancarlo Scalise
Ria Lancaster	Raj Singh
Dione Lien	Veronica Solorio
Ruben Martinez	Randy Wright

Additionally, after the June 6th Council designation of Hayward as a Sanctuary City, the following four community members were added to support the Sanctuary City Taskforce Subcommittee:

Benjamin Leon Elenes
Julieta Martinez
Zachariah Oquenda
Corina Vasaure

DISCUSSION

The Taskforce met several times over the last 9 months and created subcommittee work groups to update the various sections of the 1992 Anti-Discrimination Action Plan. The 1992 Anti-Discrimination Action Plan was renamed to reflect the Taskforce's desire to use relevant language that better captured the intent of the document. The 1992 Anti-Discrimination Action Plan is renamed the Commitment for an Inclusive, Equitable, and Compassionate Community (the Commitment (CIECC)). Additionally, over the course of their discussions, the Taskforce recommended that two new sections be added to the Commitment (CIECC) to reflect current social and political challenges, in anticipation of potential impacts to the Hayward community. These current concerns revolved around (1) the federal administrations executive orders related to immigration and (2) the debate and concerns regarding police and community relations across the nation.

The Commitment (CIECC), was founded on key guiding principles and contains an evaluation component to ensure accountability for implementation of the various action plans. The Commitment (CIECC) before the Council this evening contains five sections including:

- Section I: Encouraging Shared Community Values;
- Section II: Fostering Accessibility;
- Section III: Dismantling Illegal Forms of Discrimination;
- Section IV: Implementing the Hayward Sanctuary City Resolution, and
- Section V: Enhancing Community and Police Relations.

GUIDING PRINCIPLES AND VALUE STATEMENTS:

The Taskforce identified guiding principles and value statements that informed and guided the development of the five sections listed above. These guiding principles begin with the

premise that the goals of the Commitment (CIECC) cannot be accomplished by the City of Hayward alone and successful implementation will require collaboration and cooperation with public and private institutions, community and faith-based service organizations, businesses, and individual community members and a recognition that Hayward is a community of inclusive growth and opportunity.

The values that guided the Taskforce deliberations helped shape and inform the actions described in the Commitment (CIECC). These values include:

- Accessibility
- Civic Engagement
- Community
- Community Policing
- Compassion
- Connectedness
- Diversity and Inclusion
- Equity
- Evaluation, and
- Opportunity

EVALUATION AND ACCOUNTABILITY:

Council Appointed Resident Group:

The evaluation and accountability of the successful implementation of the action plans included in the Commitment (CIECC) is of top priority to the Taskforce. The Taskforce's desire is to create a mechanism where an ongoing monitoring and reporting structure exists, and their recommendation is that it occur through the formation of a City Council-appointed resident group. The Council-appointed resident group would monitor and periodically evaluate the degree to which Hayward community members are aware of, and involved in, the work described within the action plans. Regarding reporting out, the Taskforce recommends that an initial report out occur six (6) months after Council adoption of the Commitment (CIECC), with annual evaluations to follow.

In Resolution No. 17-004, which established the limited-term Community Taskforce, the City committed to take ownership and responsibility for monitoring and providing periodic progress reports to the City Council. Because of the importance of this initiative and the involvement of different City departments necessary for implementation, staff recommends that, in lieu of a City Council appointed resident group to monitor the implementation of the action plan, Council directs the City Manager's office to maintain responsibility for implementation of the action plans and provide annual report outs to Council. Staff also recommends that Council direct the City Manager's office to collaborate with the community to ensure two-way communication and coordination of the list of community-driven action items identified by the Taskforce included in the appendix and described below. Staff's recommendation was discussed with the Taskforce; however, the

taskforce's desire was to move their recommendation (for an ongoing resident group) to Council forward.

Two-Year Implementation Action Plans - Phase I:

Over the course of their subcommittee work, the Taskforce identified a variety of action items and recommends two-year action plans for each section to ensure the highest priority action items are completed within this two-year period. The Taskforce narrowed down their recommendations to fifty (50), which can be found on pages 13-28 of Attachment II.

The Taskforce recommended that the additional thirty-three (33) recommended action items be included as an appendix to the staff report so they can be addressed after the Phase I action items are completed. As mentioned above, the appendix also includes a list of twenty-one (21) action items identified by the Taskforce that can be community driven (vs. City Lead) and/or completed by non-profit organizations, in coordination with the City.

CONSIDERATIONS:

Medium to High Resource Action Items:

Staff identified some medium to high resource items that may require additional analysis, as well as comments on a couple of other recommendations.

First, some milestones identified in the two-year action plans contain several medium resource action items (A.1.1, A.2.1, A.3.3, A.3.4, A.3.5, A.3.6, B.1.2, B.1.5, D.1.2, D.5.1, D.8.1) and some high resource action items (A.2.2, A.3.1, B.1.1, D.2.1, D.2.2, D.4.1). These specific items will require additional staff analysis to (1) further quantify, (2) assess whether they can be completed with current resources/staff and/or (3) determine whether additional resources will be needed.

Secondly, Recommendation D.3.1 recommends that all City officials and volunteers be required to participate in implicit bias training. Staff recommends that implicit bias training be offered once a year and that volunteers be encouraged to attend. However, the City has hundreds of volunteers in varying capacities and requiring all volunteers to be trained will have a significant fiscal impact.

Policy Considerations:

Action Item C.1.1 recommends that the City advocate through the state legislature for immigration status to be added as a protected class under state hate crime law. This is a policy decision that may require additional analysis and/or Council feedback.

In Section V of the two-year action plan, Enhancing Community / Police Relations, the following recommendation is not aligned with existing policy: E.7.1 HPD should withdraw participation from Urban Shield.

The Hayward Police and Fire Departments have participated in Urban Shield since its inception, and over the past seven years. The primary goal of Urban Shield is to provide a multi-layered training exercise to enhance the skills and preparedness of regional first responders, Law Enforcement, Fire, and Emergency Medical personnel. HPD has helped to develop, staff, and manage a variety of training scenarios that have helped to better prepare our personnel for a variety of contemporary and realistic scenarios that they may face. The training has been highly beneficial in this regard.

In recent conversations with taskforce members, concerns related to the City's participation in Urban Shield training were described, including:

- The marketing and promotion of Urban Shield, and certain practices such as the use of racialized imagery and scenarios where the villains in an exercise scenario are dressed as Arabs and other people of color, serve to promote racial and anti-immigrant biases, and undermines trust between community members and law enforcement.
- The program's emphasis on law enforcement and the militarization of police in exercises versus disaster preparedness, search and rescue, community self-survival, and recovery.
- The limited opportunity for community input, and the limited information shared with community members after the exercise experience.

Taskforce members recommend that rather than participating in Urban Shield, the City of Hayward seek to obtain more of the funding that is available to focus on training not only local first responders, but community members as well in disaster preparedness, survival, and recovery.

The City of Hayward and the Hayward Police Department do not condone any practices that serve to divide the community and/or undermine the community's trust in law enforcement. To that end, HPD and the other agencies involved in Urban Shield have worked with the program's leadership to ensure the community that all participating agencies would not support offensive, racist and stereo-typing activities. To this end, the following Principles and Guidelines for Urban Shield were recently issued by its leadership:

- Expand community involvement and awareness
- Work to expand training of the medical profession for critical incidents
- Urban Shield will not include surveillance training
- Continue to examine new technology
- Urban Shield will not include crowd control training
- Continue to evaluate current and new equipment
- Urban Shield will be free from racist stereo-typing in conduct and will avoid profiling of individuals
- Urban Shield will exclude any and all vendors who display derogatory or racist messages in any form

- Urban Shield will exclude the sale or transfer of any assault weapons and firearms
- Urban Shield will strive to maintain the finest first responder training

In support of these efforts, and in recognition of the concerns raised by our community members, staff recommends that rather than withdrawing from the Urban Shield training altogether, the City continue to work with interested community members to change the way in which Urban Shield is promoted and implemented, to increase community involvement in the program, to ensure that all levels of program participants understand the underlying principle of the training is to strengthen our communities, and emphasize the preparation of both first-responders and community members for the most likely events that will occur, such as local wide-spread disasters.

ECONOMIC IMPACT

Positive relations amongst the diverse population of the Hayward community will enhance and sustain Hayward's reputation as being a safe and welcoming community. This, along with the cultural and linguistic diversity of Hayward residents, as well as business and community organization representatives, will also continue to foster community development and the economic growth of the City.

Policy Link, a national research and action institution that works to advance economic and social equity, states:

Inequitable growth is not only unjust, it is socially and economically unsustainable. Research proves that inequality and racial segregation hinders growth, prosperity, and economic mobility in regions, while diversity and inclusion fuel innovation and business success.²

STRATEGIC PRIORITIES

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

Goal 1: Improve quality of life for residents, business owners, and community members in all Hayward neighborhoods.

Objective 1: Increase neighborhood safety and cohesion.

² See: "The Economic Case for Equity and Inclusion", National Equity Atlas at: [http://nationalequityatlas.org/about-the-atlas/resources#The Economic Case for Equity and Inclusion](http://nationalequityatlas.org/about-the-atlas/resources#The_Economic_Case_for_Equity_and_Inclusion).

- Objective 2: Foster a sense of place and support neighborhood pride;
- Objective 3: Increase collaboration with businesses, non-profit and neighborhood groups on placemaking projects;
- Objective 5: Actively value diversity and promote inclusive activities;
- Goal 2: Provide a mix of housing stock for all Hayward residents and community members, including the expansion of affordable housing opportunities and resources.
- Objective 2: Facilitate the development of diverse housing types that serve the needs of all populations.
- Objective 4: Increase supply of affordable, safe and resilient housing in Hayward.

