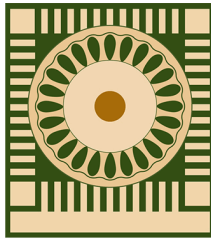


CITY OF HAYWARD

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



CITY OF
HAYWARD
HEART OF THE BAY

Agenda

Tuesday, March 21, 2017

7:00 PM

Council Chambers

City Council

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

**CONCURRENT MEETING OF THE SPECIAL JOINT
CITY COUNCIL AND GEOLOGIC HAZARD ABATEMENT DISTRICT BOARD**

HAYWARD GEOLOGIC HAZARD ABATEMENT DISTRICT MEETING

CALL TO ORDER Pledge of Allegiance: Council/GHAD Member Zermeño

ROLL CALL

1. [MIN 17-024](#) Minutes of the Joint City Council/Hayward Geologic Hazard Abatement District Board Meeting on December 13, 2016

Attachments: [Attachment I GHAD Draft Minutes of December 13, 2016](#)

Hayward Geologic Hazard Abatement District Adjourns and Reconvenes into the Meeting of the City Council Meeting

CITY COUNCIL MEETING

CLOSED SESSION ANNOUNCEMENT

PUBLIC COMMENTS

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

ACTION ITEMS

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

CONSENT

1. [MIN 17-034](#) Minutes of the City Council Meeting on March 7, 2017

Attachments: [Attachment I Draft Minutes of March 7, 2017](#)
2. [CONS 17-071](#) Appointment of a Director to the Boards of the Bay Area Water Supply and Conservation Agency and the San Francisco Bay Area Regional Water System Financing Authority

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
3. [CONS 17-110](#) Trash Capture Device Installation on Patrick Avenue: Award of Construction Contract

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III Location Map](#)
[Attachment IV Bid Summary](#)
4. [CONS 17-120](#) Fire Stations 1-5 Improvements: Reject Bid Protest and Award of Construction Contract to Arntz Builders and Amendment to Professional Services Agreements with Kitchell and RossDrulisCusenbery

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution Award of Contract](#)
[Attachment III Resolution Amendment to RDC's Contract](#)
[Attachment IV Resolution Amendment to Kitchell's Contract](#)
[Attachment V Bid Summary](#)
[Attachment VI DL Falk's Protest](#)

5. [CONS 17-124](#) Adoption of a Resolution Approving the Side Letter Agreements between the City of Hayward and the Service Employees International Union, Local 1021 (SEIU), Maintenance and Operations Unit and the SEIU Clerical and Related Unit

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Exhibit 1 SEIU Clerical Side Letter OT Work](#)
 [Exhibit 2 SEIU Clerical Side Letter Dental](#)
 [Exhibit 3 SEIU Clerical Side Letter Holidays](#)
 [Exhibit 4 SEIU Clerical Side Letter Sick Leave](#)
 [Exhibit 5 SEIU Clerical Side Letter Sick Leave Accrual](#)
 [Exhibit 6 SEIU Clerical Side Letter Health and Wellness](#)
 [Exhibit 7 SEIU Clerical Side Letter Sick Leave Benefits](#)
 [Exhibit 8 SEIU Maint Side Letter](#)

6. [CONS 17-126](#) Resignation of Ms. Angelica Moore from the Keep Hayward Clean and Green Task Force

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

7. [CONS 17-129](#) Adoption of Resolution Approving an Amendment to the City of Hayward Salary Plan for Fiscal Year 2017

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III FY 2017 Salary Plan](#)

8. [CONS 17-148](#) Approval of a Resolution Authorizing the City Manager to Negotiate and Execute a Purchase and Sale Agreement with William Lyon Homes, Inc for Properties Located in South Hayward near Dixon and Valle Vista Avenues

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Property Map & Key](#)

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 17-010](#) Medical Cannabis and Adult Use of Marijuana Work Session:
Where Do We Go From Here? (Report from City Attorney
Lawson and City Manager McAdoo)

Attachments: [Attachment I Staff Report](#)
[Attachment II Medical Cannabis: A Case Study](#)
[Attachment III Alameda County Dispensaries Map](#)
[Attachment IV NPR Report](#)
[Attachment V League of California Cities: FAQs](#)
[Attachment VI Feds will step up Marijuana Enforcement](#)
[Attachment VII Legal Marijuana](#)
[Attachment VIII Medical Marijuana Regulation & Safety Act](#)

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, April 4, 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
Hayward, CA 94541
www.Hayward-CA.gov

File #: MIN 17-024

DATE: March 21, 2017

TO: Geologic Hazard Abatement District Board

FROM: GHAD Clerk

SUBJECT

Minutes of the Joint City Council/Hayward Geologic Hazard Abatement District Board Meeting on December 13, 2016

RECOMMENDATION

That the Hayward Board of Directors approve the Minutes of the Joint City Council/Hayward Geologic Hazard Abatement District Board Meeting on December 13, 2016

ATTACHMENTS

Attachment I GHAD Draft Minutes of December 13, 2016

**MINUTES OF JOINT CITY COUNCIL/HAYWARD GEOLOGIC HAZARD
ABATEMENT DISTRICT BOARD MEETING
OF THE CITY OF HAYWARD
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, December 13, 2016**

The Joint City Council/Hayward Geologic Hazard Abatement District Board meeting was called to order by Board Chair Halliday at 7:02 p.m., followed by the Pledge of Allegiance led by Board Chair Halliday.

ROLL CALL

Present: BOARD MEMBERS Zermeno, Márquez, Mendall, Peixoto, Lamnin, Salinas and Halliday

Absent: None

MINUTES

1. Accept the Minutes of the October 25, 2016 meeting of the GHAD Board of Directors. It was moved by Board Member Márquez and seconded by Board Member Mendall (with Board Member Halliday abstaining), to approve the Minutes of the October 25, 2016 meeting of the GHAD Board of Directors.

PUBLIC HEARING

2. Conduct a Public Hearing on the Proposed Assessment for La Vista Development, Accept the Canvass of Votes and, if Allowed by the Votes, Confirm the Assessment, and Order the Levy and Collection of the Assessment (PH 16-116).

Staff report submitted by GHAD Manager and GHAD Attorney dated December 13, 2016, was filed.

Following a public hearing to consider any protests against the assessment, the GHAD Clerk tabulated the assessment ballots. Two landowner votes were tabulated both approving the assessment. It was moved by Board Member Salinas, seconded by Board Member Márquez, and carried unanimously to adopt the following:

HGHAD 16-05 “Resolution Accepting the Canvass of Votes for La Vista Development Within the Hayward GHAD”; and

It was moved by Board Member Lamnin, seconded by Board Member Márquez, and carried unanimously, to adopt the following:

HGHAD 16-06 “Resolution Confirming Assessment for the
Hayward GHAD and Ordering Levy and Collection Thereof”

ADJOURNMENT

GHAD Board Chair Halliday adjourned the meeting at 9:45 pm.

APPROVED:

Barbara Halliday, Board Chair,
Hayward Geologic Hazard Abatement District

ATTEST:

Patricia E. Curtin Clerk,
Hayward Geologic Hazard Abatement District



CITY OF HAYWARD

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

File #: MIN 17-034

DATE: March 21, 2017

TO: Mayor and City Council

FROM: City Clerk

SUBJECT

Minutes of the City Council Meeting on March 7, 2017

RECOMMENDATION

That the City Council approves the minutes of the City Council meeting on March 7, 2017.

ATTACHMENTS

Attachment I Draft Minutes of March 7, 2017



MINUTES OF THE CITY COUNCIL MEETING OF THE CITY OF HAYWARD
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, March 7, 2017, 7:00 p.m.

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

ROLL CALL

Present: COUNCIL MEMBERS Zermeño, Márquez, Mendall, Peixoto, Lamnin, Salinas
MAYOR Halliday
Absent: None

CLOSED SESSION ANNOUNCEMENT

City Attorney Lawson noted that the Council convened in closed session pursuant to Government Code 54957.6 regarding conference with labor negotiators for all groups and took no reportable action. Mr. Lawson also noted that the conference with legal counsel regarding one anticipated litigation case was removed from the agenda.

PRESENTATIONS

Hayward Rotary President Reinhart gave an introduction and history of the Hayward Rotary Scholars project and Hayward Unified School District Superintendent, Dr. Matt Wayne, introduced the Hayward Rotary Scholars. Mayor Halliday and Council Members Zermeño, Lamnin, and Salinas presented certificates of commendation for outstanding academic achievement, exemplary attendance, and demonstration of positive character traits to the following Hayward students: Daniel Zepeda, 4th grader at Fairview Elementary School; Alexander Derouen, 7th grader at Martin Luther King Jr. Middle School; Vanna Van, 6th grader at Park Elementary School; Carol Villalobos, 8th grader at Martin Luther King Jr. Middle School; and Kevin Go, 8th grader at Anthony W. Ochoa Middle School.

Council Member Zermeño, also the Hayward Youth Commission liaison, introduced the Hayward Youth Commission. Hayward Youth Commission members Vivian Phung, Karen Andrade, Andrew Herrera, Julian Johnson, Cuauhtemoc Gonzalez, Cristian Hernandez-Perez, Mauricio Alvarenga, and Felicity Usac presented a community service proposal for Hayward Unified School District students, which consisted of community service statistics, service models, findings of the experiment, and recommendations. The City Council applauded the Hayward Youth Commission efforts and supported the proposal.

At the request of Mayor Halliday, the Council concurred to move the section of City Manager's Comments before Public Comments.

CITY MANAGER'S COMMENTS

Mayor Halliday and City Manager McAdoo spoke about inquiries related to issues with current federal government's immigration policies; sanctuary cities and potential risk of federal grants; and provided information about the City's current policies and practices. It was noted the City operates in a manner that is consistent with sanctuary cities' principles and values, and the Community Task Force will consider the issue of sanctuary cities at its next meeting. It was announced that Alameda County Supervisor Valle would be hosting a community meeting on immigrant and refugee rights on March 11, 2017, at the Ruggieri Senior Center in Union City.

PUBLIC COMMENTS

Mr. Sid Hamadeh, Eko Coffee Bar and Tea House business owner, noted he had submitted an email to the Council related to the Economic Development Strategic Plan, and thanked staff for the information provided to him.

Mr. Charlie Peters, Clean Air Performance Professional representative, spoke about issues affecting the public related to automobiles and jobs.

Mr. Jim Drake, Hayward resident, thanked the Utilities and Environmental Services staff for their assistance, spoke about the vacant stores at Southland Mall, and advocated for underground parking for the new developments.

Ms. Audrey LePell, Hayward resident, congratulated Hayward on its anniversary; requested that redwood trees be added to the list of protected trees, and asked the City to consider having representation on the Bay Area Air Quality Management District.

CONSENT

1. Minutes of the City Council Meeting on February 21, 2017 **MIN 17-028**

It was moved by Council Member Mendall, seconded by Council Member Salinas, and carried unanimously, to approve the minutes of the City Council meeting on February 21, 2017.

2. Adoption of a Resolution to Join Compact of Mayors **CONS 17-084**

Staff report submitted by Utility and Environmental Services
Director Ameri, dated March 7, 2017, was filed.

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

Resolution 17-019, "Resolution to Join the Compact of Mayors"



MINUTES OF THE CITY COUNCIL MEETING OF THE CITY OF HAYWARD
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, March 7, 2017, 7:00 p.m.

LEGISLATIVE BUSINESS

3. Introduction of Ordinance Adding Article 13 to Chapter 6 of the Hayward Municipal Code Relating to Transportation Permits (Report from Acting Police Chief Koller) **LB 17-007**

Staff report submitted by Acting Chief of Police Koller, dated March 7, 2017, was filed.

Hayward Police Department Sergeant Corsolini provided a synopsis of the report.

Discussion ensued among Council Members and City staff regarding the Transportation Permit policy and fees; new technology for commercial vehicles; additional signage for commercial vehicles; processing fees; annual permits for mobile home units; and fines for permit fees.

There being no public comments Mayor Halliday opened and closed the public hearing at 8:36 p.m.

Council Member Zermeño offered a motion per staff recommendation and Council Member Peixoto seconded the motion.

It was moved by Council Member Zermeño, seconded by Council Member Peixoto and carried unanimously, to adopt the following:

Introduction of Ordinance 17-_, "Ordinance of the City of Hayward, California Adding Article 13 to Chapter 6 of the Hayward Municipal Code Relating to Transportation Permits"

4. FY 2017 Mid-Year Budget Review & General Fund Ten-Year Plan Update (Report from Finance Director Claussen) **LB 17-009**

Staff report submitted by Finance Director Claussen, dated March 7, 2017, was filed.

Finance Director Claussen provided a synopsis of the report.

The City Council thanked staff for the budget documents and specifically for the General Fund Ten-Year Historical View and Forecast chart.

Discussion ensued among Council Members and City staff regarding: General Fund Ten-Year Plan; Redevelopment Property Tax Trust Fund; Utility Users Tax prior period payments plus

\$3 million; GAAP Standards; General Fund Ten-Year Historical View and Forecast and projected gap; ratio of net staffing expense to total projected revenue/resources; carryforwards of funds; one-time revenue policy; Transient Occupancy Tax rate; and Sales Tax.

Council Members expressed the following comments/recommendations for staff: have a plan in place to address the forecasted ten-year shortfall; address the ratio of net staffing expense to total projected revenue/resources; address depletion of reserves; create charts that show trends related to certain costs such as CalPERS; show total benefits as percentage of salaries; provide key underlying assumptions such as healthcare; list transfer to OPEB Liability Trust Fund as an expense that is due; include in the new chart staffing levels; consider making the General Fund Ten-Year Historical View and Forecast chart interactive by adding assumptions in narrative form that include major cost drivers, and make the information accessible to the public; consider ways of assisting businesses that are displaced due to rent increases; track Measure C revenues; share more information related to sales tax with the Council Budget and Finance Committee and the Council Economic Development Committee; share the General Ten-Year Historical View and Forecast chart with the public and City employees; during the Saturday budget work session, have each department speak about the department's strengths and areas at risk; educate the community on the Budget; and work collaboratively with labor groups.

There being no public comments, Mayor Halliday opened and closed the public hearing at 9:33 p.m.

Council Member Zermeño offered a motion per the staff recommendation, and Council Member Peixoto seconded the motion.

It was moved by Council Member Zermeño, seconded by Council Member Peixoto and carried unanimously, to adopt the following:

Resolution 17-020, "Resolution Amending Resolution 16-038, As Amended, the Budget Resolution for the City of Hayward Operating Budget for Fiscal Year 2017, Relating to an Appropriation of Funds"

Resolution 17-021, "Resolution Amending Resolution 16-039, As Amended, the Budget Resolution for the City of Hayward Capital Improvement Projects for Fiscal Year 2017, Relating to an Appropriation of Funds"

CITY MANAGER'S COMMENTS

City Manager McAdoo announced the Hayward Downtown Specific Plan Design Charrette will take place from March 14 through March 18, 2017, at the Masonic Lodge.



MINUTES OF THE CITY COUNCIL MEETING OF THE CITY OF HAYWARD
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, March 7, 2017, 7:00 p.m.

COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS

Mayor Halliday reiterated the announcement about the community meeting on immigrant and refugee rights hosted by Alameda County Supervisor Valle and Supervisor Chan on March 11, 2017, at the Ruggieri Senior Center in Union City.

ADJOURNMENT

Mayor Halliday adjourned the meeting at 9:40 p.m.

APPROVED:

Barbara Halliday
Mayor, City of Hayward

ATTEST:

Miriam Lens
City Clerk, City of Hayward



CITY OF HAYWARD

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

File #: CONS 17-071

DATE: March 21, 2017

TO: Mayor and City Council

FROM: City Manager

SUBJECT

Appointment of a Director to the Boards of the Bay Area Water Supply and Conservation Agency and the San Francisco Bay Area Regional Water System Financing Authority

RECOMMENDATION

That Council adopts the attached resolution confirming reappointment of Council Member Mendall as the City's representative to the Bay Area Water Supply and Conservation Agency and the San Francisco Bay Area Regional Water System Financing Authority.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution



DATE: March 21, 2017

TO: Mayor and City Council

FROM: City Manager

SUBJECT: Appointment of a Director to the Boards of the Bay Area Water Supply and Conservation Agency and the San Francisco Bay Area Regional Water System Financing Authority

RECOMMENDATION

That Council adopts the attached resolution confirming reappointment of Council Member Mendall as the City's representative to the Bay Area Water Supply and Conservation Agency and the San Francisco Bay Area Regional Water System Financing Authority.

BACKGROUND

Hayward is a member of the Bay Area Water Supply and Conservation Agency (BAWSCA) and the San Francisco Bay Area Regional Water System Financing Authority (RFA). Hayward is currently represented on the Board of Directors by Council Member Mendall, whose term ends on June 30, 2017. This report has been prepared in order for Council to take the necessary action to appoint a representative for the next four-year term, which begins on July 1, 2017.

BAWSCA and the RFA are comprised of twenty-six member agencies that purchase wholesale water from the San Francisco Public Utilities Commission (SFPUC). Both agencies were formed in 2002 by State legislation, and the City Council approved Hayward's membership in 2003. BAWSCA and the RFA are governed by a Board of Directors, with appointed representation from each member agency.

DISCUSSION

BAWSCA's primary function is to coordinate regional water conservation and water supply issues among wholesale purchasers of SFPUC water. The Agency has been active in areas such as implementation of regional water conservation programs, negotiation of the water supply agreement, monitoring implementation of the regional Water System Improvement Program, and ongoing review of wholesale rate calculations and other financial information. During the recent drought, BAWSCA assisted with monitoring regional water usage and facilitated communication between SFPUC and member agencies regarding water usage reductions. The RFA was formed to secure financing for water system

improvements, in the event that SFPUC was unable to obtain the needed funding. The RFA is largely inactive at this time as SFPUC has been successful in raising the funds.

The Boards of Directors for both BAWSCA and the RFA are comprised of a representative from each member agency. The Board meets bimonthly, and among others responsibilities, provides policy direction to BAWSCA/RFA staff, reviews and approves agency budgets and consultant agreements, and receives update from SFPUC regarding the status of the Water System Improvement Program.

Council Member Mendall has served as Hayward's representative since July 2012, and was reappointed effective July 1, 2013. In addition to actively participating in Board activities, Council Member Mendall currently chairs the Board of Directors and is an ex-officio member of the Board Policy Committee, which, as the sole committee of the Board, advises the General Manager and Board on policy matters.

Representatives to the Board of Directors serve four-year terms. BAWSCA's founding legislation does not include provisions to recall appointed representatives, even if they are no longer members of their respective local governing bodies. Also, the legislation does not provide for appointment of alternate representatives.

ECONOMIC/FISCAL IMPACTS

Board members receive a one hundred dollar stipend per Board meeting when they attend meetings, which is paid by BAWSCA. There are no economic or fiscal impacts to the City of Hayward associated with this action.

NEXT STEPS

Staff will notify BAWSCA of Council's action, and if approved, Council Member Mendall's reappointment to the BAWSCA and RFA Boards. The four-year term will begin on July 1, 2017.

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 17-

Introduced by Council Member _____

RESOLUTION CONFIRMING THE REAPPOINTMENT OF COUNCIL MEMBER
MENDALL AS THE CITY'S REPRESENTATIVE TO THE BAY AREA WATER
SUPPLY AND CONSERVATION AGENCY AND THE SAN FRANCISCO BAY AREA
REGIONAL WATER SYSTEM FINANCING AUTHORITY

BE IT RESOLVED that the City Council of the City of Hayward does hereby confirm the reappointment of Council Member Al Mendall as the City's representative to the Bay Area Water Supply and Conservation Agency and the San Francisco Bay Area Regional Water System Financing Authority for an additional four-year term, beginning July 1, 2017.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2017

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS

ABSTAIN: COUNCIL MEMBERS



CITY OF HAYWARD

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

File #: CONS 17-110

DATE: March 21, 2017

TO: Mayor and City Council

FROM: Director of Utilities & Environmental Services

SUBJECT

Trash Capture Device Installation on Patrick Avenue: Award of Construction Contract

RECOMMENDATION

That Council adopts the attached resolution (1) awarding the contract for the Trash Capture Device Installation on Patrick Avenue Project to Cratus, Inc., in the amount of \$199,850; and (2) authorizing the City Manager to execute a sole source purchase of Contech Continuous Deflector Separation (CDS) trash capture device in an amount not to exceed \$115,000.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution
Attachment III	Location Map
Attachment IV	Bid Summary



DATE: March 21, 2017

TO: Mayor and City Council

FROM: Director of Utilities & Environmental Services

SUBJECT: Trash Capture Device Installation on Patrick Avenue: Award of Construction Contract

RECOMMENDATION

That Council adopts the attached resolution (1) awarding the contract for the Trash Capture Device Installation on Patrick Avenue Project to Cratus, Inc., in the amount of \$199,850; and (2) authorizing the City Manager to execute a sole source purchase of Contech Continuous Deflector Separation (CDS) trash capture device in an amount not to exceed \$115,000.

SUMMARY

This project consists of installing a Contech CDS unit with bypass diversion box. The CDS unit will be installed at Patrick Avenue for trash capture from the storm water system as part of the City's trash reduction mandate from the San Francisco Regional Water Quality Control Board (Water Board). The City is required to reduce trash from the storm water system by 100% by 2022. This project will be funded by the Environmental Protection Agency (EPA) Water Quality Improvement Fund competitive grant awarded to the City in January 2015, and will help the City to reduce its water borne trash by approximately 5%.

BACKGROUND

The Water Board adopted the current Municipal Regional Stormwater Permit (MRP 2.0) in December 2015. The MRP 2.0 covers storm water discharges from municipalities and local agencies (also called permittees) in Alameda, Contra Costa, San Mateo, and Santa Clara counties, and the cities of Fairfield, Suisun, and Vallejo. Under the MRP 2.0, permittees are required to reduce trash from entering the waters of the state by 100% by the year 2022 from each jurisdiction's Municipal Separate Storm Sewer Systems (MS4s). This project will install a large trash capture device in the existing storm drain box on Patrick Avenue to treat storm water to partially meet the Water Board's requirement. In January 2015, USEPA Region 9 awarded the City \$800,000 to fund the Hayward Youth-Based Trash Capture, Reduction and Watershed Education Project. The four-year project includes a school curriculum for first through twelfth grade students for watershed and trash pollution awareness education, as well as engineered trash reduction facilities with the installation of large trash capture devices as a demonstration of the City's commitment to trash reduction and compliance with the Water Board mandate.

For further background regarding the EPA grant project and the City's trash reduction mandate, please refer to the Council Sustainability Committee reports entitled:

- USEPA Region IX Trash Reduction Grant (March 23, 2015)
- Update on EPA Trash Reduction Grant (December, 10, 2015)
- Municipal Regional Permit 2.0 (March 14, 2016)

On February 7, 2017, Council approved the plans and specifications and called for bids to be received on February 28, 2017.

DISCUSSION

The City currently has a large CDS unit manufactured by Contech Stormwater Solutions at the intersection of Tyrell Avenue and West Tennyson Road, which was installed in 2012. Contech is the only company that manufactures this type of device using the CDS technology. Our experience with this unit has been good, related both to trash capture and maintenance ease. Staff believes that the Contech CDS unit is the most appropriate device to install at the Patrick Avenue location.

In order to control costs and product delivery schedule, staff recommends that the City purchase the trash capture device directly from Contech as a sole source product. The Contech CDS unit will be furnished by the time of installation.

Construction is scheduled to start this spring in order to accommodate the students' schedule. Students will have the opportunity to view the installation of the CDS unit and learn about engineered trash reduction facilities.

On February 28, 2017, the City received five (5) bids. Cratus, Inc., submitted the low bid in the amount of \$199,850, which is approximately 11% below the Engineer's Estimate of \$225,500. Breneman, Inc. submitted the second lowest bid in the amount of \$217,950. The bids ranged from \$199,850 to \$497,500.

Staff has reviewed bid documents and licenses and they are all in order. Staff recommends award of contract to the low bidder, Cratus, Inc., in the amount of \$199,850.

ECONOMIC AND FISCAL IMPACT

The estimated project costs are as follows:

Design and Construction Administration - City Staff	\$25,000
Testing and Inspection Services (Estimated)	\$15,000
Construction Contract	\$199,850
Trash Capture Device (Contech)	\$115,000
Administrative Change Order (Estimated)	<u>\$25,000</u>
Total:	\$379,850

The EPA Region 9 grant awarded the City with \$800,000, of which \$740,000 is allocated to the purchase and installation of CDS units.

SUSTAINABILITY FEATURES

The CDS unit, along with the existing trash capture devices in the City's storm drain system will help to limit the pollutants that enter local creeks and the Hayward Shoreline.

PUBLIC CONTACT

Prior to and during construction, notices will be provided to affected residents, property, and business owners to inform them of the nature and purpose of the work, potential impacts, work schedule and City contact for additional information. In addition, staff will work closely with businesses and schools, like St. Bede Catholic School, located on Patrick Avenue, to minimize potential impacts.

NEXT STEPS

If Council approves the award of contract, staff will prepare the construction contract and issue a notice to proceed. The following schedule has been developed for this project:

Award Construction Contract	March 21, 2017
Notice to Proceed	April 2017
Construction Completion	July 2017

Additional trash capture devices will be needed to achieve a 100% reduction in trash entering the waters of the state by 100% by 2022. Staff is investigating the feasibility of installing a CDS unit in West Street; however, this project will be more complicated as it will be on land owned by the Alameda County Flood Control District and it will require relocation of a City water line. The West Street CDS unit will be larger than the one on Patrick Avenue. The added complexity of this project and the larger size will make the installation at West Street more expensive. Furthermore, staff will need to identify funding in addition to the remaining grant funds before this project can move forward.

Prepared by: Elisa Wilfong, Water Pollution Control Administrator
Tay Nguyen, Assistant Civil Engineer

Recommended by: Alex Ameri, Director of Utilities & Environmental Services

Approved by:

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

Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 17-_____

Introduced by Council Member _____

RESOLUTION AWARDDING THE CONTRACT FOR THE TRASH CAPTURE
DEVICE INSTALLATION ON PATRICK AVENUE PROJECT, PROJECT NO. 07675,
TO CRATUS, INC.

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

WHEREAS, by Resolution No. 17-010 on February 7, 2017, the City Council
approved the plans and specifications for the Trash Capture Device Installation on Patrick
Avenue Project, Project No. 07675, and called for bids to be received on February 28, 2017;

WHEREAS, on February 28, 2017, five (5) bids were received ranging from
\$199,850 to \$497,500; Cratus, Inc. of San Francisco, CA, submitted the low bid in the
amount of \$199,850, which is 11% percent below the Engineer's Estimate of \$225,500;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that
Cratus, Inc. is hereby awarded the contract for the Trash Capture Device Installation on
Patrick Avenue Project, Project No. 07675, in accordance with the plans and specifications
adopted therefore and on file in the office of the City Clerk of the City of Hayward, at and for
the price named and stated in the final proposal of the hereinabove specified bidder, and all
other bids are hereby rejected.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed
to execute an agreement with Cratus, Inc. in the name of and for and on behalf of the City of
Hayward, in an amount not to exceed \$199,850, in a form to be approved by the City
Attorney.

BE IT FURTHER RESOLVED by the City Council of the City of Hayward and that the
City Manager is hereby authorized and directed to proceed with a sole source purchase of a
trash capture device from Contech, in an amount not to exceed \$115,000.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2017

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

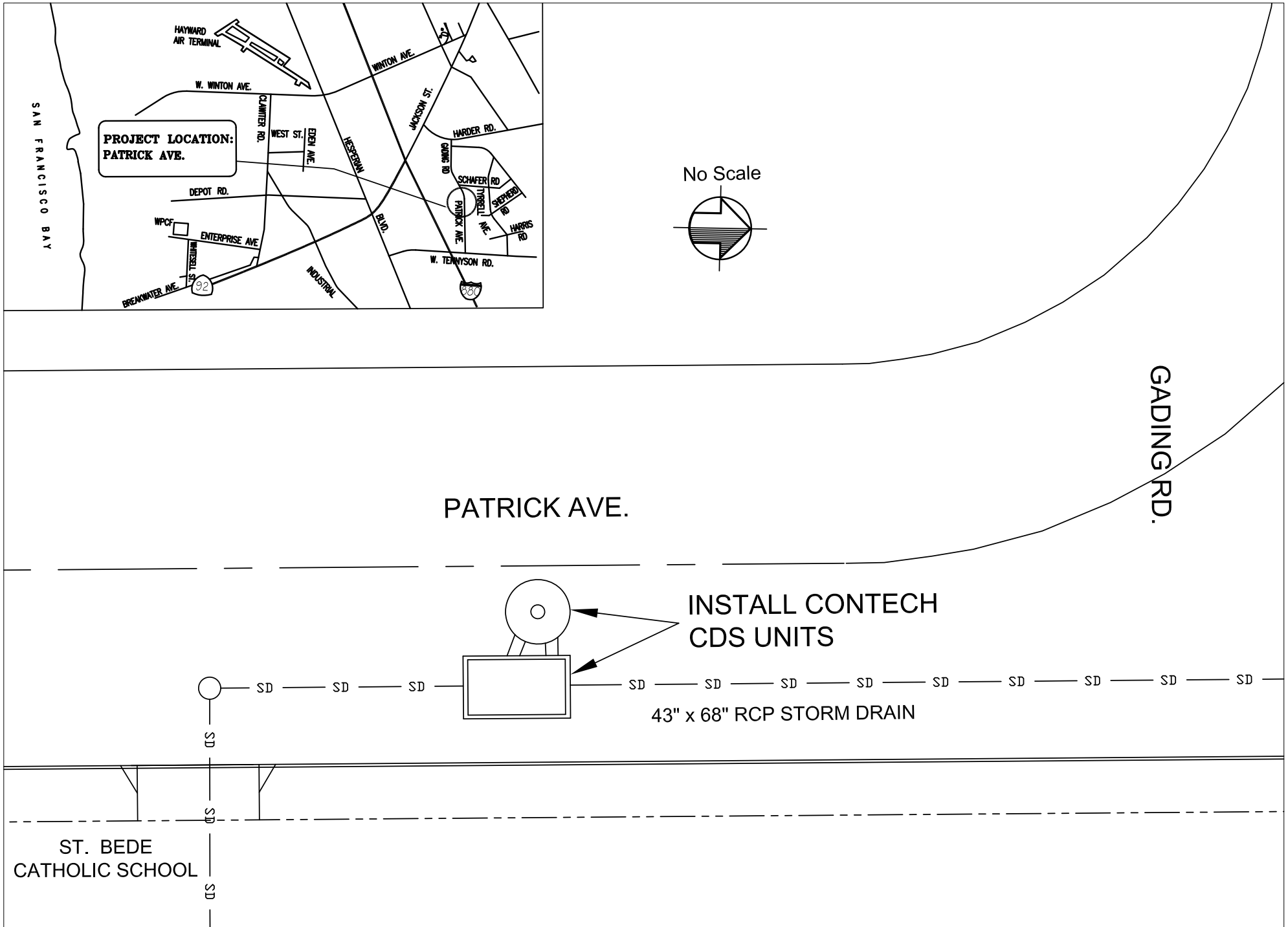
ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward



LOCATION MAP: PATRICK AVE.

BID SUMMARY



CITY OF HAYWARD

UTILITIES & ENVIRONMENTAL SERVICES DEPARTMENT

CONSTRUCTION OF: Trash Capture Device Installation on Patrick Avenue
 PROJECT NO.: 07675
 COUNCIL RESO DATE: 02/07/17 RESO # 17-010
 BID ADVERTISE DATE: 02/08/17
 PREBID CONF DATE: 2/16/2017 at 2:00 PM
 BID OPEN DATE: 2/28/2017 at 2:00 PM
 NO. BIDS RECEIVED: 5
 NO. OF ADDENDA: One (1)

Name:

Cratus Inc.

Mail Add.: 945 Taraval Street

Ste., #, etc.: #302

City, State, ZIP: San Francisco, CA 94116

Phone: 415-939-2840

Fax: 415-520-6037

Email:

Breneman Inc.

PO Box 1055

Concord, CA 94522

925-457-2026

925-446-6600

McGuire and Hester

9009 Railroad Avenue

Oakland, CA 94603

510-632-7676

510-562-5209

California Trenchless Inc.

2283 Dunn Road

Hayward, CA 94545

510-782-5335

510-266-1543

JMB Construction Inc

132 South Maple Avenue

So San Francisco, CA 94080

650-267-5300

650-267-5301

BID ITEMS					ENGINEER'S ESTIMATE		BIDDER #1		BIDDER #2		BIDDER #3		BIDDER #4		BIDDER #5	
ITEM NO.	SPEC. SECTION	DESCRIPTION	QTY.	UNIT	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	10-1.07	MOBILIZATION	1	LS	\$13,000	\$13,000	\$15,000	\$15,000	\$45,000	\$45,000	\$26,000	\$26,000	\$15,000	\$15,000	\$24,000	\$24,000
2	10-1.11	TRAFFIC CONTROL SYSTEM FOR LANE CLOSURE	1	LS	\$32,000	\$32,000	\$20,000	\$20,000	\$13,300	\$13,300	\$28,000	\$28,000	\$10,000	\$10,000	\$88,000	\$88,000
3	10-1.19	TRENCHING AND BACKFILLING	450	CY	\$90	\$40,500	\$33	\$14,850	\$60	\$27,000	\$100	\$45,000	\$280	\$126,000	\$390	\$175,500
4	10-1.20	TRENCH SHORING AND SAFETY	1	LS	\$40,000	\$40,000	\$100,000	\$100,000	\$38,650	\$38,650	\$25,000	\$25,000	\$30,000	\$30,000	\$130,000	\$130,000
5	10-1.30	INSTALLATION OF CDS UNITS	1	LS	\$100,000	\$100,000	\$50,000	\$50,000	\$94,000	\$94,000	\$146,400	\$146,400	\$130,000	\$130,000	\$80,000	\$80,000
TOTALS:					\$225,500.00		\$199,850.00		\$217,950.00		\$270,400.00		\$311,000.00		\$497,500.00	



CITY OF HAYWARD

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

File #: CONS 17-120

DATE: March 21, 2017

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT

Fire Stations 1-5 Improvements: Reject Bid Protest and Award of Construction Contract to Arntz Builders and Amendment to Professional Services Agreements with Kitchell and RossDrulisCusenbery

RECOMMENDATION

That Council adopts the attached resolutions (Attachment II, III, IV, and V):

1. Approving Addenda Nos. 1 through 3, providing revisions to the plans and specifications for the Fire Stations 1-5 Improvements project;
2. Rejecting a bid protest and awarding the contract to Arntz Builders, Inc., in the amount of \$6,911,577, and authorize the expenditure of up to \$11,030,000 for the total project, including contingencies;
3. Authorizing the City Manager to execute an Amendment to the Professional Services Agreement with Kitchell in an amount not-to-exceed \$490,000;
4. Authorizing the City Manager to execute an Amendment to the Professional Services Agreement with RossDrulisCusenbery in an amount not-to-exceed \$800,000; and
5. Appropriating an additional \$310,000 for this project from the Measure C Capital fund.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution Approval of Addenda, Rejection of Bid Protest, and Award of Contract
Attachment III	Resolution Amendment to RDC's Contract
Attachment IV	Resolution Amendment to Kitchell's Contract
Attachment V	Bid Summary
Attachment VI	D.L. Falk's Protest, Arntz's Response to Protest, and City's Response



DATE: March 21, 2017

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Fire Stations 1-5 Improvements: Reject Bid Protest and Award of Construction Contract to Arntz Builders and Amendment to Professional Services Agreements with Kitchell and RossDrulisCusenbery

RECOMMENDATION

That Council adopts the attached resolutions (Attachment II, III, IV, and V):

1. Approving Addenda Nos. 1 through 3, providing revisions to the plans and specifications for the Fire Stations 1-5 Improvements project;
2. Rejecting a bid protest and awarding the contract to Arntz Builders, Inc., in the amount of \$6,911,577, and authorize the expenditure of up to \$10,830,000 for the total project, including contingencies;
3. Authorizing the City Manager to execute an Amendment to the Professional Services Agreement with Kitchell in an amount not-to-exceed \$490,000;
4. Authorizing the City Manager to execute an Amendment to the Professional Services Agreement with RossDrulisCusenbery in an amount not-to-exceed \$800,000; and

BACKGROUND

On June 3, 2014, voters approved Measure C which authorized the City of Hayward to increase the sales tax rate in the City by one-half cent for twenty years to restore and maintain City services and facilities, including firefighting/emergency medical services, improving police services to neighborhoods, replacing the aging library with a 21st century facility, repairing potholes and streets, updating aging neighborhood fire stations, and other City services. Based on the facility needs assessment report completed on October 10, 2014 by RossDrulisCusenbery (RDC) for Fire Stations 1-6 and the Fire Training Center, substantial upgrades are needed in these aging facilities. Fire Stations 1-5 require renovation, and are treated as separate from Fire Station 6 and the Fire Training Center since the latter facilities will be reconstructed and expanded. On [October 18, 2016](#), staff provided an update on this project to Council.

On [December 13, 2016](#), Council approved the plans and specifications for the Fire Stations 1-5 Improvements Project and called for bids to be received on January 24, 2017. Addenda Nos. 1 through 3 revised the drawings and specifications by adding information to the project documents that provided clarification to bidder questions, and revised the bid opening date to February 7, 2017.

DISCUSSION

Project Plans and Specifications

RDC completed the needs assessment of Fire Stations 1-5 and issued a final report on October 10, 2014. Based on that report, it was determined that substantial upgrades were needed in these facilities to correct problems of varying degrees.

Renovation of Fire Stations 1-5 includes seismic and safety upgrades, energy efficiency, operational, and modernization improvements.

Providing safe fire stations for the occupants and the public is one of the City's top priorities. Seismic retrofit is the priority for these stations to meet life safety structural performance levels. The buildings will be strengthened to prevent collapse and potential loss of life in a seismic event.

- Fire Stations 1 through 5 will need structural upgrades that include reinforcement of exterior and interior walls;
- Fire Stations 1 and 2 will have additional upgrades to obtain a higher seismic performance level such that, after a seismic event, these stations will sustain no significant damage and be safe to occupy, and
- Fire Stations 1, 2, and 4, which are in a liquefaction zone, require modification to the existing foundations to mitigate liquefaction-induced settlement.

Other safety improvements at the stations will include: abatement of material containing asbestos and lead; relocation of turnout gear to new turnout locker rooms; and new vestibule areas to separate exhaust fumes in the apparatus bay from sleeping quarters.

