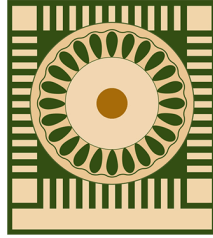


# **CITY OF HAYWARD**

Hayward City Hall  
777 B Street  
Hayward, CA 94541  
[www.Hayward-CA.gov](http://www.Hayward-CA.gov)



CITY OF  
**HAYWARD**  
HEART OF THE BAY

## **Agenda**

**Tuesday, February 4, 2020**

**7:00 PM**

**Council Chambers**

**City Council**



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

January 28, 2020

February 4, 2020

**PRESENTATION**

Proclamation Recognizing February as Black History Month

**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 20-014](#) Approve City Council Minutes of the City Council Meeting on January 21, 2020

**Attachments:** [Attachment I Draft Minutes of 1/21/2020](#)



2.     [CONS 20-049](#)     Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with Hayward Area Recreation and Park District in an Amount Not-to Exceed \$337,518 for Recreation, Volunteer Coordinator, Mobility, and Childcare Services

**Attachments:**     [Attachment I Staff Report](#)  
                          [Attachment II Resolution](#)  
                          [Attachment III Service Agreement](#)

3.     [CONS 20-074](#)     Adopt Resolutions Authorizing the City Manager to Apply as Joint Applicants with EAH Inc for the California State Department of Housing and Community Development (HCD) Infill Infrastructure Grant Program to Support Mission Paradise and Pimentel Place in Amounts Not-to-Exceed \$4 Million and \$6.5 Million Respectively

**Attachments:**     [Attachment I Staff Report](#)  
                          [Attachment II Resolution for IIG Mission Paradise](#)  
                          [Attachment III Resolution for IIG Pimentel Place](#)



**PUBLIC HEARING**

4.      [PH 20-006](#)      25036-25096 Carlos Bee Blvd Housing Development: Approve Proposed Residential Development Consisting of Nine Detached Single-Family Homes and Six Accessory Dwelling Units on a Single Parcel Located at 25036-25096 Carlos Bee Boulevard (Assessor Parcel Number 445-0170-039-13) Requiring Approval of Zone Change to Planned Development and Vesting Tentative Map (8473) Application No. 201802159, and Related Initial Study and Mitigated Negative Declaration; Kodama Diseno Architects/Zalman Investments LLC (Applicant/Owner) (Report from Development Services Director Simpson)

**Attachments:**

[Attachment I Staff Report](#)  
[Attachment II Ordinance](#)  
[Attachment III Resolution](#)  
[Attachment IV Project Plans](#)  
[Attachment V Initial Study](#)  
[Attachment VI Mitigation Monitoring Reporting Program](#)  
[Attachment VII CEQA Comment Letters](#)  
[Attachment VIII Draft Planning Commission Minutes 1/9/20](#)

5.      [PH 20-007](#)      Local Minimum Wage Ordinance: Introduce an Ordinance to Add Article 15 to Chapter 6 of the Hayward Municipal Code Establishing a Local Minimum Wage for Employees Working for Any Employers within the City of Hayward (Report from City Manager McAdoo)

**Attachments:**

[Attachment I Staff report](#)  
[Attachment II Proposed Ordinance](#)  
[Attachment III Resident Demographics](#)  
[Attachment IV Business and Employee Demographics](#)  
[Attachment V Employee Income Comparison](#)  
[Attachment VI Employer Cost Comparison](#)  
[Attachment VII Economic Impact Analysis](#)  
[Attachment VIII Inventory of Bay Area Cities Minimum Wage](#)  
[Attachment IX Engagement and Outreach Summary](#)  
[Attachment X Public Comment Emails Received](#)



**LEGISLATIVE BUSINESS**

6. [LB 20-003](#) City of Hayward Homelessness Update: Accepting Information on the 2019 Homeless Population Point in Time Count; Adopting a Resolution Endorsing the EveryOne Home Strategic Plan; Receiving an Update on the Hayward Navigation Center; and Adopting a Resolution Authorizing the City Manager to Accept and Appropriate a Donation of \$83,000 from the Hayward Rotary Club (Report from City Manager McAdoo)

**Attachments:** [Attachment I Staff Report](#)  
[Attachment II 2019 Alameda County PIT Count](#)  
[Attachment III 2019 Hayward PIT Count](#)  
[Attachment IV Resolution to Endorse the Plan](#)  
[Attachment V Resolution to Accept and Appropriate Funds](#)

**CITY MANAGER'S COMMENTS**

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

**COUNCIL REPORTS AND ANNOUNCEMENTS**

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

**COUNCIL REFERRALS**

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

**ADJOURNMENT**

**NEXT MEETING, February 25, 2020, 7:00 PM**

**February 18, 2020: Council Meeting Cancelled.**



**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  
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**File #:** MIN 20-014

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**DATE:** February 4, 2020

**TO:** Mayor and City Council

**FROM:** City Clerk

**SUBJECT**

Approve City Council Minutes of the City Council Meeting on January 21, 2020

**RECOMMENDATION**

That the City Council approves the City Council minutes of January 21, 2020.