This agenda item also supports the Tennyson Corridor strategic initiative. The purpose of the Tennyson Corridor strategy is to develop an attractive, cohesive, thriving Tennyson Corridor through thoughtful engagement of residents, businesses and community partnerships. This item supports the following goals and objectives:

- Goal 4: Foster a cohesive sense of place.
- Objective 2: Increase City sponsored events and projects in the Tennyson Corridor.
- Goal 5: Increase community resiliency.
- Objective 1: Increase awareness of and access to City services.
- Objective 2: Increase # of residents with medical and dental service access.
- Objective 4: Increase access to effective public transit.

FISCAL IMPACT

Implementation of the action items outlined in the Commitment (CIECC) will likely have a fiscal impact that may include one-time costs such as studies or the implementation of single community events and/or ongoing operational costs where continuous staff support and direction are needed to carry out certain activities. Additional analysis of fiscal impacts can better be determined once Council provides feedback and direction on the initial recommendations from the Task Force.

As mentioned above, some milestones identified in the two-year action plans contain several medium and high resource action items that will require additional staff analysis to assess whether they can be completed with current resources/staff and/or whether additional resources will be needed.

PUBLIC CONTACT

In addition to sharing their own perspectives, the Taskforce members facilitated community conversations, completed online surveys and on-the-street surveys designed to gather insights, better understand community concerns/fears and experiences and collect any recommendations to inform their final recommendations.

Three general themes emerged from comments received:

1. Use clear, concise, specific language that is easily accessible, readily understood, and translates well;
2. Develop a Commitment that is declarative and actionable, as well as visionary and aspirational; and
3. The Commitment should not be developed and implemented in a vacuum; rather, it is meant to be sustainable and interactive and will, therefore, be reviewed, evaluated, and updated on a regular basis.

NEXT STEPS

Staff requests that the Council provide feedback on the proposed Commitment (CIECC) document with the considerations listed below.

As mentioned on Page 4 and in the fiscal impact section of the staff report,

- Some milestones identified in the two-year action plans contain several medium and high resource action items that will require additional staff analysis to assess whether they can be completed with current resources/staff and/or whether additional resources will be needed.
- Lastly, recommendation C.1.1 recommends that the City advocate through the state legislature for immigration status to be added as a protected class under state hate crime law. This is a policy decision that may require additional analysis and/or Council feedback.

Following this work session and Council direction, staff will take Council feedback, make any necessary modifications to the Commitment (CIECC), and return for Council adoption at the November 28, 2017 Council meeting.

Prepared by: David Korth, Assistant to the City Manager
 Mary Thomas, Management Analyst
 Monica Davis, Management Analyst

Recommended by: Maria A. Hurtado, Assistant City Manager

Approved by:

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

Kelly McAdoo, City Manager



The Commitment (CIECC)

Commitment for an Inclusive, Equitable, and Compassionate Community



Hayward City Hall
777 B Street, Hayward, CA 94541
510-583-4300 /
City.Manager@hayward-ca.gov



The Commitment (CIECC)

Dedicated to the memory of
Community Taskforce Member
and
Long-Time Community Advocate



Betty DeForest

whose vision, wisdom, and spirit is embodied by
this document.



The Commitment (CIECC)

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The Commitment (CIECC)

I. Introduction

In January of 2017, the Hayward City Council sought to address heightened community concerns about human and civil rights, and about increased tensions between community members based on people's political affiliation, economic status, place of origin, immigration status, religion, age, race, ethnicity, gender, gender identity, sexual orientation, physical ability, and other personal characteristics.¹ In response to these concerns, on January 17, 2017, the Council adopted Resolution No. 17-004, which established a limited-term Community Taskforce² made up of Hayward community members, representing the diversity of the Hayward community.

The Taskforce's charter was to update the City's 1992 Anti-Discrimination Action Plan to reflect current social and political issues facing Hayward community members and to create a platform for public discourse around these issues. The Taskforce renamed the document: The Commitment for an Inclusive, Equitable, and Compassionate Community (the Commitment (CIECC)).

Table 1 lists the community members appointed to the Community Taskforce:

TABLE 1: COMMUNITY TASKFORCE MEMBERS

Kristal Brister	Kari McAllister
Sheila Burks	Arzo Mehdavi
Frank Burton	Rosaura Mendoza
Freddye Davis	Linda Moore
Kevin Dowling	Vivian Phung
Myra Feiger	Galilea Rios
Mohammed Khan	Giancarlo Scalise
Ria Lancaster	Raj Singh
Dione Lien	Veronica Solorio
Ruben Martinez	Randy Wright

¹ A person's income level, economic status and/or lack of political power or privilege can also result in a person being discriminated against. The City of Hayward supports many community social service and economic development programs designed to meet the needs of its most vulnerable community members. For more information, contact the City of Hayward at www.hayward-ca.gov or (510) 583-4300.

² An additional appointee, Betty DeForest, was also a Community Taskforce member, but passed away soon after the Taskforce began its work. This document is dedicated to her memory and the decades of service she gave to helping disenfranchised members of the Hayward community.



The Commitment (CIECC)

Additionally, after the June 6th Council designation as a Sanctuary City, the following four community members were added to support the Sanctuary City Taskforce Subcommittee:

Benjamin Leon Elenes
Julieta Martinez
Zachariah Oquenda
Corina Vasaure

The Taskforce met several times over the last 9 months and created subcommittee work groups to update the various sections of the 1992 Anti-Discrimination Action Plan. The 1992 Anti-Discrimination Action Plan was renamed to reflect the Taskforce's desire to use relevant language that better captured the intent of the document. The 1992 Anti-Discrimination Action Plan is renamed the Commitment for an Inclusive, Equitable, and Compassionate Community (the Commitment (CIECC)). Additionally, over the course of their discussions, the Taskforce recommended that two new sections be added to the Commitment (CIECC) to reflect current social and political challenges, in anticipation of potential impacts to the Hayward community. These current concerns revolved around (1) the federal administrations executive orders related to immigration and (2) the debate and concern regarding police and community relations across the nation.

The Commitment (CIECC), was founded on key guiding principles and contains an evaluation component to ensure accountability for implementation of the various action plans. The Commitment (CIECC) before the Council contains five sections including:

- Section I: Encouraging Shared Community Values;
- Section II: Fostering Accessibility;
- Section III: Dismantling Illegal Forms of Discrimination;
- Section IV: Implementing the Hayward Sanctuary City Resolution, and
- Section V: Enhancing Community and Police Relations.



The Commitment (CIECC)

II. Guiding Principles

The goals of the Commitment (CIECC) cannot be accomplished by the City of Hayward alone. The City must work collaboratively and cooperatively with other public and private institutions, community and faith-based service organizations, businesses, and individual community members to ensure its success. Through this work, the City of Hayward reaffirms its commitment to strategies and practices that celebrate diversity; foster a sense of community and belonging; increase trust, understanding, connectedness, and respect among people from different backgrounds.

Moreover, the City, Hayward Community Taskforce, individual community members, and cross-sector organizations have pledged to continue to work together to implement the actions and recommendations described in this document. To facilitate this effort, the Community Taskforce proposes that Hayward City Council establish a new committee of community members, representative of Hayward's diversity, to move this work forward. The role of this committee would be to help with the promotion and implementation of the actions described herein, with the obtaining of continuous community feedback, and with making recommendations for improvements to the Commitment (CIECC) to optimize its success.

Hayward is a community of inclusive growth and opportunity, where families and individuals are welcome to create their future stories and can be confident in knowing their life chances and outcomes will not be determined by political affiliation, economic status, place of origin, immigration status, religion, age, race, ethnicity, gender, gender identity, sexual orientation, physical ability, or other personal characteristics. And, where community members can be confident that their public safety, elected, and appointed officials will work diligently to create pathways for civic engagement that reflect the rich diversity in Hayward.

We are at a defining moment for our community. We have chosen to embrace this opportunity to declare where we, the Hayward community, stand and how we intend to move forward. The values guiding all our deliberations - civic engagement, community, compassion, diversity and inclusion, connectedness, accessibility, opportunity, community and police relations, and effective evaluation – are the same principles that have shaped and informed the actions described in this document. The City of Hayward, among the most diverse cities in the nation, remains the Heart of the Bay and where there remains No Room for Racism.



The Commitment (CIECC)

Community Conversations

In addition to sharing their own perspectives, Hayward Community Taskforce members played a leadership role in facilitating community conversations, or listening sessions, designed to gather the insights and experiences of a wide variety of Hayward's community members about current human relations issues.

During community conversations, participants shared valuable comments and recommendations. Additional feedback and ideas were received in the months following the initial conversations and Community Taskforce members and City staff reviewed all this information and incorporated as many of the ideas as possible into this document.

In addition to many specific recommendations, three general themes emerged from the comments received:

- (1) Use of clear, concise, specific language that is easily accessible, readily understood, and translates well;
- (2) Develop a Commitment (CIECC) that is declarative and actionable, as well as visionary and aspirational; and
- (3) The Commitment (CIECC) will not be developed in a vacuum; rather it is meant to be sustainable and interactive and will, therefore, be reviewed, evaluated, and updated periodically.

The information gathered from the community significantly influenced and informed the content of this document, and it will continue to evolve with the ongoing engagement of the community.