Renovation for these stations are also needed to improve energy efficiency. For Fire Stations 2-5, upgrades will include changing the internal and exterior light fixtures to LED, adding attic and wall insulation, installing new doors, double pane windows, and skylights, and replacing HVAC systems. They will have photovoltaic panels added on the roof for additional energy efficiency. These "green" improvements will offset approximately 70% or more of the existing energy consumption. Photovoltaic panels are not currently included as part of the renovation for Fire Station 1 because the building is already energy efficient with newer windows and insulated walls. Additionally, because space is limited by mechanical equipment on the roof, photovoltaic panels will need to be installed over new carport structures. This is estimated to cost an additional \$350,000, which staff will ask Council to consider at a future date if and when funds become available.

Fire Stations 1-5 include improvements for quicker response time. All stations will have improvements to the station alerting systems. The existing overhead sectional exit apparatus doors will be replaced with faster operating, low-maintenance four-fold doors. Lastly, for Fire Stations 1-4, GPS-based traffic signal pre-emption systems will be added to the stations and at the traffic signals on street intersections near these fire stations. Fire Station 5 does not require this system because there are no nearby signalized intersections.

Other renovation improvements will include:

- Necessary accessibility requirements in renovated areas, including upgrades to showers and washrooms;
- Casework replacement in the office area;
- New appliances and counter tops in the kitchens;
- Wall and floor replacement; and
- Utility upgrades, including replacing old sewer, water, gas lines and electrical panels.

Because of the extensive hazardous material abatement and renovation, the work will be disruptive to the crews working within the stations. Therefore, temporary housing arrangements must be made for the various fire stations except Fire Station 1 where there is no hazardous material abatement; personnel will occupy that station during construction. Construction at Fire Stations 1, 2, and 3 will start at about the same time. During construction, Fire Station 2 personnel and apparatus will be temporarily housed at the larger Fire Station 6. Fire Station 3 personnel and apparatus will be temporarily housed at the new Fire Station 7. When the renovation work for Fire Station 1 is completed, crews from Fire Station 5 will be temporarily housed in Fire Station 1. Similarly, when the renovation work for Fire Station 2 is completed, crews from Fire Station 4 will be temporarily housed in Fire Station 2.

On February 7, 2017, four bids were received for the project. Arntz Builders Inc. of Novato, California, submitted the low bid of \$6,911,577 which was 10% below the engineer's estimate of \$7,680,000. D.L. Falk, Inc. of Hayward, California submitted the second low bid in the amount of \$7,849,001 which was 2.2% above the engineer's estimate. The four bids ranged from \$6,911,577 to \$9,656,800 (Attachment VI).

Bid Protest by D.L. Falk, Inc.

On February 14, 2017, the City received a bid protest from D. L. Falk Inc., the second low bidder, alleging that Arntz Builders' bid was non-responsive because Arntz Builders, Inc. did not list subcontractors required to perform work more than one-half of one percent of its bid. D. L. Falk also claimed that Arntz is not qualified to perform the work itself. Staff, in conjunction with the City Attorney's Office, reviewed the bid protest and subsequent response from Arntz Builders, Inc. and recommends rejection of the bid protest based on the following:

- 1) The bid proposal required bidders to provide the List of All Subcontractors and Suppliers which Arntz provided. In their response to the bid protest, Arntz stated that they inadvertently did not list their painting subcontractor in the amount of \$208,000. It is the City Attorney's view that this does not change the bid total and therefore is not materially non-conforming.
- 2) Regarding work for which Arntz did not list subcontractors, Arntz stated that they are licensed for and intend to complete the work themselves. A copy of D. L. Falk's protest letter, Arntz's response to the protest, and the City's response are attached (Attachment VII).

Staff finds Arntz Builders' bid documents to be responsive and has confirmed that they have licenses appropriate for this work. Therefore, staff recommends that Council reject the bid protest and award the contract to Arntz Builders Inc. in the amount of \$6,911,577. Further, staff recommends that Council authorize the Director of Public Works to expend up to \$10,830,000 for construction, construction contingencies (Administrative Change Order, ACO), construction administration, inspection, testing, fixtures, furniture and equipment, and project design. The ACO amount is \$698,423 (or approximately 10% of the construction contract). Please see the breakdown of the project budget below under the Fiscal Impact section.

This project is categorically exempt from environmental review under section 15301 (c) of the California Environmental Quality Act guidelines for the operation, repair, maintenance, or minor alteration of existing facilities.

Additional Services and Amendment to Professional Services Agreements

On May 26, 2015, Council authorized the City Manager to negotiate and execute an agreement with RDC for design services for the Fire Stations 1-6 and Fire Training Center Improvement project in an amount not-to-exceed \$1,500,000. Staff also negotiated a scope of work for project management services during the design phase with Kitchell in an amount not-to-exceed \$200,000. On November 15, 2016, Council authorized the City Manager to amend the agreement with Kitchell in the amount not-to-exceed \$600,000 for overall design phase management, detailed cost estimates, and bid and award phase services for Fire Stations 1-5, the new Fire Station 6, and the Fire Training Center.

The design contracts for both RDC and Kitchell did not include construction support services for the Fire Stations 1-5 Improvements Project. An estimated \$490,000 each to RDC and Kitchell is needed for these services during the construction phase, and staff recommends that Council approve increasing RDC and Kitchell's contract by this amount for the needed services.

During the October 18, 2016 Fire Stations 1-6 and Fire Training Center Improvements Project Update presentation, Council directed staff to proceed with the full build out design of Fire Station 6 and the Fire Training Center. This design was not in the original scope of RDC's services. Staff has negotiated with RDC to provide a schematic design phase services in the amount of \$310,000. Staff also recommends that Council approve increasing RDC's contract

by this additional amount for the needed services. Staff will return to Council for approval of the remainder of the design services to complete the 100% construction documents for the new Fire Station 6 and the Fire Training Center at a later date.

FISCAL IMPACT

The estimated project costs are as follows:

DESCRIPTION	CURRENT ESTIMATED COST
A. Construction Contract	\$6,911,577
B. Construction Contingency (ACO)	\$698,423
C. Design	\$820,000
D. Fixtures, Furniture & Equipment	\$1,000,000
E. Consultant Construction Administration (RDC and Kitchell)	\$980,000
F. Permit Fees, Inspection, Testing & Staff Construction Administration	\$420,000
TOTAL	\$10,830,000

The Adopted FY2017 CIP includes a total of \$11,020,000 for the design and construction of the Fire Stations 1-5 projects in the Measure C Fund. Additionally, there are adequate funds in the Adopted FY 17 CIP for RDC to provide a schematic design phase services for Fire Station 6 and the Fire Training Center in the amount of \$310,000 as recommended by staff in the discussion section above.

Item E in the table above includes \$490,000 each for construction administration by RDC and Kitchell as noted in the discussion section of the report.

Staff will return to the Council Budget & Finance Committee and the full Council this spring to review the current Measure C revenue and expenditure projections and for a discussion of the funding for Fire Station 6 and the new Training Center.

SUSTAINABILITY FEATURES

1. Water: Installation of water efficient plumbing fixtures

The project includes the installation of water efficient plumbing fixtures to reduce waste in water consumption.

2. Environment: Bay-Friendly Landscaping & Storm Water Treatment.

This project will implement Bay-Friendly Landscaping techniques that use native and climate appropriate plants at the Fire Stations.

3. Energy: Replace windows, installation of LED lighting, skylights, and PV panels.

This project will install energy efficient windows, LED lighting, skylights, and PV panels providing electricity and maintenance cost savings.

PUBLIC CONTACT

There has been no public contact for this project. After the construction contract is awarded, staff will distribute preliminary notices explaining the project to residents and businesses near the affected Fire Stations due to the temporary inconvenience expected from the improvement work. After construction work has been scheduled, follow-up notices will be distributed indicating the construction dates for each Fire Station.

NEXT STEPS

If Council adopts the attached resolutions and awards the contract, the Fire Stations 1-5 Renovation Project Schedule is as follows:

Begin Construction	April 2017
Complete Construction	May 2018

Prepared by: Yaw Owusu, Assistant City Engineer

Recommended by: Morad Fakhrai, Director of Public Works

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 16-

Introduced by Council Member _____

RESOLUTION APPROVING ADDENDA NO. 1-3 FOR THE FIRE STATIONS 1-5 IMPROVEMENTS PROJECT, PROJECT NOS. 07476, 07477, 07478, 07479, AND 07480, REJECTING THE BID PROTEST OF D.L. FALK CONSTRUCTION, INC., AND AWARDING THE CONTRACT TO ARNTZ BUILDERS INC.

WHEREAS, by resolution on December 13, 2016, the City Council approved the plans and specifications for the Fire Stations 1-5 Improvements Project, Project Nos. 07476, 07477, 07478, 07479, and 07480, and called for bids to be received on January 24, 2017; and

WHEREAS, on January 11, 2017, Addendum No. 1 was provided to make revisions to the plans and specifications; and

WHEREAS, on January 19, 2017, Addendum No. 2 was provided to make revisions to the plans and specifications, and revised the bid opening date to February 7, 2017; and

WHEREAS, on January 31, 2017, Addendum No. 3 was provided to make revisions to the plans and specifications; and

WHEREAS, on February 7, 2017, four bids were received, ranging from \$6,911,577 to \$9,656,800; Arntz Builders Inc., of Novato, California submitted the low bid in the amount of \$6,911,577, which is 10% below the Engineer's Estimate of \$7,680,000; and

WHEREAS, a written protest was received on February 14, 2017 from D. L. Falk Construction Inc., stating that the low bidder, Arntz Builders Inc., failed to list subcontractors; and

WHEREAS, the City Attorney has reviewed the bid protest and has determined that the omission in Arntz Builders's bid was minor and non-material, and did not affect a change in the bid outcome; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the bid protest from D.L. Falk Construction Inc. received on February 14, 2017 is hereby rejected.

BE IT FURTHER RESOLVED by the City Council of the City of Hayward that Arntz Builders Inc. is hereby awarded the contract for the Fire Stations 1-5 Improvements Project, Project Nos. 07476, 07477, 07478, 07479, and 07480, in an amount of \$6,911,577, in accordance with the plans and specifications adopted therefore and on file in the office of the City Clerk of the City of Hayward at and for the price named and stated in the bid of the hereinabove specified bidder, and all other bids are hereby rejected.

BE IT FURTHER RESOLVED by the City Council of the City of Hayward that the Director of Public Works is authorized to expend up to \$10,830,000 for project design, construction, construction contingency, construction administration, permit fees, inspection, testing, fixtures, furniture, and equipment to complete the project.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute the contract with Arntz Builders Inc., in the name of and for and on behalf of the City of Hayward, in a form to be approved by the City Attorney.

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

HAYWARD CITY COUNCIL

RESOLUTION NO. 16-

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH ROSSDRULISCUSENBERRY ARCHITECTURE INC., FOR ADDITIONAL SERVICES ASSOCIATED WITH THE FIRE STATIONS 1-6 AND FIRE TRAINING CENTER IMPROVEMENT PROJECT.

WHEREAS, the aforesaid parties have entered into that certain Agreement dated the 26th day of May, 2015, entitled “Agreement for Professional Services between the City of Hayward and RossDrulisCusenbery Architecture Inc., for the Fire Stations 1-6 and Fire Training Center Improvement Project” and

WHEREAS, the City and the Consultant desire to amend the Agreement in certain respects to provide additional services for construction support and schematic design services for the Fire Stations 1-5 Improvements Project, and Fire Station 6 and Fire Training Center respectively.

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 RossDrulisCusenbery Architecture Inc., for additional services in an amount not-to-exceed \$800,000 associated with the Fire Stations 1-5 Improvements Project and Fire Station 6 and the Fire Training Center.

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

HAYWARD CITY COUNCIL

RESOLUTION NO. 16-

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH KITCHELL FOR ADDITIONAL SERVICES ASSOCIATED WITH THE FIRE STATIONS 1-6 AND FIRE TRAINING CENTER IMPROVEMENT PROJECT.

WHEREAS, the aforesaid parties have entered into that certain Agreement dated the 9th day of July, 2015, entitled "Agreement for Professional Services between the City of Hayward and Kitchell for the Fire Stations 1-6 and Fire Training Center Improvement Project" and

WHEREAS, the City and the Consultant desire to amend the Agreement in certain respects to provide additional services for construction support associated with the Fire Stations 1-5 Improvement Project.

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 Kitchell for additional services in an amount not-to-exceed \$490,000 associated with the Fire Stations 1-5 Improvements Project.

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

PROJECT: FIRE STATIONS 1-5 IMPROVEMENTS
 PROJECT NO.: 07476, 07477, 07478, 07479, 07480
 BIDS OPENED: FEBRUARY 7, 2017

M.F.
 MORAD FAKHRAI, DIRECTOR OF PUBLIC WORKS

2/27/17
 DATE

NUMBER OF BIDS RECEIVED: 4

AWARDED

BID SUMMARY				ENGINEER'S ESTIMATE		ARNTZ BUILDERS, INC.		D. L. FALK		JUV, Inc.		SAUSAL CORP.	
						19 Pamaron Way Novato, CA 94949		3526 Investment Boulevard Hayward, CA 94545		7901 Oakport Street #2700 Oakland, CA 945621		422 Whitney Street San Leandro, CA 94577	
						Phone No. 415-382-1188		Phone No. 510-887-6500		Phone No. 510-836-1300		Phone No. 510-568-6600	
						Fax. No. 415-883-3756		Fax. No. 510-887-6501		Fax. No. 777-9203		Fax. No. 510-632-9769	
ITEM	DESCRIPTION	QTY.	UNIT	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	FIRE STATION NO. 1	1	LS	\$1,220,000.00	1,220,000.00	\$685,248.00	685,248.00	\$860,984.00	860,984.00	\$830,000.00	830,000.00	\$1,156,776.00	1,156,776.00
2	FIRE STATION NO. 2	1	LS	\$1,880,000.00	1,880,000.00	\$2,101,342.00	2,101,342.00	\$1,946,079.00	1,946,079.00	\$2,320,000.00	2,320,000.00	\$2,409,950.00	2,409,950.00
3	FIRE STATION NO. 3	1	LS	\$1,545,000.00	1,545,000.00	\$1,850,169.00	1,850,169.00	\$1,743,185.00	1,743,185.00	\$2,100,000.00	2,100,000.00	\$2,120,756.00	2,120,756.00
4	FIRE STATION NO. 4	1	LS	\$1,570,000.00	1,570,000.00	\$1,713,120.00	1,713,120.00	\$1,801,733.00	1,801,733.00	\$2,250,000.00	2,250,000.00	\$2,120,756.00	2,120,756.00
5	FIRE STATION NO. 5	1	LS	\$1,455,000.00	1,455,000.00	\$548,198.00	548,198.00	\$1,472,020.00	1,472,020.00	\$2,060,000.00	2,060,000.00	\$1,831,562.00	1,831,562.00
6	RECYCLING IMPLEMENTATION	1	LS	\$10,000.00	10,000.00	\$13,500.00	13,500.00	\$25,000.00	25,000.00	\$30,000.00	30,000.00	\$17,000.00	17,000.00
				\$7,680,000.00		\$6,911,577.00		\$7,849,001.00		\$9,590,000.00		\$9,656,800.00	



D.L. FALK CONSTRUCTION INC.

3526 INVESTMENT BLVD., HAYWARD, CA 94545 WWW.DLFALK.COM

PHONE (510) 887-6500 • FAX (510) 887-6501

February 14, 2017

City of Hayward
777 B Street
Hayward, CA 94541

02/14/17 15:54 CLK

Attn.: Dave Hung

Re: Bid for Hayward Fire Stations #1, 2, 3, 4, & 5

DL Falk Construction Inc. (DLF) respectfully requests that the City of Hayward reject as materially non-conforming the bid submitted by Arntz Builders, Inc. (Arntz), because Arntz has failed to list subcontractors required to perform work in excess of one-half of one percent of its bid, which Arntz itself is not qualified to perform.

The bid submitted by Arntz fails to list many of the subcontractors required to properly execute the project. The following are scopes of work where DLF and the other General Contractors that submitted a bid (JUV Inc. and Sausal Corp.) listed a subcontractor but Arntz did not, and their values:

	<u>DLF</u>	<u>JUV</u>
* Roofing	\$116,484	\$97,000
* Drywall	\$198,300	Self Perf
* Plaster	\$103,100	Self Perf
* Tile	\$114,425	\$130,000
* Painting	\$162,660	\$145,000
* Polished Concrete Floors	\$50,919	\$103,250
* Fence & Gates	\$110,221	\$113,000

As you can see each of these items far exceed the one-half of one percent of Arntz's bid (.5% of Arntz's bid is \$34,558). Reviewing JUV's website it is clear that they typically do perform drywall and plaster work and are capable of doing so, there is no such indication for Arntz on their website.

According to Public Contract Code § 4106: *"If a prime contractor fails to specify a subcontractor or if a prime contractor specifies more than one subcontractor for the same portion of work to be performed under the contract in excess of one-half of 1 percent of the prime contractor's bid, the prime contractor agrees that he or she is fully qualified to perform that*

portion himself or herself, and that the prime contractor shall perform that portion himself or herself."

The trades that Arntz has failed to list, in addition to each being well in excess of the required one-half of one percent threshold, together amount to over \$856,000 or 12% of their bid. Arntz cannot simply self-perform this work, either, for at least three reasons. First, although Arntz does possess a 'B' license which allows them to perform multiple trades, they do not carry the following specialty licenses. Arntz does not have a C-39 license to perform roofing work, a C-9 license to perform drywall work, a C-35 license to perform lathing and plaster work, a C-54 license to perform tile work, a C-33 license to perform painting work, or a C-61 (D-10) license to perform concrete resurfacing work. Yet Arntz failed to list a subcontractor to perform any of these scopes of work, and they are all well in excess of one-half of one percent of Arntz's bid.

Second, even assuming Arntz were qualified to self-perform all trades, by failing to list subcontractors for approximately \$856,000 of work on this project, Arntz has apparently indicated, pursuant to Public Contract Code § 4106, that it is *"fully qualified to perform that portion"*. Arntz may be able to perform the scopes of work it failed to list on its bid from using subcontractors, but DLF's research strongly suggests that Arntz is incapable of performing it with its own forces.

Third, the technical specifications for a number of the trades at issue require the installer/applicator to have documented experience for a number of years:

- **070150 Roofing Repairs**, ¶ 1.5.A requires the installer to be *"Roofing Manufacturer certified or approved."* ... *"Company specializing in performing roofing repairs of existing Garland roofing system, with not less than five years successful experience and a certified Pre-Approved Garland Contractor"*
- **033550 Polished Concrete Flooring**, ¶ 1.04.A requires the installer be a *"Firms with not less than five years successful experience polishing concrete using one of specified systems and acceptable to system manufacturer."*

There is no indication that Arntz, as a self-performing general contractor, has any of the requisite specialty experience or certifications indicated in the specifications. Before the contract is awarded to Arntz, at a bare minimum, the City should require Arntz to provide documentation of its specialty experience, certifications, and its ability to *self-perform* the \$856,000 of work its bid implicitly claims it can handle.

A roof warranty is a very important facet in a renovation project like this. DLF has confirmed with the Garland representative that Arntz is not certified to install Garland products and in his past experience Arntz hires roofing contractors to perform their roofing work. It is important to note that without Arntz having the required Garland certification if they self-perform the roofing work the manufacturer would not be able to provide the specified warranty.

The appropriate conclusion that the City should draw is that Arntz's bid was not responsive. For a bid to be responsive, the "bidding requirements must be strictly

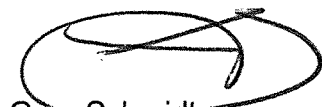
adhered to in order to avoid the potential for abuse in the competitive bidding process." *Domar Electric, Inc. v. City of Los Angeles* (1994) 9 Cal. 4th 161, 175-176 (citation omitted). If a bid does not confirm to the specifications, it is not responsive, and may not be accepted by the public entity. *Ghillotti Construction Co. v. City of Richmond* (1996) 45 Cal. App. 4th 897; *Konica Business Machines U.S.A., Inc. vs. Regents of University of California* (1988) 206 Cal. App. 3d 449, 454 (a bid is not responsive and cannot be accepted if the variance gives the bidder an advantage or benefit not allowed by other bidders or, in other words, if the variance is consequential). Factors that determine whether a deviation is a substantial departure from bid requirements include "whether deviation could be a vehicle for favoritism, affect the amount of the bid, influence potential bidders to refrain from bidding, or affect the ability to make bid comparisons." *Id.* at 907. Here, Arntz's bid was not responsive in that the deviations were material and provided an unfair advantage to Arntz.

In today's competitive bidding market, it is critical that all General Contractors abide by the same requirements when bidding a project as to not allow any one bidder an unfair advantage over another. The omissions in Arntz's bid proposal as noted above are not to be considered inconsequential and are cause to disqualify Arntz as the low responsive Bidder on this project.

Accordingly, for the aforementioned reasons, and to avoid the delay and legal expense that would result from an improper bid award, the bid of Arntz should be rejected, and the Project should be awarded to DLF, the next lowest responsive and responsible Bidder.

DLF looks forward to the City of Hayward's response. If you have any questions, please contact me either via e-mail gregs@dlfalk.com or at (510) 887-6500 or cell (415) 559-7828.

Thank You

A handwritten signature in black ink, appearing to read 'Greg Schmidt', enclosed within a large, loopy oval shape.

Greg Schmidt
Director of Operations

**D.L. Falk Construction, Inc.**

3526 Investment Blvd
Hayward, CA 94545

Phone: 510.887.6500

Fax: 510.887.6501

TRANSMITTAL
No. 00197

PROJECT:**DATE:** 02/14/2017

TO: City of Hayward
777 B Street
Hayward, CA 94541

REF: Bid Protest**ATTN:** Dave Hung

WE ARE SENDING:	SUBMITTED FOR:	ACTION TAKEN:
<input type="checkbox"/> Shop Drawings	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Approved as Submitted
<input checked="" type="checkbox"/> Letter	<input type="checkbox"/> Your Use	<input type="checkbox"/> Approved as Noted
<input type="checkbox"/> Prints	<input type="checkbox"/> As Requested	<input type="checkbox"/> Returned After Loan
<input type="checkbox"/> Change Order	<input type="checkbox"/> Review and Comment	<input type="checkbox"/> Resubmit
<input type="checkbox"/> Plans		<input type="checkbox"/> Submit
<input type="checkbox"/> Samples	SENT VIA:	<input type="checkbox"/> Returned
<input type="checkbox"/> Specifications	<input type="checkbox"/> Attached	<input type="checkbox"/> Returned for Corrections
<input type="checkbox"/> Other:	<input type="checkbox"/> Separate Cover Via:	<input type="checkbox"/> Due Date:

ITEM NO.	COPIES	DATE	ITEM	NUMBER	REV. NO.	DESCRIPTION	STATUS
01	1	02/14/2017				DL Falk Protest Letter for FS 1, 2, 3, 4, & 5	NEW
02	1	02/14/2017				Check for \$500	NA

Remarks: Received By: _____ Date: _____

CC:

Signed: _____
Greg Schmidt



D.L. FALK CONSTRUCTION INC.

26354

CITY OF HAYWARD

DATE: 02/14/17
ACCOUNT: 57631

CHECK # 26354

INV DATE	JOB #	INVOICE #	BALANCE	DISCOUNT	NET PAID
02/14/17		BID DOCS	500.00		500.00

TOTAL:

500.00

500.00

ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER



D.L. FALK CONSTRUCTION INC.
3526 INVESTMENT BLVD.
HAYWARD, CA 94545
(510) 887-6500 LIC. #683837

California Bank of Commerce
3595 Mt. Diablo Blvd., 2nd Fl.
Lafayette, CA 94549

90-4469/1211

26354

26354

Five Hundred and 00/100

DATE

AMOUNT

02/14/17

\$*****500.00

PAY
TO THE
ORDER
OF

CITY OF HAYWARD

ATTN: ACCOUNTING DIVISION
777 B. STREET
HAYWARD, CA 94541

SAFEGUARD SECURE
SAFEGUARD SECURE
MP

THIS DOCUMENT CONTAINS HEAT SENSITIVE INK. TOUCH OR PRESS HERE - RED IMAGE DISAPPEARS WITH HEAT.

⑈026354⑈ ⑆121144696⑆1013044⑈



February 16, 2017

City of Hayward
777 B Street
Hayward, CA 94541

Attention: David Hung

Re: D.L. Falk Protest Letter

We have reviewed the letter submitted by D. L. Falk, Inc. If the City believes that D. L. Falk, Inc. protest has merit, then we will defer to the City's position, and understand the City may award the project to D. L. Falk, Inc.

Sincerely,

ARNTZ BUILDERS, INC.

David A. Arntz
Vice President

Enc

cc: Greg Schmidt (D.L. Falk)



February 16, 2017

City of Hayward
777 B Street
Hayward, CA 94541

Attention: David Hung

Re: D.L. Falk Protest Letter

The City has asked us for certain additional information. In reviewing its records, Arntz has realized that inadvertently it did not list its painting subcontractor, whose bid is in the amount of \$208,000. A copy of that bid is enclosed.

Sincerely,

ARNTZ BUILDERS, INC.

David A. Arntz
Vice President

Enc

cc: Greg Schmidt (D.L. Falk)

Nissim Painting Company

CA. License #797909, DIR #1000011933

SBE (Micro) #1785596

199 Berryessa Drive

Napa, CA 94558

www.nissimpainting.com

415-566-5111 Fax: 415-566-5534

Email: nissimpainting@yahoo.com



Date: 02/07/2017

Bid Proposal

Project Name: Fire Station 1-5 Improvement Project #07476, 07477, 07478, 07479, and 07480

Bid Submission Date: February 7th, 2017 at 2:00pm

Our bid proposal is for painting the interiors and exteriors of the Fire Station 1-5 Improvement Project #07476, 07477, 07478, 07479, and 07480 to specifications and plans attached and reviewed. We are bidding section 099000-Painting and Coating. All materials, equipment and labor needed to finish this project are included in this bid.

We recognize addendum:

#1	Date: 01/11/2017
#2	Date: 01/19/2017
#3	Date: 01/31/2017

We also recognize this project as a Prevailing Wage project, with certified payroll.

Fire Station 1-5 Improvement Project #07476, 07477, 07478, 07479, and 07480

Bid Prices:

Fire Station #1	\$55,000.00
Fire Station #2	\$35,000.00
Fire Station #3	\$35,000.00
Fire Station # 4	\$35,000.00

W/O - Powdercoat
yes - re-caulk
yes - WP
YES - MASON REST.

Fire Station #5 \$48,000.00**Total: 208,000.00****Bid prices for fire stations cannot be separated, they are one bid package.****Any questions please call: Jack Cell Phone: (415) 637-3353*******Scope of work included in our base bid pricing:**

1. Painting Interior and Exterior to Specs and Plans
2. Power-wash/Cleaning Exterior as shown on Specs and Plans

→ *INCLUDES CAULKING, RESTORATION OF EXT. MASONRY & MASONRY
WATER REPELLENT

*****Surfaces and elements excluded from base bid price:**

1. Major Wall and Ceiling Patching
2. Traffic Line Paint
3. Pre-finished items, pre-finished metal surfaces and concealed surfaces
4. No Removal and reinstallation work of any items. Moving of any Furniture, Desks, Cabinets, and Books
5. Any Enclosed Areas
6. Painting of Cabinets and Shelves
7. Floor finishing
8. No Powder Coating Finish

PER JACK

*****Base Bid is only honored for 90 days from bid date!****Insurance:**

**Nissim Painting will supply all general liability insurance and workman's compensation insurance for all Nissim Painting Company's employees that will work on this project.

**Nissim Painting is excluded from providing any payment and performance bonds on this project.

**Nissim Painting is not including Excess Liability Insurance, Contractor Pollution Liability Insurance and Builders Risk Insurance and is not in base bid. We can provide those types of insurance at an additional cost to base bid.

**Nissim Painting will finish this project by professional standards. Nissim Painting Company has experience on these types of projects and knows how to finish a project of this size! As a professional painting company, we complete every project in a timely manner and strive to beat your expectations.

Submitted By: *Jack Nissim* Date: February 7th, 2017

Dave Hung

From: David Arntz <DArntz@arntzbuilders.com>
Sent: Thursday, February 16, 2017 3:26 PM
To: Dave Hung
Cc: gregs@dlfalk.com; Kelsey Godfrey; Brian Proteau
Subject: RE: Bid Protest from D.L. Falk Construction Inc.

Dave,

We are planning to self-perform the Roofing and Polished Concrete. We reserve the right to self-perform the Drywall, Plaster, Tile, Fencing & Gates.

Dave Arntz
Arntz Builders, Inc.
19 Pamaron Way
Novato, CA 94949
(415)382-1188
(415)883-3756 fax
www.arntzbuilders.com

Lic# 856393 A,B

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

From: Dave Hung [mailto:Dave.Hung@hayward-ca.gov]
Sent: Thursday, February 16, 2017 11:51 AM
To: David Arntz <DArntz@arntzbuilders.com>
Subject: RE: Bid Protest from D.L. Falk Construction Inc.

Dave,

Please let me know how Arntz planned to perform the following work:

- a) roofing,
- b) drywall,
- c) plaster,
- d) tile,
- f) polish concrete floors,
- g) fences & gates.

Thanks.

Dave

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

From: David Arntz [mailto:DArntz@arntzbuilders.com]
Sent: Thursday, February 16, 2017 11:13 AM
To: Dave Hung <Dave.Hung@hayward-ca.gov>
Cc: Brian Proteau <Brian@arntzbuilders.com>; Kelsey Godfrey <Kelsey@arntzbuilders.com>; gregs@dlfalk.com
Subject: RE: Bid Protest from D.L. Falk Construction Inc.

Dave,
See attached.

Dave Arntz
Arntz Builders, Inc.
19 Pamaron Way
Novato, CA 94949
(415)382-1188
(415)883-3756 fax
www.arntzbuilders.com

Lic# 856393 A,B

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

From: David Arntz
Sent: Thursday, February 16, 2017 8:52 AM
To: 'Dave Hung' <Dave.Hung@hayward-ca.gov>
Cc: Brian Proteau <Brian@arntzbuilders.com>; Kelsey Godfrey <Kelsey@arntzbuilders.com>; 'gregs@dlfalk.com' <gregs@dlfalk.com>
Subject: RE: Bid Protest from D.L. Falk Construction Inc.

Dave,
See attached.

Dave Arntz
Arntz Builders, Inc.
19 Pamaron Way
Novato, CA 94949
(415)382-1188
(415)883-3756 fax
www.arntzbuilders.com

Lic# 856393 A,B

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

From: Dave Hung [mailto:Dave.Hung@hayward-ca.gov]
Sent: Tuesday, February 14, 2017 7:30 PM
To: David Arntz <DArntz@arntzbuilders.com>
Cc: Bid <Bid@arntzbuilders.com>; Brian Proteau <Brian@arntzbuilders.com>; Kelsey Godfrey <Kelsey@arntzbuilders.com>
Subject: FW: Bid Protest from D.L. Falk Construction Inc.

Hi Dave,

Please find attached for the bid protest from DL Falk and provide your response to the City as soon as possible. Thank you.

Dave Hung
City of Hayward
PW - Engineering

Senior Civil Engineer
777 B Street
Hayward CA 94541
(510) 583-4752

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

From: Miriam Lens
Sent: Tuesday, February 14, 2017 4:02 PM
To: Dave Hung <Dave.Hung@hayward-ca.gov>
Cc: Morad Fakhrai <Morad.Fakhrai@hayward-ca.gov>; Michael Lawson <Michael.Lawson@hayward-ca.gov>
Subject: Bid Protest from D.L. Falk Construction Inc.

Good afternoon Dave,

We are in receipt of a bid protest from D.L. Falk Construction, Inc., to the lowest bidder submitted by Arntz Builders, Inc., for the Hayward Fire Stations #1, 2, 3, 4, & 5 project.

Attached is a copy of the protest along with a copy of the check in the amount of \$500.

Please let me know if you have any questions.

Thank you,

Miriam

Miriam Lens, CMC, MPA
City Clerk

City of Hayward | Office of the City Clerk | 777 B Street | Hayward, CA 94541 |

Phone: 510-583.4401 | Email: Miriam.lens@hayward-ca.gov

www.hayward-ca.gov | City Clerk's Blog: www.hayward-ca.gov/cityclerk/

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REPLY ADVISORY: Please be advised that messages sent to me on the City of Hayward e-mail system are not confidential and may be reviewed by other persons without my knowledge. Please do not send messages or attachments that may violate the City of Hayward e-mail policy.

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

From: kba6551ci@cityofhayward.com [mailto:kba6551ci@cityofhayward.com]
Sent: Tuesday, February 14, 2017 3:55 PM
To: Miriam Lens <Miriam.Lens@hayward-ca.gov>
Subject:

TASKalfa 6551ci
[00:17:c8:28:c8:28]



D.L. FALK CONSTRUCTION INC.

3526 INVESTMENT BLVD., HAYWARD, CA 94545 WWW.DLFALK.COM

PHONE (510) 887-6500 • FAX (510) 887-6501

February 23, 2017

City of Hayward
777 B Street
Hayward, CA 94541

Attn.: Dave Hung

Re: Follow-up Regarding DLF Bid Protest for Hayward Fire Stations #1, 2, 3, 4, & 5

On February 14, 2017, DL Falk Construction Inc. (DLF) timely submitted a bid protest to the City of Hayward (City) regarding the above-captioned Hayward Fire Station Renovations Project (Project). Based on the information then available to DLF, it was clear that the bid specifications for the Project required the City to reject the bid submitted by the apparent low bidder, Arntz Builders, Inc. (Arntz), as materially nonconforming. Since February 14, Arntz's communications regarding the Project—provided by Arntz to the City and DLF—have only reinforced the facial, material nonconformity of Arntz's bid, and the City's obligation under the California Public Contract Code to reject the bid.

DLF's letter identified the following nonconforming elements to Arntz's bid, any one of which would be sufficient to require the City to reject it:

- Arntz's failure list subcontractors required to perform work in excess of one-half of one percent of its bid (\$34,558), which Arntz itself is not qualified to perform—roofing, drywall, plaster, tile, painting, polished concrete floors, and fence and gates scopes of work. See Pub. Contract Code § 4106.
- Arntz's failure to carry the specialty licenses required to self-perform roofing work (C-39), drywall work (C-9), lathing and plaster work (C-35), tile work (C-54), painting (C-33), or concrete resurfacing (C-61/D-10).
- Arntz's failure, and inability, to provide the documented experience required by the Project's Technical Specifications for the roofing (070150 Roofing Repairs, ¶ 1.5) and polished concrete flooring (033550 Polished Concrete Flooring, ¶ 1.04.A) installer.

Arntz's response to DLF's bid protest has been telling. It has not contested *any* of the material nonconforming elements raised by DLF. In fact, rather than provide an item-by-item refutation of the DLF letter—as is common for apparent low bidders in bid

protests—Arntz responded three business days later, on February 16, with a two-sentence letter, stating: “If the City believes that [DLF] protest has merit, then we will defer to the City’s position, and understand the City may award the Project to [DLF].” In the competitive world of public works contracting, this is essentially an invitation by Arntz to the City to award the Project to DLF.

Later on February 16, Arntz responded to a request for additional information from the City, stated: “In reviewing its records, Arntz has realized that inadvertently it did not list its painting subcontractor, whose bid is in the amount of \$208,000.” The Public Contract Code is clear: inadvertence does not matter in this context. See Pub. Contract Code § 4104(a). The admission by Arntz that it failed to list a subcontractor performing more than one-half of one percent of the total value of its bid is dispositive, and the materially nonconformity is sufficient, standing alone, to require the City to reject the bid.

Later that same day, the City asked Arntz via email how it planned to perform the scopes of work identified in DLF’s bid protest: roofing, drywall, plaster, tile, painting, polished concrete floors, and fence and gates.

Arntz responded that it intended to self-perform the roofing and polished concrete scopes of work. Arntz has provided none of the documentation required by the Technical Specifications, nor can it. Contrary to Technical Specification 070150 Roofing Repairs, ¶ 1.5, Arntz is neither certified nor approved by Garland. Nor can Arntz satisfy the requirement of Technical Specification 033550 Polished Concrete Flooring, ¶ 1.04.A, that it have “not less than five years successful experience polishing concrete using one of specified systems and acceptable to system manufacturer.” To DLF’s point, above, Arntz has not even attempted to make these showings.

Arntz also replied that it “reserve[d] the right to self-perform” the remaining scopes. This is prohibited by the Subcontractor Listing Law. See Pub. Contract Code § 4104. Either Arntz can self-perform or it cannot. According to its bid, it not only can, it must. The attempted reservation of rights gives rise to exactly the kind of post-award bid shopping and peddling that the Subcontractor Listing Law is designed to prevent. But even if it were appropriate for Arntz to refuse to declare its intentions, Arntz has failed to provide any evidence that it possesses any of the specialty licenses required to self-perform.

The dangers to the City of accepting Arntz’s materially nonconforming bid run well beyond the costs that it will incur in excess of Arntz’s original bid. To give just one example, because Arntz claims that it will self-perform the roofing work—despite lacking the required specialty license or being certified by Garland—the City will lose the benefit of the roofing warranty it contracted for, as Garland will not provide the manufacturer’s warranty required by the Project’s specifications to a non-certified installer.

In its bid protest procedures (3-1.04A), the City “reserves the right to waive any bid irregularities not affecting the amount of the bid, except where such waiver would give the low bidder an advantage or benefit not allowed to other bidders.” Here, there is no question that: (1) Arntz’s bid is nonconforming in multiple respects; (2) the nonconformities affect the amount of the bid; and (3) the nonconformities gives the low

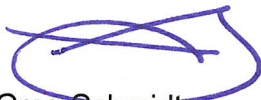
bidder an advantage or benefit not allowed to other bidders—among other things, the potential for bid shopping or peddling. See *Ghillotti Construction Co. v. City of Richmond* (1996) 45 Cal. App. 4th 897; *Konica Business Machines U.S.A., Inc. vs. Regents of University of California* (1988) 206 Cal. App. 3d 449, 454 (a bid is not responsive and cannot be accepted if the variance gives the bidder an advantage or benefit not allowed by other bidders or, in other words, if the variance is consequential). Thus, the City lacks discretion in this instance to waive the nonconforming aspects of Arntz's bid, or to award the bid to Arntz.

Finally, DLF renews its request that the City provide a full and complete copy of the Arntz bid, as it is required to do under the California Public Contract Code.