**SUMMARY**

The City Council held a meeting on January 21, 2020.

**ATTACHMENTS**

Attachment I Draft City Council Minutes of 1/21/2020





**MINUTES OF SPECIAL JOINT MEETING OF THE CITY COUNCIL AND  
HAYWARD REDEVELOPMENT SUCCESSOR AGENCY BOARD  
Council Chambers  
777 B Street, Hayward, CA 94541  
Tuesday, January 21, 2020, 7:00 p.m.**

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The Joint City Council and Hayward Redevelopment Successor Agency Board meeting was called to order by Mayor/Chair Halliday at 7:00 p.m., followed by the Pledge of Allegiance led by Council/HRSAB Member Lamnin.

**ROLL CALL**

Present: COUNCIL/HRSAB MEMBERS Zermeno, Márquez, Mendall, Lamnin, Wahab, Salinas  
MAYOR/CHAIR Halliday  
Absent: None

**CLOSED SESSION ANNOUNCEMENT**

The City Council convened in closed session at 5:00 p.m., regarding four items: 1) conference with legal counsel pursuant to Government Code 54956.9 regarding one anticipated litigation case; 2) conference with legal counsel pursuant to Government Code 54956.9(d)(1) regarding City of Hayward v. California State University Trustees, Alameda County Superior Court, Case No. RG 18895213; 3) conference with legal counsel pursuant to Government Code 54956.9 regarding City of Hayward v. Bay Area Property Developers, LLC, Century Housing Corporation, Yamkachav Investments, LLC, First American Title Corporation, and DOEs 1-50; Alameda County Superior Court, Case No. HG19046792; and 4) conference with property negotiators pursuant to Government Code 54956.8 regarding former Route 238 Parcel Group 7, 24900 and 25000 Mission Boulevard, APNs 445-0200-009-00 and 445-0200-012-01. City Attorney Lawson noted there was no reportable action related to all items.

**PRESENTATION**

Mayor Halliday read a certificate of recognition presented to Daisy Bamberger in recognition of her outstanding athletic achievement, for being awarded Best Female Boxer for the 2015 National Police Activities League (PAL) Tournament, the 2017 Junior Olympic Tournament and the 2019 National PAL Tournament. Ms. Daisy Bamberger thanked the City for the recognition.

**PUBLIC COMMENTS**

Mr. Charlie Peters, Clean Air Performance Professionals representative, spoke about his continued efforts related to smog check and car emissions.

Mr. Ronald Brey, Hayward resident, spoke against the elimination of electric house appliances in residential zones.



Mr. Jim Drake, Hayward resident, asked that parking in the basement of City Hall be reinstated for the elderly and handicapped individuals.

Consent Item 3, 4, 5, 6, 12, and 13 were removed for separate vote and further discussion.

## CONSENT

1. Approve City Council Minutes of the Special City Council Work Session Meeting on December 17, 2019 **MIN 20-008**

It was moved by Council Member Mendall, seconded by Council Member Márquez, and carried unanimously, to approve the minutes of the Special City Council Work Session meeting on December 17, 2019.

2. Approve City Council Minutes of the City Council Meeting on December 17, 2019 **MIN 20-009**

It was moved by Council Member Mendall, seconded by Council Member Márquez, and carried unanimously, to approve the minutes of the City Council meeting on December 17, 2019.

3. Adopt an Ordinance Amending Chapter 8, Article 21, Section 8-21.11 of the Hayward Municipal Code Relating to Increasing the Commercial Cannabis Tax Rate to Seven Percent of Gross Sales **CONS 20-018**

Staff report submitted by City Clerk Lens, dated January 21, 2020, was filed.

Mr. Doug Chloupek, urged the Council to not put forward a measure to increase taxes and added that the process for business entitlements is cumbersome.

Discussion ensued among Council members and City staff about the procedure for adoption of ordinances when the vote is not unanimous during the introduction of the ordinance.

It was moved by Council Member Zermeño, seconded by Council Member Mendall, and carried with the following vote, to approve the ordinance:

AYES:	COUNCIL MEMBERS Zermeño, Márquez, Mendall, Lamnin, Salinas
	MAYOR Halliday
NOES:	COUNCIL MEMBER Wahab
ABSENT:	None
ABSTAIN:	None

Ordinance 20-01, "Ordinance of the City of Hayward, California Amending Section 8-21.11 of Article 21 of Chapter 8 of the Hayward Municipal Code Relating to Increasing the Commercial Cannabis Tax Rate"





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Council Chambers  
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- 
4. Adopt an Ordinance Amending Chapter 10, Article 16 of the Hayward Municipal Code Regarding Obligations for Parks and Recreation for Property Developers **CONS 20-019**

Staff report submitted by City Clerk Lens, dated January 21, 2020, was filed.