Value Statements

The following ten values, principles, and ideas – listed in alphabetical order - guided the development of this document, and will continue to inform its ongoing planning, implementation, review, evaluation, and sustainability.

Accessibility: The Americans with Disabilities Act (ADA) is a federal civil rights law that requires that, in specified circumstances, reasonable accommodations be made for persons living with disabilities so they have access to the same opportunities as persons without a disability. Additionally, there are situations where there may be barriers to equitable access to goods, services, information, and opportunities based on language, culture, religion, family or economic status, or other personal characteristics not currently addressed by law.



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The Commitment (CIECC), therefore, pursues a multi-pronged approach to ensure equitable access to information, activities, meetings, events, goods, services, and resources available in the Hayward community.

Civic Engagement: The Commitment (CIECC) is developed and implemented with public input and meaningful community participation to enhance its success and effectiveness. The voice of the Hayward community is embedded in this document, and was captured through public forums and community conversations.

Community: The Commitment (CIECC) embraces actions designed to build trust, understanding, and respect among community members while providing remedies, support, and assistance for persons impacted by discrimination.

Community Policing: The Commitment (CIECC) reaffirms the City of Hayward's dedication to fostering positive relationships among community members, the Hayward Police Department, and other City public safety officials and first responders. The Commitment (CIECC) outlines preferred practices that support effective and respectful policing to protect Hayward community members' safety, well-being, and constitutional rights.

Compassion: The Commitment (CIECC) aspires to reflect and embody the compassion of Hayward community members. For the purposes of this document, compassion is defined as: "The response to the suffering of others that motivates a desire to help them. Compassion motivates people to go out of their way to help the physical, spiritual, or emotional hurts and pains of another; more involved than simple empathy, compassion commonly gives rise to an active desire to alleviate another's suffering."³

Connectedness: The Commitment (CIECC) promotes and encourages opportunities for community members to learn about the rich diversity of customs and cultures represented in Hayward to increase communication and engagement and build pathways to understanding among diverse groups. This includes public safety, elected, and appointed officials partnering in developing positive lines of communication, building relationships based on trust and understanding.

³ Ref.: Wikipedia; a free online encyclopedia, created and edited by volunteers around the world and hosted by the Wikimedia Foundation.



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Diversity and Inclusion: The Commitment (CIECC) acknowledges the diversity of our Hayward Community by recognizing and honoring the cultures, customs, and celebrations of our members. Hayward welcomes and honors difference regardless of political affiliation, economic status, place of origin, immigration status, religion, age, race, ethnicity, gender, gender identity,

sexual orientation, physical ability or other personal characteristics⁴. In these times, it is particularly worth noting that it is vital to the health and well-being of all community members that we build a relationship of trust between Hayward's immigrant communities and the local public agencies that are entrusted with the public safety of Hayward individuals and families.

Equity: The City of Hayward acknowledges that a lack of educational and economic opportunities, discrimination, environmental disparities, and historic disadvantages created conditions that have denied access to pathways of success for many Hayward community members. Consequently, the Commitment (CIECC) includes intentional policies and strategies to increase marginalized community members' ability to access opportunities and share equitably in the benefits that the Hayward community offers. This will help to build healthy and strong neighborhoods, and will lead to creating a more vibrant and sustainable economic future for families and individuals who make Hayward their community.

Evaluation: The Commitment (CIECC) was developed to be proactive, as well as responsive. The actions herein will be evaluated for impact and effectiveness using specified indicators of success, and informed adjustments will be made to improve both the long-term and short-term impact of those actions, based on the community feedback received. The next section expands upon how the effectiveness of the Commitment (CIECC) will be measured.

Opportunity: The Commitment (CIECC) embeds as a priority the development of resources that enable community members to access jobs that pay a living wage, education that results in career opportunities, housing that is affordable, and creates pathways to economic stability – particularly for our underserved and most vulnerable community members.

⁴ According to the 2011-2015 US Census data, approximately 58% of Hayward households speak a language other than English at home and 39% of Hayward residents were born outside of the United States.



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III. Evaluation and Accountability

The goal of this section is to ensure the sustainability and accountability of the Commitment (CIECC) over time. This will be accomplished in part by periodically evaluating the degree to which members of the Hayward community are aware of, and involved in, the work described herein. Community member feedback will be the primary source used for measuring the impact that this work has on the Hayward community.

To promote, increase community engagement, sustain, and continually evaluate the effectiveness of the Commitment (CIECC), the Hayward Community Taskforce called upon the City of Hayward to form a City Council appointed resident group. The intent is for the Commitment (CIECC) to be subject to ongoing monitoring and evaluation by this community group in partnership with the City. Community members at-large are also encouraged to inform the City and the City Council appointed community group of any new and emerging issues that may arise that are related to diversity, access, equity, and inclusion.

Two-Year Action Plans: Phase I:

Over the course of their subcommittee work, the Taskforce identified a variety of action items and recommends two-year action plans for each section to ensure the highest priority action items are completed within this two-year period. Phase I implementation action plans are included in the Commitment (CIECC) and are intended to be completed within the next two years.

The evaluation of Phase 1 activities will occur 6 months' post-adoption, with annual evaluations to follow. During each evaluation period, the action items will be assessed for completion, and additional action items may be phased-in as needed. The results of each evaluation period will be shared with the City Council, and the public. The goal is to complete a review of all the action items described in the Commitment (CIECC) by 2021.

The overarching goals of the Commitment (CIECC) are to foster:

- (1) Hayward community members' awareness of, and involvement with, the Commitment (CIECC);
- (2) Positive interactions amongst Hayward community members who are from differing backgrounds;
- (3) People feeling welcomed in, and a part of, the Hayward community;
- (4) Hayward community members' trust and satisfaction with the Hayward city government;
- (5) Hayward community members' trust and satisfaction with the Hayward Police Department.



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Based on these goals, the impact of the Commitment (CIECC) will be determined by surveying community members using multiple methods, and will be measured using the following Indicators of Success as evaluation metrics:

Community surveys will demonstrate the degree to which there is an increase in the number of randomly surveyed Hayward community members who report:

- (1) An awareness of, and involvement with, the Commitment (CIECC);
- (2) Positive interactions occurring with other Hayward community members who are from cultural backgrounds that differ from their own;
- (3) They feel welcomed in, and a part of, the Hayward community;
- (4) They have a high level of trust and satisfaction with the City of Hayward municipal government; and
- (5) They have a high level of trust and satisfaction with the Hayward Police Department.

The evaluation results and ongoing activities outlined in this document will be widely communicated to the community by the City and community partners utilizing multi-media campaign strategies including Facebook, Twitter, NextDoor, and other forms of new and traditional news media. Evaluation results will be utilized to inform which City actions need adjustments and need to continue, which are completed, and which new actions are to be phased in for implementation to further achieve the established goals.



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IV. Two-Year Action Plans

The following describes action items that are to be taken by the City of Hayward, in partnership with community members wherever possible, in support of the Commitment (CIECC) goals. Included are descriptions of the City departments responsible for implementation, references to existing policies or other related reference documents, and associated timelines. All the action items are Phase 1 actions, identified by the Hayward Community Taskforce, and informed and influenced by participating members of the Hayward community, as priority actions to be taken by the City of Hayward during the first two years of the initiative. Additional actions are listed in the Appendix of this document, and will be phased in for implementation in subsequent years.

The Phase 1 two-year action items are divided into the following five (5) Sections:

- Section I: Encouraging Shared Community Values
- Section II: Fostering Accessibility
- Section III: Dismantling Illegal Forms of Discrimination
- Section IV: Enhancing Community and Police Relations
- Section V: Implementing the Sanctuary City Resolution

Other important action items were identified by the Hayward Community Taskforce and community members that are intended to support the Commitment (CIECC), but which are community-driven in nature. The City of Hayward will support, but will not have a lead role, with the implementation of these additional community strengthening activities. Those recommendations are also included in the Appendix.



The Commitment (CIECC)

Section I: Encouraging Shared Community Values

Hayward is a compassionate City that celebrates the diversity of its Community and honors difference regardless of political affiliation, economic status, place of origin, immigration status, religion, age, race, ethnicity, gender, gender identity, sexual orientation, physical ability or other personal characteristics. While it is not possible to legislate attitudes and behaviors that build community in Hayward, there are actions that can be taken to reduce tensions, foster respect of human and civil rights between people of differing backgrounds, and improve relationships.