DLF intends to avail itself of all available administrative and legal remedies should the Project be improperly awarded to Arntz. However, DLF is confident that the City will accept its bid protest and award the Project to DLF, the next lowest responsive and responsible bidder. DLF looks forward to working with the City on this important Fire Station Renovations Project.

If you have any questions, please contact me either via e-mail gregs@dlfalk.com or at (510) 887-6500 or cell (415) 559-7828.

Thank You



Greg Schmidt
Director of Operations



February 24, 2017

Mr. Greg Schmidt, Director of Operations
D.L. Falk Construction Inc.
3526 Investment Boulevard
Hayward, CA 94545

Re: DL Falk Construction Bid Protest
Hayward Fire Stations #1, 2, 3, 4, & 5 Project

Mr. Schmidt:

This is in response to your subject letter dated February 14, 2017. Your letter requested that the City reject Arntz Builders, Inc. (Arntz) low bid. You alleged that Arntz did not list subcontractors required to perform work in excess of one-half of one percent of its bid, and that Arntz is not qualified to perform the work itself. You also asserted that there were omissions that are material and render the Arntz's bid non-responsive. The City Attorney's Office has reviewed your letter and concluded as follows.

To the extent that your bid protest is based on omissions in the subcontractors list, the City has considered your protest on the basis of non-responsiveness. The bid proposal required bidders to provide the List of All Subcontractors and Suppliers which Arntz provided. In their response to your bid protest, Arntz stated that they inadvertently did not list their painting subcontractor in the amount of \$208,000. This does not change the bid total and therefore is not materially non-conforming.

Regarding other scope of work that Arntz has not listed subcontractors, Arntz stated that they are self-performing roofing and polished concrete floors and reserve the right to self-perform drywall, plaster, tile, fencing and gates. Arntz has both a Class "A" and "B" contractor's license and with a Class "B" General Building *"may take a prime contract or a subcontract for a framing or carpentry project. However, a general building contractor shall not take a prime contract for any project involving trades other than framing or carpentry unless the prime contract requires at least two unrelated building trades or crafts other than framing or carpentry, or unless the general building contractor holds the appropriate license classification or subcontracts with an appropriately licensed contractor to perform the work. A general building contractor shall not take a subcontract involving trades other than framing or carpentry, unless the subcontract requires at least two unrelated trades or crafts other than framing or carpentry, or unless the general building contractor holds the appropriate license classification. The general building contractor may not count framing or carpentry in calculating the two unrelated trades necessary in order for the general building*

Department of Public Works

Engineering and Transportation
777 B Street, Hayward, CA 94541

T: 510.583.4730
F: 510.583.3620

TTD: 510.247.3340
www.hayward-ca.gov





contractor to be able to take a prime contract or subcontract for a project involving other trades.” (BPC §7057). The California Contractors State License Board does not limit Class “B” to self-performing as many trades as he or she may choose (with some specific exceptions such as fire protection or well drilling) and contractors may also take a general building contract and sub-contract 100% of the job as long as they use properly licensed sub-contractors for each trade or craft. If Arntz fails to self-perform as specified, Public Contract Code Section 4110 provides the City with several remedies to discourage the types of potential bid mischief D. L. Falk is concerned with.

For the reasons stated above, staff will be recommending that the City Council reject your bid protest; waive any omissions in Arntz’s listing of subcontractors as non-material; and proceed with the award to Arntz as the lowest responsible bidder.

Sincerely,

MORAD FAKHRAI, P.E.
Director of Public Works

cc: Joseph Brick, Assistant City Attorney, City of Hayward
Garrett Contreras, Fire Chief, City of Hayward
Yaw Owusu, Assistant City Engineer, City of Hayward
Dave Hung, Senior Civil Engineer, City of Hayward
David Arntz, Vice President, Arntz Builders, Inc.



CITY OF HAYWARD

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

File #: CONS 17-124

DATE: March 21, 2017

TO: Mayor and City Council

FROM: Director of Human Resources

SUBJECT

Adoption of a Resolution Approving the Side Letter Agreements between the City of Hayward and the Service Employees International Union, Local 1021 (SEIU), Maintenance and Operations Unit and the SEIU Clerical and Related Unit

RECOMMENDATION

That the City Council adopts the attached Resolution (Attachment II) approving the Side Letter Agreements between the City of Hayward and the Service Employees International Union (SEIU), Local 1021, Maintenance and Operations Unit, and the SEIU Clerical and Related Unit, which will go into effect following City Council approval of the Resolution through June 30, 2018, the expiration of the current Memoranda of Understanding (MOU) between the City of Hayward and the SEIU Maintenance and Operations Unit, and the SEIU Clerical and Related Unit.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution
Exhibit 1	Side Letter Agreement between the City of Hayward and SEIU Local 1021 - Clerical - Overtime Work
Exhibit 2	Side Letter Agreement between the City of Hayward and SEIU Local 1021 - Clerical - Dental Insurance
Exhibit 3	Side Letter Agreement between the City of Hayward and SEIU Local 1021 - Clerical - Holidays Observed by the City
Exhibit 4	Side Letter Agreement between the City of Hayward and SEIU Local 1021 - Clerical - Sick Leave Policy
Exhibit 5	Side Letter Agreement between the City of Hayward and SEIU Local 1021 - Clerical - Sick Leave Accruals for Part-Time Employees
Exhibit 6	Side Letter Agreement between the City of Hayward and SEIU Local 1021 - Clerical - Health and Wellness
Exhibit 7	Side Letter Agreement between the City of Hayward and SEIU Local 1021 - Clerical - Sick Leave Benefits for Pages

File #: CONS 17-124

Exhibit 8

Side Letter Agreement between the City of Hayward and SEIU
Local 1021 - Maintenance



DATE: March 21, 2017

TO: Mayor and City Council

FROM: Director of Human Resources

SUBJECT Adoption of a Resolution Approving the Side Letter Agreements between the City of Hayward and the Service Employees International Union, Local 1021 (SEIU), Maintenance and Operations Unit and the SEIU Clerical and Related Unit

RECOMMENDATION

That the City Council adopts the attached Resolution (Attachment II) approving the Side Letter Agreements between the City of Hayward and the Service Employees International Union (SEIU), Local 1021, Maintenance and Operations Unit, and the SEIU Clerical and Related Unit, which will go into effect following City Council approval of the Resolution through June 30, 2018, the expiration of the current Memoranda of Understanding (MOU) between the City of Hayward and the SEIU Maintenance and Operations Unit, and the SEIU Clerical and Related Unit.

BACKGROUND/DISCUSSION

On June 10, 2015, the City of Hayward and SEIU reached a tentative agreement on successor MOUs for both the Maintenance and Clerical Units for a three-year term beginning July 1, 2015 through June 30, 2018. The SEIU membership ratified this tentative agreement on June 23, 2015, and City Council approved the agreement on July 7, 2015.

The current MOUs between the City of Hayward and SEIU Bargaining Units does not reflect recent legislative changes regarding sick leave, such as changes associated with the Healthy Families, Healthy Workplaces Act of 2014 (AB 1522). Additionally, in ongoing labor management meetings, the City and SEIU have continued to discuss areas of concern for the SEIU membership, which has in turn led to the City and SEIU reaching tentative agreements to modify certain contract provisions. Finally, the City and SEIU have begun the process of cleaning up language and making minor, non-substantive changes that the parties were unable to discuss during full contract negotiations. Table 1 on the following page summarizes the proposed changes to the SEIU MOUs as outlined in the Side Letters, to which the City and SEIU have tentatively agreed.

Table 1: Proposed Side Letter

Provision	Proposed Side Letter Changes
Overtime Work	The 2015-2018 SEIU MOUs incorrectly state that all hours paid shall count towards the 40-hour threshold for purposes of determining an employee's overtime eligibility, "with the exception of sick leave." The quoted portion has been removed, as this is inconsistent with current City practice.
Bilingual Pay (Maintenance)	The 2015-2018 SEIU MOU (Maintenance) states that "full-time" employees determine eligibility for bilingual pay, where it should state that "Department Directors" determine eligibility for bilingual pay. This proposed change is consistent with City practice and the SEIU Clerical and Related MOU.
Dental Insurance	The City offers both a Delta Dental and United Concordia dental plan. The proposed Side Letter adds United Concordia to the listed dental plans.
Holidays Observed	The proposed change adds the New Year's Eve half-day holiday to the list of holidays observed, which is consistent with current City practice.
Sick Leave	The proposed change adds "grandparent, grandchild, or sibling" to the list of family members for which an employee can take sick leave, pursuant to AB 1522. This change has been implemented effective July 1, 2015, as required by AB 1522.
Sick Leave Accruals for Part-Time Employees	The proposed changes ensure compliance with AB 1522, specifically the requirement that the City provide twenty-four (24) hours of paid sick leave annually to part-time employees who work thirty (30) or more days per year. This change has been implemented effective July 1, 2015, as required by AB 1522.
Health and Wellness	In order to receive the health and wellness reimbursement benefit, the 2015-2018 SEIU MOUs currently require employees to submit receipts on a monthly basis for reimbursement of health and wellness related fees associates with monthly memberships (for example, a gym membership). The proposed change will allow employees with monthly fees associated with ongoing health and wellness related programs to receive the reimbursement on a monthly basis without the requirement of providing a monthly receipt. Employees will be required to show proof of membership, and the City may request monthly receipts at any time to verify monthly payments have been continuous and the employee remains eligible to receive the health and wellness benefit in accordance with this provision.
Sick Leave Benefits for Pages (Clerical)	The modifications to this provision of the SEIU MOU (Clerical) are to comply with the legislative changes under AB 1522. This change has been implemented effective July 1, 2015, as required by AB 1522.

FISCAL IMPACT

The proposed changes outlined in the Side Letters between the City of Hayward and the SEIU Units are changes to the language of the SEIU MOUs to reflect current City practices. In addition, the changes to paid sick leave for part-time employees and Library Pages, which are required under the Healthy Workplaces, Healthy Families Act of 2014 (or AB 1522), have already been implemented effective July 1, 2015 in accordance with the law. As a result, there is minimal fiscal impact associated with the proposed Side Letters.

NEXT STEPS

Following Council approval, the Side Letters will go into effect and correctly memorialize current City practices and legal requirements. The Side Letter language will be implemented into the SEIU MOUs during subsequent contract negotiations on successor MOUs.

Prepared by: Kakshi Master, Human Resources Analyst II

Recommended by: Nina S. Collins, Director of Human Resources

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 17-_____

Introduced by Council Member _____

RESOLUTION APPROVING THE SIDE LETTER AGREEMENT BETWEEN THE CITY OF HAYWARD AND THE SERVICES EMPLOYEES INTERNATIONAL UNION (SEIU) LOCAL 1021 MAINTENANCE, CLERICAL AND RELATED BARGAINING UNITS

WHEREAS, on July 7, 2015, City Council approved the Memoranda of Understanding between the City and SEIU for the period of July 1, 2015 through June 30, 2018; and

WHEREAS, legislative changes associated with the Healthy Workplaces, Healthy Families Act of 2014 (AB 1522) were implemented effective July 1, 2015 in accordance with the Act; and

WHEREAS, additional non-substantive discrepancies were found in the SEIU MOUs during subsequent labor management meetings between the City and SEIU following ratification of the current SEIU MOUs; and

WHEREAS, the City and SEIU have reached a tentative agreement on the terms of a Side Letter; and

WHEREAS, the proposed changes will have minimal fiscal impact on the City of Hayward;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby approves the Side Letters of Agreement between the City and SEIU, copies of which are attached as Exhibit 1, Exhibit 2, Exhibit 3, Exhibit 4, Exhibit 5, Exhibit 6, Exhibit 7, and Exhibit 8.

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
and
SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 1021
CLERICAL AND RELATED UNIT**

SIDE LETTER OF AGREEMENT


4.02 Overtime Work

Employees eligible to receive overtime compensation, as determined under the provisions of the Fair Labor Standards Act, shall receive overtime for work performed in excess of forty (40) hours per week. All hours paid shall be counted toward the 40- hour threshold for purposes of determining if an employee is entitled to receive overtime compensation. In the event of mandatory overtime, sick leave hours will be counted toward the forty (40) hour threshold. Overtime work shall be recognized only when directly ordered or required by the Department Director or a designated representative. No employee may work overtime without receiving the approval of the appropriate supervisor prior to performing the work. Working overtime without advance approval is grounds for discipline.

The terms of this Side Letter shall supersede and replace the MOU provision and all other side letters on the specific section identified above.

For SEIU 1021, Clerical and Related Unit


Megan Bucci, SEIU 1021 Clerical President


Arlene Taylor, SEIU 1021 Field Representative

For City of Hayward

Kelly McAdoo, City Manager

Nina S. Collins, Director of Human Resources

Dated

12-22-16

Dated

**CITY OF HAYWARD
and
SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 1021
CLERICAL AND RELATED UNIT**

SIDE LETTER OF AGREEMENT

7.06 Dental Insurance

The City shall contribute towards dental insurance premiums for full-time employees, other than temporary and provisional employees, and their eligible dependents. The City's contribution on behalf of an eligible employee participating in a City-sponsored dental plan shall be equal to eighty percent (80%) of the monthly premium for dental insurance, as determined by the employee's enrolled participation level in the City sponsored dental plan. Employees enrolled in dental insurance are required to contribute the remaining twenty percent (20%) of the premium costs for dental insurance coverage.

Monthly premium rates are established on a calendar year basis by the insurance provider, or in the case of a self-funded plan, by a third party examining plan utilization review, market trends, overall plan costs, and any other industry standard metrics deemed necessary by the third party.

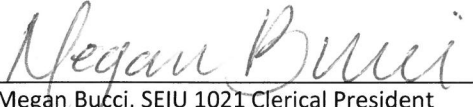
Currently, the City provides insurance through either a Delta Dental plan or United Concordia plan. Details regarding benefits and covered services for each plan may be found in the current Delta Dental or United Concordia benefits summaries for the City of Hayward respectively.

The City reserves the right to provide dental care benefits under a plan or through a carrier of its choice. Alternate coverage may be provided through a consortium of public agencies or private employers which may be formed for the purpose of providing dental care benefits for employees; or through a program of self-insurance. In the event the City exercises this option the alternate coverage shall be substantially equivalent to the coverage in effect at such time as a change in carriers takes effect.

The terms of this Side Letter shall supersede and replace the MOU provision and all other side letters on the specific section identified above.

For SEIU 1021, Clerical and Related Unit

For City of Hayward


Megan Bucci, SEIU 1021 Clerical President

Kelly McAdoo, City Manager


Arlene Taylor, SEIU 1021 Field Representative

Nina S. Collins, Director of Human Resources

Dated

12-22-16

Dated

**CITY OF HAYWARD
and
SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 1021
CLERICAL AND RELATED UNIT**

SIDE LETTER OF AGREEMENT

11.01 Holidays Observed by the City

The following days shall be holidays for all full-time employees other than temporary and provisional employees.

New Year's Day	January 1
Martin Luther King Day	3rd Monday in January
Lincoln's Birthday	February 12
Presidents' Day	3rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	1st Monday in September
Admissions Day	September 9
Columbus Day	2nd Monday in October
Veterans Day	November 11
Thanksgiving Day	4th Thursday in November
Friday after Thanksgiving Day	Friday following 4th Thursday in November
Christmas Eve	December 24
Christmas Day	December 25
New Year's Eve	December 31 (2nd half of work day / 4 hours)

The terms of this Side Letter shall supersede and replace the MOU provision and all other side letters on the specific section identified above.

For SEIU 1021, Clerical and Related Unit


Megan Bucci, SEIU 1021 Clerical President


Arlene Taylor, SEIU 1021 Field Representative

For City of Hayward

Kelly McAdoo, City Manager

Nina S. Collins, Director of Human Resources

Dated

12-22-16

Dated

**CITY OF HAYWARD
and
SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 1021
CLERICAL AND RELATED UNIT**

SIDE LETTER OF AGREEMENT

13.01 Sick Leave Policy

Sick leave is a paid leave. Sick leave shall be allowed in case of an employee's bona fide illness or injury, or for an employee's doctor/health appointments. Sick leave shall be approved by the Department Director or a designated representative.

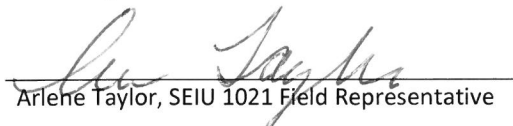
Employees shall whenever possible make appointments for medical, dental, and other health and wellness purposes on non-work time. If this is not possible, sick leave may be used for these purposes and should not exceed four (4) hours except in unusual circumstances.

In addition to the foregoing, sick leave may be used as family sick leave to care for an ill or injured family member or to take a family member to a doctor appointment. A family member is a child, parent, spouse, registered domestic partner, the child of a registered domestic partner, grandparent, grandchild, or sibling as defined by California Labor Code 245.5. For family members who reside in the employee's home, there is no limit on the amount of sick leave that can be used as family sick leave by full time or part-time employees. For family members who reside outside of the employee's home, up to half of his or her annual sick leave accruals per calendar year may be used as family sick leave by fulltime employees. Part-time employees are allowed to use up to half of his or her annual sick leave accruals (based on his or her budgeted work schedule) per calendar year as family sick leave for family members who reside outside of the employee's residence.

The terms of this Side Letter shall supersede and replace the MOU provision and all other side letters on the specific section identified above.

For SEIU 1021, Clerical and Related Unit


Megan Bucci, SEIU 1021 Clerical President


Arlene Taylor, SEIU 1021 Field Representative

Dated

12-22-16

For City of Hayward

Kelly McAdoo, City Manager

Nina S. Collins, Director of Human Resources

Dated

**CITY OF HAYWARD
and
SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 1021
CLERICAL AND RELATED UNIT**

SIDE LETTER OF AGREEMENT

13.03 Sick Leave Accruals for Part-Time Employees

1. Healthy Workplaces, Healthy Families Act of 2014

Part-time employees who work thirty (30) or more days within a year shall receive sick leave in accordance with the Healthy Workplaces, Healthy Families Act of 2014. The annual period shall be based on the part-time employee's first day of employment and anniversary date thereafter.

Beginning July 1, 2015 or the first day of employment, whichever is later, employees eligible for sick leave under the Healthy Workplaces, Healthy Families Act of 2014 begin to accrue paid sick leave after the ninetieth (90th) day of employment at the rate of one (1) hour of paid sick leave for every thirty (30) hours worked. Employees can accrue up to a maximum of six (6) days or forty-eight (48) hours of paid sick leave, whichever is greater, on a continuous per pay period basis. Any unused paid sick leave balance will carry over year to year while continuously employed, up to the six (6) day or forty-eight (48) hour cap.

The use of sick leave so earned by part-time employees shall be subject to the provisions of this Memorandum of Understanding.

2. Part-Time Employees Regularly Scheduled Twenty (20) or More Hours per Week

Part-time employees who are regularly scheduled to work twenty (20) or more hours per week shall be entitled to accrue sick leave benefits each payroll period based upon the total number of hours for which the employee was compensated in the payroll period. The amount of sick leave so accrued shall be proportionate to that earned by full-time employees based on the number of hours worked by the part-time employee. The full-time sick leave accrual rate is 3.7 hours per payroll period.

The use of sick leave so earned by part-time employees shall be subject to the provisions of this Memorandum of Understanding. Eligible part-time employees who are scheduled to work, but who are unable to do so because of illness, shall be charged sick leave in an amount equal to the number of hours of work for which they were scheduled on the day(s) they were unable to work due to illness.

Sick leave can be accrued and granted during the first three (3) months of service. Sick leave is accrued for all regular hours worked and shall continue to be earned during other authorized leaves with pay.

There shall be no limit upon the number of hours of unused sick leave that may be accumulated by an employee. Upon separation of employees, sick leave balance for which payment has not been made shall be canceled, but shall be restored if a former employee is reinstated within two (2) years of separation.

SEIU LOCAL 1021, CLERICAL AND RELATED UNIT

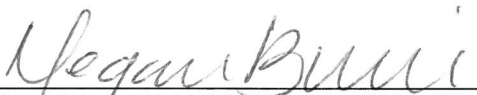
3. Sick Leave Usage

Sick leave may be taken for the diagnosis, care, or treatment of an existing health condition of, or preventive care for, an employee or an employee's family member. Employees may take up to a maximum of twenty-four (24) hours of sick leave per year to care for an eligible family member (the employees' child, parent, spouse, registered domestic partner, grandparent, grandchild, sibling). A **certificate from an attending physician stating nature and extent of the family member's illness may be required in cases of suspected abuse of this provision.**

Sick leave may also be taken for specified purposes by employees who are the victim of domestic violence, sexual assault, or stalking.

The terms of this Side Letter shall supersede and replace the MOU provision and all other side letters on the specific section identified above.

For SEIU 1021, Clerical and Related Unit


Megan Bucci, SEIU 1021 Clerical President


Arlene Taylor, SEIU 1021 Field Representative

Dated

12-22-16

For City of Hayward

Kelly McAdoo, City Manager

Nina S. Collins, Director of Human Resources

Dated

**CITY OF HAYWARD
and
SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 1021
CLERICAL AND RELATED UNIT**

SIDE LETTER OF AGREEMENT

16.22 Health and Wellness

The City will reimburse full-time employees a maximum of fifty dollars (\$50.00) per month for expenses associated with health and wellness programs. This reimbursement may be used for recurring monthly fees associated with gym or health club memberships, fitness classes (such as yoga, Zumba, or similar), personal trainers, weight loss programs (such as Weight Watchers, Jenny Craig, or similar), short or long term disability plans or other health and wellness related expenses. Requests for reimbursement of monthly fees for health and wellness related expenses must be submitted in writing and accompanied by receipts and proof of monthly membership within thirty (30) days of the most recent monthly payment made by the employee. Following receipt and approval of the employee's request, the employee shall receive the health and wellness reimbursement on a monthly basis until the employee indicates he or she has cancelled the monthly health and wellness related payments. The employee will be expected to inform the City in a timely manner that he or she has ceased making recurring monthly payments for health and wellness related expenses. Timely notice under this section of the MOU shall mean no more than thirty (30) days from when the employee cancels his or her recurring monthly health and wellness related fees.

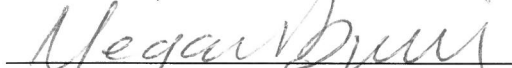
For one-time health and wellness expenses, requests must be made in writing within thirty (30) days of payment by the employee and submitted with receipts.


Expenses reimbursed under this program are subject to the approval of the Director of Human Resources and the City Manager. Although participants may not be required to produce monthly receipts for health and wellness payments made on a recurring monthly basis, the City, at the discretion of the Human Resources Director, or designee, may at any time request receipts to verify monthly payments have been continuous and the participating employee remains eligible to receive the health and wellness benefit in accordance with this section of the MOU.

The City's decision to reimburse an employee is not subject to dispute as provided for in Section 15.00 in this MOU.

The terms of this Side Letter shall supersede and replace the MOU provision and all other side letters on the specific section identified above.

For SEIU 1021, Clerical and Related Unit


Megan Bucci, SEIU 1021 Clerical President


Arlene Taylor, SEIU 1021 Field Representative

Dated

12-22-16

For City of Hayward

Kelly McAdoo, City Manager

Nina S. Collins, Director of Human Resources

Dated

**CITY OF HAYWARD
and
SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 1021
CLERICAL AND RELATED UNIT**

SIDE LETTER OF AGREEMENT

19.09 Sick Leave Benefits for Pages

1. Healthy Workplaces, Healthy Families Act of 2014

Part-time employees who work thirty (30) or more days within a year shall receive sick leave in accordance with the Healthy Workplaces, Healthy Families Act of 2014. The annual period shall be based on the part-time employee's first day of employment and anniversary date thereafter.

Beginning July 1, 2015 or the first day of employment, whichever is later, employees eligible for sick leave under the Healthy Workplaces, Healthy Families Act of 2014 begin to accrue paid sick leave after the 90th day of employment at the rate of one (1) hour of paid sick leave for every thirty (30) hours worked. Employees can accrue up to a maximum of six (6) days or forty-eight (48) hours of paid sick leave, whichever is greater, on a continuous per pay period basis. Any unused paid sick leave balance will carry over year to year while continuously employed, up to the six (6) day or forty-eight (48) hour cap.

The use of sick leave so earned by part-time employees shall be subject to the provisions of this Memorandum of Understanding.

2. Part-Time Employees Regularly Scheduled for Twenty (20) or More Hours per Week

Employees hired into positions budgeted for twenty (20) or more hours per week and who consistently work twenty (20) or more hours per week shall be eligible to accrue sick leave benefits each payroll period based upon the total number of hours for which the employee was compensated in the payroll period. The amount of sick leave so accrued shall be proportionate to that earned by full time employees in the same payroll period. The full time sick leave accrual rate is 3.7 hours per payroll period. The maximum allowable accumulation of sick leave for such employees shall be seven-hundred twenty (720) hours. The use of sick leave so earned shall be subject to the provisions of Sections 13.03 and 13.04 of this Memorandum of Understanding. Eligible employees who are scheduled to work, but who are unable to do so because of illness, shall be charged sick leave in an amount equal to the number of hours of work for which they were scheduled on the day(s) they were unable to work because of illness.

The use of sick leave shall not be permitted during the first ninety (90) days of service. When an eligible employee begins the fourth month of continuous, satisfactory service, sick leave credits earned from the original date of hire pursuant to the above schedule shall be posted for use. Initial crediting of sick leave shall be based on service computed to the nearest half month. Sick leave records shall be maintained on an hourly basis. Sick leave shall be taken in periods of no less than one (1) hour.

3. Sick Leave Usage

Sick leave may be taken for the diagnosis, care, or treatment of an existing health condition of, or preventive care for, an employee or an employee's family member. Employees may take up to a maximum

SEIU LOCAL 1021, CLERICAL AND RELATED UNIT

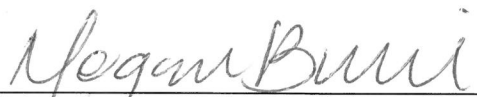
of twenty-four (24) hours of sick leave per year to care for an eligible family member (the employees' child, parent, spouse, registered domestic partner, grandparent, grandchild, sibling).

A certificate from an attending physician stating nature and extent of the family member's illness may be required in cases of suspected abuse of this provision.

Sick leave may also be taken for specified purposes by employees who are the victim of domestic violence, sexual assault, or stalking.

The terms of this Side Letter shall supersede and replace the MOU provision and all other side letters on the specific section identified above.

For SEIU 1021, Clerical and Related Unit



Megan Bucci, SEIU 1021 Clerical President



Arlene Taylor, SEIU 1021 Field Representative

Dated

12-22-16

For City of Hayward

Kelly McAdoo, City Manager

Nina S. Collins, Director of Human Resources

Dated _____

CITY OF HAYWARD
and
SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 1021
MAINTENANCE AND OPERATIONS UNIT

This Side Letter of Agreement is made between the City of Hayward (City) and the Service Employees International Union, Local 2021 Maintenance and Operations Unit (SEIU) to amend certain provisions of the current Memorandum of Understanding effective July 1, 2015 to June 30, 2018 (hereinafter referred to as the "2015-2018 MOU") regarding paid hours counted toward the 40-hour threshold for the purpose of determining overtime eligibility, reimbursement of monthly fees for health and wellness programs, and clean-up language, such as language regarding the implementation of The Healthy Families, Healthy Workplaces Act of 2014 (also known as Assembly Bill 1522).

The City and SEIU agree that the terms of this Side Letter of Agreement shall become effective at the beginning of the pay period following Council approval and shall remain in effect for the remainder of the term of the 2015-2018 MOU and until the parties have completed the meet and confer process for successor provisions or a successor MOU. The terms of this Side Letter shall supersede and replace all other side letter and MOU provisions on the specific sections identified below.

4.02 Overtime Work

Employees eligible to receive overtime compensation, as determined under the provisions of the Fair Labor Standards Act, shall receive overtime for work performed in excess of forty (40) hours per week. All hours paid shall be counted toward the 40- hour threshold for purposes of determining if an employee is entitled to receive overtime compensation. In the event of mandatory overtime, sick leave hours will be counted toward the forty (40) hour threshold. Overtime work shall be recognized only when directly ordered or required by the Department Director or a designated representative. No employee may work overtime without receiving the approval of the appropriate supervisor prior to performing the work. Working overtime without advance approval is grounds for discipline.

5.12 Bilingual Pay

Department Directors shall identify those employees who are required in the performance of their duties to converse with the public in a language other than English, and who have demonstrated their competency in a second language through a fluency test administered by the Human Resources Department, shall receive bilingual pay in the amount of thirty dollars (\$30) per pay period.

No more than once every twenty-four (24) months, the Department Director or designee may require an employee receiving bilingual pay to demonstrate continued competency in a second language as a condition of continuing to receive pay under this Section. Employees who do not demonstrate continued competency will cease receiving bilingual pay until such time competency is again demonstrated.

7.06 Dental Insurance

The City shall contribute towards dental insurance premiums for full-time employees, other than temporary and provisional employees, and their eligible dependents. The City's contribution on behalf of an eligible employee participating in a City-sponsored dental plan shall be equal to eighty percent (80%) of the monthly premium for dental insurance, as determined by the employee's enrolled participation level in the City sponsored dental plan. Employees enrolled in dental insurance are required to contribute the remaining twenty percent (20%) of the premium costs for dental insurance coverage.

Monthly premium rates are established on a calendar year basis by the insurance provider, or in the case of a self-funded plan, by a third party examining plan utilization review, market trends, overall plan costs, and any other industry standard metrics deemed necessary by the third party.

Currently, the City provides insurance through either a Delta Dental plan or United Concordia plan. Details regarding benefits and covered services for each plan may be found in the current Delta Dental or United Concordia benefits summaries for the City of Hayward respectively.

The City reserves the right to provide dental care benefits under a plan or through a carrier of its choice. Alternate coverage may be provided through a consortium of public agencies or private employers which may be formed for the purpose of providing dental care benefits for employees; or through a program of self-insurance. In the event the City exercises this option the alternate coverage shall be substantially equivalent to the coverage in effect at such time as a change in carriers takes effect.

11.01 Holidays Observed by the City

The following days shall be holidays for all full-time employees other than temporary and provisional employees.

New Year's Day	January 1
Martin Luther King Day	3rd Monday in January
Lincoln's Birthday	February 12
Presidents' Day	3rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	1st Monday in September
Admissions Day	September 9
Columbus Day	2nd Monday in October
Veterans Day	November 11
Thanksgiving Day	4th Thursday in November
Friday after Thanksgiving Day	Friday following 4th Thursday in November
Christmas Eve	December 24
Christmas Day	December 25
New Year's Eve	December 31 (2nd half of work day / 4 hours)

13.01 Sick Leave Policy

Sick leave is a paid leave. Sick leave shall be allowed in case of an employee's bona fide illness or injury, or for an employee's doctor/health appointments. Sick leave shall be approved by the Department Director or a designated representative.

Employees shall whenever possible make appointments for medical, dental, and other health and wellness purposes on non-work time. If this is not possible, sick leave may be used for these purposes and should not exceed four (4) hours except in unusual circumstances.

In addition to the foregoing, sick leave may be used as family sick leave to care for an ill or injured family member or to take a family member to a doctor appointment. A family member is a child, parent, spouse, registered domestic partner, the child of a registered domestic partner, grandparent, grandchild, or sibling as defined by California Labor Code 245.5. For family members who reside in the employee's home, there is no limit on the amount of sick leave that can be used as family sick leave by full time or part-time employees. For family members who reside outside of the employee's home, up to half of his or her annual sick leave accruals per calendar year may be used as family sick leave by fulltime employees. Part-time employees are allowed to use up to half of his or her annual sick leave accruals (based on his or her budgeted work schedule) per calendar year as family sick leave for family members who reside outside of the employee's residence.

13.03 Sick Leave Accruals for Part-Time Employees

1. Healthy Workplaces, Healthy Families Act of 2014

Part-time employees who work thirty (30) or more days within a year shall receive sick leave in accordance with the Healthy Workplaces, Healthy Families Act of 2014. The annual period shall be based on the part-time employee's first day of employment and anniversary date thereafter.

Beginning July 1, 2015 or the first day of employment, whichever is later, employees eligible for sick leave under the Healthy Workplaces, Healthy Families Act of 2014 begin to accrue paid sick leave at the rate of one (1) hour of paid sick leave for every thirty (30) hours worked and may begin using their accrued sick leave after the ninetieth (90th) day of employment. Employees can accrue up to a maximum of six (6) days or forty-eight (48) hours of paid sick leave, whichever is greater, on a continuous per pay period basis. Any unused paid sick leave balance will carry over year to year while continuously employed, up to the six (6) day or forty-eight (48) hour cap.

The use of sick leave so earned by part-time employees shall be subject to the provisions of this Memorandum of Understanding.

2. Part-Time Employees Regularly Scheduled Twenty (20) or More Hours per Week

Part-time employees who are regularly scheduled to work twenty (20) or more hours per week shall be entitled to accrue sick leave benefits each payroll period based upon the total number of hours for which the employee was compensated in the payroll period. The amount of sick leave so accrued shall be proportionate to that earned by full-time employees based on the number of hours worked by the part-time employee. The full-time sick leave accrual rate is 3.7 hours per payroll period.

The use of sick leave so earned by part-time employees shall be subject to the provisions of this Memorandum of Understanding. Eligible part-time employees who are scheduled to work, but who are unable to do so because of illness, shall be charged sick leave in an amount equal to the number of hours of work for which they were scheduled on the day(s) they were unable to work due to illness.

Sick leave can be accrued and granted during the first three (3) months of service. Sick leave is accrued for all regular hours worked and shall continue to be earned during other authorized leaves with pay.

There shall be no limit upon the number of hours of unused sick leave that may be accumulated by an employee. Upon separation of employees, sick leave balance for which payment has not been made shall be canceled, but shall be restored if a former employee is reinstated within two (2) years of separation.

3. Sick Leave Usage

Sick leave may be taken for the diagnosis, care, or treatment of an existing health condition of, or preventive care for, an employee or an employee's family member. Employees may take up to a maximum of twenty-four (24) hours of sick leave per year to care for an eligible family member (the employees' child, parent, spouse, registered domestic partner, grandparent, grandchild, sibling). A certificate from an attending physician stating nature and extent of the family member's illness may be required in cases of suspected abuse of this provision.

Sick leave may also be taken for specified purposes by employees who are the victim of domestic violence, sexual assault, or stalking.

16.23 Health and Wellness

The City will reimburse full-time employees a maximum of fifty dollars (\$50.00) per month for expenses associated with health and wellness programs. This reimbursement may be used for recurring monthly fees associated with gym or health club memberships, fitness classes (such as yoga, Zumba, or similar), personal trainers, weight loss programs (such as Weight Watchers, Jenny Craig, or similar), short or long term disability plans or other health and wellness related expenses. Requests for reimbursement of monthly fees for health and wellness related expenses must be submitted in writing and accompanied by receipts and proof of monthly membership within thirty (30) days of the most recent monthly payment made by the employee. Following receipt and approval of the employee's request, the employee shall receive the health and wellness reimbursement on a monthly basis until the employee indicates he or she has cancelled the monthly health and wellness related payments. The employee will be expected to inform the City in a timely manner that he or she has ceased making recurring monthly payments for health and wellness related expenses. Timely notice under this section of the MOU shall mean no more than thirty (30) days from when the employee cancels his or her recurring monthly health and wellness related fees.

For one-time health and wellness expenses, requests must be made in writing within thirty (30) days of payment by the employee and submitted with receipts.

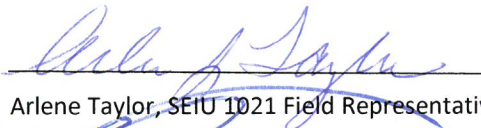
Expenses reimbursed under this program are subject to the approval of the Director of Human Resources and the City Manager. Although participants may not be required to produce monthly receipts for health and wellness payments made on a recurring monthly basis, the City, at the discretion of the Human

Resources Director, or designee, may at any time request receipts to verify monthly payments have been continuous and the participating employee remains eligible to receive the health and wellness benefit in accordance with this section of the MOU.

The City's decision to reimburse an employee is not subject to dispute as provided for in Section 15.00 in this MOU.

For SEIU 1021,
Maintenance and Operations Unit

For City of Hayward


Arlene Taylor, SEIU 1021 Field Representative

Kelly McAdoo, City Manager


Robert Mitchell, SEIU 1021 Maintenance
President

Nina S. Collins, Director of Human Resources

Dated

12-6-16

Dated



CITY OF HAYWARD

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

File #: CONS 17-126

DATE: March 21, 2017

TO: Mayor and City Council

FROM: City Clerk

SUBJECT

Resignation of Ms. Angelica Moore from the Keep Hayward Clean and Green Task Force

RECOMMENDATION

That the City Council adopts a resolution accepting the resignation of Ms. Angelica Moore from the Keep Hayward Clean and Green Task Force.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution
Attachment III	Resignation Letter



DATE: March 21, 2017

TO: Mayor and City Council

FROM: City Clerk

SUBJECT: Resignation of Ms. Angelica Moore from the Keep Hayward Clean and Green Task Force

RECOMMENDATION

That the City Council adopts a resolution accepting the resignation of Ms. Angelica Moore from the Keep Hayward Clean and Green Task Force.

BACKGROUND

Ms. Moore was appointed to the Keep Hayward Clean and Green Task Force on September 15, 2015. Ms. Moore's resignation becomes effective immediately per her resignation letter (Attachment III). Her vacated position will be filled as part of the annual appointment process for the City's appointed officials to Boards, Commissions, Committees, and Task Forces.

FISCAL IMPACT

There is no fiscal impact.

Prepared and Recommended by: Miriam Lens, City Clerk

Approved by:

Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION No. 17-

Introduced by Council Member _____

RESOLUTION ACCEPTING THE RESIGNATION OF ANGELICA MOORE FROM THE
KEEP HAYWARD CLEAN AND GREEN TASK FORCE

WHEREAS, Ms. Angelica Moore was appointed to the Keep Hayward Clean and
Green Task Force on September 15, 2015;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that
the Council hereby accepts the resignation of Angelica Moore from the Keep Hayward Clean
and Green Task Force; and commends her for her civic service to the City.