It was moved by Council Member Mendall, seconded by Council Member Lamnin, and carried with the following vote, to approve the ordinance:

AYES: COUNCIL MEMBERS Zermeño, Márquez, Mendall, Lamnin, Salinas  
MAYOR Halliday  
NOES: COUNCIL MEMBER Wahab  
ABSENT: None  
ABSTAIN: None

Ordinance 20-02, "Ordinance of the City of Hayward Amending Chapter 10, Article 16 of the Hayward Municipal Code Regarding Obligations for Parks and Recreation for Property Developers"

5. Adopt a Resolution Accepting the Resignation of Ms. Ginny Delaney from the Keep Hayward Clean and Green Task Force, Effective January 3, 2020 **CONS 20-037**

Staff report submitted by City Clerk Lens, dated January 21, 2020, was filed.

Council Member Márquez acknowledged the contributions of Ms. Ginny Delaney to the Keep Hayward Clean and Green Task Force and noted she was an instrumental volunteer in getting Measure T passed.

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

Resolution 20-010, "Resolution Accepting the Resignation of Ms. Ginny Delaney From the Keep Hayward Clean and Green Task Force"

6. Adopt a Resolution Accepting the Resignation of Mr. Ernesto Sarmiento Jr. from the Community Services Commission, Effective January 1, 2020 **CONS 20-038**

Staff report submitted by City Clerk Lens, dated January 21, 2020, was filed.



Council Member Lamnin acknowledged the contributions of Mr. Ernesto Sarmiento Jr. to the Community Services Commission.

Council Member Lamnin offered a motion to accept the resignation of Mr. Sarmiento and direct staff to contact Ms. Isabel Pimentel to confirm her interest, eligibility, and availability to serve on the Community Services Commission starting in February or April 1, 2020. Ms. Pimentel had applied and was interviewed in 2019 but because there were not enough vacancies to appoint her to the Community Services Commission she was placed on a waitlist.

Council Member Márquez seconded the motion.

Council Member Salinas expressed hesitation about the motion on the floor.

It was moved by Council Member Lamnin, seconded by Council Member Márquez, and carried with the following vote, to approve the resolution:

AYES:	COUNCIL MEMBERS Zermeño, Márquez, Mendall, Lamnin, Wahab MAYOR Halliday
NOES:	COUNCIL MEMBER Salinas
ABSENT:	None
ABSTAIN:	None

Resolution 20-011, "Resolution Accepting the Resignation of Mr. Ernesto Sarmiento Jr. from the Community Services Commission"

7. Adopt a Resolution Authorizing Amendment of the Legal Services Agreement with Downey Brand LLP to Increase the Contract Amount for Specialized Legal Support on Water Resources-Related Matters to a Not-To-Exceed Amount of \$225,000 **CONS 20-023**

Staff report submitted by Public Works Director Ameri, dated January 21, 2020, was filed.

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

Resolution 20-001, "Resolution Authorizing Amendment of the Legal Services Agreement with Downey Brand LLP to Increase the Contract Amount for Specialized Legal Support on Water Resources-related matters to a Not-to-Exceed amount of \$225,000"





**MINUTES OF SPECIAL JOINT MEETING OF THE CITY COUNCIL AND  
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Tuesday, January 21, 2020, 7:00 p.m.**

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8. Adopt a Resolution Authorizing the City Manager to Amend the Professional Services Agreement with Luhdorff & Scalmanini Consulting Engineers to Increase the Contract Amount for Technical Groundwater Support Services by \$35,000, to a Not-to-Exceed Amount of \$110,000 **CONS 20-024**

Staff report submitted by Public Works Director Ameri, dated January 21, 2020, was filed.

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

Resolution 20-002, "Resolution Authorizing the City Manager to Amend the Professional Services Agreement with Luhdorff & Scalmanini Consulting Engineers to Increase the Contract Amount for Technical Groundwater Support Services by \$35,000, to a Not to Exceed Amount of \$110,000"

9. Adopt a Resolution Supporting a Priority Production Area Designation in the Plan Bay Area 2050 for the Industrially Zoned Areas in the City of Hayward **CONS 20-027**

Staff report submitted by Development Services Director Simpson, dated January 21, 2020, was filed.

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

Resolution 20-003, "Resolution of the City Council of Hayward to Nominate the Hayward Industrial District to the Association of Bay Area Governments & Metropolitan Transportation for Adoption as a Priority Production Area"

10. Adopt Resolutions Authorizing the City Manager to Amend the Professional Services Agreement with HydroScience Engineers, Inc., to Increase the Contract Amount by \$80,000 to a Not-to-Exceed Amount of \$376,000, for Additional Support Services and Appropriate Additional Funds from Sewer Improvement Fund **CONS 20-029**

Staff report submitted by Public Works Director Ameri, dated January 21, 2020, was filed.