Part	Action Item	Responsible Department	Policy Reference	Timeline
A.1 - Working with Other Public Agencies Serving the Hayward Community	A.1.1 - The City of Hayward will continue to participate in the Hayward Local Agencies Committee (HLAC) – with the Hayward Unified School District (HUSD) and Hayward Area Recreation and Park District (HARD). The City will propose multi-agency sponsorship and coordination of activities and events designed to increase the awareness of, and celebrate, the various cultures and customs represented in the Hayward Community.	City Manager's Office	SITC 4b	Ongoing
A.2 - Working with Community-based Organizations and Organized Community Groups	A.2.1 - The City of Hayward will sponsor, co-sponsor, or otherwise support community events designed to encourage inclusion, increase cultural and religious awareness, and celebrate diversity in the Hayward community.	City Manager's Office	SICC 1e1, SITC 4b	Ongoing
	A.2.2 - This Commitment (CIECC) pursues a multi-pronged approach to ensure equitable access to information, activities, meetings, events, goods, services, and resources available in the Hayward Community – particularly for our underserved and most vulnerable community members. This includes efforts to make direct, intentional investments in historically disadvantaged neighborhoods. The City will lead an effort in concert with the Tennyson Corridor Improvement Area, Historical Society, California State University East Bay (CSUEB), Chabot College, and HARD resources to identify flexible spaces and locations throughout Hayward that would feature exhibits, performances, and speakers representing and honoring the different cultures in the Hayward community with the goal of broadening opportunities for participation and engagement.	City Manager's Office	SICC 1b2, SITC 4a and 4d	City to draft initial inventory of available venues and events by November 2019



The Commitment (CIECC)

Section I: Encouraging Shared Community Values

Part	Action Item	Responsible Department	Policy Reference	Timeline
A.3 - Outreach	<p>A.3.1 - The City of Hayward staff, local community-based organizations, and businesses:</p> <ul style="list-style-type: none"> A. Will develop a calendar of events that reflects the cultural, religious, economic, ethnic, and geographic diversity of our community. B. Will attend local festivals, performances, cultural events, and community meetings to share the calendar and information about opportunities to gather, learn, and share in community. 	City Manager's Office	SICC 1e1	
	A.3.2 - The Community Taskforce will collaborate with City Staff to continue to encourage community members to attend, apply, and participate in Board and Commission meetings and report any concerns about issues impacting quality of life, honoring differences, access to opportunity in the Hayward community, as well as to share ideas and information on activities which are designed to foster a sense of belonging, inclusion, connectedness, and civic engagement.	City Clerk's Office		Ongoing
	A.3.3 - The Community Taskforce will collaborate with City Staff to continue to attend local festivals, performances, and other cultural events to share information about opportunities to gather, learn, and share in community.	City Manager's Office with Community Partners	SITC 5a	Ongoing
	A.3.4 - The Community Taskforce will collaborate with City Staff to continue to leverage existing programs, partnerships, festivals, and events as opportunities to celebrate Hayward's diversity and promote a sense of welcome and connectedness; for example, Neighborhood Partnership Program, Neighborhood Watch, National Night Out, and events at the Hayward Library.	City Manager's Office with Community Partners	SICC 1a3, 1c1, 1e1 SITC 2c2, 4b, 5a	Ongoing
	A.3.5 - The City of Hayward will continue to collaborate with California State University East Bay on Book to Action, including on the recently applied for grant to support Book to Action: Immigration in 2017-2018. The \$5,000 budget	City Manager's Office and		By September 2018



The Commitment (CIECC)

Section I: Encouraging Shared Community Values

Part	Action Item	Responsible Department	Policy Reference	Timeline
	proposal would provide funding for Spanish and English books for community distribution, interpreters for community events, program advertising, and food for community events.	Library and Community Services		
	A.3.6 - The Community Taskforce will collaborate with City Staff to continue to assist the City to develop a "This Is Hayward" toolkit/welcome package that will include lists of resources, newsletters, social media sites for new businesses and community members.	City Manager's Office	SITC 5a	

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The Commitment (CIECC)

Section II: Fostering Accessibility

Hayward is proud to be the third most diverse city in the nation and we continue to strive to make our city accessible and equitable for community members. This section, Strategies for Increasing Accessibility, focuses on our commitment to making Hayward an inclusive city.

The City of Hayward welcomes the multiple languages spoken here and our seniors, families, and individuals who choose to call Hayward home. It is imperative that we provide access to a variety of information and opportunities, including meetings, events, employment, and affordable housing for community members. We reaffirm our commitment to persons with disabilities to improve upon the standards set by the Americans with Disabilities Act (ADA) through ongoing assessment and evaluation.

Part	Action Item	Responsible Department	Policy Reference	Timeline
B.1 - Improve Access and Inclusion to City Services and Information	B.1.1 - Make print, media, and web information accessible in top languages spoken by Hayward community members, including: <ul style="list-style-type: none"> ▪ City programs, services, and information (Website, Facebook, Twitter, Meetings, etc.) ▪ Attachments are provided in format that allow access for people using screen reading software ▪ Online forms such as smart forms ▪ City Promotional materials ▪ Contact options are provided via email and phone ▪ Public and community transportation information ▪ Page for How to apply for a job with the City of Hayward 	City Manager's Office		Ongoing
	B.1.2 - Conduct city meetings, events, and programs in accessible and inclusive venues.	City Manager's Office	SICC 1b2	Ongoing
	B.1.3 - Ensure that there is affordable and accessible rental housing throughout the City of Hayward, including an evaluation of the effectiveness of the City's Affordable Housing Ordinance in general, and the Affordable Housing Impact Fee, in particular (Article 17, SEC. 10-17.400).	Library and Community Services	SICC2	Ongoing



The Commitment (CIECC)

Section II: Fostering Accessibility

Part	Action Item	Responsible Department	Policy Reference	Timeline
	B.1.4 - Ensure that events held in the City of Hayward are affordable and accessible regardless of economic or familial status; consider requiring event sponsors to use “equity” tickets which discount or waive fees for eligible groups as one method to achieve this goal.	City Manager’s Office		Ongoing
	B.1.5 - Ensure events sponsored by the City of Hayward are held in various locations across the city for equitable access for all neighborhoods. (Ex. Events not just held in downtown Hayward)	City Manager’s Office		Ongoing
	B.1.6 - Ensure that when gathering data and collecting community input on any subject pertaining to the Hayward Community, a variety of neighborhoods will be targeted.	City Manager’s Office		Ongoing
B.2 - Improve Access and Inclusion to Our Customer Contact and Community Engagement Processes	B.2.1 - Ensure all new and existing customer service areas in the city buildings have the following: <ul style="list-style-type: none"> ▪ Lower height of service counters to accommodate wheelchair accessibility ▪ Seating for people waiting in line for service ▪ Display information on counter cards or stickers to encourage customers to notify staff if they require assistance ▪ Signage to indicate the locations and availability of hearing loops 	Maintenance Services - Facilities		Ongoing
	B.2.2 - Ensure that all design of new and existing administration buildings, traffic management and operations adhere to current standards for accessibility and best practice outcomes, where achievable, for the following elements: <ul style="list-style-type: none"> ▪ Ramps ▪ Stairs ▪ Emergency exits ▪ Street furniture ▪ Pathways 	Engineering & Transportation	SICC 1b2a SICS 1b2	Ongoing



The Commitment (CIECC)

Section II: Fostering Accessibility

Part	Action Item	Responsible Department	Policy Reference	Timeline
	<ul style="list-style-type: none"> ▪ Pedestrian crosswalks (Update flashing pedestrian crosswalk, extend time, increase volume for crosswalk countdown, tactile ground surface indicators) ▪ Way-finding ▪ Lighting ▪ Communication systems (audio loops) ▪ Accessible parking ▪ Access to buildings ▪ Curb cuts 			
	<p>B.2.3. - Review all City administration buildings to ensure that all emergency information is appropriate and accessible for people with visual, physical, and auditory impairments and for people whose primary language is not English.</p>	<p>Maintenance Services - Facilities</p>		<p>By November 2019</p>
	<p>B.2.4 - Conduct an audit of all staff work locations to ensure that any employee who requires assistance in the event of an emergency has knowledge about and access to available resources for personal safety and understands the departmental evacuation plan.</p>	<p>Human Resources</p>		



The Commitment (CIECC)

Section III: Dismantling Illegal Forms of Discrimination

California law specifically forbids violence or threats of violence against “protected classes” or groups of people based on their race, color, religion, sex, ancestry, national origin, age, disability, sexual orientation, or political party. California law also states that it is illegal for someone to use force or threats of force to interfere with another’s rights under the United States or California constitutions – or other federal or state laws – because of one’s race, sex, color, religion, national origin, sex (including pregnancy, childbirth, and related medical conditions), disability (physical or mental), age (40 and older), marital status, -sexual orientation, gender identity and gender expression, AIDS/HIV, medical condition, political activities or affiliations, military or veterans status, or status as a victim of domestic violence, assault, or stalking. Federal and state laws also stipulate that it is illegal to discriminate against specified groups in the areas of education, housing, and employment. This section defines actions that the City will take to dismantle discrimination in Hayward, and to help individuals and groups who are subject to expressions of hate and/or experience discrimination that is against the law.

Part	Action Item	Responsible Department	Policy Reference	Timeline
C.1 - Hate Violence and Civil Rights	C.1.1 - The City of Hayward will advocate through the state legislature for immigration status to be added as a protected class under state hate crime law.	City Manager’s Office		By July 2018
	C.1.2 - The City of Hayward shall develop a system to enhance coordination among, and develop protocol for, the various City departments who may receive complaints from community members who report to the City that they were subjected to expressions of hate in Hayward.	Hayward Police Department		By July 2018
	C.1.3 - The City of Hayward shall develop strategies, in coordination with the Hayward Police Department (HPD), to facilitate the reporting of hate crimes by persons who are hesitant to make reports to HPD, with community agencies such as the National Association for the Advancement of Colored People (NCAACP) and/or a City appointed Community Advisory Committee.	Hayward Police Department		By July 2018



The Commitment (CIECC)