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

Angelica Moore

March 6, 2017

To Miriam Lens
City Clerk
777 B Street, 4th Floor
Hayward, CA 94541

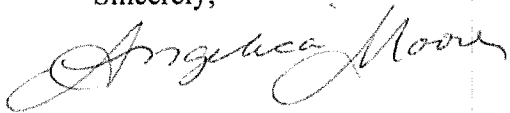
Re: Keep Hayward Clean and Green Task Force Resignation

Dear Ms. Lens and KHCG members,

It is with great regret that I submit this letter as formal notification of my resignation from Keep Hayward Clean and Green due to a serious illness in my family. Being one of the two primary caregivers who provide round the clock care, I am no longer able to fulfill the responsibilities of my role and I feel it is in the best interests of the committee that I vacate the position. I am very sorry to have caused any inconvenience.

I have enjoyed working with my fellow volunteers and helping to make our community a better place. I wish you all success in the future and thank you for your understanding.

Sincerely,

A handwritten signature in cursive script that reads "Angelica Moore". The signature is fluid and elegant, with the first name and last name clearly distinguishable.

Angelica Moore



CITY OF HAYWARD

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

File #: CONS 17-129

DATE: March 21, 2017

TO: Mayor and City Council

FROM: Director of Human Resources

SUBJECT

Adoption of Resolution Approving an Amendment to the City of Hayward Salary Plan for Fiscal Year 2017

RECOMMENDATION

That the City Council adopts the attached Resolution approving an amendment to the City of Hayward Salary Plan for Fiscal Year 2017 ("FY 2017"), which designates all classifications and the corresponding salary range for employment in the City government of the City of Hayward as of March 21, 2017, superseding Resolution No. 16-179 and all amendments thereto.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution
Attachment III	FY 2017 Salary Plan



DATE: March 21, 2017

TO: Mayor and City Council

FROM: Director of Human Resources

SUBJECT: Adoption of Resolution Approving an Amendment to the City of Hayward Salary Plan for Fiscal Year 2017

RECOMMENDATION

That the City Council adopts the attached Resolution approving an amendment to the City of Hayward Salary Plan for Fiscal Year 2017 ("FY 2017"), which designates all classifications and the corresponding salary range for employment in the City government of the City of Hayward as of March 21, 2017, superseding Resolution No. 16-179 and all amendments thereto.

BACKGROUND/DISCUSSION

After a public hearing on March 16, 2017, the Personnel Commission recommends that the City Council adopts an amended FY 2017 Salary Plan for the classified service. Changes to the Salary Plan include reformatting to reflect hourly, bi-weekly, monthly, and annual rates; the salary range adjustment of six (6) current classifications within the SEIU Local 1021 Maintenance and Operations Unit; the salary increase of the Mail Clerk classification; the title change for Volunteer Program Assistant; the title change for Graphics/Planning Technician; the equity adjustments of the Geographic Information Systems Coordinator and Water Pollution Control Facility Manager; and the administrative salary correction to the Director of Public Works (Step A) as follows:

1. Per Section 9.02 of the Memorandum of Understanding between the City of Hayward and the SEIU Local 1021 Maintenance and Operations Unit, the salary ranges of six (6) job classifications are to be set at 15% above the highest base wage rate of the linked classifications. SEIU filed a grievance, alleging a violation of this provision and that certain job classifications were not being compensated properly. Staff reviewed the classifications in question and determined that due to rounding in the payroll system, some classifications were not set at exactly the 15% difference as required. In resolution of the grievance at the lowest level, the parties agreed to adjust the salaries and pay the employees retroactively. Six (6) total classifications are affected. Their ranges are as follows:

Position	Step A	Step B	Step C	Step D	Step E
Cross Connection Control Specialist (M815)	\$31.11	\$32.19	\$33.46	\$34.84	\$36.22
New Salary Range	\$31.11	\$32.19	\$33.46	\$34.84	\$36.25
Senior Utility Customer Service Leader (M825)	\$35.51	\$36.93	\$38.40	\$40.03	\$41.62
New Salary Range	\$35.78	\$37.02	\$38.48	\$40.07	\$41.69
Senior Utility Leader (M845)	\$37.32	\$38.82	\$40.36	\$42.11	\$43.77
New Salary Range	\$37.71	\$39.22	\$40.85	\$42.27	\$43.90
Senior Utility Leader - Sewer (M920)	\$37.32	\$39.12	\$41.08	\$43.14	\$45.29
New Salary Range	\$38.92	\$40.46	\$42.11	\$43.59	\$45.29
Groundskeeper III (M215)	\$34.21	\$35.60	\$37.03	\$38.60	\$40.11
New Salary Range	\$34.50	\$35.88	\$37.34	\$38.66	\$40.15
Senior Maintenance Leader (M315)	\$34.87	\$36.26	\$37.72	\$39.33	\$40.87
New Salary Range	\$35.21	\$36.58	\$38.10	\$39.43	\$40.95

- The City Council has expressed its intent that all City of Hayward employees make a minimum of \$15.00 per hour. Currently, all active employees make more than the \$15.00 minimum. The Mail Clerk classification is currently staffed with a part-time retiree who receives a pension and retiree medical benefits in addition to the salary as a part-time mail clerk. The salary is being adjusted to be consistent with the \$15.00 minimum wage requirement.

Position	Step A	Step B	Step C	Step D	Step E
Mail Clerk			\$13.16	\$13.85	\$14.52
New Salary Range			\$15.00	\$15.75	\$16.54

- Changed the title of the Volunteer Program Assistant to Program Assistant with no change in salary.
- Changed the title of the Graphics/Planning Technician to Graphics and Media Relations Technician with no change in salary.
- The Geographic Information Systems Coordinator classification has been updated to reflect salary adjustments based on the results of a recent salary survey. There is a 12.8% increase in salary.
- The Water Pollution Control Facility Manager classification has been updated to reflect salary adjustments consistent with the recruitment and retention strategy, which addresses the challenges of attracting and maintaining qualified employees in a market where we are competing with Special Districts. The salary has been increased by 10%.
- An administrative correction is being made to Step A of the Director of Public Works salary as it currently does not reflect the approved rate. This correction does not impact the current incumbents.

FISCAL IMPACT

1. The salary adjustments to the six (6) classifications in the SEIU Local 1021 Maintenance and Operations Unit are required by the parties' Memorandum of Understanding. Additionally, to comply with the City's compensation philosophy, which ensures fair and competitive wages for City employees, those affected by the recalibrations will receive one (1) year back pay, starting April 4, 2016 or as of an employee's promotion date if he or she has held the position for less than one (1) year.

These related costs are not included in the FY 2017 Adopted Budget. The one-time retroactive cost associated with these adjustments is \$3,500; including overtime, premium pays, and/or tax implications. Final amounts will be verified by the Finance Department (after the pay period ending April 2, 2017). The ongoing cost is approximately \$8,500 which will be absorbed in the General and Enterprise Funds based on where the positions are currently funded.

The cost for positions in Maintenance Services will be funded by the General Fund. The cost for positions in Utilities Services will be absorbed by the Enterprise Fund.

2. The increase to the salary of the Mail Clerk results in a net fiscal increase of approximately \$5,400 annually. The cost for this increase will be absorbed by the City's General Fund.
3. There is no recommended change to salary related to the title change of Volunteer Program Assistant to Program Assistant.
4. There is no recommended change to salary related to the title change of Graphics/Planning Technician to Graphics and Media Relations Technician.
5. The increase to the salary of the Geographic Information Systems results in a net fiscal increase of approximately \$17,600 annually. The cost for this increase will be absorbed by the City's General Fund.
6. The increase to the salary of the Water Pollution Control Facility Manager results in a net fiscal increase of approximately \$22,800 annually. The cost for this increase will be absorbed by the City's Enterprise Fund.
7. There is no fiscal impact to the administrative correction in Salary Step A of Director of Public Works as no one in the classification is at that salary step.

Prepared and Recommended by: Nina Collins, Director of Human Resources

Approved by:

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

Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member _____

RESOLUTION APPROVING THE AMENDED FISCAL
YEAR 2017 SALARY PLAN DESIGNATING
POSITIONS OF EMPLOYMENT IN THE CITY
GOVERNMENT OF THE CITY OF HAYWARD AND
SALARY RANGE; AND SUPERSEDING RESOLUTION
NO. 16-179 AND ALL AMENDMENTS THERETO

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

Section 1. That a revised Positions and Salaries Schedule relating to the positions of employment in the City of Hayward, and the hourly rates of pay for those positions, is hereby set forth in Attachment "III," attached hereto and made a part hereof. The positions enumerated under the columns headed "Classification Title" are hereby designated as the positions of employment in the City of Hayward, and the hourly, bi-weekly, monthly, and annual rates of pay shown in the adjacent rows under the headings "Step A" through "Step E" are the salary rates or the maximum rates of pay for such positions.

Section 2. Salaries paid to occupants of said positions shall be administered in accordance with the Personnel Rules and Memoranda of Understanding and Side Letter Agreements approved by the City Council and currently in effect.

Section 3. All class titles used herein refer to the specifications of the position classification plan as reviewed by the Personnel Commission of the City of Hayward, or as set forth in the City Charter.

Section 4. The City Manager may approve in advance of an established effective date, payment to certain classifications in the Management Unit of all or a portion of a general salary increase previously approved by the City Council. Such advance payments shall be made only for those management classifications where the salary range is less than ten percent above an immediately subordinate classification. The amount of advance payment approved by the City Manager shall not exceed the amount required to establish a ten percent salary differential between the affected classifications. The City Manager shall advise the City Council and each bargaining unit in advance of any payments made pursuant to the provisions of this section.

Section 5. The salary ranges set forth in Attachment "III" shall be revised to reflect salary changes provided in any Memorandum of Understanding, Side Letters of Agreement, or resolution setting forth the wages, hours, and other terms and conditions of employment for a bargaining unit or group of unrepresented employees of the City. Any revisions made

pursuant to the provisions of this section shall be incorporated into a document prepared by the Human Resources Director and distributed to affected employees or their representatives that reflects the date of the revision and cites both the authority provided by this section and the provision of the memorandum or resolution being effectuated by the revision.

Section 6. This resolution supersedes Resolution No. 16-179 and all amendments thereto.

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

**SALARY PLAN FOR ALL CLASSIFICATIONS
(PER MUNI CODE SEC.2-4.30)
FY 2017**

ATTACHMENT III
Recommended by
Personnel Commission
on March 16, 2017
Approved by Council
on March 21, 2017

Classification Title	Job Code	Service Type	Step A	Step B	Step C	Step D	Step E
CITY ELECTED OFFICIALS/APPOINTED OFFICERS/EXECUTIVES							
MAYOR	E100	Unclassified	Hourly				
			Bi-Weekly				
			Monthly				
			Annual				39,960.00
CITY COUNCIL	E110	Unclassified	Hourly				
			Bi-Weekly				
			Monthly				
			Annual				24,975.00
CITY MANAGER	A120	Unclassified	Hourly				119.75
			Bi-Weekly				9,580.00
			Monthly				20,756.67
			Annual				249,080.00
CITY ATTORNEY	A100	Unclassified	Hourly				102.83
			Bi-Weekly				8,226.40
			Monthly				17,823.87
			Annual				213,886.40
CITY CLERK	A110	Unclassified	Hourly				63.37
			Bi-Weekly				5,069.60
			Monthly				10,984.13
			Annual				131,809.60
ASSISTANT CITY MANAGER	U735	Unclassified	Hourly	92.08	96.69	101.52	106.59
			Bi-Weekly	7,366.40	7,735.20	8,121.60	8,527.20
			Monthly	15,960.53	16,759.60	17,596.80	18,475.60
			Annual	191,526.40	201,115.20	211,161.60	221,707.20
CHIEF OF POLICE	P500	Unclassified	Hourly	91.91	96.50	101.33	106.39
			Bi-Weekly	7,352.80	7,720.00	8,106.40	8,511.20
			Monthly	15,931.07	16,726.67	17,563.87	18,440.93
			Annual	191,172.80	200,720.00	210,766.40	221,291.20
DIRECTOR OF DEVELOPMENT SERVICES	U700	Unclassified	Hourly	77.01	80.86	84.90	89.15
			Bi-Weekly	6,160.80	6,468.80	6,792.00	7,132.00
			Monthly	13,348.40	14,015.73	14,716.00	15,452.67
			Annual	160,180.80	168,188.80	176,592.00	185,432.00
DIRECTOR OF FINANCE	U725	Unclassified	Hourly	80.75	84.78	89.02	93.48
			Bi-Weekly	6,460.00	6,782.40	7,121.60	7,478.40
			Monthly	13,996.67	14,695.20	15,430.13	16,203.20
			Annual	167,960.00	176,342.40	185,161.60	194,438.40
DIRECTOR OF HUMAN RESOURCES	U705	Unclassified	Hourly	77.95	81.84	85.94	90.24
			Bi-Weekly	6,236.00	6,547.20	6,875.20	7,219.20
			Monthly	13,511.33	14,185.60	14,896.27	15,641.60
			Annual	162,136.00	170,227.20	178,755.20	187,699.20
DIRECTOR OF INFORMATION TECHNOLOGY / CHIEF INFORMATION OFFICER (CIO)	U720	Unclassified	Hourly	78.25	82.16	86.27	90.58
			Bi-Weekly	6,260.00	6,572.80	6,901.60	7,246.40
			Monthly	13,563.33	14,241.07	14,953.47	15,700.53
			Annual	162,760.00	170,892.80	179,441.60	188,406.40
DIRECTOR OF LIBRARY AND COMMUNITY SERVICES	U710	Unclassified	Hourly	77.31	81.17	85.24	89.49
			Bi-Weekly	6,184.80	6,493.60	6,819.20	7,159.20
			Monthly	13,400.40	14,069.47	14,774.93	15,511.60
			Annual	160,804.80	168,833.60	177,299.20	186,139.20
DIRECTOR OF MAINTENANCE SERVICES	U715	Unclassified	Hourly	72.69	76.33	80.14	84.15
			Bi-Weekly	5,815.20	6,106.40	6,411.20	6,732.00
			Monthly	12,599.60	13,230.53	13,890.93	14,586.00
			Annual	151,195.20	158,766.40	166,691.20	175,032.00
DIRECTOR OF PUBLIC WORKS	U730	Unclassified	Hourly	83.71	87.90	92.29	96.92
			Bi-Weekly	6,696.80	7,032.00	7,383.20	7,753.60
			Monthly	14,509.73	15,236.00	15,996.93	16,799.47
			Annual	174,116.80	182,832.00	191,963.20	201,593.60
FIRE CHIEF	F800	Unclassified	Hourly	83.38	87.54	91.92	96.52
			Bi-Weekly	6,670.40	7,003.20	7,353.60	7,721.60
			Monthly	14,452.53	15,173.60	15,932.80	16,730.13
			Annual	173,430.40	182,083.20	191,193.60	200,761.60

**SALARY PLAN FOR ALL CLASSIFICATIONS
(PER MUNI CODE SEC.2-4.30)
FY 2017**

ATTACHMENT III
Recommended by
Personnel Commission
on March 16, 2017
Approved by Council
on March 21, 2017

Classification Title	Job Code	Service Type	Step A	Step B	Step C	Step D	Step E	
CITY WIDE ADMINISTRATIVE/ANALYTICAL SUPPORT								
SENIOR MANAGEMENT ANALYST	H115	Classified	Hourly	48.00	50.38	52.91	55.56	58.33
			Bi-Weekly	3,840.00	4,030.40	4,232.80	4,444.80	4,666.40
			Monthly	8,320.00	8,732.53	9,171.07	9,630.40	10,110.53
			Annual	99,840.00	104,790.40	110,052.80	115,564.80	121,326.40
MANAGEMENT ANALYST II	H110	Classified	Hourly	43.20	45.36	47.63	50.00	52.50
			Bi-Weekly	3,456.00	3,628.80	3,810.40	4,000.00	4,200.00
			Monthly	7,488.00	7,862.40	8,255.87	8,666.67	9,100.00
			Annual	89,856.00	94,348.80	99,070.40	104,000.00	109,200.00
MANAGEMENT ANALYST I	H105	Classified	Hourly	39.28	41.25	43.30	45.47	47.74
			Bi-Weekly	3,142.40	3,300.00	3,464.00	3,637.60	3,819.20
			Monthly	6,808.53	7,150.00	7,505.33	7,881.47	8,274.93
			Annual	81,702.40	85,800.00	90,064.00	94,577.60	99,299.20
EXECUTIVE ASSISTANT	U315	Unclassified	Hourly	36.90	38.60	40.35	42.08	43.93
			Bi-Weekly	2,952.00	3,088.00	3,228.00	3,366.40	3,514.40
			Monthly	6,396.00	6,690.67	6,994.00	7,293.87	7,614.53
			Annual	76,752.00	80,288.00	83,928.00	87,526.40	91,374.40
ADMINISTRATIVE SUPERVISOR	H120	Classified	Hourly	35.27	37.03	38.88	40.82	42.86
			Bi-Weekly	2,821.60	2,962.40	3,110.40	3,265.60	3,428.80
			Monthly	6,113.47	6,418.53	6,739.20	7,075.47	7,429.07
			Annual	73,361.60	77,022.40	80,870.40	84,905.60	89,148.80
ADMINISTRATIVE SECRETARY	C120	Classified	Hourly	32.33	33.67	34.98	36.30	37.75
			Bi-Weekly	2,586.40	2,693.60	2,798.40	2,904.00	3,020.00
			Monthly	5,603.87	5,836.13	6,063.20	6,292.00	6,543.33
			Annual	67,246.40	70,033.60	72,758.40	75,504.00	78,520.00
SENIOR SECRETARY	C115	Classified	Hourly	29.55	30.71	31.96	33.13	34.41
			Bi-Weekly	2,364.00	2,456.80	2,556.80	2,650.40	2,752.80
			Monthly	5,122.00	5,323.07	5,539.73	5,742.53	5,964.40
			Annual	61,464.00	63,876.80	66,476.80	68,910.40	71,572.80
SECRETARY	C110	Classified	Hourly	26.00	27.19	28.56	29.89	31.31
			Bi-Weekly	2,080.00	2,175.20	2,284.80	2,391.20	2,504.80
			Monthly	4,506.67	4,712.93	4,950.40	5,180.93	5,427.07
			Annual	54,080.00	56,555.20	59,404.80	62,171.20	65,124.80
ADMINISTRATIVE CLERK II	C105	Classified	Hourly	24.29	25.28	26.30	27.48	28.83
			Bi-Weekly	1,943.20	2,022.40	2,104.00	2,198.40	2,306.40
			Monthly	4,210.27	4,381.87	4,558.67	4,763.20	4,997.20
			Annual	50,523.20	52,582.40	54,704.00	57,158.40	59,966.40
ADMINISTRATIVE CLERK I	C100	Classified	Hourly	21.38	22.51	23.65	24.91	26.21
			Bi-Weekly	1,710.40	1,800.80	1,892.00	1,992.80	2,096.80
			Monthly	3,705.87	3,901.73	4,099.33	4,317.73	4,543.07
			Annual	44,470.40	46,820.80	49,192.00	51,812.80	54,516.80
ADMINISTRATIVE INTERN	Z120	Classified	Hourly				15.00	20.00
			Bi-Weekly				1,200.00	1,600.00
			Monthly				2,600.00	3,466.67
			Annual				31,200.00	41,600.00
MAIL CLERK	C410	Classified	Hourly			15.00	15.75	16.54
			Bi-Weekly			1,200.00	1,260.00	1,323.20
			Monthly			2,600.00	2,730.00	2,866.93
			Annual			31,200.00	32,760.00	34,403.20
CITY WIDE ENGINEERING								
SENIOR CIVIL ENGINEER	H240	Classified	Hourly	55.37	58.13	61.05	64.09	67.29
			Bi-Weekly	4,429.60	4,650.40	4,884.00	5,127.20	5,383.20
			Monthly	9,597.47	10,075.87	10,582.00	11,108.93	11,663.60
			Annual	115,169.60	120,910.40	126,984.00	133,307.20	139,963.20
ASSOCIATE CIVIL ENGINEER	T215	Classified	Hourly	46.19	48.51	50.87	53.45	56.06
			Bi-Weekly	3,695.20	3,880.80	4,069.60	4,276.00	4,484.80
			Monthly	8,006.27	8,408.40	8,817.47	9,264.67	9,717.07
			Annual	96,075.20	100,900.80	105,809.60	111,176.00	116,604.80
ASSISTANT CIVIL ENGINEER	T210	Classified	Hourly	39.79	41.84	43.98	46.11	48.41
			Bi-Weekly	3,183.20	3,347.20	3,518.40	3,688.80	3,872.80
			Monthly	6,896.93	7,252.27	7,623.20	7,992.40	8,391.07
			Annual	82,763.20	87,027.20	91,478.40	95,908.80	100,692.80

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CITY WIDE MAINTENANCE								
ELECTRICIAN II	M410	Classified	Hourly	41.32	42.97	44.66	46.55	48.48
			Bi-Weekly	3,305.60	3,437.60	3,572.80	3,724.00	3,878.40
			Monthly	7,162.13	7,448.13	7,741.07	8,068.67	8,403.20
			Annual	85,945.60	89,377.60	92,892.80	96,824.00	100,838.40
ELECTRICIAN I	M405	Classified	Hourly	37.58	39.12	40.68	42.38	44.10
			Bi-Weekly	3,006.40	3,129.60	3,254.40	3,390.40	3,528.00
			Monthly	6,513.87	6,780.80	7,051.20	7,345.87	7,644.00
			Annual	78,166.40	81,369.60	84,614.40	88,150.40	91,728.00
MAINTENANCE WORKER	M305	Classified	Hourly	27.80	28.92	30.12	31.15	32.39
			Bi-Weekly	2,224.00	2,313.60	2,409.60	2,492.00	2,591.20
			Monthly	4,818.67	5,012.80	5,220.80	5,399.33	5,614.27
			Annual	57,824.00	60,153.60	62,649.60	64,792.00	67,371.20
LABORER	M200	Classified	Hourly	24.13	25.02	26.02	27.09	28.05
	M300		Bi-Weekly	1,930.40	2,001.60	2,081.60	2,167.20	2,244.00
	M830		Monthly	4,182.53	4,336.80	4,510.13	4,695.60	4,862.00
	M905		Annual	50,190.40	52,041.60	54,121.60	56,347.20	58,344.00
CITY ATTORNEY DEPARTMENT								
ASSISTANT CITY ATTORNEY	U210	Classified	Hourly	63.55	66.73	70.07	73.57	77.25
			Bi-Weekly	5,084.00	5,338.40	5,605.60	5,885.60	6,180.00
			Monthly	11,015.33	11,566.53	12,145.47	12,752.13	13,390.00
			Annual	132,184.00	138,798.40	145,745.60	153,025.60	160,680.00
DEPUTY CITY ATTORNEY II	U205	Classified	Hourly	52.52	55.14	57.90	60.79	63.84
			Bi-Weekly	4,201.60	4,411.20	4,632.00	4,863.20	5,107.20
			Monthly	9,103.47	9,557.60	10,036.00	10,536.93	11,065.60
			Annual	109,241.60	114,691.20	120,432.00	126,443.20	132,787.20
DEPUTY CITY ATTORNEY I	U200	Classified	Hourly	47.75	50.14	52.64	55.27	58.03
			Bi-Weekly	3,820.00	4,011.20	4,211.20	4,421.60	4,642.40
			Monthly	8,276.67	8,690.93	9,124.27	9,580.13	10,058.53
			Annual	99,320.00	104,291.20	109,491.20	114,961.60	120,702.40
PARALEGAL	U195	Classified	Hourly	33.88	35.58	37.36	39.22	41.18
			Bi-Weekly	2,710.40	2,846.40	2,988.80	3,137.60	3,294.40
			Monthly	5,872.53	6,167.20	6,475.73	6,798.13	7,137.87
			Annual	70,470.40	74,006.40	77,708.80	81,577.60	85,654.40
LEGAL SECRETARY II	C935	Classified	Hourly	30.68	32.46	34.90	35.63	37.46
			Bi-Weekly	2,454.40	2,596.80	2,792.00	2,850.40	2,996.80
			Monthly	5,317.87	5,626.40	6,049.33	6,175.87	6,493.07
			Annual	63,814.40	67,516.80	72,592.00	74,110.40	77,916.80
LEGAL SECRETARY I	C930	Classified	Hourly	27.62	29.08	30.61	32.26	33.97
			Bi-Weekly	2,209.60	2,326.40	2,448.80	2,580.80	2,717.60
			Monthly	4,787.47	5,040.53	5,305.73	5,591.73	5,888.13
			Annual	57,449.60	60,486.40	63,668.80	67,100.80	70,657.60
CITY CLERK DEPARTMENT								
DEPUTY CITY CLERK	H500	Classified	Hourly	34.62	36.35	38.16	40.07	42.08
			Bi-Weekly	2,769.60	2,908.00	3,052.80	3,205.60	3,366.40
			Monthly	6,000.80	6,300.67	6,614.40	6,945.47	7,293.87
			Annual	72,009.60	75,608.00	79,372.80	83,345.60	87,526.40
CITY MANAGER DEPARTMENT								
OFFICE OF THE CITY MANAGER								
DEPUTY CITY MANAGER	U505	Unclassified	Hourly	67.92	71.32	74.88	78.62	82.55
			Bi-Weekly	5,433.60	5,705.60	5,990.40	6,289.60	6,604.00
			Monthly	11,772.80	12,362.13	12,979.20	13,627.47	14,308.67
			Annual	141,273.60	148,345.60	155,750.40	163,529.60	171,704.00

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ASSISTANT TO CITY MANAGER	U320	Unclassified	Hourly	48.90	51.36	53.92	56.62	59.45
			Bi-Weekly	3,912.00	4,108.80	4,313.60	4,529.60	4,756.00
			Monthly	8,476.00	8,902.40	9,346.13	9,814.13	10,304.67
			Annual	101,712.00	106,828.80	112,153.60	117,769.60	123,656.00
COMMUNITY AND MEDIA RELATIONS OFFICER	U310	Unclassified	Hourly	53.65	56.33	59.15	62.12	65.22
			Bi-Weekly	4,292.00	4,506.40	4,732.00	4,969.60	5,217.60
			Monthly	9,299.33	9,763.87	10,252.67	10,767.47	11,304.80
			Annual	111,592.00	117,166.40	123,032.00	129,209.60	135,657.60
GRAPHICS AND MEDIA RELATIONS TECHNICIAN	T300	Classified	Hourly	29.68	31.12	32.77	34.41	36.08
			Bi-Weekly	2,374.40	2,489.60	2,621.60	2,752.80	2,886.40
			Monthly	5,144.53	5,394.13	5,680.13	5,964.40	6,253.87
			Annual	61,734.40	64,729.60	68,161.60	71,572.80	75,046.40
DIGITAL APPLICATIONS DEVELOPER	T470	Classified	Hourly	40.71	42.74	44.88	47.13	49.49
			Bi-Weekly	3,256.80	3,419.20	3,590.40	3,770.40	3,959.20
			Monthly	7,056.40	7,408.27	7,779.20	8,169.20	8,578.27
			Annual	84,676.80	88,899.20	93,350.40	98,030.40	102,939.20
MANAGEMENT FELLOW	U300	Classified	Hourly					22.95
			Bi-Weekly					1,836.00
			Monthly					3,978.00
			Annual					47,736.00

ECONOMIC DEVELOPMENT

ECONOMIC DEVELOPMENT MANAGER	H710	Classified	Hourly	60.54	63.56	66.74	70.07	73.58
			Bi-Weekly	4,843.20	5,084.80	5,339.20	5,605.60	5,886.40
			Monthly	10,493.60	11,017.07	11,568.27	12,145.47	12,753.87
			Annual	125,923.20	132,204.80	138,819.20	145,745.60	153,046.40
ECONOMIC DEVELOPMENT SPECIALIST	T745	Classified	Hourly	42.79	44.95	47.14	49.54	51.96
			Bi-Weekly	3,423.20	3,596.00	3,771.20	3,963.20	4,156.80
			Monthly	7,416.93	7,791.33	8,170.93	8,586.93	9,006.40
			Annual	89,003.20	93,496.00	98,051.20	103,043.20	108,076.80

NEIGHBORHOOD PARTNERSHIP SERVICES

NEIGHBORHOOD DEVELOPMENT MANAGER	H735	Classified	Hourly	59.95	62.93	66.08	69.38	72.85
			Bi-Weekly	4,796.00	5,034.40	5,286.40	5,550.40	5,828.00
			Monthly	10,391.33	10,907.87	11,453.87	12,025.87	12,627.33
			Annual	124,696.00	130,894.40	137,446.40	144,310.40	151,528.00
NEIGHBORHOOD PARTNERSHIP MANAGER	H730	Classified	Hourly	53.91	56.61	59.44	62.41	65.53
			Bi-Weekly	4,312.80	4,528.80	4,755.20	4,992.80	5,242.40
			Monthly	9,344.40	9,812.40	10,302.93	10,817.73	11,358.53
			Annual	112,132.80	117,748.80	123,635.20	129,812.80	136,302.40

HOUSING AUTHORITY

HOUSING MANAGER	H715	Classified	Hourly	53.91	56.61	59.44	62.41	65.53
			Bi-Weekly	4,312.80	4,528.80	4,755.20	4,992.80	5,242.40
			Monthly	9,344.40	9,812.40	10,302.93	10,817.73	11,358.53
			Annual	112,132.80	117,748.80	123,635.20	129,812.80	136,302.40
HOUSING DEVELOPMENT SPECIALIST	T750	Classified	Hourly	42.79	44.95	47.14	49.54	51.96
			Bi-Weekly	3,423.20	3,596.00	3,771.20	3,963.20	4,156.80
			Monthly	7,416.93	7,791.33	8,170.93	8,586.93	9,006.40
			Annual	89,003.20	93,496.00	98,051.20	103,043.20	108,076.80

HOMEOWNERSHIP COORDINATOR	T710	Classified	Hourly	37.59	39.47	41.38	43.48	45.61
			Bi-Weekly	3,007.20	3,157.60	3,310.40	3,478.40	3,648.80
			Monthly	6,515.60	6,841.47	7,172.53	7,536.53	7,905.73
			Annual	78,187.20	82,097.60	86,070.40	90,438.40	94,868.80

DEVELOPMENT SERVICES DEPARTMENT

DEVELOPMENT SERVICE ADMINISTRATION

DEPUTY DIRECTOR OF DEVELOPMENT SERVICES	U515	Classified	Hourly	70.61	74.16	77.86	81.75	85.84
			Bi-Weekly	5,648.80	5,932.80	6,228.80	6,540.00	6,867.20
			Monthly	12,239.07	12,854.40	13,495.73	14,170.00	14,878.93
			Annual	146,868.80	154,252.80	161,948.80	170,040.00	178,547.20

BUILDING DIVISION

CITY BUILDING OFFICIAL	H335	Classified	Hourly	62.34	65.46	68.73	72.17	75.78
			Bi-Weekly	4,987.20	5,236.80	5,498.40	5,773.60	6,062.40
			Monthly	10,805.60	11,346.40	11,913.20	12,509.47	13,135.20
			Annual	129,667.20	136,156.80	142,958.40	150,113.60	157,622.40
SUPERVISING BUILDING INSPECTOR	H330	Classified	Hourly	50.89	53.44	56.11	58.92	61.86
			Bi-Weekly	4,071.20	4,275.20	4,488.80	4,713.60	4,948.80
			Monthly	8,820.93	9,262.93	9,725.73	10,212.80	10,722.40
			Annual	105,851.20	111,155.20	116,708.80	122,553.60	128,668.80

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SENIOR BUILDING INSPECTOR/STRUCTURAL	T365	Classified	Hourly	42.27	44.53	46.77	48.98	51.42
			Bi-Weekly	3,381.60	3,562.40	3,741.60	3,918.40	4,113.60
			Monthly	7,326.80	7,718.53	8,106.80	8,489.87	8,912.80
			Annual	87,921.60	92,622.40	97,281.60	101,878.40	106,953.60
SENIOR BUILDING INSPECTOR/PLUMBING-MECHANICAL	T360	Classified	Hourly	42.27	44.53	46.77	48.98	51.42
			Bi-Weekly	3,381.60	3,562.40	3,741.60	3,918.40	4,113.60
			Monthly	7,326.80	7,718.53	8,106.80	8,489.87	8,912.80
			Annual	87,921.60	92,622.40	97,281.60	101,878.40	106,953.60
SENIOR BUILDING INSPECTOR/ELECTRICAL	T355	Classified	Hourly	42.27	44.53	46.77	48.98	51.42
			Bi-Weekly	3,381.60	3,562.40	3,741.60	3,918.40	4,113.60
			Monthly	7,326.80	7,718.53	8,106.80	8,489.87	8,912.80
			Annual	87,921.60	92,622.40	97,281.60	101,878.40	106,953.60
BUILDING INSPECTOR	T350	Classified	Hourly	36.50	38.21	40.16	42.20	44.97
			Bi-Weekly	2,920.00	3,056.80	3,212.80	3,376.00	3,597.60
			Monthly	6,326.67	6,623.07	6,961.07	7,314.67	7,794.80
			Annual	75,920.00	79,476.80	83,532.80	87,776.00	93,537.60
PLAN CHECKING ENGINEER	T335	Classified	Hourly	49.42	51.81	54.43	57.26	60.18
			Bi-Weekly	3,953.60	4,144.80	4,354.40	4,580.80	4,814.40
			Monthly	8,566.13	8,980.40	9,434.53	9,925.07	10,431.20
			Annual	102,793.60	107,764.80	113,214.40	119,100.80	125,174.40
SUPERVISING PLAN CHECKER AND EXPEDITOR	H325	Classified	Hourly	54.72	57.45	60.34	63.35	66.52
			Bi-Weekly	4,377.60	4,596.00	4,827.20	5,068.00	5,321.60
			Monthly	9,484.80	9,958.00	10,458.93	10,980.67	11,530.13
			Annual	113,817.60	119,496.00	125,507.20	131,768.00	138,361.60
SENIOR PLAN CHECKER	T330	Classified	Hourly	42.27	44.53	46.77	48.98	51.42
			Bi-Weekly	3,381.60	3,562.40	3,741.60	3,918.40	4,113.60
			Monthly	7,326.80	7,718.53	8,106.80	8,489.87	8,912.80
			Annual	87,921.60	92,622.40	97,281.60	101,878.40	106,953.60
PLAN CHECKER	T325	Classified	Hourly	38.44	40.47	42.52	44.55	46.76
			Bi-Weekly	3,075.20	3,237.60	3,401.60	3,564.00	3,740.80
			Monthly	6,662.93	7,014.80	7,370.13	7,722.00	8,105.07
			Annual	79,955.20	84,177.60	88,441.60	92,664.00	97,260.80
SENIOR PERMIT TECHNICIAN	C205	Classified	Hourly	33.67	35.06	36.42	38.01	39.94
			Bi-Weekly	2,693.60	2,804.80	2,913.60	3,040.80	3,195.20
			Monthly	5,836.13	6,077.07	6,312.80	6,588.40	6,922.93
			Annual	70,033.60	72,924.80	75,753.60	79,060.80	83,075.20
PERMIT TECHNICIAN II	C200	Classified	Hourly	30.36	31.57	32.84	34.26	36.00
			Bi-Weekly	2,428.80	2,525.60	2,627.20	2,740.80	2,880.00
			Monthly	5,262.40	5,472.13	5,692.27	5,938.40	6,240.00
			Annual	63,148.80	65,665.60	68,307.20	71,260.80	74,880.00
PERMIT TECHNICIAN I	C199	Classified	Hourly	27.60	28.70	29.86	31.14	32.73
			Bi-Weekly	2,208.00	2,296.00	2,388.80	2,491.20	2,618.40
			Monthly	4,784.00	4,974.67	5,175.73	5,397.60	5,673.20
			Annual	57,408.00	59,696.00	62,108.80	64,771.20	68,078.40
PLANNING DIVISION								
PLANNING MANAGER	H320	Classified	Hourly	62.55	65.66	68.94	72.39	76.02
			Bi-Weekly	5,004.00	5,252.80	5,515.20	5,791.20	6,081.60
			Monthly	10,842.00	11,381.07	11,949.60	12,547.60	13,176.80
			Annual	130,104.00	136,572.80	143,395.20	150,571.20	158,121.60
PRINCIPAL PLANNER	H315	Classified	Hourly	53.91	56.61	59.44	62.41	65.53
			Bi-Weekly	4,312.80	4,528.80	4,755.20	4,992.80	5,242.40
			Monthly	9,344.40	9,812.40	10,302.93	10,817.73	11,358.53
			Annual	112,132.80	117,748.80	123,635.20	129,812.80	136,302.40
SENIOR PLANNER	H310	Classified	Hourly	48.30	50.71	53.25	55.91	58.71
			Bi-Weekly	3,864.00	4,056.80	4,260.00	4,472.80	4,696.80
			Monthly	8,372.00	8,789.73	9,230.00	9,691.07	10,176.40
			Annual	100,464.00	105,476.80	110,760.00	116,292.80	122,116.80
ASSOCIATE PLANNER	T315	Classified	Hourly	42.92	45.02	47.26	49.69	52.07
			Bi-Weekly	3,433.60	3,601.60	3,780.80	3,975.20	4,165.60
			Monthly	7,439.47	7,803.47	8,191.73	8,612.93	9,025.47
			Annual	89,273.60	93,641.60	98,300.80	103,355.20	108,305.60