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



Resolution 20-004, "Resolution Authorizing the City Manager to Amend the Agreement with Hydrosience Engineers, Inc., to Increase the Contract Amount by \$80,000 to a Not to Exceed Amount of \$376,000, for Additional Support Services Related to the Recycled Water Treatment Facility Project – Phase I"

Resolution 20-005, "Resolution Appropriating \$80,000 from the Capital Improvement Program Sewer Improvement Fund for the Recycled Water Treatment Facility Project – Phase I, Project No. 07710"

11. Adopt Resolutions Authorizing the City Manager to Negotiate and Execute Amendment to Professional Services Agreements with RossDrulisCusenbery and Kitchell CEM and to Negotiate and Execute New Professional Services Agreements with ABC Inspections, Inc., and Consolidated Engineering Laboratories for the Fire Station 6 and Fire Training Center Project **CONS 20-036**

Staff report submitted by Public Works Director Ameri and Fire Chief Contreras, dated January 21, 2020, was filed.

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

Resolution 20-006, "Resolution Authorizing the City Manager to Negotiate and Execute an Amendment to the Professional Services Agreement with Rossdrliscusenbery Architecture Inc., for Additional Services Associated with the Fire Station 6 and Fire Training Center Improvement Project"

Resolution 20-007, "Resolution Authorizing the City Manager to Negotiate and Execute an Amendment to the Professional Services Agreement with Kitchell Cem for Additional Services Associated with the Fire Station 6 and Fire Training Center Improvement Project"

Resolution 20-008, "Resolution Authorizing the City Manager to Negotiate and Execute a Professional Services Agreement with ABC Inspections, Inc., for Inspector of Record Services Associated with the Fire Station 6 and Fire Training Center Improvement Project."

Resolution 20-009, "Resolution Authorizing the City Manager to Negotiate and Execute a Professional Services Agreement with Consolidated Engineering Laboratories for Materials Testing and Special Inspection Services Associated with the Fire Station 6 and Fire Training Center Improvement Project"





**MINUTES OF SPECIAL JOINT MEETING OF THE CITY COUNCIL AND  
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**Council Chambers**  
**777 B Street, Hayward, CA 94541**  
**Tuesday, January 21, 2020, 7:00 p.m.**

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**12. Adopt a Resolution Authorizing the Purchase of a StarChase Pursuit Management System** **CONS 20-052**

Staff report submitted by Police Chief Chaplin and Police Captain Deplitch, dated January 21, 2020, was filed.

City staff responded to questions posed by Council Members related to the number of pursuits, use of proposed technology, policy, data stored, and sharing of information.

Council Member Mendall offered a motion per staff's recommendation and Council Member Zermeño seconded the item.

Council Member Mendall noted the proposal was a pilot program and was a de-escalation tool.

Council Member Mendall and Council Member Márquez noted that the proposed system was vetted by the Council Infrastructure Committee.

Council Member Wahab expressed reservations about utilizing a tool without having proper protocols and measures in place and noted she would not be supporting the motion.

Council Member Zermeño noted the proposal was a public safety tool.

It was moved by Council Member Mendall, seconded by Council Member Zermeño, and carried with the following vote, to approve the resolution:

AYES:	COUNCIL MEMBERS Zermeño, Márquez, Mendall, Lamnin, Salinas MAYOR Halliday
NOES:	COUNCIL MEMBER Wahab
ABSENT:	None
ABSTAIN:	None

Resolution 20-012, "Resolution Authorizing the City Manager to Execute a Contract with Starchase Systems to Purchase the Starchase Pursuit Management System for Marked Hayward Police Department Vehicles"

Council Member Mendall recommended that staff plan public discussion about a policy related to data storage and retention.



13. Adopt a Resolution Approving the Annual Recognized Obligation Payment Schedule for the Period July 1, 2020 to June 30, 2021 and the Hayward Redevelopment Successor Agency Administrative Budget for the Period July 1, 2020 to June 30, 2021 **CONS 20-056**

Staff report submitted by City Manager McAdoo, dated January 21, 2020, was filed.

In response to Council/HRSA Member Wahab's inquiry, City Manager McAdoo explained the intent of the staff report and the administrative allowance for the housing portion.

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

Hayward Redevelopment Successor Agency Resolution 20-01, "Resolution of the City Council of the City of Hayward, Acting as the Governing Board of the Hayward Successor Agency, a Separate Legal Entity, Approving the Recognized Obligation Payment Schedule for the Period July 1, 2019 through June 30, 2021 ("ROPS 20-21") and the Administrative Budget for the 2020-21 Fiscal Year, and Directing the City Manager to Take all Actions Necessary to Effectuate Requirements Associated with this Approval"

## **PUBLIC HEARING**

14. Huntwood Townhomes: City Council Call Up of the Planning Commission's Denial on October 24, 2019 and the Approval of a Resolution to Subdivide a 1.21-Acre Site into 18 Parcels to Allow the Construction of 14 Townhomes with Common Open Space Areas and Related Site Improvements at 28538 Huntwood Avenue (APN 465-0025-005-03) Requiring Approval of a Vesting Tentative Tract Map and Site Plan Review. Application No. 201705535 by James Chao (Applicant) on behalf of Zhong Yin Liu (Owner) (Report from Development Services Director Simpson) **PH 20-002**

Staff report submitted by Principal Planner Lochirco, dated January 21, 2020, was filed.