Section III: Dismantling Illegal Forms of Discrimination

Part	Action Item	Responsible Department	Policy Reference	Timeline
C.1 - Hate Violence and Civil Rights	C.1.4 - The City appointed Community Advisory Committee will inquire about the City’s policies and procedures with regards to receiving and responding to complaints about reported acts of discrimination by City employees towards the public, to determine if these are adequate, and to make recommendations for improvements if needed. The policies of departments with personnel who are granted powers of authority, such as police officers, fire fighters, inspectors, etc. will be particularly reviewed to determine if adequate steps are being taken to ensure that this power is not abused.	Human Resources	SICC 1e3a	By July 2018
	C.1.5 - A coordinated system shall be established, involving appropriate City Departments and other community organizations, for assisting victims of hate crimes. City officials and community agency representatives will provide referral resources for assisting victims of hate crimes. Finally, the referral information will be made available to the public.	Hayward Police Department		By July 2018
	C.1.6 - The City of Hayward shall coordinate efforts with community organizations and neighborhood groups, including Neighborhood Watch groups and Homeowner Associations, to address hate crime issues occurring in the community.	Hayward Police Department	SICC 1a3 SITT 2c2	By July 2018
	C.1.7 - The City of Hayward will continue to participate with other organizations and other cities in the Bay Area, to keep apprised of anti-discrimination activities being conducted in other communities, and to update the Commitment (CIECC).	City Manager’s Office		Ongoing



The Commitment (CIECC)

Section III: Dismantling Illegal Forms of Discrimination

Part	Action Item	Responsible Department	Policy Reference	Timeline
C.2 - Employment Discrimination ⁵	C.2.1 - Persons reporting suspected discrimination in their place of employment to the City of Hayward shall be assisted in contacting the Federal Equal Employment Opportunity Commission or the California State Department of Fair Employment and Housing. All City departments that receive such complaints will receive the information necessary to make appropriate referrals.	Human Resources		Ongoing
C.3 - Housing Discrimination ⁶	C.3.1 - Persons reporting suspected housing discrimination to the City of Hayward shall be assisted in contacting the California State Department of Fair Employment and Housing and/or local advocacy organizations (e.g. Eden Council for Hope and Opportunity (ECHO), Centro Legal de la Raza). All City departments that receive such complaints will receive the information necessary to make appropriate referrals.	Library & Community Services	SICC 2d2c	Ongoing
C.4 - Discrimination in Education ⁷	C.4.1 - Persons reporting suspected discrimination in a public education institution to the City of Hayward shall be assisted in contacting the appropriate authority including HUSD, State Department of Education, the Community College or State University School Systems. In addition, community-based advocacy organizations will be identified and referred to as appropriate. All City departments that receive such complaints will receive the information necessary to make appropriate referrals.	City Manager's Office with Community Partners		Ongoing

⁵ Federal and California State Laws prohibit discrimination in employment based on one's race, ancestry, national origin, color, sex, religion, physical disability, including AIDS, marital status, age (over 40), and cancer-related medical conditions. Persons are also protected by law from retaliation against them for filing a complaint or for protesting possible violations of the law.

⁶ California State Law prohibits discrimination in renting, leasing, and selling housing based on race, ancestry, sex, national origin, color, religion, marital status, age, or presence of children in a household, or physical handicap, including AIDS. Individuals are also protected by law from retaliation for filing complaints.

⁷ While there are various state and federal laws which prohibit discrimination by public education institutions, the City of Hayward has no authority over the Hayward Unified School District, Community College or State University school systems. The City is committed to working with these public institutions on a voluntary and cooperative basis.



The Commitment (CIECC)

Section IV: Implementing the Sanctuary City Resolution

On June 6, 2017, the Hayward City Council adopted Resolution No. 17-069 affirming the City of Hayward’s commitment to values of dignity, inclusivity, and respect for all individuals, regardless of their national origin, gender, gender identity, race, religious affiliation, sexual orientation, or immigration status, and thereby declared itself a Sanctuary City. This City Council Resolution reaffirmed policies and procedures that were in place prior to the adoption of the resolution.⁸ The action items that follow are intended to further support and operationalize what it means for the City of Hayward to be a Sanctuary City.

Part	Action Item	Responsible Department	Policy Reference	Timeline
D.1 - Information and Resources for Undocumented Residents	D.1.1 - The City shall expand opportunities for partnerships with legal institutions and advocacy organizations (e.g. Berkeley Law, Alameda County Immigration, Legal and Education Partnership (ACILEP)) to provide pro-bono legal assistance to Hayward residents experiencing discrimination.	Library & Community Services		Ongoing
	D.1.2 - The City will expand its mobilization of local resources to serve undocumented immigrants. For example, the City will sponsor advocacy workshops including: Know Your Rights, Workers’ Rights, Pathways to Citizenship, and more.	City Manager’s Office		Ongoing
D.2 - Equitable Linguistic Access	D.2.1 - Written Communication: The City of Hayward will ensure that there is equitable linguistic access to City programs, services, and information about community member rights and community resources. Provide Access Hayward, website, and other City issued social media in multiple languages. Also, all City press releases should be written in English and Spanish at a minimum (other languages too) and should be distributed through ethnic media, as well as traditional English media.	City Manager’s Office		Ongoing
	D.2.2 - Verbal Communication: The City representatives who staff the guard station on the first floor of City Hall will be provided the tools necessary to communicate with non-English speakers. Also, when City officials who only speak English are in the media, Spanish interpretation, and access to other	City Manager’s Office		Ongoing

⁸ To access a copy of Resolution No. 17-069 and other related policies and procedures, go to: <https://www.hayward-ca.gov/residents/undocumented-residents/city-policies-and-faq>.



The Commitment (CIECC)

Section IV: Implementing the Sanctuary City Resolution

Part	Action Item	Responsible Department	Policy Reference	Timeline
	language interpretation as needed, will be provided to enhance understanding and convey inclusivity.			
D.3 - Training of City Officials	D.3.1 - All City officials and volunteers will be required to participate in implicit bias trainings.	Human Resources		Ongoing
	D.3.2 - The City shall ensure that the principles of the Hayward Sanctuary City Resolution are practiced as the Hayward City Council Strategic Initiatives Complete Streets, Complete Communities, and Tennyson Corridor are implemented.	City Manager's Office		Ongoing
D.4 - Hayward Leadership and Collaboration	D.4.1 - Sanctuary City Bay Area - Hayward will take a leadership role in creating a regional body (e.g. Sanctuary Bay Area) to coordinate with other jurisdictions in the Bay Area to advocate for, coordinate with, and share information about sanctuary policies and practices.	City Manager's Office		By November 2019
D.5 - Community Forums Regarding Sanctuary Status	D.5.1 - Create opportunities for Hayward community members to dialogue around what it means for Hayward to be a sanctuary city.	City Manager's Office		By November 2019
D.6 - City Representation: Awareness and Support of Impacted Hayward Community Members	D.6.1 - When speaking publicly, City officials will convey support for the community by expressing concern for, and acting on behalf of, Hayward community members who are impacted by Immigration and Customs Enforcement (ICE) and other federal agency interventions.	City Manager's Office		Ongoing



The Commitment (CIECC)

Section IV: Implementing the Sanctuary City Resolution

Part	Action Item	Responsible Department	Policy Reference	Timeline
D.7 - Section 287(g) Agreements	D.7.1 - The City of Hayward will publicly commit, as a matter of policy, to not sign Delegation of Immigration Authority Section 287(g) Immigration and Nationality Act agreements ⁹ .	Hayward Police Department	HPD Policy No. 415	
D.8 - Review of City of Hayward's Policies	D.8.1 - The City of Hayward shall review its policies to ensure that they reflect Hayward's Status as a Sanctuary City, including the possibility of revision to other City policies such that they comply with the spirit and intent of the resolution.	City Manager's Office		Ongoing

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⁹ The federal 287(g) Program allows a state or local law enforcement entity to enter into a partnership with ICE, under a joint Memorandum of Agreement (MOA), to receive delegated authority for immigration enforcement within their jurisdictions.



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Section V: Enhancing Community and Police Relations

Based on best practices research¹⁰ the following action items are designed to create within the Hayward Police Department a culture of transparency and accountability that fosters increased trust and legitimacy with community members, and supports partnerships that strengthen community / police relations in Hayward.

Part	Action Item	Responsible Department	Policy Reference	Timeline
E.1 - Building Community Trust and Police Department Legitimacy	E.1.1 - Transparency: As part of building mutual trust with the community, the Hayward Police Department (HPD) will publish its internal and external policies and practices, including its Use of Force Policy, Body Worn Cameras policies, and its policies and practices which relate to schools and students, in places and ways that express them clearly and transparently to the public.	Hayward Police Department	Pillar 1 1.3.1 and CP01	By November 2019
	E.1.2 - Building Legitimacy with the Public: To achieve external legitimacy, HPD should involve the community in the process of developing and evaluating HPD's policies and procedures related to training, use of new technology, etc. The Community Taskforce recommends a partnership between the community and HPD take the form of a newly created HPD Advisory Committee, made up of community members who reflect the diversity of the Hayward community. ¹¹ This Advisory Committee will also review cases involving officer-involved shootings, in-custody deaths, and other serious incidents that have the potential to damage community trust and challenge the legitimacy of, or reduce confidence in, the HPD.	Hayward Police Department	Pillar 1 1.5.1	By November 2019
	E.1.3 - Measuring Community Trust: HPD will use various means and opportunities to regularly and periodically measure the trust level of the community in HPD. This may include: A) Participation in the City of Hayward's biannual community surveys of public opinion - HPD Administration and the	Hayward Police Department	Pillar 1: 1.7.0	Ongoing

¹⁰ References to the source documents used to inform the Action Items in this section are provided in the Appendix to this document.

¹¹ Norm Stamper, retired Seattle Police Chief, states in person and in his book, To Protect and Serve; How to Fix America's Police, that there should be an equal partnership between the community and law enforcement (page 247-248). See Endnote 1.