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ASSISTANT PLANNER	T310	Classified	Hourly	35.22	36.94	38.93	40.83	42.92
			Bi-Weekly	2,817.60	2,955.20	3,114.40	3,266.40	3,433.60
			Monthly	6,104.80	6,402.93	6,747.87	7,077.20	7,439.47
			Annual	73,257.60	76,835.20	80,974.40	84,926.40	89,273.60
JUNIOR PLANNER	T305	Classified	Hourly	31.22	32.87	34.42	36.14	37.90
			Bi-Weekly	2,497.60	2,629.60	2,753.60	2,891.20	3,032.00
			Monthly	5,411.47	5,697.47	5,966.13	6,264.27	6,569.33
			Annual	64,937.60	68,369.60	71,593.60	75,171.20	78,832.00
DEVELOPMENT REVIEW SPECIALIST	T320	Classified	Hourly	37.53	39.35	41.48	43.52	45.74
			Bi-Weekly	3,002.40	3,148.00	3,318.40	3,481.60	3,659.20
			Monthly	6,505.20	6,820.67	7,189.87	7,543.47	7,928.27
			Annual	78,062.40	81,848.00	86,278.40	90,521.60	95,139.20
LANDSCAPE ARCHITECT	H300	Classified	Hourly	55.27	58.03	60.93	63.98	67.19
			Bi-Weekly	4,421.60	4,642.40	4,874.40	5,118.40	5,375.20
			Monthly	9,580.13	10,058.53	10,561.20	11,089.87	11,646.27
			Annual	114,961.60	120,702.40	126,734.40	133,078.40	139,755.20
CODE ENFORCEMENT DIVISION								
CODE ENFORCEMENT MANAGER	H703	Classified	Hourly	49.26	51.73	54.31	57.03	59.87
			Bi-Weekly	3,940.80	4,138.40	4,344.80	4,562.40	4,789.60
			Monthly	8,538.40	8,966.53	9,413.73	9,885.20	10,377.47
			Annual	102,460.80	107,598.40	112,964.80	118,622.40	124,529.60
CODE ENFORCEMENT SUPERVISOR	H700	Classified	Hourly	42.83	44.97	47.23	49.58	52.07
			Bi-Weekly	3,426.40	3,597.60	3,778.40	3,966.40	4,165.60
			Monthly	7,423.87	7,794.80	8,186.53	8,593.87	9,025.47
			Annual	89,086.40	93,537.60	98,238.40	103,126.40	108,305.60
SENIOR CODE ENFORCEMENT INSPECTOR	T610	Classified	Hourly	38.76	40.70	42.73	44.87	47.11
			Bi-Weekly	3,100.80	3,256.00	3,418.40	3,589.60	3,768.80
			Monthly	6,718.40	7,054.67	7,406.53	7,777.47	8,165.73
			Annual	80,620.80	84,656.00	88,878.40	93,329.60	97,988.80
CODE ENFORCEMENT INSPECTOR II	T605	Classified	Hourly	35.23	36.99	38.84	40.78	42.82
			Bi-Weekly	2,818.40	2,959.20	3,107.20	3,262.40	3,425.60
			Monthly	6,106.53	6,411.60	6,732.27	7,068.53	7,422.13
			Annual	73,278.40	76,939.20	80,787.20	84,822.40	89,065.60
CODE ENFORCEMENT INSPECTOR I	T600	Classified	Hourly	32.02	33.63	35.30	37.06	38.93
			Bi-Weekly	2,561.60	2,690.40	2,824.00	2,964.80	3,114.40
			Monthly	5,550.13	5,829.20	6,118.67	6,423.73	6,747.87
			Annual	66,601.60	69,950.40	73,424.00	77,084.80	80,974.40
FINANCE DEPARTMENT								
ADMINISTRATION DIVISION								
DEPUTY DIRECTOR OF FINANCE	U500	Classified	Hourly	63.73	66.91	70.27	73.78	77.46
			Bi-Weekly	5,098.40	5,352.80	5,621.60	5,902.40	6,196.80
			Monthly	11,046.53	11,597.73	12,180.13	12,788.53	13,426.40
			Annual	132,558.40	139,172.80	146,161.60	153,462.40	161,116.80
BUDGET OFFICER	H170	Classified	Hourly	50.70	53.25	55.90	58.70	61.62
			Bi-Weekly	4,056.00	4,260.00	4,472.00	4,696.00	4,929.60
			Monthly	8,788.00	9,230.00	9,689.33	10,174.67	10,680.80
			Annual	105,456.00	110,760.00	116,272.00	122,096.00	128,169.60
FINANCIAL ANALYST	H165	Classified	Hourly	44.20	46.40	48.72	51.15	53.71
			Bi-Weekly	3,536.00	3,712.00	3,897.60	4,092.00	4,296.80
			Monthly	7,661.33	8,042.67	8,444.80	8,866.00	9,309.73
			Annual	91,936.00	96,512.00	101,337.60	106,392.00	111,716.80
FINANCE TECHNICIAN	C320	Classified	Hourly	32.95	34.59	36.33	38.14	40.06
			Bi-Weekly	2,636.00	2,767.20	2,906.40	3,051.20	3,204.80
			Monthly	5,711.33	5,995.60	6,297.20	6,610.93	6,943.73
			Annual	68,536.00	71,947.20	75,566.40	79,331.20	83,324.80

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ACCOUNTING DIVISION								
ACCOUNTING MANAGER	H150	Classified	Hourly	57.94	60.83	63.87	67.07	70.42
			Bi-Weekly	4,635.20	4,866.40	5,109.60	5,365.60	5,633.60
			Monthly	10,042.93	10,543.87	11,070.80	11,625.47	12,206.13
			Annual	120,515.20	126,526.40	132,849.60	139,505.60	146,473.60
SENIOR ACCOUNTANT	H145	Classified	Hourly	44.21	46.41	48.72	51.16	53.71
			Bi-Weekly	3,536.80	3,712.80	3,897.60	4,092.80	4,296.80
			Monthly	7,663.07	8,044.40	8,444.80	8,867.73	9,309.73
			Annual	91,956.80	96,532.80	101,337.60	106,412.80	111,716.80
ACCOUNTANT	H140	Classified	Hourly	39.22	41.18	43.23	45.40	47.67
			Bi-Weekly	3,137.60	3,294.40	3,458.40	3,632.00	3,813.60
			Monthly	6,798.13	7,137.87	7,493.20	7,869.33	8,262.80
			Annual	81,577.60	85,654.40	89,918.40	94,432.00	99,153.60
SENIOR ACCOUNT CLERK	C305	Classified	Hourly	27.88	29.23	30.50	31.98	33.47
			Bi-Weekly	2,230.40	2,338.40	2,440.00	2,558.40	2,677.60
			Monthly	4,832.53	5,066.53	5,286.67	5,543.20	5,801.47
			Annual	57,990.40	60,798.40	63,440.00	66,518.40	69,617.60
ACCOUNT CLERK	C300	Classified	Hourly	25.41	26.53	27.79	29.07	30.52
			Bi-Weekly	2,032.80	2,122.40	2,223.20	2,325.60	2,441.60
			Monthly	4,404.40	4,598.53	4,816.93	5,038.80	5,290.13
			Annual	52,852.80	55,182.40	57,803.20	60,465.60	63,481.60
REVENUE DIVISION								
REVENUE MANAGER	H160	Classified	Hourly	56.94	59.78	62.76	65.90	69.20
			Bi-Weekly	4,555.20	4,782.40	5,020.80	5,272.00	5,536.00
			Monthly	9,869.60	10,361.87	10,878.40	11,422.67	11,994.67
			Annual	118,435.20	124,342.40	130,540.80	137,072.00	143,936.00
FINANCE SUPERVISOR	H155	Classified	Hourly	43.71	45.90	48.18	50.59	53.12
			Bi-Weekly	3,496.80	3,672.00	3,854.40	4,047.20	4,249.60
			Monthly	7,576.40	7,956.00	8,351.20	8,768.93	9,207.47
			Annual	90,916.80	95,472.00	100,214.40	105,227.20	110,489.60
SUPERVISING CUSTOMER ACCOUNT CLERK	C332	Classified	Hourly	30.29	31.80	33.38	35.06	36.81
			Bi-Weekly	2,423.20	2,544.00	2,670.40	2,804.80	2,944.80
			Monthly	5,250.27	5,512.00	5,785.87	6,077.07	6,380.40
			Annual	63,003.20	66,144.00	69,430.40	72,924.80	76,564.80
SENIOR CUSTOMER ACCOUNT CLERK	C330	Classified	Hourly	27.88	29.23	30.50	31.98	33.47
			Bi-Weekly	2,230.40	2,338.40	2,440.00	2,558.40	2,677.60
			Monthly	4,832.53	5,066.53	5,286.67	5,543.20	5,801.47
			Annual	57,990.40	60,798.40	63,440.00	66,518.40	69,617.60
CUSTOMER ACCOUNT CLERK	C325	Classified	Hourly	25.41	26.53	27.79	29.07	30.52
			Bi-Weekly	2,032.80	2,122.40	2,223.20	2,325.60	2,441.60
			Monthly	4,404.40	4,598.53	4,816.93	5,038.80	5,290.13
			Annual	52,852.80	55,182.40	57,803.20	60,465.60	63,481.60
MAIL AND REVENUE CLERK	C322	Classified	Hourly	21.38	22.51	23.65	24.91	26.21
			Bi-Weekly	1,710.40	1,800.80	1,892.00	1,992.80	2,096.80
			Monthly	3,705.87	3,901.73	4,099.33	4,317.73	4,543.07
			Annual	44,470.40	46,820.80	49,192.00	51,812.80	54,516.80
PURCHASING DIVISION								
PURCHASING AND SERVICES MANAGER	H180	Classified	Hourly	50.69	53.22	55.88	58.67	61.59
			Bi-Weekly	4,055.20	4,257.60	4,470.40	4,693.60	4,927.20
			Monthly	8,786.27	9,224.80	9,685.87	10,169.47	10,675.60
			Annual	105,435.20	110,697.60	116,230.40	122,033.60	128,107.20
PURCHASING TECHNICIAN	C345	Classified	Hourly	29.97	31.48	33.03	34.66	36.41
			Bi-Weekly	2,397.60	2,518.40	2,642.40	2,772.80	2,912.80
			Monthly	5,194.80	5,456.53	5,725.20	6,007.73	6,311.07
			Annual	62,337.60	65,478.40	68,702.40	72,092.80	75,732.80
MAIL AND PURCHASING CLERK	C335	Classified	Hourly	23.05	24.21	25.34	26.66	27.97
			Bi-Weekly	1,844.00	1,936.80	2,027.20	2,132.80	2,237.60
			Monthly	3,995.33	4,196.40	4,392.27	4,621.07	4,848.13
			Annual	47,944.00	50,356.80	52,707.20	55,452.80	58,177.60

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FIRE DEPARTMENT								
SWORN								
DEPUTY FIRE CHIEF (40 HR)	F600	Classified	Hourly	75.82	79.61	83.58	87.77	92.16
			Bi-Weekly	6,065.60	6,368.80	6,686.40	7,021.60	7,372.80
			Monthly	13,142.13	13,799.07	14,487.20	15,213.47	15,974.40
			Annual	157,705.60	165,588.80	173,846.40	182,561.60	191,692.80
FIRE MARSHAL (40 HR)	F400	Classified	Hourly	68.93	72.38	75.99	79.79	83.78
			Bi-Weekly	5,514.40	5,790.40	6,079.20	6,383.20	6,702.40
			Monthly	11,947.87	12,545.87	13,171.60	13,830.27	14,521.87
			Annual	143,374.40	150,550.40	158,059.20	165,963.20	174,262.40
FIRE TRAINING OFFICER (40 HR)	F420	Classified	Hourly	68.93	72.38	75.99	79.79	83.78
			Bi-Weekly	5,514.40	5,790.40	6,079.20	6,383.20	6,702.40
			Monthly	11,947.87	12,545.87	13,171.60	13,830.27	14,521.87
			Annual	143,374.40	150,550.40	158,059.20	165,963.20	174,262.40
BATTALION CHIEF (56 HR)	F410	Classified	Hourly	44.76	47.00	49.35	51.82	54.40
			Bi-Weekly	5,013.12	5,264.00	5,527.20	5,803.84	6,092.80
			Monthly	10,861.76	11,405.33	11,975.60	12,574.99	13,201.07
			Annual	130,341.12	136,864.00	143,707.20	150,899.84	158,412.80
BATTALION CHIEF (40 HR)	F415	Classified	Hourly	62.65	65.79	69.07	72.53	76.16
			Bi-Weekly	5,012.00	5,263.20	5,525.60	5,802.40	6,092.80
			Monthly	10,859.33	11,403.60	11,972.13	12,571.87	13,201.07
			Annual	130,312.00	136,843.20	143,665.60	150,862.40	158,412.80
STAFF FIRE CAPTAIN (40 HR)	F240	Classified	Hourly			60.34	63.35	66.52
			Bi-Weekly			4,827.20	5,068.00	5,321.60
			Monthly			10,458.93	10,980.67	11,530.13
			Annual			125,507.20	131,768.00	138,361.60
FIRE CAPTAIN (56 HR)	F245	Classified	Hourly			39.17	41.13	43.19
			Bi-Weekly			4,387.04	4,606.56	4,837.28
			Monthly			9,505.25	9,980.88	10,480.77
			Annual			114,063.04	119,770.56	125,769.28
FIRE CAPTAIN (40 HR)	F250	Classified	Hourly			54.85	57.59	60.46
			Bi-Weekly			4,388.00	4,607.20	4,836.80
			Monthly			9,507.33	9,982.27	10,479.73
			Annual			114,088.00	119,787.20	125,756.80
FIRE PREVENTION INSPECTOR (56 HR)	F225	Classified	Hourly	33.19	34.84	36.58	38.41	40.32
			Bi-Weekly	3,717.28	3,902.08	4,096.96	4,301.92	4,515.84
			Monthly	8,054.11	8,454.51	8,876.75	9,320.83	9,784.32
			Annual	96,649.28	101,454.08	106,520.96	111,849.92	117,411.84
FIRE PREVENTION INSPECTOR (40 HR)	F220	Classified	Hourly	46.43	48.76	51.20	53.76	56.44
			Bi-Weekly	3,714.40	3,900.80	4,096.00	4,300.80	4,515.20
			Monthly	8,047.87	8,451.73	8,874.67	9,318.40	9,782.93
			Annual	96,574.40	101,420.80	106,496.00	111,820.80	117,395.20
APPARATUS OPERATOR (56 HR)	F210	Classified	Hourly	31.43	32.99	34.65	36.38	38.19
			Bi-Weekly	3,520.16	3,694.88	3,880.80	4,074.56	4,277.28
			Monthly	7,627.01	8,005.57	8,408.40	8,828.21	9,267.44
			Annual	91,524.16	96,066.88	100,900.80	105,938.56	111,209.28
APPARATUS OPERATOR (40 HR)	F215	Classified	Hourly	43.95	46.15	48.46	50.88	53.43
			Bi-Weekly	3,516.00	3,692.00	3,876.80	4,070.40	4,274.40
			Monthly	7,618.00	7,999.33	8,399.73	8,819.20	9,261.20
			Annual	91,416.00	95,992.00	100,796.80	105,830.40	111,134.40
FIREFIGHTER (56 HR)	F200	Classified	Hourly	29.61	31.10	32.65	34.29	36.01
			Bi-Weekly	3,316.32	3,483.20	3,656.80	3,840.48	4,033.12
			Monthly	7,185.36	7,546.93	7,923.07	8,321.04	8,738.43
			Annual	86,224.32	90,563.20	95,076.80	99,852.48	104,861.12
FIREFIGHTER (40 HR)	F205	Classified	Hourly	41.47	43.54	45.71	48.00	50.40
			Bi-Weekly	3,317.60	3,483.20	3,656.80	3,840.00	4,032.00
			Monthly	7,188.13	7,546.93	7,923.07	8,320.00	8,736.00
			Annual	86,257.60	90,563.20	95,076.80	99,840.00	104,832.00
FIREFIGHTER TRAINEE (40 HR)	F100	Classified	Hourly	37.71	39.58			
			Bi-Weekly	3,016.80	3,166.40			
			Monthly	6,536.40	6,860.53			
			Annual	78,436.80	82,326.40			

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PROFESSIONAL STAFF								
HAZARDOUS MATERIALS PROGRAM COORDINATOR	H590	Classified	Hourly	53.18	55.84	58.63	61.57	64.64
			Bi-Weekly	4,254.40	4,467.20	4,690.40	4,925.60	5,171.20
			Monthly	9,217.87	9,678.93	10,162.53	10,672.13	11,204.27
			Annual	110,614.40	116,147.20	121,950.40	128,065.60	134,451.20
FIRE PROTECTION ENGINEER	T510	Classified	Hourly	49.42	51.81	54.43	57.26	60.18
			Bi-Weekly	3,953.60	4,144.80	4,354.40	4,580.80	4,814.40
			Monthly	8,566.13	8,980.40	9,434.53	9,925.07	10,431.20
			Annual	102,793.60	107,764.80	113,214.40	119,100.80	125,174.40
EMERGENCY MEDICAL SERVICES COORDINATOR	H585	Classified	Hourly	48.37	50.80	53.33	55.99	58.80
			Bi-Weekly	3,869.60	4,064.00	4,266.40	4,479.20	4,704.00
			Monthly	8,384.13	8,805.33	9,243.87	9,704.93	10,192.00
			Annual	100,609.60	105,664.00	110,926.40	116,459.20	122,304.00
ENVIRONMENTAL SPECIALIST	T505	Classified	Hourly	43.72	45.90	48.20	50.60	53.14
			Bi-Weekly	3,497.60	3,672.00	3,856.00	4,048.00	4,251.20
			Monthly	7,578.13	7,956.00	8,354.67	8,770.67	9,210.93
			Annual	90,937.60	95,472.00	100,256.00	105,248.00	110,531.20
HAZARDOUS MATERIALS INVESTIGATOR	T500	Classified	Hourly	41.65	43.73	45.91	48.22	50.60
			Bi-Weekly	3,332.00	3,498.40	3,672.80	3,857.60	4,048.00
			Monthly	7,219.33	7,579.87	7,957.73	8,358.13	8,770.67
			Annual	86,632.00	90,958.40	95,492.80	100,297.60	105,248.00
FIRE SERVICES SUPERVISOR	H580	Classified	Hourly	45.67	47.96	50.35	52.86	55.51
			Bi-Weekly	3,653.60	3,836.80	4,028.00	4,228.80	4,440.80
			Monthly	7,916.13	8,313.07	8,727.33	9,162.40	9,621.73
			Annual	94,993.60	99,756.80	104,728.00	109,948.80	115,460.80
FIRE TECHNICIAN II	C255	Classified	Hourly	29.62	31.10	32.65	34.29	36.00
			Bi-Weekly	2,369.60	2,488.00	2,612.00	2,743.20	2,880.00
			Monthly	5,134.13	5,390.67	5,659.33	5,943.60	6,240.00
			Annual	61,609.60	64,688.00	67,912.00	71,323.20	74,880.00
FIRE TECHNICIAN I	C250	Classified	Hourly	26.91	28.26	29.67	31.16	32.72
			Bi-Weekly	2,152.80	2,260.80	2,373.60	2,492.80	2,617.60
			Monthly	4,664.40	4,898.40	5,142.80	5,401.07	5,671.47
			Annual	55,972.80	58,780.80	61,713.60	64,812.80	68,057.60
HUMAN RESOURCES DEPARTMENT								
DEPUTY DIRECTOR OF HUMAN RESOURCES	U520	Classified	Hourly	63.73	66.91	70.27	73.78	77.46
			Bi-Weekly	5,098.40	5,352.80	5,621.60	5,902.40	6,196.80
			Monthly	11,046.53	11,597.73	12,180.13	12,788.53	13,426.40
			Annual	132,558.40	139,172.80	146,161.60	153,462.40	161,116.80
HUMAN RESOURCES MANAGER	U135	Classified	Hourly	48.60	51.03	53.58	56.26	59.07
			Bi-Weekly	3,888.00	4,082.40	4,286.40	4,500.80	4,725.60
			Monthly	8,424.00	8,845.20	9,287.20	9,751.73	10,238.80
			Annual	101,088.00	106,142.40	111,446.40	117,020.80	122,865.60
SENIOR HUMAN RESOURCES ANALYST	U120	Classified	Hourly	45.51	47.77	50.17	52.68	55.31
			Bi-Weekly	3,640.80	3,821.60	4,013.60	4,214.40	4,424.80
			Monthly	7,888.40	8,280.13	8,696.13	9,131.20	9,587.07
			Annual	94,660.80	99,361.60	104,353.60	109,574.40	115,044.80
HUMAN RESOURCES ANALYST II	U115	Classified	Hourly	41.38	43.44	45.61	47.88	50.28
			Bi-Weekly	3,310.40	3,475.20	3,648.80	3,830.40	4,022.40
			Monthly	7,172.53	7,529.60	7,905.73	8,299.20	8,715.20
			Annual	86,070.40	90,355.20	94,868.80	99,590.40	104,582.40
HUMAN RESOURCES ANALYST I	U110	Classified	Hourly	37.61	39.49	41.47	43.55	45.72
			Bi-Weekly	3,008.80	3,159.20	3,317.60	3,484.00	3,657.60
			Monthly	6,519.07	6,844.93	7,188.13	7,548.67	7,924.80
			Annual	78,228.80	82,139.20	86,257.60	90,584.00	95,097.60
HUMAN RESOURCES TECHNICIAN	U100	Classified	Hourly	29.16	30.62	32.15	33.74	35.43
			Bi-Weekly	2,332.80	2,449.60	2,572.00	2,699.20	2,834.40
			Monthly	5,054.40	5,307.47	5,572.67	5,848.27	6,141.20
			Annual	60,652.80	63,689.60	66,872.00	70,179.20	73,694.40
HUMAN RESOURCES ADMINISTRATIVE ASSISTANT	U105	Classified	Hourly	32.76	34.39	36.11	37.91	39.82
			Bi-Weekly	2,620.80	2,751.20	2,888.80	3,032.80	3,185.60
			Monthly	5,678.40	5,960.93	6,259.07	6,571.07	6,902.13
			Annual	68,140.80	71,531.20	75,108.80	78,852.80	82,825.60

**SALARY PLAN FOR ALL CLASSIFICATIONS
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ATTACHMENT III
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Classification Title	Job Code	Service Type	Step A	Step B	Step C	Step D	Step E	
LIBRARY AND COMMUNITY SERVICES DEPARTMENT								
COMMUNITY SERVICES								
COMMUNITY SERVICES MANAGER	H745	Classified	Hourly	58.96	61.90	65.00	68.26	71.67
			Bi-Weekly	4,716.80	4,952.00	5,200.00	5,460.80	5,733.60
			Monthly	10,219.73	10,729.33	11,266.67	11,831.73	12,422.80
			Annual	122,636.80	128,752.00	135,200.00	141,980.80	149,073.60
COMMUNITY PROGRAMS SPECIALIST	T705	Classified	Hourly	39.43	41.48	43.59	45.74	47.97
			Bi-Weekly	3,154.40	3,318.40	3,487.20	3,659.20	3,837.60
			Monthly	6,834.53	7,189.87	7,555.60	7,928.27	8,314.80
			Annual	82,014.40	86,278.40	90,667.20	95,139.20	99,777.60
SENIOR PROPERTY REHABILITATION SPECIALIST	T730	Classified	Hourly	43.37	45.62	47.94	50.30	52.76
			Bi-Weekly	3,469.60	3,649.60	3,835.20	4,024.00	4,220.80
			Monthly	7,517.47	7,907.47	8,309.60	8,718.67	9,145.07
			Annual	90,209.60	94,889.60	99,715.20	104,624.00	109,740.80
PROPERTY REHABILITATION SPECIALIST	T725	Classified	Hourly	39.43	41.48	43.59	45.74	47.97
			Bi-Weekly	3,154.40	3,318.40	3,487.20	3,659.20	3,837.60
			Monthly	6,834.53	7,189.87	7,555.60	7,928.27	8,314.80
			Annual	82,014.40	86,278.40	90,667.20	95,139.20	99,777.60
PARATRANSIT COORDINATOR	T715	Classified	Hourly	37.59	39.47	41.38	43.48	45.61
			Bi-Weekly	3,007.20	3,157.60	3,310.40	3,478.40	3,648.80
			Monthly	6,515.60	6,841.47	7,172.53	7,536.53	7,905.73
			Annual	78,187.20	82,097.60	86,070.40	90,438.40	94,868.80
EDUCATION SERVICES MANAGER	H760	Classified	Hourly	40.73	42.76	44.90	47.13	49.49
			Bi-Weekly	3,258.40	3,420.80	3,592.00	3,770.40	3,959.20
			Monthly	7,059.87	7,411.73	7,782.67	8,169.20	8,578.27
			Annual	84,718.40	88,940.80	93,392.00	98,030.40	102,939.20
EDUCATIONAL SERVICES COORDINATOR	T780	Classified	Hourly	29.30	30.77	32.32	33.93	35.63
			Bi-Weekly	2,344.00	2,461.60	2,585.60	2,714.40	2,850.40
			Monthly	5,078.67	5,333.47	5,602.13	5,881.20	6,175.87
			Annual	60,944.00	64,001.60	67,225.60	70,574.40	74,110.40
LIBRARY SERVICES DIVISION								
LIBRARY OPERATIONS MANAGER	H755	Classified	Hourly	40.73	42.76	44.90	47.13	49.49
			Bi-Weekly	3,258.40	3,420.80	3,592.00	3,770.40	3,959.20
			Monthly	7,059.87	7,411.73	7,782.67	8,169.20	8,578.27
			Annual	84,718.40	88,940.80	93,392.00	98,030.40	102,939.20
SUPERVISING LIBRARIAN I	H750	Classified	Hourly	40.73	42.76	44.90	47.13	49.49
			Bi-Weekly	3,258.40	3,420.80	3,592.00	3,770.40	3,959.20
			Monthly	7,059.87	7,411.73	7,782.67	8,169.20	8,578.27
			Annual	84,718.40	88,940.80	93,392.00	98,030.40	102,939.20
LIBRARIAN II	T795	Classified	Hourly	33.06	34.72	36.40	38.24	40.05
			Bi-Weekly	2,644.80	2,777.60	2,912.00	3,059.20	3,204.00
			Monthly	5,730.40	6,018.13	6,309.33	6,628.27	6,942.00
			Annual	68,764.80	72,217.60	75,712.00	79,539.20	83,304.00
LIBRARIAN I	T790	Classified	Hourly	29.98	31.49	33.06	34.63	36.41
			Bi-Weekly	2,398.40	2,519.20	2,644.80	2,770.40	2,912.80
			Monthly	5,196.53	5,458.27	5,730.40	6,002.53	6,311.07
			Annual	62,358.40	65,499.20	68,764.80	72,030.40	75,732.80

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LEAD LIBRARY ASSISTANT	C520	Classified	Hourly	27.24	28.62	29.98	31.46	33.10
			Bi-Weekly	2,179.20	2,289.60	2,398.40	2,516.80	2,648.00
			Monthly	4,721.60	4,960.80	5,196.53	5,453.07	5,737.33
			Annual	56,659.20	59,529.60	62,358.40	65,436.80	68,848.00
SENIOR LIBRARY ASSISTANT	C515	Classified	Hourly	25.15	26.26	27.47	28.69	30.06
			Bi-Weekly	2,012.00	2,100.80	2,197.60	2,295.20	2,404.80
			Monthly	4,359.33	4,551.73	4,761.47	4,972.93	5,210.40
			Annual	52,312.00	54,620.80	57,137.60	59,675.20	62,524.80
LIBRARY ASSISTANT	C510	Classified	Hourly	22.79	23.85	24.92	26.07	27.30
			Bi-Weekly	1,823.20	1,908.00	1,993.60	2,085.60	2,184.00
			Monthly	3,950.27	4,134.00	4,319.47	4,518.80	4,732.00
			Annual	47,403.20	49,608.00	51,833.60	54,225.60	56,784.00
SENIOR LIBRARY PAGE (.6 FTE)	C505	Classified	Hourly					17.38
			Bi-Weekly					834.24
			Monthly					1,807.52
			Annual					21,690.24
LIBRARY PAGE (.3 FTE)	C500	Classified	Hourly					15.87
			Bi-Weekly					380.88
			Monthly					825.24
			Annual					9,902.88
LITERACY PROGRAM COORDINATOR	T785	Classified	Hourly	29.34	30.82	32.35	33.89	35.63
			Bi-Weekly	2,347.20	2,465.60	2,588.00	2,711.20	2,850.40
			Monthly	5,085.60	5,342.13	5,607.33	5,874.27	6,175.87
			Annual	61,027.20	64,105.60	67,288.00	70,491.20	74,110.40
PROGRAM ASSISTANT	C506	Classified	Hourly	21.56	22.65	23.78	24.97	26.22
			Bi-Weekly	1,724.80	1,812.00	1,902.40	1,997.60	2,097.60
			Monthly	3,737.07	3,926.00	4,121.87	4,328.13	4,544.80
			Annual	44,844.80	47,112.00	49,462.40	51,937.60	54,537.60
MAINTENANCE SERVICES DEPARTMENT								
FACILITIES MANAGEMENT								
FACILITIES AND BUILDING MANAGER	H605	Classified	Hourly	53.18	55.83	58.62	61.56	64.64
			Bi-Weekly	4,254.40	4,466.40	4,689.60	4,924.80	5,171.20
			Monthly	9,217.87	9,677.20	10,160.80	10,670.40	11,204.27
			Annual	110,614.40	116,126.40	121,929.60	128,044.80	134,451.20
FACILITIES LEADWORKER	M135	Classified	Hourly	45.72	47.53	49.38	51.42	53.62
			Bi-Weekly	3,657.60	3,802.40	3,950.40	4,113.60	4,289.60
			Monthly	7,924.80	8,238.53	8,559.20	8,912.80	9,294.13
			Annual	95,097.60	98,862.40	102,710.40	106,953.60	111,529.60
FACILITIES MAINTENANCE SUPERVISOR	H600	Classified	Hourly	37.85	39.74	41.73	43.82	46.01
			Bi-Weekly	3,028.00	3,179.20	3,338.40	3,505.60	3,680.80
			Monthly	6,560.67	6,888.27	7,233.20	7,595.47	7,975.07
			Annual	78,728.00	82,659.20	86,798.40	91,145.60	95,700.80
HVAC MECHANIC	M140	Classified	Hourly	41.32	42.97	44.66	46.55	48.48
			Bi-Weekly	3,305.60	3,437.60	3,572.80	3,724.00	3,878.40
			Monthly	7,162.13	7,448.13	7,741.07	8,068.67	8,403.20
			Annual	85,945.60	89,377.60	92,892.80	96,824.00	100,838.40
FACILITIES PAINTER II	M130	Classified	Hourly	33.73	35.11	36.48	37.99	39.57
			Bi-Weekly	2,698.40	2,808.80	2,918.40	3,039.20	3,165.60
			Monthly	5,846.53	6,085.73	6,323.20	6,584.93	6,858.80
			Annual	70,158.40	73,028.80	75,878.40	79,019.20	82,305.60
FACILITIES PAINTER I	M125	Classified	Hourly	30.69	31.93	33.22	34.61	35.98
			Bi-Weekly	2,455.20	2,554.40	2,657.60	2,768.80	2,878.40
			Monthly	5,319.60	5,534.53	5,758.13	5,999.07	6,236.53
			Annual	63,835.20	66,414.40	69,097.60	71,988.80	74,838.40

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FACILITIES CARPENTER II	M120	Classified	Hourly	33.59	34.92	36.39	37.89	39.47
			Bi-Weekly	2,687.20	2,793.60	2,911.20	3,031.20	3,157.60
			Monthly	5,822.27	6,052.80	6,307.60	6,567.60	6,841.47
			Annual	69,867.20	72,633.60	75,691.20	78,811.20	82,097.60
FACILITIES CARPENTER I	M115	Classified	Hourly	30.56	31.82	33.13	34.47	35.91
			Bi-Weekly	2,444.80	2,545.60	2,650.40	2,757.60	2,872.80
			Monthly	5,297.07	5,515.47	5,742.53	5,974.80	6,224.40
			Annual	63,564.80	66,185.60	68,910.40	71,697.60	74,692.80
FACILITIES SERVICEWORKER II	M110	Classified	Hourly	24.83	25.81	26.87	27.81	28.92
			Bi-Weekly	1,986.40	2,064.80	2,149.60	2,224.80	2,313.60
			Monthly	4,303.87	4,473.73	4,657.47	4,820.40	5,012.80
			Annual	51,646.40	53,684.80	55,889.60	57,844.80	60,153.60
FACILITIES SERVICEWORKER I	M105	Classified	Hourly	22.61	23.44	24.36	25.37	26.27
			Bi-Weekly	1,808.80	1,875.20	1,948.80	2,029.60	2,101.60
			Monthly	3,919.07	4,062.93	4,222.40	4,397.47	4,553.47
			Annual	47,028.80	48,755.20	50,668.80	52,769.60	54,641.60
FLEET MANAGEMENT DIVISION								
FLEET MAINTENANCE MANAGER	H635	Classified	Hourly	53.18	55.83	58.62	61.56	64.64
			Bi-Weekly	4,254.40	4,466.40	4,689.60	4,924.80	5,171.20
			Monthly	9,217.87	9,677.20	10,160.80	10,670.40	11,204.27
			Annual	110,614.40	116,126.40	121,929.60	128,044.80	134,451.20
FLEET MANAGEMENT SUPERVISOR	H630	Classified	Hourly	46.36	48.69	51.12	53.67	56.35
			Bi-Weekly	3,708.80	3,895.20	4,089.60	4,293.60	4,508.00
			Monthly	8,035.73	8,439.60	8,860.80	9,302.80	9,767.33
			Annual	96,428.80	101,275.20	106,329.60	111,633.60	117,208.00
EQUIPMENT MECHANIC II	M615	Classified	Hourly	31.65	33.13	34.81	36.63	38.45
			Bi-Weekly	2,532.00	2,650.40	2,784.80	2,930.40	3,076.00
			Monthly	5,486.00	5,742.53	6,033.73	6,349.20	6,664.67
			Annual	65,832.00	68,910.40	72,404.80	76,190.40	79,976.00
EQUIPMENT MECHANIC I	M610	Classified	Hourly	28.82	30.27	31.81	33.37	35.01
			Bi-Weekly	2,305.60	2,421.60	2,544.80	2,669.60	2,800.80
			Monthly	4,995.47	5,246.80	5,513.73	5,784.13	6,068.40
			Annual	59,945.60	62,961.60	66,164.80	69,409.60	72,820.80
EQUIPMENT PARTS STOREKEEPER	M605	Classified	Hourly	26.43	27.84	29.18	30.65	32.20
			Bi-Weekly	2,114.40	2,227.20	2,334.40	2,452.00	2,576.00
			Monthly	4,581.20	4,825.60	5,057.87	5,312.67	5,581.33
			Annual	54,974.40	57,907.20	60,694.40	63,752.00	66,976.00
EQUIPMENT SERVICE ATTENDANT	M600	Classified	Hourly	24.40	25.35	26.40	27.30	28.35
			Bi-Weekly	1,952.00	2,028.00	2,112.00	2,184.00	2,268.00
			Monthly	4,229.33	4,394.00	4,576.00	4,732.00	4,914.00
			Annual	50,752.00	52,728.00	54,912.00	56,784.00	58,968.00
LANDSCAPE MAINTENANCE DIVISION								
LANDSCAPE MAINTENANCE MANAGER	H615	Classified	Hourly	53.18	55.83	58.62	61.56	64.64
			Bi-Weekly	4,254.40	4,466.40	4,689.60	4,924.80	5,171.20
			Monthly	9,217.87	9,677.20	10,160.80	10,670.40	11,204.27
			Annual	110,614.40	116,126.40	121,929.60	128,044.80	134,451.20
LANDSCAPE MAINTENANCE SUPERVISOR	H610	Classified	Hourly	46.36	48.69	51.12	53.67	56.35
			Bi-Weekly	3,708.80	3,895.20	4,089.60	4,293.60	4,508.00
			Monthly	8,035.73	8,439.60	8,860.80	9,302.80	9,767.33
			Annual	96,428.80	101,275.20	106,329.60	111,633.60	117,208.00

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GROUNDSKEEPER III	M215	Classified	Hourly	34.50	35.88	37.34	38.66	40.15
			Bi-Weekly	2,760.00	2,870.40	2,987.20	3,092.80	3,212.00
			Monthly	5,980.00	6,219.20	6,472.27	6,701.07	6,959.33
			Annual	71,760.00	74,630.40	77,667.20	80,412.80	83,512.00
GROUNDSKEEPER II	M210	Classified	Hourly	30.00	31.20	32.47	33.62	34.91
			Bi-Weekly	2,400.00	2,496.00	2,597.60	2,689.60	2,792.80
			Monthly	5,200.00	5,408.00	5,628.13	5,827.47	6,051.07
			Annual	62,400.00	64,896.00	67,537.60	69,929.60	72,612.80
GROUNDSKEEPER I	M205	Classified	Hourly	27.24	28.34	29.53	30.55	31.75
			Bi-Weekly	2,179.20	2,267.20	2,362.40	2,444.00	2,540.00
			Monthly	4,721.60	4,912.27	5,118.53	5,295.33	5,503.33
			Annual	56,659.20	58,947.20	61,422.40	63,544.00	66,040.00
TREE TRIMMER	M220	Classified	Hourly	31.01	32.25	33.56	34.75	36.11
			Bi-Weekly	2,480.80	2,580.00	2,684.80	2,780.00	2,888.80
			Monthly	5,375.07	5,590.00	5,817.07	6,023.33	6,259.07
			Annual	64,500.80	67,080.00	69,804.80	72,280.00	75,108.80
STREET MAINTENANCE DIVISION								
STREETS MAINTENANCE MANAGER	H625	Classified	Hourly	53.18	55.83	58.62	61.56	64.64
			Bi-Weekly	4,254.40	4,466.40	4,689.60	4,924.80	5,171.20
			Monthly	9,217.87	9,677.20	10,160.80	10,670.40	11,204.27
			Annual	110,614.40	116,126.40	121,929.60	128,044.80	134,451.20
STREETS MAINTENANCE SUPERVISOR	H620	Classified	Hourly	46.36	48.69	51.12	53.67	56.35
			Bi-Weekly	3,708.80	3,895.20	4,089.60	4,293.60	4,508.00
			Monthly	8,035.73	8,439.60	8,860.80	9,302.80	9,767.33
			Annual	96,428.80	101,275.20	106,329.60	111,633.60	117,208.00
SENIOR MAINTENANCE LEADER	M315	Classified	Hourly	35.21	36.58	38.10	39.43	40.95
			Bi-Weekly	2,816.80	2,926.40	3,048.00	3,154.40	3,276.00
			Monthly	6,103.07	6,340.53	6,604.00	6,834.53	7,098.00
			Annual	73,236.80	76,086.40	79,248.00	82,014.40	85,176.00
MAINTENANCE LEADER	M310	Classified	Hourly	30.62	31.81	33.13	34.29	35.61
			Bi-Weekly	2,449.60	2,544.80	2,650.40	2,743.20	2,848.80
			Monthly	5,307.47	5,513.73	5,742.53	5,943.60	6,172.40
			Annual	63,689.60	66,164.80	68,910.40	71,323.20	74,068.80
SWEEPER EQUIPMENT OPERATOR	M700	Classified	Hourly	29.12	30.10	31.30	32.64	33.93
			Bi-Weekly	2,329.60	2,408.00	2,504.00	2,611.20	2,714.40
			Monthly	5,047.47	5,217.33	5,425.33	5,657.60	5,881.20
			Annual	60,569.60	62,608.00	65,104.00	67,891.20	70,574.40
POLICE DEPARTMENT								
SWORN								
POLICE CAPTAIN	P300	Classified	Hourly	79.93	83.92	88.12	92.53	97.14
			Bi-Weekly	6,394.40	6,713.60	7,049.60	7,402.40	7,771.20
			Monthly	13,854.53	14,546.13	15,274.13	16,038.53	16,837.60
			Annual	166,254.40	174,553.60	183,289.60	192,462.40	202,051.20
POLICE LIEUTENANT	P215	Classified	Hourly				70.73	74.17
			Bi-Weekly				5,658.40	5,933.60
			Monthly				12,259.87	12,856.13
			Annual				147,118.40	154,273.60
POLICE SERGEANT	P210	Classified	Hourly			60.61	63.53	66.78
			Bi-Weekly			4,848.80	5,082.40	5,342.40
			Monthly			10,505.73	11,011.87	11,575.20
			Annual			126,068.80	132,142.40	138,902.40
INSPECTOR	P205	Classified	Hourly	50.17	52.67	55.25	57.88	60.71
			Bi-Weekly	4,013.60	4,213.60	4,420.00	4,630.40	4,856.80
			Monthly	8,696.13	9,129.47	9,576.67	10,032.53	10,523.07
			Annual	104,353.60	109,553.60	114,920.00	120,390.40	126,276.80
POLICE OFFICER	P200	Classified	Hourly	44.51	46.64	48.90	51.27	53.70
			Bi-Weekly	3,560.80	3,731.20	3,912.00	4,101.60	4,296.00
			Monthly	7,715.07	8,084.27	8,476.00	8,886.80	9,308.00
			Annual	92,580.80	97,011.20	101,712.00	106,641.60	111,696.00