Development Services Director Simpson announced the report and introduced Principal Planner Lochirco, who provided a synopsis of the staff report.

Discussion ensued among Council Members and City staff regarding affordable housing and construction timeline, density, driveways and parking, and Homeowners Association.

Mayor Halliday opened the public hearing at 8:20 p.m.





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Mr. James Chao, project architect, spoke about the four-bedroom option and was agreeable to building bedrooms on the first floor.

Mr. Ronald Brey, Hayward resident, favored the proposal, noted greater densities create more crowded streets, and noted there were benefits to living in the suburbs.

Mayor Halliday closed the public hearing at 8:31 p.m.

Council Member Mendall noted he was the member who called up the item.

Council Member Mendall offered a motion to approve the project because the proposal included onsite affordable housing, additional parking spaces and additional improvements including the elimination of natural gas installation, rooftop solar panels with back-up battery, electric vehicle charging stations, bicycle racks, and conformed with zoning regulations.

Council Member Márquez seconded the motion because of the improvements made but would have liked to see bedrooms on the first floor. Council Member Márquez noted that developers need to be encouraged to set aside units that provide options such as aging in place. Council Member Márquez suggested a joint work session with the Planning Commission to address specific housing items and suggested staff review the language in reports for complex projects to minimize confusion.

Council Member Wahab expressed support for the improvements made to the project and noted she supported having bedrooms on the first floor.

Council Member Salinas expressed support for the proposal and the improvements made.

Council Member Lamnin acknowledged the improvements made to the project; however, she noted the project could have had higher density with different product type.

Council Member Zermeño expressed support for the motion.

Mayor Halliday supported the motion, noted quality communities are not achieved with increased densities, and noted the City needs to recognize the rights of people who own and want to develop property.

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



AYES: COUNCIL MEMBERS Zermeño, Márquez, Mendall, Wahab, Salinas  
MAYOR Halliday  
NOES: COUNCIL MEMBER Lamnin  
ABSENT: None  
ABSTAIN: None

Resolution 20-013, "Resolution Approving the Vesting Tentative Tract Map No. 8546 and Site Plan Review for the Construction of 14 New Townhomes and Related Site Improvements at 28538 Huntwood Avenue"

### **CITY MANAGER'S COMMENTS**

There were none.

### **COUNCIL REPORTS AND ANNOUNCEMENTS**

Council Márquez announced the Keep Hayward Clean and Green Task Force Beautification event at Mt. Eden Park on January 25, 2020; and thanked everyone who attended the Martin Luther King, Jr., celebration and march at Hayward City Hall Plaza and the Dr. Martin Luther King Jr. Birthday celebration at Chabot College on January 20, 2020.

Mayor Halliday echoed the compliments for the events to celebrate Dr. Martin Luther King Jr. Birthday.

### **ADJOURNMENT**

Mayor Halliday adjourned the meeting at 8:56 p.m. in memory of Ms. Pamela Apostolos.

Ms. Pamela Apostolos was named the 2019 Distinguished Award winner for volunteering with the Hayward Area Historical Society (HAHS); worked at the McConaughy House since 2015 as a store manager and docent for Adult and Youth Tours, and cataloged the Oakland Tribune collection and Daily Review photography collection in the HAHS archives. Mayor Halliday asked City staff to work with the Apostolos family or the HAHS to find a suitable place to plant a tree in memory of Ms. Pamela Apostolos.

### **APPROVED**

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Barbara Halliday  
Mayor, City of Hayward  
Chair, Hayward Redevelopment Successor Agency Board

### **ATTEST:**

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Miriam Lens  
City Clerk, City of Hayward  
Secretary, Hayward Redevelopment Successor Agency Board





# CITY OF HAYWARD

Hayward City Hall  
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**File #:** CONS 20-049

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**DATE:** February 4, 2020

**TO:** Mayor and City Council

**FROM:** City Manager

**SUBJECT**

Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with Hayward Area Recreation and Park District in an Amount Not-to Exceed \$337,518 for Recreation, Volunteer Coordinator, Mobility, and Childcare Services

**RECOMMENDATION**

That the Council approves a resolution (Attachment II) authorizing the City Manager to negotiate and execute an agreement with the Hayward Area Recreation and Park District (HARD) for recreation, volunteer coordinator, mobility, and childcare services in an amount not to exceed \$337,518.