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Section V: Enhancing Community and Police Relations

Part	Action Item	Responsible Department	Policy Reference	Timeline
	City Manager’s Office will participate in the design of the questions that will measure the public’s trust level in HPD; and B) The development of other community surveys that measure the public’s trust level in HPD to be circulated in partnership with community partners at existing community events (e.g. Summer street festivals, the Russell City Blues Festival, the Zucchini Festival, Barber College events). The City will develop procedures for analyzing, sharing, and utilizing the data gathered to improve community and police relations in Hayward.			
E.2 - Enhancing Community Partnerships	E.2.1 - New Hire Orientation: HPD will embrace the practice of introducing and touring new hires through a minimum of five, diverse community or neighborhood-based faith or community organizations; this will include attending at least one community or neighborhood event sponsored by one of the participating organizations. Newly hired HPD staff will also participate in events sponsored by local minority and women-owned professional businesses and associations.	Hayward Police Department and Human Resources Department	CPC02	Ongoing
E.3 - Commission on Accreditation for Law Enforcement Agencies (CALEA)	E.3.1 - Assessing Community Engagement and Police and Community Relationships: Interviews with sworn and professional staff should not be the sole source of information for determining or certifying the strength of the Department’s level of community engagement and building relationships of mutual respect. ¹² Instead, HPD should offer the CALEA evaluation team the opportunity to interview community members who reflect the diversity of Hayward to better evaluate this community engagement. To facilitate this, HPD will provide contact information of local faith and community-based service	Hayward Police Department	CPC03	Ongoing

¹² For example, the CALEA report stated, "An interview with Patrol Captain revealed that agency officers engage the community well and develop rapport...".



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Section V: Enhancing Community and Police Relations

Part	Action Item	Responsible Department	Policy Reference	Timeline
	organizations, community advocacy groups, and individuals representing the diversity of the Hayward community.			
E.4 - Community Access and Feedback	E.4.1 - District Command Offices: The service hours of HPD's Northern and Southern District Command Substations should be posted at those locations, and the substations should be staffed during those hours so that HPD representatives are available to respond to questions or service requests from community members.	Hayward Police Department		By November 2019
	E.4.2 - Use of District Command Offices: HPD should develop and implement a community relations campaign to make the public aware that they can ask questions and file compliments/complaints through District Command offices, as well as through other avenues (i.e. Access Hayward) where a single form is used submitting either a compliment or a complaint.	Hayward Police Department	CPD01	By November 2019
E.5 - HPD Police Officer and Personnel Training	E.5.1 - Police Officer Engagement with Persons Living with Mental Illness: Require that all sworn officers of HPD take Mental Health First Aid for Public Safety training. ¹³	Hayward Police Department	CPD02	By November 2019
E.6 - Use of Tasers and Body WRAP Restraints	E.6.1 - Use of Tasers and Body WRAP Restraints: HPD will develop a policy requiring professional evaluation of procedures involving the use of Tasers and Body WRAP tools to restrain individuals, and work collaboratively with the	Hayward Police Department	CPD04	By November 2019

¹³ Reference: [Mental-health-first-aid](#).



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Section V: Enhancing Community and Police Relations

Part	Action Item	Responsible Department	Policy Reference	Timeline
	Community and Police Advisory Committee to implement any recommended changes in practices or tactics. ¹⁴			
E.7 - Urban Shield	E.7.1 - Urban Shield: HPD should withdraw participation from Urban Shield. ¹⁵	Hayward Police Department		By July 2018

¹⁴ The unsubstantiated marketing information contained in equipment manufacturers' website will not be relied upon. If Hayward PD does not have the capacity to make these professional evaluations, qualified professionals should be contracted to make them. Community members are aware of millions of dollars paid in settlements by City of Hayward to families of residents who died after multiple tasings and/or Body WRAP usage.

¹⁵ The overarching goals of Urban Shield include striving for the capability to present a multi-layered training exercise to enhance the skills and abilities of regional first responders, as well as those responsible for coordinating and managing large scale events: <https://www.urbanshield.org/about/urban-shield-training>



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Appendix

Appendix Contents:

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- C. Community-Driven Action Items A-8
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A. Reference Documents and Endnotes:

The following documents and plans are referenced in, and were used to inform, many of the action items recommended by the Hayward Community Taskforce in the Commitment (CIECC) document:

1. The Commitment (CIECC) - Section E – Enhancing Community and Police Relations:
 - A. Reference: The Final Report of the President’s Task Force on 21st Century Policing, dated: May 2015 (President’s Report). This report describes six pillars on which law enforcement best practices were developed. This report served as the basis for many of the recommended Community and Police Relations action items listed in the Commitment (CIECC) document. For more information about the President’s Report, go to: www.cops.usdoj.gov/pdf/taskforce/TaskForce_FinalReport.pdf.
 - B. Reference: The action items in the Community and Police Relations section related to body worn cameras are based on best practices documented in, The Leadership Conference: Police Body Worn Cameras: A Policy Scorecard, updated August 2016 (BWC Scorecard). This report was developed by The Leadership Conference on Civil and Human Rights, convened by Upturn, and is based on input from a coalition of civil rights, privacy, and media rights groups. For more information, go to: www.bwcscorecard.org/.
 - C. Reference: Several of the action items in the Community and Police Relations section are based on findings in the Hayward 2016 Commission on Accreditation for Law Enforcement Agencies (CALEA) Assessment Report. To access this report, go to: www.hayward-ca.gov/police-department/about/calea .



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- D. Reference & Endnote – re: Action Item E.1.2: Ref: To Protect and Serve; How to Fix America’s Police, by Norm Stamper, Retired Seattle, Washington Police Chief. Norm Stamper states that there should be an equal partnership between the community and law enforcement (pages 247-248).

Additional Hayward Community Taskforce Endnote: As with every other suggestion in this book, it all starts with the community and their police establishing an authentic, mutually respectful partnership--and working together. The partners’ job in this context is to ensure protection of First Amendment and other Bill of Rights guarantees and to prevent violence and property destruction during both planned and unanticipated demonstrations.

“And all of this should be reduced to writing, in a document we’ll call ‘The Agreement.’ The Agreement is just that: All stakeholders agreeing to the scope and nature of the theoretical and literal meaning--and the practical and political implications--of co-policing ‘critical incidents’.”

“A genuine partnership is a 50-50 proposition. [Community members], as selected not by the police but amongst themselves, must have an equal say in how events are policed, whether planned a year in advance or materializing spontaneously. Given that neither side gets to decide unilaterally, a tremendous amount of soul searching, philosophizing, questioning, and practical, hard-core planning is essential. That includes the discipline of learning from the successes and failures of other jurisdictions.” Partnership assumptions:

- “Whatever faults and other historical baggage the police might bring to the partnership, they also bring considerable knowledge, wisdom, and skills. Moreover, they contribute weapons, badges, uniforms, vehicles, and specialized emergency equipment--all the trappings of coercive authority, which on occasion is essential to the cause of protecting life, property, and, yes, civil liberties. Consider if the first responders to the November 2015 terrorist attacks in Paris were not so equipped, were not identified by their badges and uniforms.”
- “How this coercive authority is exercised must be negotiated between the partners. To the maximum extent possible, effective ‘self-policing,’ that is internal security, should be arranged in advance.”
- “It must be understood that where self-policing breaks down and violence erupts or is imminently threatened, it’s time for the unarmed, non-uniformed [community] partners to take a back seat to traditional police authority--exercised, of course, in accordance with the values, stipulations, and specific procedures of The Agreement.”
- “Each side of the partnership must commit to continuous learning, taking stock of the response to all major events, including natural disasters, industrial accidents, fires, and political protests and demonstrations.”

Note: The term community members is substituted for the term citizens in the above quotations.



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Policy References: Throughout the Commitment (CIECC) Document, City policy and document references are provided where an Action Item is to be cross referenced or coordinated with an existing City policy or initiative. Following are definitions for the Policy Reference abbreviations noted in the Commitment (CIECC).

- A. SICC: The City’s Complete Communities (SICC) Strategic Initiative Action Plan (adopted on June 20, 2017)
- B. SICS: The City’s Complete Streets (SICS) Strategic Initiative Action Plan (adopted on June 20, 2017)
- C. SITC: The City’s Tennyson Corridor (SITC) Strategic Initiative Action Plan (adopted on June 20, 2017).

B. Current City Guiding Principles, Policies, and Practices:

Hayward Community Taskforce Subcommittees developed many recommended Action Items for the City to undertake as part of the Commitment (CIECC). The following represent operating guidelines, principles, policies, and practices that were recommended, and which the City is already implementing. These are listed below in acknowledgement of those recommendations, and the Taskforce members’ support of these items.

Section III: – Dismantling Illegal Forms of Discrimination: Following are recommendations of the Community Taskforce Dismantling Illegal Forms of Discrimination Subcommittee which the City is currently implementing:

The City shall prohibit discrimination against families with minors in residential rental housing.

Section IV: – Implementing the Sanctuary City Resolution: Following are recommendations of the Community Taskforce Sanctuary City Subcommittee which the City is currently implementing:

Share the availability of legal services to Hayward residents (individuals and families) with concerns around immigration status.

Section V: – Enhancing Community and Police Relations: Based on best practices research¹ and local community input, the following principles, policies and practices guide the work of the Hayward Police Department:

1. The Hayward Police Department establishes and practices a culture of transparency and accountability to build public trust and legitimacy, and to help ensure that decision making is understood and in accord with stated policies (Pillar 1).
2. Trust is diminished when law enforcement acts as, or is perceived to be, an occupying force coming in from outside to rule and control the community. Consequently, the Hayward Police Department

¹ See References and Endnotes provided in Section A. of the Appendix.