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POLICE OFFICER TRAINEE	P100	Classified	Hourly	31.98	33.56			
			Bi-Weekly	2,558.40	2,684.80			
			Monthly	5,543.20	5,817.07			
			Annual	66,518.40	69,804.80			
PROFESSIONAL STAFF								
PERSONNEL AND TRAINING ADMINISTRATOR	H450	Classified	Hourly	60.43	63.45	66.63	69.96	73.46
			Bi-Weekly	4,834.40	5,076.00	5,330.40	5,596.80	5,876.80
			Monthly	10,474.53	10,998.00	11,549.20	12,126.40	12,733.07
			Annual	125,694.40	131,976.00	138,590.40	145,516.80	152,796.80
SENIOR CRIME AND INTELLIGENCE ANALYST	H406	Classified	Hourly	48.00	50.38	52.91	55.56	58.33
			Bi-Weekly	3,840.00	4,030.40	4,232.80	4,444.80	4,666.40
			Monthly	8,320.00	8,732.53	9,171.07	9,630.40	10,110.53
			Annual	99,840.00	104,790.40	110,052.80	115,564.80	121,326.40
CRIME AND INTELLIGENCE ANALYST	H405	Classified	Hourly	43.20	45.36	47.63	50.00	52.50
			Bi-Weekly	3,456.00	3,628.80	3,810.40	4,000.00	4,200.00
			Monthly	7,488.00	7,862.40	8,255.87	8,666.67	9,100.00
			Annual	89,856.00	94,348.80	99,070.40	104,000.00	109,200.00
POLICE PROGRAMS ANALYST	H400	Classified	Hourly	43.20	45.36	47.63	50.00	52.50
			Bi-Weekly	3,456.00	3,628.80	3,810.40	4,000.00	4,200.00
			Monthly	7,488.00	7,862.40	8,255.87	8,666.67	9,100.00
			Annual	89,856.00	94,348.80	99,070.40	104,000.00	109,200.00
SPECIAL OPERATIONS DIVISION								
CRIME PREVENTION SPECIALIST	C670	Classified	Hourly	29.45	30.91	32.46	34.09	35.79
			Bi-Weekly	2,356.00	2,472.80	2,596.80	2,727.20	2,863.20
			Monthly	5,104.67	5,357.73	5,626.40	5,908.93	6,203.60
			Annual	61,256.00	64,292.80	67,516.80	70,907.20	74,443.20
RESERVE OFFICER COORDINATOR	H455	Classified	Hourly	52.98	55.63	58.41	61.23	64.36
			Bi-Weekly	4,238.40	4,450.40	4,672.80	4,898.40	5,148.80
			Monthly	9,183.20	9,642.53	10,124.40	10,613.20	11,155.73
			Annual	110,198.40	115,710.40	121,492.80	127,358.40	133,868.80
INVESTIGATION DIVISION								
YOUTH AND FAMILY SERVICES ADMINISTRATOR	H445	Classified	Hourly	60.43	63.45	66.63	69.96	73.46
			Bi-Weekly	4,834.40	5,076.00	5,330.40	5,596.80	5,876.80
			Monthly	10,474.53	10,998.00	11,549.20	12,126.40	12,733.07
			Annual	125,694.40	131,976.00	138,590.40	145,516.80	152,796.80
COUNSELING SUPERVISOR	H440	Classified	Hourly	45.67	47.96	50.35	52.86	55.51
			Bi-Weekly	3,653.60	3,836.80	4,028.00	4,228.80	4,440.80
			Monthly	7,916.13	8,313.07	8,727.33	9,162.40	9,621.73
			Annual	94,993.60	99,756.80	104,728.00	109,948.80	115,460.80
FAMILY COUNSELOR	T550	Classified	Hourly	36.74	38.56	40.50	42.35	44.57
			Bi-Weekly	2,939.20	3,084.80	3,240.00	3,388.00	3,565.60
			Monthly	6,368.27	6,683.73	7,020.00	7,340.67	7,725.47
			Annual	76,419.20	80,204.80	84,240.00	88,088.00	92,705.60
CERTIFIED LATENT PRINT EXAMINER	T560	Classified	Hourly	43.72	45.90	48.20	50.60	53.14
			Bi-Weekly	3,497.60	3,672.00	3,856.00	4,048.00	4,251.20
			Monthly	7,578.13	7,956.00	8,354.67	8,770.67	9,210.93
			Annual	90,937.60	95,472.00	100,256.00	105,248.00	110,531.20
SUPPORT SERVICES DIVISION								
OPERATIONS SUPPORT SERVICES MANAGER	U400	Classified	Hourly	69.79	73.28	77.69	81.58	85.64
			Bi-Weekly	5,583.20	5,862.40	6,215.20	6,526.40	6,851.20
			Monthly	12,096.93	12,701.87	13,466.27	14,140.53	14,844.27
			Annual	145,163.20	152,422.40	161,595.20	169,686.40	178,131.20
PROPERTY/EVIDENCE ADMINISTRATOR	H415	Classified	Hourly	47.93	50.31	52.83	55.48	58.25
			Bi-Weekly	3,834.40	4,024.80	4,226.40	4,438.40	4,660.00
			Monthly	8,307.87	8,720.40	9,157.20	9,616.53	10,096.67
			Annual	99,694.40	104,644.80	109,886.40	115,398.40	121,160.00
PROPERTY AND EVIDENCE SUPERVISOR	H410	Classified	Hourly	35.73	37.52	39.40	41.35	43.42
			Bi-Weekly	2,858.40	3,001.60	3,152.00	3,308.00	3,473.60
			Monthly	6,193.20	6,503.47	6,829.33	7,167.33	7,526.13
			Annual	74,318.40	78,041.60	81,952.00	86,008.00	90,313.60
POLICE ID SPECIALIST	T555	Classified	Hourly	32.39	34.01	35.71	37.52	39.29
			Bi-Weekly	2,591.20	2,720.80	2,856.80	3,001.60	3,143.20
			Monthly	5,614.27	5,895.07	6,189.73	6,503.47	6,810.27
			Annual	67,371.20	70,740.80	74,276.80	78,041.60	81,723.20
CRIME SCENE TECHNICIAN	C685	Classified	Hourly	29.25	30.57	31.98	33.42	35.01
			Bi-Weekly	2,340.00	2,445.60	2,558.40	2,673.60	2,800.80
			Monthly	5,070.00	5,298.80	5,543.20	5,792.80	6,068.40
			Annual	60,840.00	63,585.60	66,518.40	69,513.60	72,820.80

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PROPERTY TECHNICIAN	C665	Classified	Hourly	28.12	29.34	30.75	32.15	33.68
			Bi-Weekly	2,249.60	2,347.20	2,460.00	2,572.00	2,694.40
			Monthly	4,874.13	5,085.60	5,330.00	5,572.67	5,837.87
			Annual	58,489.60	61,027.20	63,960.00	66,872.00	70,054.40
ANIMAL SERVICES ADMINISTRATOR	H430	Classified	Hourly	47.93	50.31	52.83	55.48	58.25
			Bi-Weekly	3,834.40	4,024.80	4,226.40	4,438.40	4,660.00
			Monthly	8,307.87	8,720.40	9,157.20	9,616.53	10,096.67
			Annual	99,694.40	104,644.80	109,886.40	115,398.40	121,160.00
SHELTER OPERATIONS SUPERVISOR	C621	Classified	Hourly	30.94	32.32	33.83	35.37	37.06
			Bi-Weekly	2,475.20	2,585.60	2,706.40	2,829.60	2,964.80
			Monthly	5,362.93	5,602.13	5,863.87	6,130.80	6,423.73
			Annual	64,355.20	67,225.60	70,366.40	73,569.60	77,084.80
ANIMAL CONTROL OFFICER	C610	Classified	Hourly	26.60	27.97	29.25	30.63	32.06
			Bi-Weekly	2,128.00	2,237.60	2,340.00	2,450.40	2,564.80
			Monthly	4,610.67	4,848.13	5,070.00	5,309.20	5,557.07
			Annual	55,328.00	58,177.60	60,840.00	63,710.40	66,684.80
ANIMAL CARE ATTENDANT	C600	Classified	Hourly	22.14	23.08	24.00	25.05	26.29
			Bi-Weekly	1,771.20	1,846.40	1,920.00	2,004.00	2,103.20
			Monthly	3,837.60	4,000.53	4,160.00	4,342.00	4,556.93
			Annual	46,051.20	48,006.40	49,920.00	52,104.00	54,683.20
SHELTER VOLUNTEER COORDINATOR	C607	Classified	Hourly	22.14	23.08	24.00	25.05	26.29
			Bi-Weekly	1,771.20	1,846.40	1,920.00	2,004.00	2,103.20
			Monthly	3,837.60	4,000.53	4,160.00	4,342.00	4,556.93
			Annual	46,051.20	48,006.40	49,920.00	52,104.00	54,683.20
COMMUNICATIONS ADMINISTRATOR	H435	Classified	Hourly	47.93	50.31	52.83	55.48	58.25
			Bi-Weekly	3,834.40	4,024.80	4,226.40	4,438.40	4,660.00
			Monthly	8,307.87	8,720.40	9,157.20	9,616.53	10,096.67
			Annual	99,694.40	104,644.80	109,886.40	115,398.40	121,160.00
COMMUNICATIONS SUPERVISOR	C645	Classified	Hourly	38.03	39.94	41.94	44.02	46.25
			Bi-Weekly	3,042.40	3,195.20	3,355.20	3,521.60	3,700.00
			Monthly	6,591.87	6,922.93	7,269.60	7,630.13	8,016.67
			Annual	79,102.40	83,075.20	87,235.20	91,561.60	96,200.00
COMMUNICATIONS OPERATOR	C635	Classified	Hourly	32.99	34.68	36.38	38.23	40.15
			Bi-Weekly	2,639.20	2,774.40	2,910.40	3,058.40	3,212.00
			Monthly	5,718.27	6,011.20	6,305.87	6,626.53	6,959.33
			Annual	68,619.20	72,134.40	75,670.40	79,518.40	83,512.00
CALL TAKER	C633	Classified	Hourly	27.45	28.81	30.26	31.79	33.37
			Bi-Weekly	2,196.00	2,304.80	2,420.80	2,543.20	2,669.60
			Monthly	4,758.00	4,993.73	5,245.07	5,510.27	5,784.13
			Annual	57,096.00	59,924.80	62,940.80	66,123.20	69,409.60
RECORDS ADMINISTRATOR	H425	Classified	Hourly	47.93	50.31	52.83	55.48	58.25
			Bi-Weekly	3,834.40	4,024.80	4,226.40	4,438.40	4,660.00
			Monthly	8,307.87	8,720.40	9,157.20	9,616.53	10,096.67
			Annual	99,694.40	104,644.80	109,886.40	115,398.40	121,160.00
RECORDS SUPERVISOR	C705	Classified	Hourly	34.00	35.69	37.47	39.35	41.32
			Bi-Weekly	2,720.00	2,855.20	2,997.60	3,148.00	3,305.60
			Monthly	5,893.33	6,186.27	6,494.80	6,820.67	7,162.13
			Annual	70,720.00	74,235.20	77,937.60	81,848.00	85,945.60

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POLICE RECORDS CLERK II	C695	Classified	Hourly	26.43	27.49	28.59	29.85	31.31
			Bi-Weekly	2,114.40	2,199.20	2,287.20	2,388.00	2,504.80
			Monthly	4,581.20	4,764.93	4,955.60	5,174.00	5,427.07
			Annual	54,974.40	57,179.20	59,467.20	62,088.00	65,124.80
POLICE RECORDS CLERK I	C690	Classified	Hourly	23.24	24.44	25.74	27.02	28.47
			Bi-Weekly	1,859.20	1,955.20	2,059.20	2,161.60	2,277.60
			Monthly	4,028.27	4,236.27	4,461.60	4,683.47	4,934.80
			Annual	48,339.20	50,835.20	53,539.20	56,201.60	59,217.60
JAIL ADMINISTRATOR	H420	Classified	Hourly	47.93	50.31	52.83	55.48	58.25
			Bi-Weekly	3,834.40	4,024.80	4,226.40	4,438.40	4,660.00
			Monthly	8,307.87	8,720.40	9,157.20	9,616.53	10,096.67
			Annual	99,694.40	104,644.80	109,886.40	115,398.40	121,160.00
JAIL SUPERVISOR	C660	Classified	Hourly	33.29	34.69	36.36	38.06	39.88
			Bi-Weekly	2,663.20	2,775.20	2,908.80	3,044.80	3,190.40
			Monthly	5,770.27	6,012.93	6,302.40	6,597.07	6,912.53
			Annual	69,243.20	72,155.20	75,628.80	79,164.80	82,950.40
COMMUNITY SERVICE OFFICER	C650	Classified	Hourly	29.08	30.34	31.80	33.26	34.84
			Bi-Weekly	2,326.40	2,427.20	2,544.00	2,660.80	2,787.20
			Monthly	5,040.53	5,258.93	5,512.00	5,765.07	6,038.93
			Annual	60,486.40	63,107.20	66,144.00	69,180.80	72,467.20
TRANSPORATION AND ENGINEERING DEPARTMENT								
AIRPORT DIVISION SUMMARY								
AIRPORT MANAGER	H205	Classified	Hourly	59.95	62.93	66.08	69.38	72.85
			Bi-Weekly	4,796.00	5,034.40	5,286.40	5,550.40	5,828.00
			Monthly	10,391.33	10,907.87	11,453.87	12,025.87	12,627.33
			Annual	124,696.00	130,894.40	137,446.40	144,310.40	151,528.00
AIRPORT OPERATIONS SUPERVISOR	H200	Classified	Hourly	49.97	52.46	55.09	57.84	60.73
			Bi-Weekly	3,997.60	4,196.80	4,407.20	4,627.20	4,858.40
			Monthly	8,661.47	9,093.07	9,548.93	10,025.60	10,526.53
			Annual	103,937.60	109,116.80	114,587.20	120,307.20	126,318.40
AIRPORT OPERATIONS SPECIALIST	T270	Classified	Hourly	29.34	30.82	32.35	33.89	35.63
			Bi-Weekly	2,347.20	2,465.60	2,588.00	2,711.20	2,850.40
			Monthly	5,085.60	5,342.13	5,607.33	5,874.27	6,175.87
			Annual	61,027.20	64,105.60	67,288.00	70,491.20	74,110.40
SENIOR AIRPORT MAINTENANCE WORKER	M510	Classified	Hourly	32.04	33.22	34.54	35.96	37.40
			Bi-Weekly	2,563.20	2,657.60	2,763.20	2,876.80	2,992.00
			Monthly	5,553.60	5,758.13	5,986.93	6,233.07	6,482.67
			Annual	66,643.20	69,097.60	71,843.20	74,796.80	77,792.00
AIRPORT MAINTENANCE WORKER	M505	Classified	Hourly	29.11	30.18	31.35	32.67	34.01
			Bi-Weekly	2,328.80	2,414.40	2,508.00	2,613.60	2,720.80
			Monthly	5,045.73	5,231.20	5,434.00	5,662.80	5,895.07
			Annual	60,548.80	62,774.40	65,208.00	67,953.60	70,740.80
AIRPORT ATTENDANT	M500	Classified	Hourly	21.79	22.76	23.59	24.62	25.84
			Bi-Weekly	1,743.20	1,820.80	1,887.20	1,969.60	2,067.20
			Monthly	3,776.93	3,945.07	4,088.93	4,267.47	4,478.93
			Annual	45,323.20	47,340.80	49,067.20	51,209.60	53,747.20
ENGINEERING/TRANSPORTATION DIVISION								
ASSISTANT CITY ENGINEER	H250	Classified	Hourly	60.90	63.95	67.15	70.49	74.02
			Bi-Weekly	4,872.00	5,116.00	5,372.00	5,639.20	5,921.60
			Monthly	10,556.00	11,084.67	11,639.33	12,218.27	12,830.13
			Annual	126,672.00	133,016.00	139,672.00	146,619.20	153,961.60

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REAL PROPERTY MANAGER	H225	Classified	Hourly	43.98	46.19	48.49	50.92	53.47
			Bi-Weekly	3,518.40	3,695.20	3,879.20	4,073.60	4,277.60
			Monthly	7,623.20	8,006.27	8,404.93	8,826.13	9,268.13
			Annual	91,478.40	96,075.20	100,859.20	105,913.60	111,217.60
REAL PROPERTY ASSOCIATE	T260	Classified	Hourly	38.85	40.88	42.94	45.02	47.24
			Bi-Weekly	3,108.00	3,270.40	3,435.20	3,601.60	3,779.20
			Monthly	6,734.00	7,085.87	7,442.93	7,803.47	8,188.27
			Annual	80,808.00	85,030.40	89,315.20	93,641.60	98,259.20
REAL PROPERTY ASSISTANT	T255	Classified	Hourly	33.11	34.76	36.43	38.24	40.17
			Bi-Weekly	2,648.80	2,780.80	2,914.40	3,059.20	3,213.60
			Monthly	5,739.07	6,025.07	6,314.53	6,628.27	6,962.80
			Annual	68,868.80	72,300.80	75,774.40	79,539.20	83,553.60
ENGINEERING TECHNICIAN	T200	Classified	Hourly	31.58	33.10	34.78	36.52	38.26
			Bi-Weekly	2,526.40	2,648.00	2,782.40	2,921.60	3,060.80
			Monthly	5,473.87	5,737.33	6,028.53	6,330.13	6,631.73
			Annual	65,686.40	68,848.00	72,342.40	75,961.60	79,580.80
SURVEY ENGINEER	H230	Classified	Hourly	51.24	53.80	56.50	59.32	62.28
			Bi-Weekly	4,099.20	4,304.00	4,520.00	4,745.60	4,982.40
			Monthly	8,881.60	9,325.33	9,793.33	10,282.13	10,795.20
			Annual	106,579.20	111,904.00	117,520.00	123,385.60	129,542.40
SURVEYOR	T265	Classified	Hourly	37.57	39.42	41.39	43.43	45.62
			Bi-Weekly	3,005.60	3,153.60	3,311.20	3,474.40	3,649.60
			Monthly	6,512.13	6,832.80	7,174.27	7,527.87	7,907.47
			Annual	78,145.60	81,993.60	86,091.20	90,334.40	94,889.60
TRANSPORTATION MANAGER	H220	Classified	Hourly	64.07	67.28	70.65	74.18	77.88
			Bi-Weekly	5,125.60	5,382.40	5,652.00	5,934.40	6,230.40
			Monthly	11,105.47	11,661.87	12,246.00	12,857.87	13,499.20
			Annual	133,265.60	139,942.40	146,952.00	154,294.40	161,990.40
SENIOR TRANSPORTATION ENGINEER	H215	Classified	Hourly	55.58	58.36	61.27	64.33	67.55
			Bi-Weekly	4,446.40	4,668.80	4,901.60	5,146.40	5,404.00
			Monthly	9,633.87	10,115.73	10,620.13	11,150.53	11,708.67
			Annual	115,606.40	121,388.80	127,441.60	133,806.40	140,504.00
ASSOCIATE TRANSPORTATION ENGINEER	T240	Classified	Hourly	46.19	48.51	50.87	53.45	56.06
			Bi-Weekly	3,695.20	3,880.80	4,069.60	4,276.00	4,484.80
			Monthly	8,006.27	8,408.40	8,817.47	9,264.67	9,717.07
			Annual	96,075.20	100,900.80	105,809.60	111,176.00	116,604.80
ASSISTANT TRANSPORTATION ENGINEER	T235	Classified	Hourly	39.79	41.84	43.98	46.11	48.41
			Bi-Weekly	3,183.20	3,347.20	3,518.40	3,688.80	3,872.80
			Monthly	6,896.93	7,252.27	7,623.20	7,992.40	8,391.07
			Annual	82,763.20	87,027.20	91,478.40	95,908.80	100,692.80
SENIOR TRANSPORTATION PLANNER	H210	Classified	Hourly	48.30	50.71	53.25	55.91	58.71
			Bi-Weekly	3,864.00	4,056.80	4,260.00	4,472.80	4,696.80
			Monthly	8,372.00	8,789.73	9,230.00	9,691.07	10,176.40
			Annual	100,464.00	105,476.80	110,760.00	116,292.80	122,116.80
ASSOCIATE TRANSPORTATION PLANNER	T225	Classified	Hourly	42.92	45.02	47.26	49.69	52.07
			Bi-Weekly	3,433.60	3,601.60	3,780.80	3,975.20	4,165.60
			Monthly	7,439.47	7,803.47	8,191.73	8,612.93	9,025.47
			Annual	89,273.60	93,641.60	98,300.80	103,355.20	108,305.60
TRAFFIC SIGNAL TECHNICIAN	T220	Classified	Hourly	31.58	33.10	34.78	36.52	38.26
			Bi-Weekly	2,526.40	2,648.00	2,782.40	2,921.60	3,060.80
			Monthly	5,473.87	5,737.33	6,028.53	6,330.13	6,631.73
			Annual	65,686.40	68,848.00	72,342.40	75,961.60	79,580.80
SUPERVISING CONSTRUCTION INSPECTOR	H235	Classified	Hourly	50.89	53.44	56.11	58.92	61.86
			Bi-Weekly	4,071.20	4,275.20	4,488.80	4,713.60	4,948.80
			Monthly	8,820.93	9,262.93	9,725.73	10,212.80	10,722.40
			Annual	105,851.20	111,155.20	116,708.80	122,553.60	128,668.80
SENIOR CONSTRUCTION INSPECTOR	T250	Classified	Hourly	42.27	44.53	46.77	48.98	51.42
			Bi-Weekly	3,381.60	3,562.40	3,741.60	3,918.40	4,113.60
			Monthly	7,326.80	7,718.53	8,106.80	8,489.87	8,912.80
			Annual	87,921.60	92,622.40	97,281.60	101,878.40	106,953.60
CONSTRUCTION INSPECTOR	T245	Classified	Hourly	35.42	37.24	38.98	40.95	43.03
			Bi-Weekly	2,833.60	2,979.20	3,118.40	3,276.00	3,442.40
			Monthly	6,139.47	6,454.93	6,756.53	7,098.00	7,458.53
			Annual	73,673.60	77,459.20	81,078.40	85,176.00	89,502.40

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ATTACHMENT III
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on March 21, 2017

Classification Title	Job Code	Service Type	Step A	Step B	Step C	Step D	Step E	
UTILITIES AND ENVIRONMENTAL SERVICES DEPARTMENT								
ADMINISTRATION								
DEPUTY DIRECTOR OF PUBLIC WORKS	U510	Classified	Hourly	68.03	71.44	75.01	78.77	82.71
			Bi-Weekly	5,442.40	5,715.20	6,000.80	6,301.60	6,616.80
			Monthly	11,791.87	12,382.93	13,001.73	13,653.47	14,336.40
			Annual	141,502.40	148,595.20	156,020.80	163,841.60	172,036.80
WATER RESOURCES MANAGER	H875	Classified	Hourly	68.03	71.44	75.01	78.77	82.71
			Bi-Weekly	5,442.40	5,715.20	6,000.80	6,301.60	6,616.80
			Monthly	11,791.87	12,382.93	13,001.73	13,653.47	14,336.40
			Annual	141,502.40	148,595.20	156,020.80	163,841.60	172,036.80
UTILITIES ENGINEERING MANAGER	H880	Classified	Hourly	64.07	67.28	70.65	74.18	77.88
			Bi-Weekly	5,125.60	5,382.40	5,652.00	5,934.40	6,230.40
			Monthly	11,105.47	11,661.87	12,246.00	12,857.87	13,499.20
			Annual	133,265.60	139,942.40	146,952.00	154,294.40	161,990.40
SENIOR UTILITY SERVICE REPRESENTATIVE	M820	Classified	Hourly	33.99	35.67	37.37	39.29	41.21
			Bi-Weekly	2,719.20	2,853.60	2,989.60	3,143.20	3,296.80
			Monthly	5,891.60	6,182.80	6,477.47	6,810.27	7,143.07
			Annual	70,699.20	74,193.60	77,729.60	81,723.20	85,716.80
STOREKEEPER - EXPEDITER	M100	Classified	Hourly	27.60	28.74	29.82	30.96	32.14
			Bi-Weekly	2,208.00	2,299.20	2,385.60	2,476.80	2,571.20
			Monthly	4,784.00	4,981.60	5,168.80	5,366.40	5,570.93
			Annual	57,408.00	59,779.20	62,025.60	64,396.80	66,851.20
RECYCLING-SOLID WASTE								
SOLID WASTE PROGRAM MANAGER	H800	Classified	Hourly	48.00	50.38	52.91	55.56	58.33
			Bi-Weekly	3,840.00	4,030.40	4,232.80	4,444.80	4,666.40
			Monthly	8,320.00	8,732.53	9,171.07	9,630.40	10,110.53
			Annual	99,840.00	104,790.40	110,052.80	115,564.80	121,326.40
RECYCLING SPECIALIST	T800	Classified	Hourly	33.40	35.06	36.77	38.64	40.56
			Bi-Weekly	2,672.00	2,804.80	2,941.60	3,091.20	3,244.80
			Monthly	5,789.33	6,077.07	6,373.47	6,697.60	7,030.40
			Annual	69,472.00	72,924.80	76,481.60	80,371.20	84,364.80
SUSTAINABILITY TECHNICIAN	T802	Classified	Hourly	32.63	34.25	35.96	37.75	39.65
			Bi-Weekly	2,610.40	2,740.00	2,876.80	3,020.00	3,172.00
			Monthly	5,655.87	5,936.67	6,233.07	6,543.33	6,872.67
			Annual	67,870.40	71,240.00	74,796.80	78,520.00	82,472.00
WATER POLLUTION CONTROL FACILITY (WPCF)								
WATER POLLUTION CONTROL FACILITY MANAGER	H870	Classified	Hourly	68.03	71.44	75.01	78.77	82.71
			Bi-Weekly	5,442.40	5,715.20	6,000.80	6,301.60	6,616.80
			Monthly	11,791.87	12,382.93	13,001.73	13,653.47	14,336.40
			Annual	141,502.40	148,595.20	156,020.80	163,841.60	172,036.80
WPCF OPERATIONS AND MAINTENANCE MANAGER	H865	Classified	Hourly	55.49	58.26	61.18	64.25	67.46
			Bi-Weekly	4,439.20	4,660.80	4,894.40	5,140.00	5,396.80
			Monthly	9,618.27	10,098.40	10,604.53	11,136.67	11,693.07
			Annual	115,419.20	121,180.80	127,254.40	133,640.00	140,316.80
WPCF MAINTENANCE SUPERVISOR	H860	Classified	Hourly	50.19	52.69	55.32	58.10	61.01
			Bi-Weekly	4,015.20	4,215.20	4,425.60	4,648.00	4,880.80
			Monthly	8,699.60	9,132.93	9,588.80	10,070.67	10,575.07
			Annual	104,395.20	109,595.20	115,065.60	120,848.00	126,900.80
WPCF OPERATIONS SUPERVISOR	H855	Classified	Hourly	50.19	52.69	55.32	58.10	61.01
			Bi-Weekly	4,015.20	4,215.20	4,425.60	4,648.00	4,880.80
			Monthly	8,699.60	9,132.93	9,588.80	10,070.67	10,575.07
			Annual	104,395.20	109,595.20	115,065.60	120,848.00	126,900.80
WPCF LEAD OPERATOR	M935	Classified	Hourly	37.77	39.28	40.82	42.44	44.15
			Bi-Weekly	3,021.60	3,142.40	3,265.60	3,395.20	3,532.00
			Monthly	6,546.80	6,808.53	7,075.47	7,356.27	7,652.67
			Annual	78,561.60	81,702.40	84,905.60	88,275.20	91,832.00
WPCF OPERATOR	M930	Classified	Hourly	33.96	35.31	36.73	38.15	39.71
			Bi-Weekly	2,716.80	2,824.80	2,938.40	3,052.00	3,176.80
			Monthly	5,886.40	6,120.40	6,366.53	6,612.67	6,883.07
			Annual	70,636.80	73,444.80	76,398.40	79,352.00	82,596.80
OPERATOR-IN-TRAINING	M925	Classified	Hourly	31.09	32.32	33.67	34.81	36.17
			Bi-Weekly	2,487.20	2,585.60	2,693.60	2,784.80	2,893.60
			Monthly	5,388.93	5,602.13	5,836.13	6,033.73	6,269.47
			Annual	64,667.20	67,225.60	70,033.60	72,404.80	75,233.60

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LAB SUPERVISOR	H850	Classified	Hourly	50.19	52.69	55.32	58.10	61.01
			Bi-Weekly	4,015.20	4,215.20	4,425.60	4,648.00	4,880.80
			Monthly	8,699.60	9,132.93	9,588.80	10,070.67	10,575.07
			Annual	104,395.20	109,595.20	115,065.60	120,848.00	126,900.80
CHEMIST	T807	Classified	Hourly	39.44	41.42	43.49	45.66	47.94
			Bi-Weekly	3,155.20	3,313.60	3,479.20	3,652.80	3,835.20
			Monthly	6,836.27	7,179.47	7,538.27	7,914.40	8,309.60
			Annual	82,035.20	86,153.60	90,459.20	94,972.80	99,715.20
LABORATORY TECHNICIAN	T805	Classified	Hourly	34.30	35.59	36.96	38.48	39.91
			Bi-Weekly	2,744.00	2,847.20	2,956.80	3,078.40	3,192.80
			Monthly	5,945.33	6,168.93	6,406.40	6,669.87	6,917.73
			Annual	71,344.00	74,027.20	76,876.80	80,038.40	83,012.80

WATER POLLUTION SOURCE CONTROL								
ENVIRONMENTAL SERVICES MANAGER	H805	Classified	Hourly	57.71	60.59	63.63	66.81	70.15
			Bi-Weekly	4,616.80	4,847.20	5,090.40	5,344.80	5,612.00
			Monthly	10,003.07	10,502.27	11,029.20	11,580.40	12,159.33
			Annual	120,036.80	126,027.20	132,350.40	138,964.80	145,912.00
WATER POLLUTION CONTROL ADMINISTRATOR	H845	Classified	Hourly	50.73	53.26	55.92	58.73	61.67
			Bi-Weekly	4,058.40	4,260.80	4,473.60	4,698.40	4,933.60
			Monthly	8,793.20	9,231.73	9,692.80	10,179.87	10,689.47
			Annual	105,518.40	110,780.80	116,313.60	122,158.40	128,273.60
SENIOR WATER POLLUTION SOURCE CONTROL INSPECTOR	T815	Classified	Hourly	39.22	41.26	43.33	45.38	47.69
			Bi-Weekly	3,137.60	3,300.80	3,466.40	3,630.40	3,815.20
			Monthly	6,798.13	7,151.73	7,510.53	7,865.87	8,266.27
			Annual	81,577.60	85,820.80	90,126.40	94,390.40	99,195.20
WATER POLLUTION SOURCE CONTROL INSPECTOR	T810	Classified	Hourly	35.64	37.50	39.21	41.23	43.28
			Bi-Weekly	2,851.20	3,000.00	3,136.80	3,298.40	3,462.40
			Monthly	6,177.60	6,500.00	6,796.40	7,146.53	7,501.87
			Annual	74,131.20	78,000.00	81,556.80	85,758.40	90,022.40
TECHNICAL INTERN	Z125	Classified	Hourly					15.00
			Bi-Weekly					1,200.00
			Monthly					2,600.00
			Annual					31,200.00

SENIOR UTILITIES ENGINEER	H810	Classified	Hourly	55.37	58.13	61.05	64.09	67.29
			Bi-Weekly	4,429.60	4,650.40	4,884.00	5,127.20	5,383.20
			Monthly	9,597.47	10,075.87	10,582.00	11,108.93	11,663.60
			Annual	115,169.60	120,910.40	126,984.00	133,307.20	139,963.20

SEWER COLLECTIONS & WATER DISTRIBUTION								
UTILITIES OPERATIONS AND MAINTENANCE MANAGER	H835	Classified	Hourly	62.63	65.75	69.03	72.49	76.11
			Bi-Weekly	5,010.40	5,260.00	5,522.40	5,799.20	6,088.80
			Monthly	10,855.87	11,396.67	11,965.20	12,564.93	13,192.40
			Annual	130,270.40	136,760.00	143,582.40	150,779.20	158,308.80
UTILITIES OPERATIONS AND MAINTENANCE SUPERVISOR	H830	Classified	Hourly	52.18	54.78	57.53	60.41	63.43
			Bi-Weekly	4,174.40	4,382.40	4,602.40	4,832.80	5,074.40
			Monthly	9,044.53	9,495.20	9,971.87	10,471.07	10,994.53
			Annual	108,534.40	113,942.40	119,662.40	125,652.80	131,934.40
UTILITIES FIELD SERVICES SUPERVISOR	H825	Classified	Hourly	52.18	54.78	57.53	60.41	63.43
			Bi-Weekly	4,174.40	4,382.40	4,602.40	4,832.80	5,074.40
			Monthly	9,044.53	9,495.20	9,971.87	10,471.07	10,994.53
			Annual	108,534.40	113,942.40	119,662.40	125,652.80	131,934.40
WASTEWATER COLLECTIONS SYSTEM SUPERVISOR	H823	Classified	Hourly	50.19	52.69	55.32	58.10	61.01
			Bi-Weekly	4,015.20	4,215.20	4,425.60	4,648.00	4,880.80
			Monthly	8,699.60	9,132.93	9,588.80	10,070.67	10,575.07
			Annual	104,395.20	109,595.20	115,065.60	120,848.00	126,900.80
WATER INSTALLATION AND MAINTENANCE SUPERVISOR	H815	Classified	Hourly	41.14	43.20	45.36	47.64	50.01
			Bi-Weekly	3,291.20	3,456.00	3,628.80	3,811.20	4,000.80
			Monthly	7,130.93	7,488.00	7,862.40	8,257.60	8,668.40
			Annual	85,571.20	89,856.00	94,348.80	99,091.20	104,020.80

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SENIOR UTILITY CUSTOMER SERVICE LEADER	M825	Classified	Hourly	35.78	37.02	38.48	40.07	41.69
			Bi-Weekly	2,862.40	2,961.60	3,078.40	3,205.60	3,335.20
			Monthly	6,201.87	6,416.80	6,669.87	6,945.47	7,226.27
			Annual	74,422.40	77,001.60	80,038.40	83,345.60	86,715.20
CROSS CONNECTION CONTROL SPECIALIST	M815	Classified	Hourly	31.11	32.19	33.46	34.84	36.25
			Bi-Weekly	2,488.80	2,575.20	2,676.80	2,787.20	2,900.00
			Monthly	5,392.40	5,579.60	5,799.73	6,038.93	6,283.33
			Annual	64,708.80	66,955.20	69,596.80	72,467.20	75,400.00
WATER METER MECHANIC	M810	Classified	Hourly	30.24	31.40	32.70	34.04	35.40
			Bi-Weekly	2,419.20	2,512.00	2,616.00	2,723.20	2,832.00
			Monthly	5,241.60	5,442.67	5,668.00	5,900.27	6,136.00
			Annual	62,899.20	65,312.00	68,016.00	70,803.20	73,632.00
WATER METER READER	M805	Classified	Hourly	27.03	28.10	29.24	30.31	31.52
			Bi-Weekly	2,162.40	2,248.00	2,339.20	2,424.80	2,521.60
			Monthly	4,685.20	4,870.67	5,068.27	5,253.73	5,463.47
			Annual	56,222.40	58,448.00	60,819.20	63,044.80	65,561.60
BACKFLOW/CROSS CONNECTION TESTER	M800	Classified	Hourly	26.15	27.40	28.67	30.06	31.52
			Bi-Weekly	2,092.00	2,192.00	2,293.60	2,404.80	2,521.60
			Monthly	4,532.67	4,749.33	4,969.47	5,210.40	5,463.47
			Annual	54,392.00	56,992.00	59,633.60	62,524.80	65,561.60
UTILITIES MAINTENANCE SUPERVISOR	H820	Classified	Hourly	47.31	49.67	52.15	54.77	57.50
			Bi-Weekly	3,784.80	3,973.60	4,172.00	4,381.60	4,600.00
			Monthly	8,200.40	8,609.47	9,039.33	9,493.47	9,966.67
			Annual	98,404.80	103,313.60	108,472.00	113,921.60	119,600.00
UTILITIES SERVICE WORKER	M900	Classified	Hourly	29.82	31.00	32.28	33.40	34.71
			Bi-Weekly	2,385.60	2,480.00	2,582.40	2,672.00	2,776.80
			Monthly	5,168.80	5,373.33	5,595.20	5,789.33	6,016.40
			Annual	62,025.60	64,480.00	67,142.40	69,472.00	72,196.80
GENERAL MAINTENANCE								
EQUIPMENT OPERATOR	M400	Classified	Hourly	30.15	31.25	32.49	33.81	35.18
			Bi-Weekly	2,412.00	2,500.00	2,599.20	2,704.80	2,814.40
			Monthly	5,226.00	5,416.67	5,631.60	5,860.40	6,097.87
			Annual	62,712.00	65,000.00	67,579.20	70,324.80	73,174.40
SENIOR UTILITY LEADER	M845	Classified	Hourly	37.71	39.22	40.85	42.27	43.90
			Bi-Weekly	3,016.80	3,137.60	3,268.00	3,381.60	3,512.00
			Monthly	6,536.40	6,798.13	7,080.67	7,326.80	7,609.33
			Annual	78,436.80	81,577.60	84,968.00	87,921.60	91,312.00
UTILITY LEADER	M840	Classified	Hourly	32.79	34.10	35.52	36.76	38.17
			Bi-Weekly	2,623.20	2,728.00	2,841.60	2,940.80	3,053.60
			Monthly	5,683.60	5,910.67	6,156.80	6,371.73	6,616.13
			Annual	68,203.20	70,928.00	73,881.60	76,460.80	79,393.60
UTILITY WORKER	M835	Classified	Hourly	29.82	31.00	32.28	33.40	34.71
			Bi-Weekly	2,385.60	2,480.00	2,582.40	2,672.00	2,776.80
			Monthly	5,168.80	5,373.33	5,595.20	5,789.33	6,016.40
			Annual	62,025.60	64,480.00	67,142.40	69,472.00	72,196.80
SENIOR UTILITY LEADER - SEWER	M920	Classified	Hourly	38.92	40.46	42.11	43.59	45.29
			Bi-Weekly	3,113.60	3,236.80	3,368.80	3,487.20	3,623.20
			Monthly	6,746.13	7,013.07	7,299.07	7,555.60	7,850.27
			Annual	80,953.60	84,156.80	87,588.80	90,667.20	94,203.20
UTILITY LEADER - SEWER	M915	Classified	Hourly	33.84	35.18	36.62	37.90	39.38
			Bi-Weekly	2,707.20	2,814.40	2,929.60	3,032.00	3,150.40
			Monthly	5,865.60	6,097.87	6,347.47	6,569.33	6,825.87
			Annual	70,387.20	73,174.40	76,169.60	78,832.00	81,910.40
UTILITY WORKER - SEWER	M910	Classified	Hourly	30.76	31.98	33.30	34.46	35.80
			Bi-Weekly	2,460.80	2,558.40	2,664.00	2,756.80	2,864.00
			Monthly	5,331.73	5,543.20	5,772.00	5,973.07	6,205.33
			Annual	63,980.80	66,518.40	69,264.00	71,676.80	74,464.00
UTILITIES MAINTENANCE MECHANIC	M415	Classified	Hourly	34.90	36.25	37.68	39.20	40.78
			Bi-Weekly	2,792.00	2,900.00	3,014.40	3,136.00	3,262.40
			Monthly	6,049.33	6,283.33	6,531.20	6,794.67	7,068.53
			Annual	72,592.00	75,400.00	78,374.40	81,536.00	84,822.40