**SUMMARY**

For the past ten years, the City has had an agreement with HARD to fund the operations at the Matt Jimenez Community Center (MJCC), the Sunset Swim Center, and for the Hayward Volunteer Coordinator position. In 2018, the City added funding for mobility services, paid for with Measure B/BB Paratransit funds. Staff is seeking Council authorization to negotiate and execute an agreement that would continue these four scopes of work and add a fifth scope of work for childcare services at City Council and Commission meetings. The cost of the agreement, not to exceed \$337,518 is included in the existing FY2020 budget. The agreement would run for fourteen months, through August 31, 2020, in order to cover the summer recreation and swimming season for Scopes of Work A and B.

**ATTACHMENTS**

Attachment I	Staff Report
Attachment II	Resolution





**DATE:** February 4, 2020

**TO:** Mayor and City Council

**FROM:** City Manager

**SUBJECT:** Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with Hayward Area Recreation and Park District in an Amount Not-to Exceed \$337,518 for Recreation, Volunteer Coordinator, Mobility, and Childcare Services

## **RECOMMENDATION**

That the Council approves a resolution (Attachment II) authorizing the City Manager to negotiate and execute an agreement with the Hayward Area Recreation and Park District (HARD) for recreation, volunteer coordinator, mobility, and childcare services in an amount not to exceed \$337,518.

## **SUMMARY**

For the past ten years, the City has had an agreement with HARD to fund the operations at the Matt Jimenez Community Center (MJCC), the Sunset Swim Center, and for the Hayward Volunteer Coordinator position. In 2018, the City added funding for mobility services, paid for with Measure B/BB Paratransit funds. Staff is seeking Council authorization to negotiate and execute an agreement that would continue these four scopes of work and add a fifth scope of work for childcare services at City Council and Commission meetings. The cost of the agreement, not to exceed \$337,518 is included in the existing FY2020 budget. The agreement would run for fourteen months, through August 31, 2020, in order to cover the summer recreation and swimming season for Scopes of Work A and B.

## **BACKGROUND AND DISCUSSION**

In FY19, the City had agreements with HARD for the four scopes of work outlined below. Staff is recommending continuing these scopes in FY20. The agreements for these services concluded on June 30, 2019. Since then, HARD has continued to provide the services in good faith. Due to staffing changes, staff was delayed in bringing the contract renewal to Council until now.

### Scope A: Matt Jimenez Community Center (MJCC)

*Total City Funding: \$208,390 for 14 months (July 2019 - August 2020)*



The City funds operational costs for the MJCC, including funding for program staff, communications, utilities, building repair and maintenance, and administrative costs. Under this contract, HARD will continue to manage the daily operations of the facility and various recreation programs, including after-school and summer programming through summer of 2020.

At the end of this agreement, the City will repossess the front portion of the MJCC to be remodeled as part of the new South Hayward Youth and Family Center. HARD will continue to manage and provide programming at the MJCC gymnasium under a new lease agreement with the City.

#### Scope B: Sunset Swim Center

*Total City Funding: \$15,000 for 14 months (July 2019 - August 2020)*

The City funds operational costs at the Sunset Swim Center, including instructors for summer swim programs, maintenance, lifeguarding, and administrative costs. Under this contract, HARD will continue to manage the daily operations of the facility and provide aquatic programming for a minimum of eight weeks from June to August through summer of 2020.

#### Scope C: Volunteer Hayward Program

*Total City Funding: \$37,128 for 6 months (July - December 2019)*

The City funds 50% of a Volunteer Coordinator position with HARD. Under this contract, the Coordinator assists in the implementation of the City's community engagement and emergency preparedness initiatives as well as other initiatives as assigned. Additionally, this person develops and implements City and community-wide volunteer recognition activities and strategies. This scope of work terminated on December 31, 2019 because the City hired a full-time Program Specialist to implement this work.

#### Scope D: HOP Mobility Program

*Total City Funding: \$70,000 for 12 months (July 2019 - June 2020)*

The City funds operational costs for the HOP Mobility Management Program out of its Measure B/BB Paratransit funds. Under this contract, HARD will continue to employ a Mobility Specialist to provide daily oversight and coordination of the Hayward Area Paratransit service on behalf of HARD and the City.

In addition to the four scopes above, staff is proposing a fifth scope of work for childcare services at City Council meetings:

#### Scope E: Childcare Services

*Total City Funding: \$7,000 for 12 months (July 2019 - June 2020)*

Staff is proposing to use HARD childcare providers to offer free childcare service at City Council and Commission meetings. The City Clerk's Office successfully piloted this offering in Fall of 2019 and is seeking to provide the service routinely. The budget is based on an



estimate of two childcare providers for four hours for up to six meetings a month.

## FISCAL IMPACT

The total cost of this fourteen-month agreement is \$337,518. The scope of work is delineated in the table below. The agreement is through August 31, 2020, with varying periods of work depending on the scope.