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culture embraces a mindset of public service and partnership to build trust and legitimacy within the community (Pillar 1).

3. Police officers cannot simply rely on rules and policies as they interact with the public, as most a police officer’s work is done independently, outside the immediate oversight of a supervisor. Consequently, the goal is to create an agency culture where values and ethics guide each police officer’s decision-making process when they interface with the community (Pillar 1).
4. The Hayward Police Department builds trust in the community by relating as a firm, and yet accessible, partner which is equitable and consistent in its contacts and relationships with all community members, regardless of their personal characteristics (Pillar 1).
5. The Hayward Police Department acknowledges the role that policing in general plays in past and present injustices and discriminatory acts, recognizes how this hinders the building of a trusting relationship with the community, and commits to taking steps that will strengthen mutual trust between the HPD and the community (Pillar 1).
6. The Hayward Police Department promotes the fair application of the law internally within the organization by applying the principles of procedural justice that reflect the extent to which outcomes are reached in a fair and equitable fashion (Pillar 1).
7. The Hayward Police Department considers and weighs the crime-fighting effectiveness of the use of military equipment against the potential collateral damage to community trust when military equipment is used in law enforcement. Military equipment may only be used with pre-approval of command staff and will include a debrief with staff to evaluate impact and effectiveness (Pillar 1).
8. The Hayward Police Department continues to collaborate with community members to develop policies and strategies in communities and neighborhoods disproportionately affected by crime and deploy resources that aim to reduce crime by building positive community relationships, greater community engagement, and cooperation (Pillar 1).
9. The Hayward Police Department establishes, or reinforces existing, comprehensive policies on the use of force, that include: training, investigations, prosecutions, data collection, and information sharing. These policies and procedures are clear, concise, and openly available for public inspection (Pillar 2).
10. The Hayward Police Department implements non-punitive peer review of critical incidents that are separate from criminal and administrative investigations (Pillar 2).
11. The Hayward Police Department refrains from practices which requires officers to issue a predetermined number of tickets, citations, arrests, or summonses, or to initiate investigative contacts with community members for reasons not directly related to improving public safety, such as generating revenue (Pillar 1).



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12. Hayward Police Department officers seek consent before a search and explain that a person has the right to refuse consent when there is no warrant or probable cause. Furthermore, officers document the acknowledgement that they have sought consent to a search in these circumstances using audio or video recordings, or written documentation (Pillar 1).
13. Hayward Police Department officers, in addition to displaying a unique badge number, carry business cards containing their name, rank, command, and contact information, and distribute these cards in their law enforcement encounters with the public. This enables individuals to offer suggestions, commendations, or to file complaints about the officer (Pillar 1).
14. Hayward Police officers provide their business card (displaying their name, rank, command, and contact information) to individuals they have stopped. In addition, policies require officers to state the reason for the stop and the reason for search activities when conducted (Pillar 1).
15. The Hayward Police Department established search and seizure procedures related to Lesbian, Gay, Bisexual, Transgender, Questioning (LGBTQ) populations, and do not use the possession of condoms as the sole evidence of vice (Pillar 1).
16. The Hayward Police Department utilizes smart technology designed to prevent tampering with or manipulation of evidence (Pillar 3).
17. The Hayward Police Department adopts the use of new technologies to help better serve people with special needs or disabilities including, but not limited to: technology based community engagement techniques that increase transparency and accessibility, technology that provides access to law enforcement data (i.e. crime statistics and calls for service data), and allows for public posting of policies, procedures, and other notices in a manner that enables access and usage by persons with disabilities (Pillar 3).
18. Hayward Police Officers use least harm resolutions, such as diversion program(s), warnings, and citations in lieu of arrests for minor infractions (Pillar 4).
19. Hayward Police Officer performance includes evaluation of Officers' efforts to engage with community members in non-enforcement activities and partnerships, and will evaluate its patrol deployment practices to allow sufficient time for patrol officers to participate in problem solving and community engagement activities (Pillar 4).



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20. The Hayward Police Department engages in multidisciplinary, community team approaches for planning, implementing, and responding to crisis situations with complex causal factors such as mental health crisis situations, homelessness, substance abuse, domestic violence, human trafficking, and child abuse. The objective is for Hayward Police Department officers to be trained and equipped to make use of existing community resources in dealing with crisis situations, including peer support counselors as part of multidisciplinary teams when appropriate (Pillar 4).
21. Hayward supports a policing culture and practice that promotes the dignity of all, especially the most vulnerable members of our community (Pillar 4).
22. Hayward Police Department develops programs that create opportunities for patrol officers to regularly interact with students, neighborhood residents, faith and community service representatives, business owners, and other community leaders (Pillar 4).
23. Community policing emphasizes working with neighborhood residents to co-produce public safety. Hayward Police Department works with community residents to identify problems and collaborate on implementing solutions that produce meaningful results for the community (Pillar 4).
24. The Hayward Police Department works with educational and criminal justice agencies at all levels of government to reform policies and procedures that avoid pushing juveniles into the adult justice system (Pillar 4).
25. The Hayward Police Department, through its Youth and Family Services Bureau, works with local schools and encourages them to adopt an instructional approach to discipline that uses interventions and disciplinary consequences to help students develop new behavior skills and positive strategies to avoid conflict, redirect energy, and refocus on learning (Pillar 4).
26. City of Hayward and Hayward Police Department work together to build trust between youth and police by creating programs and projects for positive, consistent, and persistent interaction between youth and police (Pillar 5).
27. The Hayward Police Department makes available leadership training to all personnel throughout their careers (Pillar 5).
28. Hayward Police Department works with various institutions of higher education (including CSUEB and Chabot College) to support a culture that values ongoing education and the integration of current research into law enforcement training, policies, and practices (Pillar 5).



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29. The Hayward Police Department supports and encourages cross-discipline leadership training (Pillar 5).
30. The Hayward Police Department has policies which apply to, and requires training for, all HPD personnel in cultural diversity, internalized racism, unconscious bias, and related topics designed to build trust and legitimacy in diverse communities. This is accomplished with the assistance of advocacy groups that represent the viewpoints of communities that have traditionally been disproportionately impacted by law enforcement and the criminal justice system. The diversity training for HPD personnel includes such topics as: Interactions with community members who might differ from HPD personnel in their political preference, economic status, place of origin, immigration status, religion, age, race, ethnicity, gender, gender identity, sexual orientation, physical ability, and other personal characteristics. The personnel training also includes the topic of establishing appropriate sexual boundaries with residents and in the workplace to prevent sexual misconduct and harassment (Pillar 6).
31. The Hayward Police Department promotes safety and wellness, including mental health, at every level of the organization. To this end every Hayward Police officer is provided with individual tactical first aid kits and training, and are required to wear seat belts and anti-ballistic vests while on duty; training is provided to raise awareness of the consequences of failure to utilize these practices (Pillar 6).
32. The Hayward Police Department's policy on police body-worn cameras:
 - A. Publishes the most recent publicly available version of its body-worn cameras policy on its website (CPB01);
 - B. Clearly describes when officers must record, and requires officers to provide concrete justifications for failing to record required events (CPB02);
 - C. Specifically protects categories of vulnerable individuals (e.g. victims of sex crimes) from being recorded without their informed consent (CPB03);
 - D. Requires that the Department delete unflagged footage within six months (CPB05);
 - E. Prohibits both footage tampering and unauthorized access, and requires that all access to recorded footage will be logged (CPB06).



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C. Community-Driven Action Items:

The Community Taskforce identified many action items that are most appropriately driven by community members. While the following are not actions for the City to direct, City support will be provided as needed to community groups that undertake the following actions:

Action Items Recommended by the Community Taskforce Sanctuary City Subcommittee:

1. Create Hayward specific “What it Means to be a Sanctuary City in Hayward” information cards / brochures in multiple languages, similar to the red “Know Your Rights Cards” cards). Include information about the different methods that the public can use to report actions taken by ICE and/or other federal agencies to the City. Use existing events (i.e. street parties, etc.) that exist all over the City to distribute information.
2. Create a long-term team of community members that will review the social justice issues affecting Hayward residents and the policies the City has enacted.
3. Advocate that any City policy or memo that allows for collaboration with ICE be changed to ensure complete separation.
4. Research area School District’s actions related to Sanctuary City Policies, as well as the Sanctuary City policies and practices of SF Bay Area communities and determine if Hayward should adopt any additional policies or practices.
5. Learn about the Federal Executive Order Travel Ban and work with the City to inform community members about its status and impact.
6. Research HPD’s Policy Manual to determine if there are any inconsistencies with HPD Policy No. 415 and the intent of the Hayward Sanctuary City Resolution.
7. Compare City, School District, and other local public agencies (HARD, Alameda County, Chabot, CSUEB, East Bay Regional Parks, etc.) that have Sanctuary policies to determine if there are any inconsistencies among them.
8. The youth of Hayward should be polled to determine their views, questions, concerns, ideas, and/or needs around the City’s Sanctuary City Resolution.