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INFORMATION TECHNOLOGY DEPARTMENT								
INFORMATION SYSTEMS MANAGER	H565	Classified	Hourly	53.65	56.33	59.15	62.12	65.22
			Bi-Weekly	4,292.00	4,506.40	4,732.00	4,969.60	5,217.60
			Monthly	9,299.33	9,763.87	10,252.67	10,767.47	11,304.80
			Annual	111,592.00	117,166.40	123,032.00	129,209.60	135,657.60
INFORMATION TECHNOLOGY MANAGER	H566	Classified	Hourly	53.65	56.33	59.15	62.12	65.22
			Bi-Weekly	4,292.00	4,506.40	4,732.00	4,969.60	5,217.60
			Monthly	9,299.33	9,763.87	10,252.67	10,767.47	11,304.80
			Annual	111,592.00	117,166.40	123,032.00	129,209.60	135,657.60
DATA AND SYSTEMS COORDINATOR	H560	Classified	Hourly	48.28	50.69	53.23	55.89	58.68
			Bi-Weekly	3,862.40	4,055.20	4,258.40	4,471.20	4,694.40
			Monthly	8,368.53	8,786.27	9,226.53	9,687.60	10,171.20
			Annual	100,422.40	105,435.20	110,718.40	116,251.20	122,054.40
NETWORK SYSTEMS SPECIALIST	H555	Classified	Hourly	43.39	45.57	47.84	50.23	52.75
			Bi-Weekly	3,471.20	3,645.60	3,827.20	4,018.40	4,220.00
			Monthly	7,520.93	7,898.80	8,292.27	8,706.53	9,143.33
			Annual	90,251.20	94,785.60	99,507.20	104,478.40	109,720.00
GEOGRAPHIC INFO SYSTEMS COORDINATOR	T460	Classified	Hourly	46.80	49.14	51.47	54.07	57.65
			Bi-Weekly	3,744.00	3,931.20	4,117.60	4,325.60	4,612.00
			Monthly	8,112.00	8,517.60	8,921.47	9,372.13	9,992.67
			Annual	97,344.00	102,211.20	107,057.60	112,465.60	119,912.00
PROGRAMMER ANALYST	T455	Classified	Hourly	40.73	42.72	44.95	47.16	49.49
			Bi-Weekly	3,258.40	3,417.60	3,596.00	3,772.80	3,959.20
			Monthly	7,059.87	7,404.80	7,791.33	8,174.40	8,578.27
			Annual	84,718.40	88,857.60	93,496.00	98,092.80	102,939.20
WEB SPECIALIST	T450	Classified	Hourly	40.14	42.17	44.26	46.46	48.79
			Bi-Weekly	3,211.20	3,373.60	3,540.80	3,716.80	3,903.20
			Monthly	6,957.60	7,309.47	7,671.73	8,053.07	8,456.93
			Annual	83,491.20	87,713.60	92,060.80	96,636.80	101,483.20
INFORMATION TECHNOLOGY ANALYST II	T435	Classified	Hourly	40.71	42.74	44.88	47.13	49.49
			Bi-Weekly	3,256.80	3,419.20	3,590.40	3,770.40	3,959.20
			Monthly	7,056.40	7,408.27	7,779.20	8,169.20	8,578.27
			Annual	84,676.80	88,899.20	93,350.40	98,030.40	102,939.20
INFORMATION TECHNOLOGY ANALYST I	T430	Classified	Hourly	37.01	38.86	40.81	42.85	44.99
			Bi-Weekly	2,960.80	3,108.80	3,264.80	3,428.00	3,599.20
			Monthly	6,415.07	6,735.73	7,073.73	7,427.33	7,798.27
			Annual	76,980.80	80,828.80	84,884.80	89,128.00	93,579.20
TECHNOLOGY SOLUTIONS ANALYST II	T445	Classified	Hourly	40.71	42.74	44.88	47.13	49.49
			Bi-Weekly	3,256.80	3,419.20	3,590.40	3,770.40	3,959.20
			Monthly	7,056.40	7,408.27	7,779.20	8,169.20	8,578.27
			Annual	84,676.80	88,899.20	93,350.40	98,030.40	102,939.20
TECHNOLOGY SOLUTIONS ANALYST I	T440	Classified	Hourly	37.01	38.86	40.81	42.85	44.99
			Bi-Weekly	2,960.80	3,108.80	3,264.80	3,428.00	3,599.20
			Monthly	6,415.07	6,735.73	7,073.73	7,427.33	7,798.27
			Annual	76,980.80	80,828.80	84,884.80	89,128.00	93,579.20
GEOGRAPHIC INFO SYSTEM TECHNICIAN II	T465	Classified	Hourly	36.97	38.82	40.75	42.78	44.96
			Bi-Weekly	2,957.60	3,105.60	3,260.00	3,422.40	3,596.80
			Monthly	6,408.13	6,728.80	7,063.33	7,415.20	7,793.07
			Annual	76,897.60	80,745.60	84,760.00	88,982.40	93,516.80
GEOGRAPHIC INFO SYSTEM TECHNICIAN I	T464	Classified	Hourly	33.63	35.30	37.06	38.93	40.87
			Bi-Weekly	2,690.40	2,824.00	2,964.80	3,114.40	3,269.60
			Monthly	5,829.20	6,118.67	6,423.73	6,747.87	7,084.13
			Annual	69,950.40	73,424.00	77,084.80	80,974.40	85,009.60

**SALARY PLAN FOR ALL CLASSIFICATIONS
(PER MUNI CODE SEC.2-4.30)
FY 2017**

ATTACHMENT III
Recommended by
Personnel Commission
on March 16, 2017
Approved by Council
on March 21, 2017

Classification Title	Job Code	Service Type		Step A	Step B	Step C	Step D	Step E
INFORMATION TECHNOLOGY TECHNICIAN II	T425	Classified	Hourly	36.97	38.82	40.75	42.78	44.96
			Bi-Weekly	2,957.60	3,105.60	3,260.00	3,422.40	3,596.80
			Monthly	6,408.13	6,728.80	7,063.33	7,415.20	7,793.07
			Annual	76,897.60	80,745.60	84,760.00	88,982.40	93,516.80
INFORMATION TECHNOLOGY TECHNICIAN I	T424	Classified	Hourly	33.63	35.30	37.06	38.93	40.87
			Bi-Weekly	2,690.40	2,824.00	2,964.80	3,114.40	3,269.60
			Monthly	5,829.20	6,118.67	6,423.73	6,747.87	7,084.13
			Annual	69,950.40	73,424.00	77,084.80	80,974.40	85,009.60
INFORMATION SYSTEMS SUPPORT TECHNICIAN	T415	Classified	Hourly	30.28	31.79	33.42	35.08	36.77
			Bi-Weekly	2,422.40	2,543.20	2,673.60	2,806.40	2,941.60
			Monthly	5,248.53	5,510.27	5,792.80	6,080.53	6,373.47
			Annual	62,982.40	66,123.20	69,513.60	72,966.40	76,481.60
DATA SYSTEMS OPERATOR	C450	Classified	Hourly	26.37	27.57	28.94	30.31	31.73
			Bi-Weekly	2,109.60	2,205.60	2,315.20	2,424.80	2,538.40
			Monthly	4,570.80	4,778.80	5,016.27	5,253.73	5,499.87
			Annual	54,849.60	57,345.60	60,195.20	63,044.80	65,998.40
AUDIO VIDEO SPECIALIST	T410	Classified	Hourly	28.85	30.26	31.81	33.39	34.98
			Bi-Weekly	2,308.00	2,420.80	2,544.80	2,671.20	2,798.40
			Monthly	5,000.67	5,245.07	5,513.73	5,787.60	6,063.20
			Annual	60,008.00	62,940.80	66,164.80	69,451.20	72,758.40
VIDEO ASSISTANT	T400	Classified	Hourly					15.84
			Bi-Weekly					1,267.20
			Monthly					2,745.60
			Annual					32,947.20



CITY OF HAYWARD

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

File #: CONS 17-148

DATE: March 21, 2017

TO: Mayor and City Council

FROM: City Manager

SUBJECT

Approval of a Resolution Authorizing the City Manager to Negotiate and Execute a Purchase and Sale Agreement with William Lyon Homes, Inc for Properties Located in South Hayward near Dixon and Valle Vista Avenues

RECOMMENDATION

That the Council approves the attached resolution authorizing the City Manager to negotiate and execute a purchase and sale agreement with William Lyon Homes, Inc for properties located in South Hayward near Dixon and Valle Vista Avenues, in a form to be approved by the City Attorney and consistent with the terms and conditions identified in this report.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution
Attachment III	Property Map and Key



DATE: March 21, 2017

TO: Mayor and City Council

FROM: City Manager

SUBJECT Approval of a Resolution Authorizing the City Manager to Negotiate and Execute a Purchase and Sale Agreement with William Lyon Homes, Inc for Properties Located in South Hayward near Dixon and Valle Vista Avenues

RECOMMENDATION

That the Council approves the attached resolution (Attachment II) authorizing the City Manager to negotiate and execute a purchase and sale agreement with William Lyon Homes, Inc for properties located in South Hayward near Dixon and Valle Vista Avenues, in a form to be approved by the City Attorney and consistent with the terms and conditions identified in this report.

BACKGROUND

Developer Background and Experience

William Lyon Homes is one of the largest Western U.S. regional homebuilders. Headquartered in Newport Beach, California, the Company is primarily engaged in the design, construction, marketing, and sale of single-family detached and attached homes in California, Arizona, Nevada, Colorado, Washington, and Oregon. Its core markets include Orange County, Los Angeles, San Diego, the San Francisco Bay Area, Phoenix, Las Vegas, Denver, Seattle, and Portland. The Company has more than fifty-nine years of homebuilding operations, over which time it has sold more than 93,000 homes. In northern California, they have developed communities in Morgan Hill, Brentwood, Mountain View, Tracy, Antioch, Dublin, and Pittsburg. Although they do not have specific retail development experience, they will be selecting a seasoned development partner to ensure the retail elements of the project are positioned for success.

Exclusive Negotiating Rights Agreement Background

In October 2015, William Lyon Homes, Inc. approached the City about entering into an Exclusive Negotiating Rights Agreement (ENRA) regarding the potential development of several Caltrans 238 Bypass excess properties in the Mission/Dixon/Valle Vista Corridor (See Attachment IV). In January of 2016, the City Council authorized the City Manager to enter into an ENRA with William Lyon and a Purchase and Sale Agreement with Caltrans to acquire excess property in the 238 Bypass Corridor, including the properties covered by the Lyon ENRA.

City staff and William Lyon Homes representatives have been working through specific tasks outlined within the ENRA regarding due diligence, project design and approach, and technical studies identifying site constraints. The ENRA was amended twice; once to allow for additional and more in-depth geotechnical studies on portions of the subject properties, and once to extend the time frame of the ENRA. The ENRA will expire by the end of March 2017.

Proposed Concept Project

William Lyon Home's proposal consists of residential condominiums and a commercial center off of Mission Boulevard which is connected by a park and trail spine from Valle Vista to Industrial Boulevard. The entire project contains 351 residential units in either the cluster townhome or row townhome variety ranging in size from a one-bedroom/one-and-a-half bathroom 964 square foot cluster townhome, to up to a four-bedroom/three-and-a-half bathroom 2,105 square foot row townhome. The development reserves 884 parking spaces for the residential component with every unit including covered/attached garages. The retail component includes a total of 21,900 square feet of retail containing two 6,700 square foot units (end units) and two 4,250 square foot units (center units). The development identifies 76 parking spaces for retail, including parking along Mission and within the plaza to the south of the retail space.

One of the project's key recreational amenities is roughly 2.5 acres of parkland surrounding an existing Alameda County Flood Control channel and trail system. The park incorporates several outdoor fitness/PAR courses, along with California native garden and educational elements, two dog parks, and other general open spaces and walkways. The project is within a half mile to 8/10ths of a mile from the South Hayward BART Station. The proposed project was presented to Council during a work session on [November 15, 2016](#).

Approval of the Purchase and Sale Agreement is simply one step in the approval process for this project. The project will still need to go through the entitlement and development review process in accordance with the milestones and timelines established in the agreement.

DISCUSSION

City staff began negotiations with William Lyon Homes in January on the terms of the Purchase and Sale Agreement. Over the past two and a half months the City and William Lyon

Homes have been successful in negotiating a PSA generally described below. The purchase price and other key terms have been discussed in closed session with the City Council. Once the PSA has been executed, staff will bring the executed version back to Council for a public review of the terms.

Subject Properties

Under the PSA the City will sell 17 properties in total:

- 14 Caltrans properties to be purchased by the City under the existing 238 Bypass Property PSA with Caltrans
- 1 City owned parcel which was to be included in Valle Vista Park.
- 1 parcel owned by Bay Area Rapid Transit (BART), to be purchased by the City and sold to the developer
- 1 parcel owned by Alameda County Flood Control (ACFC), to be purchased by the City and sold to the developer

The PSA also involves a land swap between Hayward Area Recreation and Park District (HARD) and the City for parkland acreage.

Timeframes

The Developer is prepared to move forward with a formal development application within the next two months. Under the PSA, the developer must meet certain milestones regarding the entitlement process. The closing date for this agreement will be when the development has completed all necessary entitlements and is ready to record a final map but not more than eighteen months from the execution of the PSA.

ECONOMIC AND FISCAL IMPACT

Currently, all the properties included in the Caltrans 238 Bypass former right-of-way are not contributing any property tax to the City. Under this PSA, these properties would have the potential to begin generating tax revenue for the City. When staff returns with the executed PSA, a better estimate of the potential tax revenue will be available. Additionally, a portion of the proceeds from this sale will help fund future development activities on other Caltrans 238 properties, which will also grow the City's property tax base. Once any proceeds from this sale are received, staff will return to Council with a policy discussion about the use of these proceeds.

Moreover, the sale of the identified properties will further the public purpose of economic redevelopment creating jobs, homes, parks, and vibrancy in an area that has suffered from historic under development as a result of the proposed and now defunct freeway project.

NEXT STEPS

Following Council approval, the City Manager will execute a Purchase and Sale Agreement in a form approved by the City Attorney consistent with the terms and conditions contemplated in this staff report and its associated attachments and during the Closed Session with City Council. Following execution, a copy of the PSA will be brought back to the Council as an informational item for Council's reference.

Prepared by: John Stefanski, Management Analyst

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 PURCHASE AND SALE AGREEMENT WITH WILLIAM LYON HOMES, INC FOR PROPERTIES LOCATED IN SOUTH HAYWARD NEAR DIXON AND VALLE VISTA AVENUES.

WHEREAS, the City and William Lyon Homes, Inc. entered into an Exclusive Negotiation Rights Agreements regarding the potential development of several Caltrans 238 Bypass excess properties in the Mission/Dixon/Valle Vista Corridor in October 2015; and,

WHEREAS, The City and William Lyon Homes, Inc. successfully completed both phases of said agreement in March 2017 and have reached an agreement regarding the purchase and sale of some of the properties identified in that agreement as described in the accompanying staff report; and

WHEREAS, sale of the identified properties will further the public purpose of economic redevelopment creating jobs, homes, parks, and vibrancy in an area that has suffered from historic under development as a result of the proposed and now defunct freeway project;

NOW, THEREFORE, BE IT RESOLVED the City Council authorizes and directs the City Manager to negotiate and execute a purchase and sale agreement with William Lyon Homes, Inc. for properties located in South Hayward in the Mission/Dixon/Valle Vista Corridor, in a form to be approved by the City Attorney and consistent with the terms and conditions identified in the accompanying staff report.

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

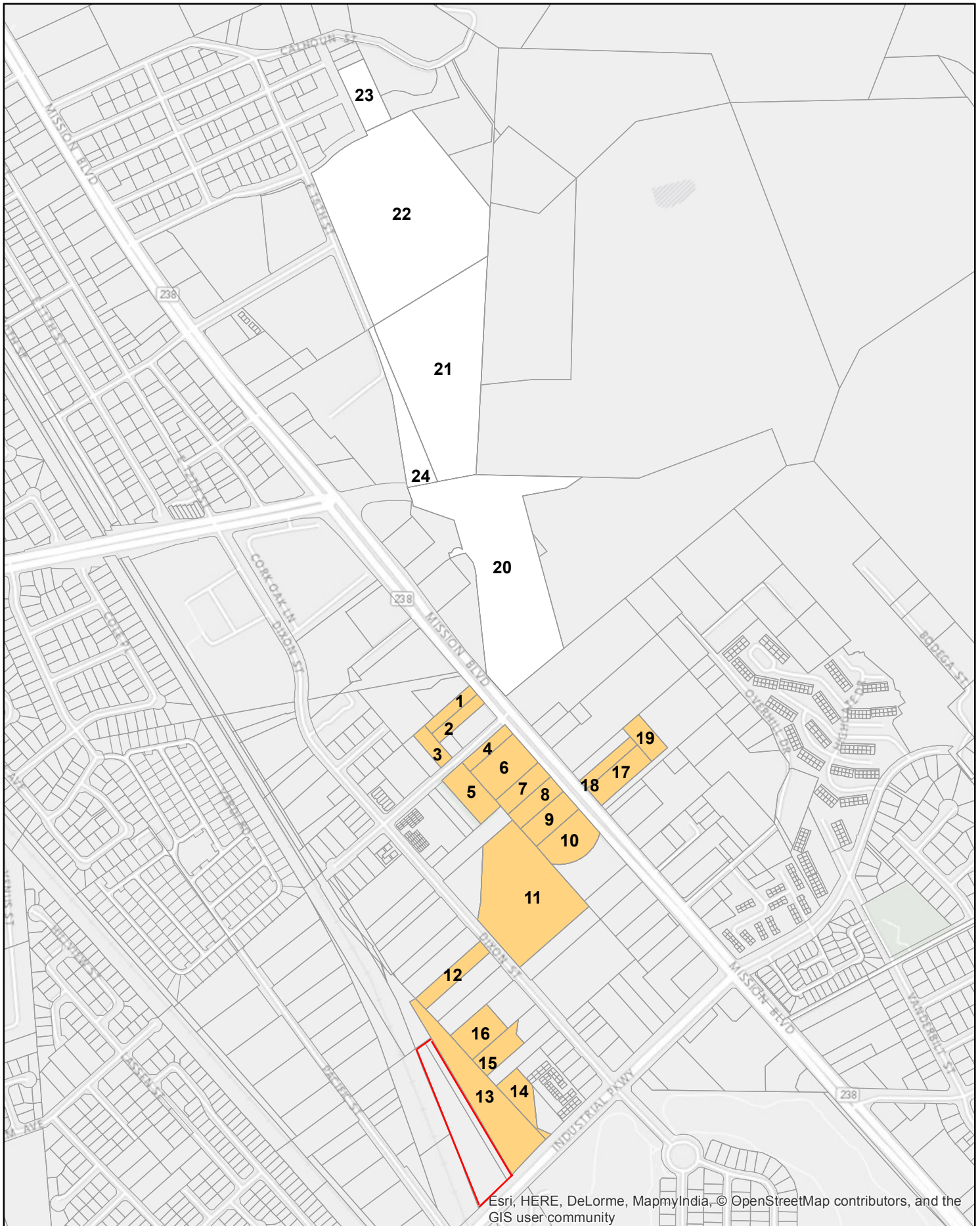
APPROVED AS TO FORM:

City Attorney of the City of Hayward



Valle Vista-CalTrans Properties Reference Map

ATTACHMENT III
0 250 500 Feet



Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community

Valle Vista- CalTrans Properties Reference Map Key			
Map Number	Address	APN	Ownership
1.	N/A	78C-447-3-1	CalTrans
2.	N/A	78C-447-3-2	CalTrans
3.	380 Valle Vista	78C-447-6-2	CalTrans
4.	29213 Mission Blvd	78C-438-6	CalTrans
5.	N/A	78C-438-5	HARD-Valle Vista Park
6.	29263 Mission	78C-438-7	City of Hayward
7.	N/A	78C-438-8	CalTrans
8.	29335 Mission	78C-438-9	CalTrans
9.	29339 Mission	78C-438-10	CalTrans
10.	N/A	78C-438-11-1	CalTrans
11.	N/A	78C-438-19-1	CalTrans
12.	N/A	78C-435-2-1	CalTrans
13.	N/A	83-460-6-3	CalTrans
14.	N/A	78C-436-10-3	CalTrans
15.	29629 Dixon	78C-436-1-7	CalTrans
16.	29599 Dixon	78C-435-6	CalTrans
17.	N/A	78C-455-4	CalTrans
18.	29350 Mission	78C-455-3	CalTrans
19.	29380 Mission	78C-455-5-2	CalTrans
20.	N/A	Unparceled ROW	CalTrans
21.	N/A	78C-626-3-9	CalTrans
22.	29290 Mission	78C-626-1-7	CalTrans
23.	E 17th Street	78C-641-10-1	CalTrans
24.	N/A	78C-626-3-16	CalTrans
Properties 1 through 3 are the "Caltrans Additional Property"			
Property 5 is the "HARD Property"			
Property 6 is the "City Owned Property"			
Properties 20 through 24 are the "Excluded Parcels"			
All other properties listed above as properties 4, and 7 through 19, are the "Caltrans Valle Vista Property". The Properties outlined in red include both BART and ACFC properties.			



CITY OF HAYWARD

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

File #: WS 17-010

DATE: March 21, 2017

TO: Mayor and City Council

FROM: City Attorney and City Manager

SUBJECT

Medical Cannabis and Adult Use of Marijuana Work Session: Where Do We Go From Here?

RECOMMENDATION

That Council reviews this report and provides guidance and direction to staff on the following questions:

1. Should cannabis businesses be permitted or prohibited in Hayward?
2. If cannabis businesses are permitted, should those businesses include both medical and adult recreational products?
3. If cannabis businesses are permitted, how many should be permitted, where should those businesses be located and within what sort of regulatory framework?
4. If cannabis businesses are permitted, how should transactions be taxed under Hayward's voter-approved Measure EE?

ATTACHMENTS

- | | |
|-----------------|--|
| Attachment I | Staff Report |
| Attachment II | Medical Cannabis: A Case Study |
| Attachment III | Alameda County Medical Marijuana Dispensaries - Map, January 2017 |
| Attachment IV | NPR: Report by National Academies of Sciences, Engineering and Medicine, January 12, 2017 |
| Attachment V | League of California Cities: FAQs re Adult Use of Marijuana Act (Proposition 64), January 9, 2017 |
| Attachment VI | White House: Feds will step up Marijuana Enforcement, Citizens Against Legalizing Marijuana, February 24, 2017 |
| Attachment VII | Legal Marijuana: With Sessions as Top Cops, Pot Advocates Getting Nervous, NBC News, February 14, 2017 |
| Attachment VIII | Medical Marijuana Regulation and Safety Act, League of California Cities, February 23, 2017 |



DATE: March 21, 2017

TO: Mayor and Council

FROM: City Attorney and City Manager

SUBJECT Medical Cannabis and Adult Use of Marijuana Work Session: Where Do We Go From Here?

RECOMMENDATION

That Council reviews this report and provides guidance and direction to staff on the following questions:

1. Should cannabis businesses be permitted or prohibited in Hayward?
2. If cannabis businesses are permitted, should those businesses include both medical and adult recreational products?
3. If cannabis businesses are permitted, how many should be permitted, where should those businesses be located and within what sort of regulatory framework?
4. If cannabis businesses are permitted, how should transactions be taxed under Hayward's voter-approved Measure EE?

BACKGROUND

The purpose of this report is to provide background and relevant information regarding the state and local regulatory framework for the medical use of marijuana/cannabis and the adult recreational use of marijuana. "Marijuana" and "cannabis" are synonymous terms for the same plant material and are used interchangeably in this report. There are three key legislative developments referenced in this report. Their acronyms (to which this report will frequently refer), titles and dates of enactment are as follows:

- MCRSA (Medical Cannabis Regulation and Safety Act, AB 266, AB 243, SB 643), enacted January 1, 2016
- AUMA (Adult Use of Marijuana Act – Proposition 64), enacted November 9, 2016
- Measure EE (City of Hayward Cannabis Tax), enacted November 8, 2016

Presently, MCRSA permits small amounts of marijuana to be cultivated and consumed for personal use. The City cannot prohibit personal cultivation and use of small amounts. The

City currently prohibits large scale medical marijuana cultivation and sales through exclusionary zoning regulations. The City must decide prior to January 1, 2018 if and how to regulate marijuana in the community, otherwise the State of California could issue AUMA licenses to Hayward applicants.

Similarly, AUMA permits small amounts of marijuana to be cultivated and consumed for personal use. The City cannot prohibit personal cultivation and use of small amounts, with minor exceptions. AUMA allows large scale cultivation, manufacturing, distribution, and sale ('seed to sale') to adults aged 21 years or older – effective January 1, 2018. The City must decide prior to January 1, 2018 if and how to regulate marijuana in the community, otherwise the State of California could issue AUMA licenses to Hayward applicants.

If the City decides to permit sales under MCRSA and/or AUMA, the City must decide if local taxes will be applied to such businesses, pursuant to Measure EE which Hayward voters approved November 8, 2016.

DISCUSSION

A. MCRSA - Medical Marijuana

MCRSA has been around in some form since California voters adopted Proposition 215 in 1996 – the Compassionate Care Act. Proposition 215 was poorly written and inconsistently administered at every level of government. In addition to its poor administration at the state and local level, the federal government used marijuana's Schedule 1 controlled substances classification to criminalize cultivation, sales and use. The federal government in the Obama Administration indicated its unwillingness to intervene in the cultivation, sales and use of marijuana, if states enacted comprehensive regulatory schemes. MCRSA is California's attempt at creating a comprehensive regulatory scheme. Under the Trump Administration, it is unclear if that administration will continue a 'hands-off' policy as articulated by the previous administration. California has given every indication at this point that it fully intends to administer MCRSA and AUMA, with regulations and licensing planned to be in place by January 1, 2018.

The City's current exclusionary zoning regulations prohibit MCRSA businesses. Even so, if the City intends to prohibit AUMA (recreational marijuana) businesses, such prohibition should also extend to MCRSA businesses as explained later in this report. The state will not issue MCRSA licenses to a business that does not have a City license. It is staff's further understanding that MCRSA will require patients to obtain new medical care cards to be able to purchase products after January 1, 2018.

MCRSA products, as medicinal products, are theoretically available to patients of all ages, but AUMA products, as recreational products, will only be available for adults 21 or older, similar to alcohol. This slight distinction is important because the state intends to have the same testing requirements for both products. This means a MCRSA business can easily convert its business model to include AUMA products – with the only distinction being the age of the customer and whether taxes are imposed on the AUMA and MCRSA products.

B. AUMA – Recreational Marijuana

AUMA breaks new ground in California while presenting many new challenges, mainly whether the City prohibits or permits sales. The states of Oregon, Washington, Alaska, Colorado, and the District of Columbia, already have AUMA legislation in place. It is estimated that the “legal” marijuana business is now a multi-billion dollar enterprise, and growing. California will become the largest market when the state begins its licensing process in January 2018. The question for Hayward is whether to permit commercial operations associated with AUMA products. If the City chooses to prohibit commercial operations under AUMA, an ordinance must be affirmatively adopted and effective prior to January 1, 2018, otherwise the State of California could issue AUMA licenses to Hayward applicants.

Even if the City prohibits commercial marijuana operations, surrounding jurisdictions are likely to permit AUMA commercial operations, which may have impacts on the City. For example, in unincorporated Alameda County, there are two licensed medical marijuana distributors currently in place, with a third business under consideration. These ‘medical’ businesses could decide to expand their operations to include recreational sales under AUMA, and Hayward would not be able to prohibit the sales. Hayward would only be able to prohibit deliveries within the incorporated areas of the City. It is presumed that some Hayward residents are regular customers at these two county-licensed businesses in the unincorporated area. The cities of Berkeley, Oakland and San Leandro, along with the County, currently have fifteen licensed medical marijuana businesses, which could easily extend their business models to include AUMA products.

A perceived benefit of allowing AUMA sales is the contribution towards tax revenues to the City. Along with Hayward’s Measure EE, throughout the state, there were 36 other local marijuana/cannabis taxes voted upon in the November 2016 ballot. Measure EE allows the City to impose a tax of up to 15 percent, which could be in addition to any other state or regional taxes. This could mean that a \$1.00 transaction could be about \$1.45. The tax additions raise a legitimate question as to whether customers are willing to pay more for legal marijuana products than “black market” marijuana. This question does not have a definitive yes or no answer at this point. Legal marijuana will have been tracked and lab-tested, while black market marijuana will not have been tested or tracked and traced. Economic benefits and impacts are discussed later in this report.

In preparation for this report, City staff reached out to a local licensed medical marijuana distributor to better understand how different business models survive and thrive in a regulated market. The summary is attached as a case study (see Attachment II).

C. Land Use Control Options

If the City chooses to permit MCRSA or AUMA businesses, or both, the best regulatory approach is to develop land use and zoning options to identify areas of the City most conducive to the various aspects of the businesses on the continuum from cultivation to consumption, while immunizing impacts to residential areas and youth. For example, indoor cultivation – that is, growing the crop – might fit best in industrial zones. Converting crop to smokable products, topicals or edibles could be located in industrial or manufacturing areas. Warehousing and distribution could similarly be situated in industrial or manufacturing zones. Retail sales mostly likely would fit in commercial zones. It is not envisioned that outdoor cultivation or any business activity would be permitted in residential zones.

In addition to zoning controls, conditional use permits (“CUP”) would provide for public hearing input and a level of discretionary review requiring certain findings to be made. CUPs might be preferred over Administrative Use Permits (“AUP”). AUPs are issued by staff, though AUPs may be referred to or appealed to the planning commission. Separation requirements between businesses and other sensitive users is not uncommon. AUMA already prohibits businesses from locating within 1000 feet of schools.

Land use regulations require staff time to develop and hearings before the Planning Commission hearings before the Council can consider them. Ideally, the Council should receive the final staff and Planning Commission recommendations before the summer recess. This timing would allow Council to enact new regulations prior to January 1, 2018.

D. Regulatory Ordinances

Presently, there are eighteen licensed medical marijuana retailers in Alameda County – six in Berkeley, seven in Oakland, two in San Leandro (with a third pending) and two in unincorporated Alameda County (with ‘Hayward’ addresses).

All local jurisdictions that allow MCRSA businesses have adopted regulatory ordinances unique to these kinds of business models. These ordinances require ownership disclosures and backgrounds of the owners and employees, hours of operations, security requirements, signage and lighting controls on air emissions, inventory controls and financial practices, license review, inspections and revocation and so on. These requirements would be in addition to the state licensing requirements under MCRSA and AUMA.

Some jurisdictions have established by policy a limit on the number of MCRSA businesses allowed – San Leandro has a maximum of three MCRSA businesses (two are in operation), while unincorporated Alameda County also permits three (two are in operation). With this approach, jurisdictions often invite requests for qualifications to vet potential businesses before selecting an operator. Other jurisdictions use land use controls and separation requirements, which by their nature tend to limit the number of such businesses. The vetting approach would increase the likelihood a legitimately operated business would exist.

If the Council is inclined to permit marijuana businesses, a regulatory ordinance should be developed and submitted for Council consideration prior to the summer recess to ensure all ordinances are in place prior to the January 1, 2018 statewide rollout. In order to develop regulations for consideration, staff has developed the following questions for Council discussion:

1. Should cannabis businesses be permitted or prohibited in Hayward?
2. If cannabis businesses are permitted, should those businesses include both medical and adult recreational products?
3. If cannabis businesses are permitted, how many should be permitted, where should those businesses be located and within what sort of regulatory framework?
4. If cannabis businesses are permitted, how should transactions be taxed under Hayward's voter-approved Measure EE?

E. Benefits/Detriments of Cannabis/Marijuana

It is not the purpose of this report to exhaustively address the benefits of cannabis, either medical or recreational, given that both forms of cannabis have been legalized in California and many other states and the District of Columbia. It is fair to say, however, that limited empirical research exists because cannabis has been a federally-controlled substance with very little funding or authorization for mainstream research organizations. A recent compilation of available research was published by the National Academies of Sciences, Engineering and Medicine, probably the most unbiased such document produced to date by researchers working under the auspices of the federal government (a summary of this document is attached – see Attachment 4). This document reveals the pros and cons of regular cannabis use. As medical and recreational cannabis is introduced into the mainstream population, more research will clearly be undertaken to prove or disprove prevailing theories about the benefits and detriments of regular or long-term use.

F. Law Enforcement Concerns

Consumption of marijuana already presents challenges to law enforcement within the context of driving while impaired (DWI). There is no question but that marijuana consumption can negatively affect the ability to drive safely. However, there is no current legal standard as there is for alcohol – that is, blood alcohol content of .08 (8/100) is a fixed standard warranting arrest. Marijuana consumption, on the other hand, requires law enforcement to look for behaviors such as driving and weaving, falling asleep while stopped, slurred speech, unbalanced gait, and so on. An effort is underway legislatively and through research to reach a consensus on this point, but there is no conclusive agreement at this time. In other words, AUMA will add to the burden on law enforcement generally and of course in Hayward. AUMA will direct some funding to law enforcement for DWI, unless a jurisdiction has prohibited such businesses.

Legal cannabis will not eliminate the underground/black market. Consequently, law enforcement will continue to deal with drug trafficking at all levels of government.

As a matter of reference, in September 2016, the Rocky Mountain High Intensity Drug Trafficking Area (RMHIDTA) issued a comprehensive report, 'The Legalization of Marijuana in Colorado - The Impact, Volume 4,' which examines the effects of marijuana legalization in Colorado and makes a comparison over three time periods in the state. This report, which is available at www.rmhidta.org, is deemed by many law enforcement agencies as the definitive source related to marijuana and its effects in Colorado. The report focuses on the following areas, summarized below: (1) impaired driving, (2) youth marijuana use, (3) adult marijuana use, (4) emergency room admissions, (5) marijuana-related exposure cases, and (5) diversion of Colorado marijuana.

Impaired Driving

The report indicates that in Colorado, marijuana-related traffic deaths increased 48 percent in the three-year average since Colorado legalized recreational marijuana compared to the three-year average prior to legalization. During that same time, all traffic deaths increased by 11 percent. Additionally, the report noted that marijuana related traffic deaths increased 62 percent from 71 to 115 persons after recreational marijuana was legalized in 2013.

Youth Marijuana Use

Youth marijuana use increased 20 percent in the two-year average (2013/2014) since Colorado legalized recreational marijuana compared to the two-year average prior to legalization (2011/2012). Nationally, youth marijuana use declined 4 percent during the same time period. Additionally, college-age marijuana use increased 17 percent in the two-year average (2013/2014) since Colorado legalized recreational marijuana compared to the two-year average prior to legalization (2011/2012).

Emergency Use Admissions

The report indicates that Colorado emergency department visits per year related to marijuana increased by over 4,000 between 2013 and 2014. Additionally, emergency department rates likely related to marijuana increased 49 percent in the two-year average since Colorado legalized recreational marijuana compared to the two-year average prior to legalization. The number of hospitalizations related to marijuana increased from 6,305 (in 2011) to 11,439 (in 2014). The study found that hospital rates likely related to marijuana increased 32 percent in the two-year average since Colorado legalized recreational marijuana compared to the two-year average prior to legalization.

Marijuana Related Exposure Cases

Marijuana-related exposures increased 100 percent in the three-year average (2013-2015) since Colorado legalized recreational marijuana compared to the three-year average (2010-2012) prior to legalization. Additionally, marijuana-only exposures increased 155

percent in the three-year average (2013- 2015) since Colorado legalized recreational marijuana compared to the three-year average (2010-2012) prior to legalization. Marijuana exposure includes reported cases of second-hand smoke inhalation by children and toxic/poison ingestion by children and adults.

Diversification of Colorado Marijuana

Highway patrol yearly interdiction seizures of Colorado marijuana increased 37 percent from 288 to 394 (2013-2015), since recreational marijuana was legalized.