	SCOPES OF WORK	AMOUNT	PERIOD OF WORK	SOURCE
A	Matt Jimenez Community Center	\$208,390	July 1, 2019 - August 31, 2020	Existing Neighborhood Services FY 2020 Budget
B	Sunset Swim Center	\$15,000	July 1, 2019 - August 31, 2020	Existing Neighborhood Services FY 2020 Budget
C	Volunteer Coordinator	\$37,128	July 1, 2019 - December 31, 2019	Existing Neighborhood Services FY 2020 Budget
D	HOP Mobility Program	\$70,000	July 1, 2019 - June 30, 2020	Existing Paratransit FY 2020 Budget
E	Childcare Services	\$7,000	July 1, 2019 - June 30, 2020	Existing Neighborhood Services FY 2020 Budget
	TOTAL	\$337,518		

Scopes A-D are continued from previous years and are therefore included in the existing Neighborhood Services and Paratransit Divisions' FY 2020 budgets. The only new cost is the childcare services, which will be absorbed into the Neighborhood Services existing FY 2020 operating budget. The agreement contains provisions for automatic renewals of the swim center, mobility, and childcare services through June 30, 2022. The City will continue to budget for this contract up until that time. There is no automatic renewal for the Matt Jimenez Community Center and Volunteer Coordinator services.

## NEXT STEPS

With Council approval, the City Manager and assigned staff will execute and implement the agreement.

*Prepared and Recommended by:* Mary Thomas, Management Analyst

Approved by:



Kelly McAdoo, City Manager



HAYWARD CITY COUNCIL

RESOLUTION NO. 20-

Introduced by Council Member \_\_\_\_\_

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH THE HAYWARD AREA RECREATION AND PARK DISTRICT FOR RECREATION, VOLUNTEER COORDINATOR, MOBILITY, AND CHILDCARE SERVICES IN AN AMOUNT NOT TO EXCEED \$337,518

WHEREAS, For the past ten years, the City has had an agreement with the Hayward Area Recreation and Park District (HARD) to fund the operations at the Matt Jimenez Community Center, the Sunset Swim Center, and for the Hayward Volunteer Coordinator position; and,

WHEREAS, since 2018, the City has had an agreement with HARD to fund mobility services, paid for with Measure B/BB Paratransit funds; and,

WHEREAS, the City recognizes the benefit of adding HARD childcare services at City Council and Commission meetings; and,

WHEREAS, the funding for this agreement is included in the City's existing FY 2019-20 operating budget; and,

WHEREAS, HARD is capable of performing each of these services for the betterment of the Hayward community.

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 a services agreement with the Hayward Area Recreation and Park District for recreation, volunteer coordinator, mobility, and childcare services as outlined in the accompanying staff report in an amount not to exceed \$337,518 through August, 31, 2020, in a form to be approved by the City Attorney.



IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2020

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



**AGREEMENT FOR SERVICES BETWEEN  
THE CITY OF HAYWARD AND  
THE HAYWARD AREA RECREATION AND PARK DISTRICT**

THIS AGREEMENT FOR SERVICES ("Agreement"), dated for convenience this 1<sup>st</sup> day of July, 2019, is by and between the CITY OF HAYWARD, a municipal corporation ("City") and the HAYWARD AREA RECREATION AND PARK DISTRICT, a California special district ("HARD"), separate and distinct from City, each of which shall be referred to as a "Party" and collectively as "Parties."

**RECITALS**

WHEREAS, the City Council of the City of Hayward, by Resolution No. 19-103, dated May 21, 2019, indicated its intention to allocate a portion of the City's General Fund in FY 2020 to certain community programs and services operated by HARD; and,

WHEREAS, the City Council of the City of Hayward, by Resolution No. 19-063, dated April 2, 2019 has approved the expenditure of Measure B/BB Paratransit funds allocated to the City for FY 2020 by the Alameda County Transportation Commission (ACTC) for the purposes of providing origin-to-origin paratransit transportation to qualified seniors and people with disabilities residing within the Hayward service areas of City of Hayward, and the adjacent unincorporated areas that include Castro Valley, San Lorenzo, Ashland, and Cherryland; and

WHEREAS, City desires to contract with HARD for the provision of certain specified staff services at the Matt Jimenez Community Center and the Sunset Swim Center, to perform certain specified services for the Volunteer Hayward Program and the HOP Mobility Management Program and to provide Childcare Services, all as described more fully in in the Work Program, which is attached hereto as Exhibit A and incorporated herein; and

WHEREAS, payment for the services set forth in the Work Program is a permissible City expenditures of City General Fund funds and Measure B/BB Paratransit funds; and,

WHEREAS, HARD is capable of performing the services described in the Work Program and City has the financial capability to pay for such services and to perform its duties and obligations herein.

NOW, THEREFORE, the parties hereto do mutually agree as follows:

**AGREEMENT**

1. Scope of Service. Subject to the terms and conditions set forth herein, HARD shall provide to the City the services described the Work Program. HARD shall provide said services at the time and in the manner specified in the Work Program.