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9. Determine if there are any economic hardships in Hayward as a result of the Hayward Sanctuary City status.
10. Advocate for Chabot College becoming a sanctuary campus.
11. In partnership with the City, educate HUSD teachers and support staff about the City of Hayward's Sanctuary City Resolution, and what it means for Hayward students and their families.
12. Create a curriculum for HUSD students, as well as teachers and staff, to teach up-to-date and relevant information around current City immigration policies and procedures.
13. Work with HUSD to create guidelines for administration and staff to comply and support the City of Hayward's Sanctuary City Resolution.
14. Make it a high school requirement for Hayward students to learn about Hayward's Sanctuary City Resolution.
15. The Hayward Area Recreation and Park District (HARD) should publicly state its support for the City's Sanctuary City Resolution and post its public statement in HARD's Parks, Community Centers, and offices.
16. Create an alert system to warn residents when ICE or other Federal agencies are currently in the City of Hayward.
17. Research status of the implementation of the funds that support the legal and advocacy services provided through the Alameda County Immigration Legal & Education Partnership (ACILEP).
18. Utilize crowdsourcing strategies to raise funds to support families whose family member(s) are taken into custody by ICE.
19. Research how CSUEB funded and operated support for undocumented and homeless students to determine if similar strategies can be incorporated into the CIECC.
20. As part of the rapid response, the community should be canvassed with information about incidents that happen, and actions taken in response.



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21. Community members will advocate with members of the California Assembly and Senate a law requiring an independent investigation by the Attorney General of each death of persons shot by law enforcement officer(s) or in custody of law enforcement.²

D. Phase 2 - Community Taskforce Recommended Action Items

As part of their recommendations, the Hayward Community Taskforce identified the following tasks that were identified as Phase 2 action items, to be implemented after the first two-year Phase 1 Action Plans are implemented and evaluated. These tasks are included below as a reference for future updates to the Commitment (CIECC) Action Plans:

Phase 2 Action Items - Section I: Encouraging Shared Community Values: No Phase 2 action items were identified.

Phase 2 Action Items - Section II: Fostering Accessibility:

1. Implement a periodic review of all staff health and wellness programming to ensure programs and training opportunities are accessible to all employees.
2. Ensure that a percentage of newly developed single-family homes in the City of Hayward are set aside for affordable housing.
3. Ensure printed material pertaining to Hayward community members are distributed throughout the City (e.g. schools, grocery stores, churches, farmer's market, malls, libraries).
4. Establish Mobility Scooter Recharge areas at City facilities.

² Community members who are aware of the close working relationship between law enforcement agencies and District Attorney's' offices are calling for an investigation by the State Attorney General of every sudden death of persons shot by law enforcement officers or in custody of law enforcement officers to achieve a truly independent investigation.



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5. Ensure and amend the City's Brand, Communication Guides, and Signage Master Plan for consistency with the intent of the American Disabilities Act. For example, require the inclusion of a standard statement at the bottom of all corporate communications to advise of the various alternate formats in which information can be provided.
6. Provide copies of the Commitment (CIECC) to local business owners, and City grant and loan recipients, to increase awareness and encourage participation.
7. Review lease agreements to determine if any alteration needs to occur to comply with anti-discrimination legislation.
8. Include a condition in event agreements for organizers to provide equitable access. For example, provide a checklist / guide to individuals and organizations planning and promoting events to facilitate events that are accessible to everyone, a list of local contacts and resources to assist organizers in planning and hosting accessible events, including accommodation and transport providers, and require event organizers to include a site plan showing the location of accessible parking, amenities, entrances and exits, food and beverage booths, ticketing areas.
9. Update the City's community grants application process to require applicants to demonstrate how they will maximize access for community members to their goods, services, events, or activities.
10. Require equity and inclusion training and information to all City staff and volunteers for successful integration of people with diverse backgrounds into the workplace and events. For example, ensure that all staff are knowledgeable about access and inclusion best practices, ensure all staff training material and resources are accessible to all employees, and provide monthly volunteer training for inclusion and accessibility at City sponsored community events.

Phase 2 Action Items - Section III: Dismantling Illegal Forms of Discrimination:

1. A City appointed Community Advisory Committee will research how Hayward police officers are trained to identify and report hate crimes to determine if the training is adequate and to make recommendations for improvements if needed.



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2. The City of Hayward will coordinate efforts with local, state, and federal agencies to track and reduce the incidents of hate crimes and other expressions of hate. In addition, reports will be submitted on a regular basis to a City appointed Community Advisory Committee recording the number of hate crimes, and incidents, occurring in the Hayward community.
3. The City of Hayward shall maintain contact with the California Department of Fair Employment and Housing, and the Federal Equal Employment Opportunity Commission to continue receiving current information about pending State anti-discrimination laws, and the Mayor, City Council, other City officials, and the City appointed Community Advisory Committee shall be kept apprised of pertinent issues.
4. The City of Hayward shall function as an Equal Opportunity/ Affirmative Action Employer, to the extent allowed by law, and shall continue to provide information and training to all City employees to create a discrimination free work environment.
5. The City's Personnel Commission shall serve as an advisory body to the City Manager and City Council with regard to the implementation of the City's Affirmative Action and non-discrimination policies.

Phase 2 Action Items - Section IV: Implementing the Sanctuary City Resolution:

1. HPD and other City departments as appropriate (e.g. Library and Community Services) will partner with community and faith-based service organizations to assist families after a family member is taken into custody by ICE. HPD will send alert to community partners and all will plan a coordinated response.
2. The City will establish policies which give priority to businesses that pay a living wage and hire locally, and which commit to supporting the guiding principles of the Commitment (CIECC).
3. The City will conduct a campaign to encourage local businesses and other community organizations to support the Commitment (CIECC).
4. The City will invite federal legislators to one or more Hayward community meetings to answer questions about federal Homeland Security and ICE policies and practices.
5. Create educational events that celebrate Hayward's cultural diversity (e.g. create a winter holiday event that highlights and celebrates multiple cultural backgrounds).



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Phase 2 Action Items - Section V: Enhancing Community and Police Relations:

1. **Serious Incident Notification:** When serious incidents, such as the death of someone in which a police officer is involved or when a serious in-custody injury occurs - including those incidents involving alleged police misconduct, the Hayward Police Department will communicate with community members and the media swiftly, openly, neutrally and without bias, withholding only information where the law requires confidentiality or that might impact due process or the course of the investigation.
2. **Building Internal Legitimacy:** The Hayward Police Department will promote a culture of equity and inclusion by engaging rank-and-file employees in the process of developing policies and procedures, and identifying best practices.
3. **Health Research and Testing:** The Hayward Police Department will annually investigate the status of continuing research into the efficacy of an annual cardiac and mental health check for officers, in addition to existing testing of physical fitness.
4. **Timing of Police Reports:** The Hayward Police Department's policy on body-worn cameras should require officers to file an initial written report or statement before relevant footage is reviewed, for all incidents.
5. **Use of Biometric Technologies:** Hayward Police Department's policy on police body-worn cameras must limit the use of biometric technologies (e.g. facial recognition) to identify individuals in footage; with special consideration given to compliance with the City's Sanctuary City resolution.



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6. Racial and Cultural Bias: Because of the disproportionate representation of African Americans in traffic stops and contacts with HPD, the Department will examine its training methods and develop a new protocol for assessing racial or cultural bias among its sworn and professional staff. (See Footnotes 3 and 4).
7. Transparency: Community members asked that the City publicly state what the charges were which involved Chief Diane Urban/Stuart, and their disposition.⁵
8. Employee Resident Incentive Program: The City shall institute a resident incentive program for employees, including Hayward Police Officers, that may include the provision of down payment assistance or other financial incentives that assist employees to obtain housing within Hayward City limits.
9. Flexible Staffing Models: The Hayward Police Department will explore the use of flexible staffing models (i.e. Offering flexible work schedules) that help officers achieve better work-life balance which attracts candidates and encourages retention.
10. Community Engagement: The Hayward Police Department will develop methods to evaluate the effectiveness of its ongoing encouragement and use of all sworn officers and professional staff to engage community members (youth and adults) in joint training with law enforcement (as appropriate), citizen academies, ride-alongs, community problem-solving teams, community action teams, and quality of life teams.

³ While the Hayward Police Department attributes its low number of complaints regarding bias-based profiling to its emphasis on community engagement and the elevated role of community policing principles, the agency's own reporting demonstrates that Black people experience disproportionately more traffic warnings and citations than their representation among the general population of the City. The HPD notes that traffic warnings and citations include people who are not Hayward residents, which could also impact the statistical results.

⁴ This revised training and communication method will be reflected in stops/citations that are more aligned with representation in the general population as reported to the Racial and Identity Profiling Advisory Board (RIPA), beginning no later than 2023.

⁵ City management was quoted in the press in December 2016 as saying that this information would be forthcoming, and public statements were made on the part of Chief Urban authorizing their publication, yet the information has not been made available to the public.



The Commitment (CIECC)

11. CALEA Report Findings: Rather than electing to place standards in the 20% optional category for a given assessment period, HPD should clearly state the reasons / circumstances that lead to noncompliance and articulate a plan and date certain for future compliance in future CALEA reviews.⁶ Note: The 20% optional category is an option that CALEA offers departments when they find they do not/are not in compliance in a certain category; rather than marking this as a miss or deficiency, the department is allowed to mark the item in the optional category.
12. Confirmation of CALEA Finding: The Hayward Police Department will develop a third-party system to confirm or otherwise verify that its low number of grievances is the result of "open lines of communication between employees and management and its unique and innovative Disciplinary Review Process (DRP)."
13. School Resource Officers (SROs): The City will conduct community conversations / surveys to assess the effectiveness and impact of the School Resource Officer program.

⁶ CALEA Report Finding: "Formal staff inspections were being conducted to a limited degree, but did not meet the CALEA requirement that the inspecting officer be assigned from a unit other than the unit being reviewed."