SUSTAINABILITY IMPACTS

Legal and illegal indoor cultivation of cannabis requires significant amounts of water and power. If the Council permits cannabis businesses, the conditional use permit or administrative use permit process would identify and address those impacts. Indoor cultivation is often discovered when power overloads cause fires, require a fire department response. Illegal cultivation is likely to continue, even if cannabis businesses are permitted in Hayward.

Cultivation for personal use, whether indoor or outdoor, is not believed to create any unusual impacts on the use of water or power.

FISCAL IMPACT

If the Council were to permit cannabis and marijuana businesses, it is anticipated that a significant cost would be associated with the administration of land use and regulatory ordinances depending on the number and type of businesses Council chooses to allow. As an example, staff would be required to process applications, prepare reports to the Planning Commission and City Council, review business plans, obtain background results for proposed owners and employees, and interact with the state's cannabis regulators. Staff would also be involved in auditing financial records to determine if the City is accurately receiving funds resulting from the application of Measure EE. These staff functions would cover multiple departments and several full-time equivalent higher-level classifications, at the outset of operations in Hayward and subsequently to assure ongoing compliance. If the City were to allow five businesses to operate, staff costs could easily exceed \$500,000 annually. Some or possibly all of these administrative costs could be covered by City licensing fees approved as part of the Master Fee Schedule, but it would take at least two fiscal years of operations to identify true administrative costs. Oakland charges \$67,000 a year for each of its eight licensed retailers for administration, a total of \$500,000. Administrative fees are not the same as taxes, discussed below.

Additionally, law enforcement cost impacts would predictably increase, whether or not cannabis and marijuana businesses are allowed in Hayward, as discussed earlier in this report.

ECONOMIC IMPACTS

Economic impacts of potential cannabis and marijuana businesses in Hayward can best be understood in the context of what is happening in other markets. By the end of 2016, seven states and the District of Columbia had legalized recreational marijuana, and 28 states had legalized medical cannabis. The state of Colorado, where voters approved medical and recreational marijuana in 2012, tallied \$1 billion in legal cannabis sales in the first ten months of 2016. In October alone, there were \$82.8 million in recreational sales and \$35 million in medical sales. Cannabis businesses have paid \$150 million in various taxes to Colorado as of October. The cannabis industry is estimated to generate over \$22 billion nationally by 2020.

As California recreational marijuana permits roll out in 2018, both gross sales of various products and the taxes on those products will increase dramatically. Local tax data in California is harder to pin down because: a) cities and counties charge different rates on top of the state tax rate of 7.5 percent; and b) data is only available for medical cannabis products. That said some data is available from which reasonable extrapolations can be drawn. For example, Harborside in Oakland, possible the nation's largest retailer, generates about \$30 million in annual gross sales, and about \$1.5 million in local taxes. Berkeley's four authorized retailers generate about \$600,000 in local taxes. A fair assumption about Hayward is approximately \$200,000-500,000 in Measure EE sales taxes could be generated, based on three to five retail operations. The City would also receive 1 percent of the AUMA taxes collected by the state, similar to the allocation of sales taxes.

There is very little reliable data available for gross sales and resulting state or local taxes related to non-retail cannabis and marijuana manufacturing or commercial businesses. Non-retail sales are typically business-to-business transactions which have been historically strong in Hayward because of the large industrially-zoned areas west of Hesperian Boulevard. Non-retail businesses could be approved for indoor cultivation, processing, manufacturing or distribution of edibles, topicals, smokables and paraphernalia, and so on. Gross receipts generated by non-retail cannabis and marijuana businesses would be subject to Measure EE, but reasonable projections are extremely difficult to make, despite efforts by staff in consulting with the City's sales tax consultants.

Given the probability that retail sales might not be acceptable in prime commercial zones, despite the likelihood of Measure EE revenues, consideration should be given to non-retail business activity in industrial and manufacturing areas of the City. As cannabis-based products move into mainstream markets, there will be predictable investment and growth in markets that supports retail sales. While Measure EE revenues are difficult to predict, business-to-business transactional activity is likely to be significant between 2018-2020, as California develops into the largest market in the country.

As the Council considers the economic viability of the legal cannabis and marijuana market, here is an anecdotal analysis by one commentator on the factors consumers consider in choosing where to spend their money on cannabis:

1. Your taxes, combined with state taxes, are too high compared to the black market
2. Law enforcement is ignoring the black market.
3. Loyalty – the black market dealer is the buyer's friend, and they want to keep doing business with him.
4. They grow their own, or get it from someone who does.
5. No special trip – they work in a jurisdiction with lower taxes and go there every day.
6. Sensible special trip – they live so close to a jurisdiction with lower taxes that it makes economic sense to drive there.
7. Spiteful special trip – they go out of their way to buy in a jurisdiction with lower taxes – spending more on gasoline than they save on taxes. They cut off their nose to spite their face – because they say your taxes are too high and they want to show you.

PUBLIC CONTACT

This is a work session that has been publicly noticed on the City's website. The City Attorney's Office, which handles many of the public's inquiries about marijuana/cannabis regulations, has conveyed information about this work session in recent contacts. In the event the Council directs staff to begin working on land use and regulatory controls, the meetings at which those topics would be discussed would be publicly noticed as legally required and web pages related to this topic would be added to the City's website.

NEXT STEPS

If the Council decides to prohibit cannabis and marijuana businesses in Hayward, staff would draft legislation that specifically bans such businesses, to be in place prior to January 1, 2018. If the Council decides to permit cannabis and marijuana businesses, staff would draft land use legislation and regulatory controls, for consideration by the Planning Commission and Council, to be effective prior to January 1, 2018.

Prepared by: Michael S. Lawson, City Attorney

Approved by:



Kelly McAdoo, City Manager

MEDICAL CANNABIS: A CASE STUDY

City staff had the opportunity recently to sit down with the owner of a licensed local medical cannabis retailer (dispensary). During this conversation we discussed the ten-year history of the business and how it has adapted to changes in the cannabis industry, its relationships with law enforcement and regulatory agencies such as the state Board of Equalization and the planning department of the jurisdiction in which it is located. Following are significant take-aways:

1. This business has thirty full- and part-time employees who receive salaries, benefits, workers' compensation coverage (via State Compensation Insurance Fund, at 5x rate), health insurance coverage, and 401(k) retirement options – many of the employees have worked at this business since it started.
2. Employees are required to be backgrounded by law enforcement, as required by the jurisdiction's regulatory ordinance.
3. Although cannabis businesses can obtain bank accounts, it is more costly to do so because of stringent federal regulations designed to prohibit money-laundering and tax fraud – a cannabis bank account costs ten to twenty percent more than a typical business account.
4. As a result of the costs of banking, employees are paid in cash, but the business otherwise complies with state and federal laws regarding employer tax returns and payment of employee taxes – employees receive annual W-2s. The business pays approximately \$500,000 annually in employment taxes.
5. The business has a legitimate but unusual corporate identity and files state and federal business tax returns – the business grosses approximately \$10 million annually and pays approximately \$1 million annually in state and local taxes, including state sales taxes.
6. The business owns its site and would like to expand – there are 500-1,000 walk-in customers every day.
7. The business chooses not to advertise its location so there is no external signage on the building – there is no ordinance or regulatory prohibition on signage.
8. The business has external and internal video surveillance, as required by the regulatory agency, but there are no security guards. The business has had no issues with crime during its ten years in operation. (Some jurisdictions require a minimum of two armed licensed security officers on site anytime the business is open.)
9. The business does not want to disclose its supplier of cannabis. The supplier could be an outside cultivator or an indoor cultivator or even a distributor but the business declines to say which it is. The business understands that state regulations now being developed would require all suppliers in the cannabis chain would be public and licensed at the state level and local level (if such operations were permitted by the local jurisdiction).

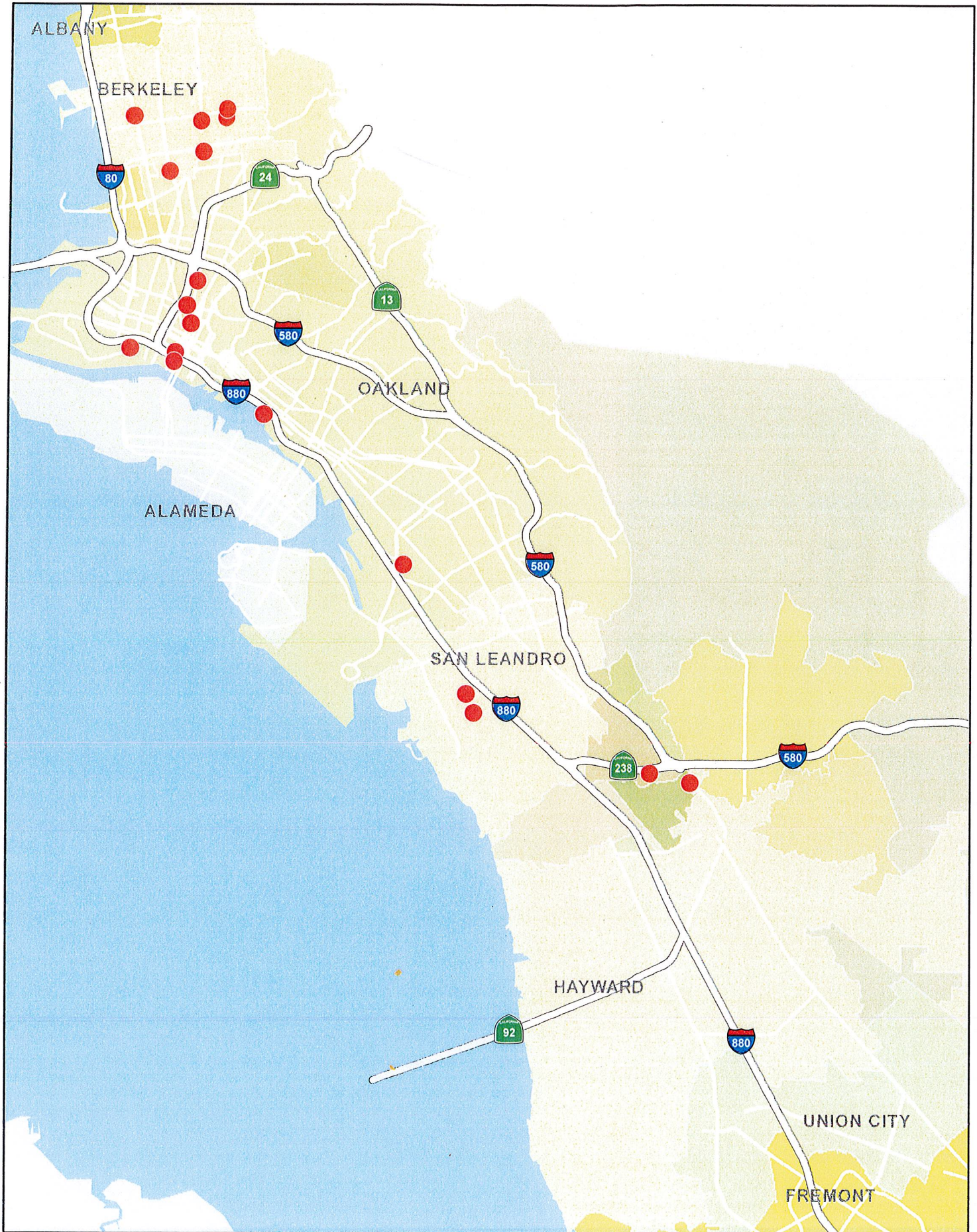
10. The business has its supplier perform the blending process to determine exactly what product is going to be sold – the blending does not take place on-site.
11. All products are lab-tested – state regulations being developed will require testing by state-certified laboratories.
12. The business can easily expand to offer adult recreational cannabis products in 2018 – primarily because the state will have the same standards for medical cannabis and adult use recreational cannabis.
13. The business does not have a delivery component but offers the opinion that fifty or sixty businesses are currently making medical cannabis deliveries in Hayward.
14. The business has had no federal intrusion (e.g., the U.S. Drug Enforcement Agency) since 2008.
15. The business has a strict inventory control system (‘seed to sale’) – this will be required by the state for both medical cannabis and adult use cannabis by January, 2018.
16. The business currently sells only smokable products, not edibles or topicals.
17. According to the business, adult use cannabis products will quickly dominant the market – and the only difference is whether medical cannabis will be taxed and the age restriction on adult use.
18. Indoor cultivation can generate about six crops a year, while outdoor cultivation generates one crop a year.
19. Approximately 80 percent of medical cannabis card holders do not have legitimate medical conditions.



Alameda County Medical Marijuana Dispensaries

ATTACHMENT III

0 1 2 3 Miles



January 2017



shots

TREATMENTS

Marijuana's Health Effects? Top Scientists Weigh In

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Heard on All Things Considered



PATTI NEIGHMOND



The highly rated variety of medical marijuana known as "Blue Dream" was displayed among other strains at a cannabis farmers market in Los Angeles in 2014.

Frederic J. Brown/AFP/Getty Images

So far, more than half of all U.S. states have legalized marijuana for medical use, and eight (plus the District of Columbia) have legalized the drug for recreational use. Varieties of cannabis available today are more potent than ever and come in many forms, including oils and leaves that can be vaped, and lots of edibles, from brownies and cookies to candies — even cannabis gummy bears.

A report published Thursday by the National Academies of Sciences, Engineering and Medicine analyzed more than 10,000 studies to see what could conclusively be said about the health effects of all this marijuana. And despite the drug's increasing popularity — a recent survey suggests about 22 million American adults have used the drug in the last month — *conclusive* evidence about its positive and negative medical effects is hard to come by, the researchers say.

According to the report, that's at least partly because the federal drug enforcement agency's designation of the drug as a Schedule I substance — having "no currently accepted medical use and a high potential for abuse" — entails so many restrictions that it has been difficult for researchers to do rigorous research on marijuana.

We just need "far more information," Dr. Marie McCormick, chair of the NAS committee and professor of pediatrics at Harvard Medical School, tells Shots.

Some of the highlights of her committee's 337-page report on marijuana include:

Medical Benefits

- **Pain relief** Regarding chronic pain, there's evidence that patients who are treated with cannabis or cannabinoids "are more likely to experience a significant reduction in pain symptoms," the researchers say. More particularly, for adults with muscle spasms related to multiple sclerosis, there is "substantial evidence," they say, that short-term use of certain oral cannabinoids can improve symptoms. And for adults with chemotherapy-induced nausea and vomiting, "there is conclusive evidence" that certain oral cannabinoids are effective in preventing and treating those ailments.

Health Risks

- **Cancer** There is no evidence that smoking marijuana increases the risk for cancers often associated with tobacco use, such as lung and head and neck cancers, the scientists report,

adding that more research is needed to determine whether marijuana use is associated with heart attack and stroke. However, they say, "some evidence suggests smoking marijuana may trigger a heart attack among individuals with diagnosed heart disease." There's also some evidence that smoking marijuana during pregnancy is linked to lower birth weight in the offspring.

- **Asthma and other chronic respiratory problems** Evidence suggests that smoking marijuana on a regular basis is associated with more frequent chronic bronchitis and worse respiratory symptoms, such as chronic cough, the scientists say. But they add that it's unclear whether the drug increases the risk of developing asthma or chronic obstructive pulmonary disease.
- **Mental health problems** While the report notes some research suggesting that using marijuana might increase risk of developing schizophrenia or other social anxiety disorders, the committee of scientists cautions that there may be other explanations for that link; it could simply be, for example, that people with these mental health problems are more likely to smoke marijuana.
- **Injury or death** In terms of risk to life and limb, the NAS committee found that driving under the influence of cannabis "increases the risk of being involved in a motor vehicle accident." The report also cited evidence that increasing numbers of young children may be accidentally ingesting marijuana products now, particularly in states where cannabis use is legal.
- **Substance abuse disorders** Some parents worry that their teens' use of cannabis can cause problems, and the report was mixed in its conclusions on that. The evidence that marijuana is a gateway drug to trying other drugs, including tobacco, "is limited," the researchers say. But they found "moderate evidence" that there's a link between cannabis use and the development of substance dependence or abuse problems with alcohol, tobacco and illicit drugs. What's more, the evidence suggests that initiating marijuana use at a younger age, the researchers say, "increases the likelihood of developing dependency, which can affect academic performance and social interactions."

"The adolescent brain is very sensitive to these kinds of substances," McCormick says. "So they continue to use it — and may use it in increasing amounts — and are at risk for developing problematic cannabis use."

Erik Altieri, who directs the National Organization for the Reform of Marijuana Laws, says he thinks the legalization of marijuana by many states may actually reduce the

problematic use of the drug by teens.

"That's because we are taking marijuana off of the street corner," he says, "and out of the hands of drug dealers, who have nothing but incentive to sell to everyone and anyone." Legalizing the drug, he points out, puts it "behind the counter of a regulated business that has to check for ID, answer to the government and has oversight."

So far, states that have legalized recreational marijuana have not seen an increase in use among underage teens, Altieri says.

"By legalizing it and normalizing it," he says, "it's become just another everyday thing that adults partake in — it doesn't have that same draw to it that it used to."

Still, McCormick says, many health questions remain to be answered by better research. The increased legal availability of cannabis products in many states, and their increased potency, she says, make that rigorous research more important than ever.

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January 9, 2017



Frequently Asked Questions (FAQs)

Adult Use of Marijuana Act¹

Proposition 64

Question#1: When does the AUMA take effect?

Answer: The AUMA took effect November 9, 2016, the day after the election. But note, the AUMA requires a state license to engage in commercial nonmedical marijuana activity. Licensing authorities are required to begin issuing licenses by January 1, 2018 and the League anticipates that the issuance of licenses will not occur much in advance of January 1, 2018. Thus, the AUMA provisions legalizing commercial nonmedical marijuana activity will not become operational until the state begins issuing licenses (likely in late-2017). The AUMA provisions legalizing personal use and cultivation of nonmedical marijuana took effect November 9, 2016.

Question #2: Can private individuals cultivate nonmedical marijuana at home beginning November 9, 2016?

Answer: Yes, within a private residence by a person 21 years and older for personal use. The AUMA provides that local governments can reasonably regulate, but cannot ban the personal indoor cultivation of up to six nonmedical marijuana plants per private residence. This includes cultivation in a greenhouse that is on the property of the residence but not physically part of the home, as long as it is fully enclosed, secure, and not visible from a public space. Because this activity is not subject to state licensing requirements, individuals may engage in personal indoor cultivation beginning November 9, 2016, unless a city enacts an ordinance imposing a reasonable regulatory scheme that would preclude them from doing so before complying with the city's regulatory requirements.

Local governments may regulate or ban all personal outdoor cultivation. However, the AUMA includes language purporting to repeal any ordinance that bans personal outdoor

¹ Please consult your City Attorney before taking action to implement the AUMA. The answers to these FAQs may be different in your city based upon your municipal code, regulations, and policies. The answers do not constitute legal advice from the League of California Cities®.

cultivation upon the California Attorney General's determination that nonmedical use of marijuana is lawful under federal law.

Question #3: Is there a limitation on the number of marijuana plants that can be cultivated within a single residence?

Answer: Yes. Not more than six living plants may be planted, cultivated, harvested, dried, or processed within a single private residence, or upon the grounds of that private residence, at one time. A "residence" is defined as a house, an apartment unit, a mobile home, or other similar dwelling. No matter how many persons over 21 years of age are living in a "residence," only 6 living plants may be cultivated at one time. (Health & Safety § 11362.2(b)(3).)

Question #4: Can a landlord ban the cultivation/smoking of marijuana on his or her property?

Answer: Yes. An individual or private entity may prohibit or restrict personal possession, smoking, and cultivation of marijuana on the individual's or entity's privately owned property. A state or local government agency also may prohibit or restrict such activities on property owned, leased, or occupied by the state or local government. (Health & Safety §§ 11362.45(g) and (h).)

Question # 5: Can a city ban personal indoor cultivation in all leased or multi-unit residences within the city?

Answer: No. A city cannot prohibit personal indoor cultivation of marijuana in all leased or multi-unit residences within the city. However, because cities may reasonably regulate personal indoor cultivation, a city might be able to condition permit approval for personal indoor cultivation in a leased residence on the applicant receiving permission from his or her landlord.

Question # 6: Does a city's ban on commercial cultivation, personal outdoor cultivation, or retail sales of marijuana or marijuana products make it ineligible for state grant monies for law enforcement, fire protection, or other local programs addressing public health and safety associated with the implementation of Prop 64?

Answer: Yes. If a city bans commercial cultivation, or personal outdoor cultivation, or retail sales of marijuana or marijuana products, it is ineligible to receive state grant monies funded through the new state excise taxes that take effect on January 1, 2018. (Revenue and Taxation Code § 34019(e)(3)(D).)

Question #7: What does the AUMA say about possession, transporting, purchasing or giving away of non-medical marijuana?

Answer: A person 21 years of age or older may possess, process, transport, purchase or give away to persons 21 years of age or older not more than 28.5 grams of marijuana in the non-concentrated form and not more than 8 grams of marijuana in a concentrated

form including marijuana products. If the AUMA passes, these activities will be lawful under state law and cannot be prohibited under local law.

Question #8: Do cities that ban or regulate medical marijuana businesses need to update their ordinances to include nonmedical marijuana?

Answer: Yes. The AUMA prohibits state licensing authorities from issuing a license to a commercial nonmedical marijuana business if operation of the business violates a local ordinance of the jurisdiction in which the business will operate. This means that a city wishing to adopt business or land use regulations prohibiting or regulating commercial nonmedical marijuana businesses must adopt an ordinance prior to the date the state begins issuing licenses, which the League anticipates will be in late 2017.²

Question #9: Can cities be confident that a permissive zoning code, by itself, provides sufficient protection against nonmedical marijuana businesses setting up shop without local approval?

Answer: No. It is unlikely that cities will succeed in arguing that nonmedical marijuana land uses are prohibited by permissive zoning codes under the AUMA, because the AUMA does not contain the same protective language as the MMRSA with respect to permissive zoning. Therefore, cities that wish to ban all or some nonmedical marijuana activities should adopt express prohibitions, even if they operate under a permissive zoning code.

Question #10: Are cities at risk of losing the opportunity to impose bans on personal outdoor cultivation if they don't act until after the November election?

Answer: No. A city may adopt an ordinance banning or regulating personal outdoor cultivation at any time.

Question #11: Are cities at risk of losing the opportunity to impose bans on nonmedical marijuana businesses, if they don't act until after the November election?

Answer: No. However, if a city does not adopt an ordinance expressly banning or regulating nonmedical marijuana businesses before the state begins issuing state licenses nonmedical businesses, a state-licensed nonmedical marijuana business will be able to operate within its jurisdiction without local permission or permitting. This is due to a provision in the AUMA that provides that state licenses cannot be issued where the activity would violate a local ordinance. If a jurisdiction has no ordinance regulating nonmedical marijuana businesses, then the local regulatory scheme is silent on that type of activity, and the state can unilaterally issue a license under terms fully compliant with the AUMA. Cities may adopt an ordinance expressly banning or regulating such operations after the state begins to issue licenses, but it will be difficult to terminate the state licensee's operations until the state license is up for renewal. Therefore, the best practice is to adopt an ordinance before the state begins issuing state licenses.

² Please see Question #8 regarding the use of public roads for transportation and delivery.

Question #12: Can cities ban deliveries under the AUMA?

Answer: Yes. Cities can ban deliveries within their territorial limits. However, cities cannot prevent the use of public roads for the delivery of marijuana. For example, if a licensed delivery company located in City A must travel on public roads through City B to make an authorized delivery in City C, City B cannot prohibit the licensed delivery company from travelling on public roads in City B to get to City C. In addition, cities may not prevent the use of public roads within its jurisdiction to transport nonmedical marijuana.

Question #13: What is the best way for cities to notify the state licensing agencies of their local ordinances that regulate and/or prohibit commercial non-medical marijuana activities within their jurisdictions?

Answer: Unless the state licensing agencies indicate otherwise, cities should mail copies of their local ordinances that regulate or prohibit commercial nonmedical marijuana activities within their jurisdictions to the Department of Consumer Affairs, the Department of Food and Agriculture, and the Department of Public Health. Cities should regularly check each Department's website to ensure that this practice complies with any regulations the Departments may pass regarding notice of local ordinances. In addition, Cities should ensure that any updates or amendments to local ordinances that regulate or prohibit commercial nonmedical marijuana activities are promptly submitted to each Department.

Question #14: What are the rules regarding taxation under the AUMA? Is it true that marijuana can no longer be subject to sales tax?

Answer: Under the AUMA, there is a 15% state excise tax on **recreational** marijuana, but **medical** marijuana is exempt from state and local sales tax altogether. The rationale is that marijuana consumed for truly medical purposes is no different from conventional pharmaceuticals, which are also exempt from federal, state, and local sales tax. However, other forms of excise tax may be levied on all marijuana, whether medical or recreational. For example, a cultivation tax, a manufacturing tax, or the most common, a business license tax may still be levied at the local level on any commercial marijuana activity. But note, because the AUMA levies a state excise tax of 15% on recreational marijuana, all local governments have reason to be concerned about the cumulative tax rate when local tax levies are added to that. For that reason, locals are encouraged to look at existing local taxes and to assess what marijuana-related revenue streams may be derived from those sources before levying additional taxes that are specific to marijuana.

Michael Lawson

From: CALM <info=calmusa.org@mail95.atl71.mcdlv.net> on behalf of CALM
<info@calmusa.org>
Sent: Friday, February 24, 2017 12:12 PM
To: Michael Lawson
Subject: White House: Feds will step up marijuana law enforcement



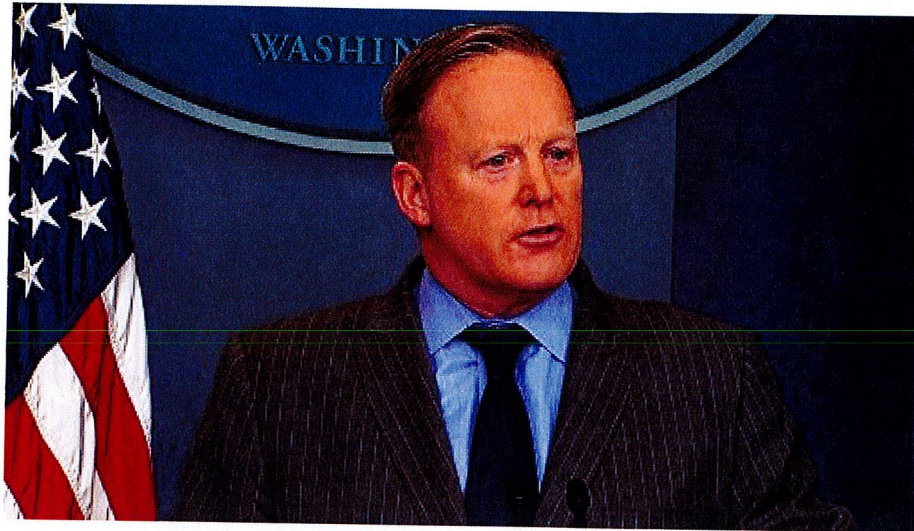
White House: Feds will step up marijuana law enforcement



DATE: February 24, 2017

Contact

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Northern California, Carla Lowe 916 708 4111 carladlowe@aol.com



SOURCE

CALM is encouraged by the announcement by Sean Spicer that the new administration is going to take a look at the issues related to marijuana use in America. We are also encouraged by their apparent recognition that the blossoming opioid addiction crisis and drug use at large has a connection to the expansion of marijuana use.

Although we do have serious concern for those with terminal diseases using marijuana, we think this use, like the use of all drugs, should be under the supervision of a qualified doctor (not a bud tender). What we have seen is all types of marijuana and marijuana use being described as "medicinal" in order to rationalize drug dealing, marijuana commercialization and expanded marijuana use. Marijuana continues to be a serious, addictive, psychoactive drug impacting the brain and body in very negative ways and much more needs to be done to educate on the harms and discourage use.

Enforcement against commercial marijuana operations would send an important message that drug dealing and use is not acceptable. Much of the public is misinformed on marijuana. Hopefully this can also lead to a broader discussion of the harms of marijuana as shown in scientific studies.



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NEWS FEB 14 2017, 7:13 AM ET

Legal Marijuana: With Sessions as Top Cop, Pot Advocates Getting Nervous

by MARY EMILY O'HARA

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Farmworkers process newly-harvested marijuana plants, at Los Suenos Farms, America's largest legal open air marijuana farm, in Avondale, southern Colo. on Oct. 4, 2016. 📷 Brennan Linsley / AP, file

Attorney General Jeff Sessions was confirmed last Wednesday night by a party-line vote after hours of protest speeches by Senate Democrats.

Most of those protests centered on high-profile accusations of racism as well as Sessions' record of opposing LGBTQ and reproductive rights. But there's another policy issue that has advocacy groups, businesses, and even law enforcement concerned about Sessions as head of the Justice Department: His plans for federal marijuana policy.

The cannabis industry operates in an unusual legal gray area, as individual states have quickly moved to legalize a drug that's still classified as a illegal by the federal government.

Though petitions have been filed over and over since 1972 in efforts to de-schedule the drug, marijuana is still classified by the DEA as a Schedule I substance — meaning it's considered more dangerous than cocaine (Schedule II) or ketamine (Schedule III).

Despite federal law, eight U.S. states have legalized adult-use marijuana markets in the past few years, with Colorado, Washington, Oregon, California, Alaska, Nevada, Massachusetts, and Maine all allowing pot to be sold in stores. In addition, medical marijuana programs are implemented in 28 states.

Some may scoff at legalizing pot, but money talks: Colorado alone brought in \$1.3 billion from sales of recreational and medical cannabis in 2016, according to the Denver Post's Cannabist blog.

All of that could be at risk under Attorney General Jeff Sessions, a notorious cannabis foe who said "Good people don't smoke marijuana" during an April 2016 hearing of the Senate Drug Caucus.

"We need grown-ups in charge in Washington to say that marijuana is not the kind of thing that ought to be legalized, it ought not to be minimized, that it's in fact a very real danger," Sessions said during the hearing.

"Don't get me wrong, nothing surprises me with this administration. But the federal government doesn't have the resources to

Sessions was also famously accused of telling late assistant U.S. Attorney Thomas Figures that he thought the KKK was "OK until I found out they smoked pot," after learning that Klan members had gotten high the night they kidnapped a murdered a young black man.

effectively go after states where these laws have already passed"

Sessions has insisted that he was joking when he made that statement, but that kind of animosity has made some marijuana policy experts question where he stands on federal enforcement in legal-marijuana states. In a statement emailed to NBC News, Robert Capecchi of the Marijuana Policy Project said he was "cautiously optimistic."



Attorney General Jeff Sessions holds a meeting with the heads of federal law enforcement components at the Department of Justice in Washington on Feb. 9, 2017. 📷 Susan Walsh / AP

"President Trump has consistently said that states should be able to determine their own marijuana laws, and his spokesperson made it clear that the attorney general will be implementing the Trump agenda," said Capecchi. "We are hopeful that Mr. Sessions will follow the president's lead and respect states' rights on marijuana policy."

Trump hasn't always been consistent on marijuana. During a campaign rally in Reno, Nevada, last year, Trump appeared to support both medical and adult-use cannabis.

"The marijuana thing is such a big thing. I think medical should happen, right? Don't we agree? I mean, I think so," said Trump, adding, "In terms of marijuana, I think, and legalization, I think that should be a state issue, state by state."

Trump also told Fox News, however, that Colorado's legal marijuana market was "causing a lot of problems out there," in a February 2016 interview.

With a flip-flopping administration, some law enforcement officials have adopted a wait-and-see attitude on Sessions and drug policy.

LEAP (Law Enforcement Action Partnership) is one group of retired law enforcement professionals that works to end the war on drugs, advocating for alternatives to arrest and incarceration and for redirecting resources to fight violent crime. The organization's executive director, Maryland State Police veteran Major Neill Franklin, told NBC News that despite Sessions' stated opposition to marijuana use, "He's smart enough to know this isn't about how he personally feels."

"Don't get me wrong, nothing surprises me with this administration. But the federal government doesn't have the resources to effectively go after states where these laws have already passed," Franklin said.

Franklin said he'll be keeping an eye on two Obama-era memorandums: the Ogden memo and the Cole memo, which asserted that federal government resources wouldn't go towards disrupting state law-abiding cannabis businesses but instead go towards enforcing things like the ban on interstate drug commerce and preventing drugged driving.

"Rescinding those memos would be an indicator that he may potentially do something," said Franklin, who suggested that if Sessions were to direct the Justice Department to crack down on adult-use and medical states, it would be "a disaster for this administration."


Some members of Congress are trying to ensure that Sessions can't roll back the legal marijuana industry. On February 7, Rep. Dana Rohrabacher (R-CA) introduced the Respect State Marijuana Laws Act to exempt users and businesses from the Controlled Substances Act as long as they are compliant with state laws.

That legislation could make it a lot easier to do business. Currently, legal cannabis companies struggle to open accounts at banks that fear repercussions from the feds. Another restriction for marijuana business owners is the rule against crossing state borders with any sort of cannabis product — even from California to Oregon.

"It's a dynamic entrepreneurial ecosystem," said Adam Grossman, CEO of topical cannabis manufacturer Papa & Barkley. "You have to have suppliers in each state."

Papa & Barkley only just launched in June, but after sinking investments into building facilities and employees, Grossman estimates a loss would be in the millions were his business somehow forced to shut down by the feds.

"We're living in a different world now," said Grossman, in reference to the Trump administration. "But on some level, I can't really position the company in response to federal policy. I'm just building a company, taking care of my employees, and bringing people some relief with these products."

MARY EMILY O'HARA   

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Medical Marijuana Regulation and Safety Act

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In a historic move, Gov. Jerry Brown signed a comprehensive package of bills to establish a regulatory structure around the state's multi-billion dollar medical marijuana industry. For the first time since voters passed Proposition 215 in 1996, multiple stakeholders including local government, law enforcement, unions and portions of the industry, came to an agreement on what the regulatory structure should look like. Together, AB 266, AB 243, and SB 643 comprise the Medical Marijuana Regulation & Safety Act.

AB 243 (Wood) Medical Marijuana

- Places the Department of Food and Agriculture (DFA) in charge of licensing and regulation of indoor and outdoor cultivation sites. Creates a Medical Cannabis Cultivation Program within the department.
- Mandates the Department of Pesticide Regulation (DPR) to develop standards for pesticides in marijuana cultivation, and maximum tolerances for pesticides and other foreign object residue.
- Mandates the Department of Public Health (DPH) to develop standards for production and labelling of all edible medical cannabis products.
- Assigns joint responsibility to DFA, Department of Fish and Wildlife (DFW), and the State Water Resources Control Board (SWRCB) to prevent illegal water diversion associated with marijuana cultivation from adversely affecting California fish population.
- Specifies that DPR, in consultation with SWRCB, is to develop regulations for application of pesticides in all cultivation.
- Specifies various types of cultivation licenses.
- Directs the multi-agency task force headed by DFW and SWRCB to expand its existing enforcement efforts to a statewide level to reduce adverse impacts of marijuana cultivation, including environmental impacts such as illegal discharge into waterways and poisoning of marine life and habitats.

AB 266 (Bonta, Cooley, Jones-Sawyer, Lackey, Wood) Medical Marijuana

- Protects local control as it establishes a statewide regulatory scheme, headed by the Bureau of Medical Marijuana Regulation (BMMR) within the Department of Consumer Affairs (DCA).
- Provides for dual licensing: state will issue licenses, and local governments will issue permits or licenses to operate marijuana businesses, according to local ordinances. State licenses will be issued beginning in January 2018.
- Revocation of a local license or permit will unilaterally terminate the ability of the business to operate in that jurisdiction.
- Expressly protects local licensing practices, zoning ordinances, and local constitutional police power.
- Caps total cultivation for a single licensee at four acres statewide, subject to local ordinances.
- Requires local jurisdictions that wish to prevent delivery services from operating within their borders to enact an ordinance affirmatively

beginning this activity. No specific operative date for the law is specified.

governing this activity. No specific operative date for the ban is specified.

- Specifies that DCA will issue the following licenses: Dispensary, Distributor, Transport, and Special Dispensary Status for licensees who have a maximum of three dispensaries. Specifies various sub-categories of licensees (indoor cultivation, outdoor cultivation, etc.)
- Limits cross-licensing to holding a single state license in up to two separate license categories, as specified. Prohibits medical marijuana licensees from also holding licenses to sell alcohol.
- Grandfathers in vertically integrated businesses (i.e. businesses that operate and control their own cultivation, manufacturing, and dispensing operations) if a local ordinance allowed or required such a business model and was enacted on or before July 1, 2015. Also requires such businesses to have operated in compliance with local ordinances, and to have been engaged in all the covered activities on July 1, 2015.
- Requires establishment of uniform health and safety standards, testing standards, and security requirements at dispensaries and during transport of the product.
- Specifies a standard for certification of testing labs, and specified minimum testing requirements. Prohibits testing lab operators from being licensees in any other category, and from holding a financial or ownership interest in any other category of licensed business.
- Includes a labor peace agreement under which unions agree not to engage in strikes, work stoppages, etc. and employers agree to provide unions reasonable access to employees for the purpose of organizing them. Specifies that such an agreement does not mandate a particular method of election.
- Provides for civil penalties for unlicensed activity, and specifies that applicable criminal penalties under existing law will continue to apply.
- Specifies that patients and primary caregivers are exempt from the state licensing requirement, and provides that their information is not to be disclosed and is confidential under the California Public Records Act.
- Phases out the existing model of marijuana cooperatives and collectives one year after DCA announces that state licensing has begun.
- Preserves enforcement authority of the city of Los Angeles with respect to Measure D, the local regulatory structure for medical marijuana within the city limits.

SB 643 (McGuire) Medical Marijuana

- Directs the California Medical Board to prioritize investigation of excessive recommendations by physicians.
- Imposes fines (\$5000.00) against physicians for violating prohibition against having a financial interest in a marijuana business.
- Recommendation for cannabis without a prior examination constitutes unprofessional conduct.
- Imposes restrictions on advertising for physician recommendations.
- Places DFA in charge of cultivation regulations and licensing, and requires a track and trace program.
- Codifies dual licensing (state license and local license or permit), and itemizes disqualifying felonies for state licensure.

- Places DPR in charge of pesticide regulation; DPH in charge of production and labelling of edibles.
- Upholds local power to levy fees and taxes.

In 2014, the League and the California Police Chiefs Association cosponsored SB 1262 by Sen. Lou Correa (D-Santa Ana).

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