It is understood and agreed that HARD has the skills, experience, and knowledge necessary to perform the Work Program, that City relies upon the skills of HARD to do and perform HARD's work in a skillful and competent manner.

Acceptance by City of the work performed pursuant to the Work Program does not operate as a release of HARD from responsibility for the work performed. It is further understood and agreed that HARD is apprised of the scope of the work to be performed and HARD agrees that said work can and shall be performed in a fully competent manner.

2. Compensation. City shall pay HARD for the services provided on a monthly basis in the annual amounts set forth in the Work Program and the Program Budget, which is attached hereto as Exhibit B and incorporated herein. Total compensation for HARD's services and expenses shall not exceed \$337,518, unless otherwise agreed to by the Parties and documented as an amendment hereto. The City shall provide funding to HARD in accordance with all applicable regulations and procedures for amounts not to exceed the annual total compensation.

Any amounts paid to HARD from State or Federal agencies as rebates (e.g. for overpayment of employee benefits) from utility or insurance companies, or from any other source for services rendered herein for which the City has paid HARD shall be refunded by HARD to the City within thirty (30) days of receipt of such rebates by HARD.

3. Effective Date and Term. The effective date of this Agreement is July 1, 2019 for a 14-month term, ending August 31, 2020. The City shall have option to renew or extend the Work Program, Scopes of Work B, D, and E through June 30, 2022, subject to City Council authorization of additional funding. Any such extension of the Work Program shall be documented by an amendment to this Agreement.
4. Billings. HARD shall submit monthly bills to the City describing the services performed and costs incurred during the previous month. Monthly bills shall include the following information to which such services or costs pertain: A brief description of any costs incurred and documentation for all expenditures for that billing period.
5. Reporting Requirements. HARD shall provide the City with the information and in a format consistent with the requirements as specified in the Program Reporting Requirements, which is attached hereto as Exhibit C and incorporated herein.
6. Data and Information Sharing. HARD shall furnish any and all information and reports required by City. HARD shall permit access to books, records, and accounts by City, or its representatives and employees, for the purpose of ascertaining HARD's compliance with all applicable rules and regulations, and for evaluating and monitoring HARD's compliance with the provisions of this Agreement.



- 6.1. HARD shall provide to City the names, addresses, and phone numbers, if any, of all persons served under the Work Program to be used for the sole purpose of soliciting such persons' comments relevant to the evaluation and monitoring authorized by this section. Provided further, that HARD shall have the authority to withhold such information as required by law or in cases where bona fide interests of confidentiality will be served thereby.
7. Employee Tax and Benefit Reporting. HARD and its officials, employees, agents, volunteers and contractors, if any, in performing the work set forth in the Work Program, shall not be considered employees of City nor entitled to any benefits provided to City employees. City shall not be responsible for the withholding of HARD employees' income tax or the provision of employment benefits as may be required by State and Federal law.
8. Assignment of Subcontracting. HARD shall not subcontract any portion of the Work Program without the prior written consent of City, which consent shall not be unreasonably denied, conditioned or delayed. HARD shall be fully responsible to City for the acts and omissions of its subcontractors, and of persons either directly or indirectly employed by it. Neither Party shall transfer any interest in this Agreement (whether by assignment or novation) without the prior written approval of the other Party. No Party shall, on the basis of this Agreement, encumber or in any way contract on behalf of, or in the name of, the other Party, and any attempted violation of the provisions of this sentence shall confer no rights and shall be void.
9. Insurance. On or before beginning any of the services of the Work Program, HARD, at its own cost and expenses shall carry, maintain for the duration of the Agreement, and provide proof thereof that is acceptable to the City, the insurance specified in the City of Hayward General Provisions, which is attached hereto as Exhibit D and incorporated herein. HARD shall be properly insured to a minimum of having workers' compensation, comprehensive general liability, comprehensive automobile liability, and professional liability. HARD may meet the insurance requirements herein by providing proof of coverage through the California Association for Park and Recreation Indemnity ("CAPRI").
- 9.1. HARD shall not allow any subcontractor to commence work on any subcontract until all insurance required of HARD has also been obtained from the subcontractor and provided to the City.
- 9.1.1. Policies of insurance retained by subcontractors shall fully protect the City, HARD, and subcontractors until the completion and acceptance of Subcontractor's work, as a whole. City and HARD shall be named as additional insureds on all such policies of insurance.
10. Indemnification.  
HARD shall indemnify, defend, and hold City, its officers, employees, agents, and volunteers harmless from and against any and all liability, claims, suits, actions, damages, and causes of



action ("Claims") arising out of any personal injury, bodily injury, loss of life, of damage to property, or any violation of any federal, State, or municipal law or ordinance, or other cause in connection with the negligent or intentional acts or omissions of HARD, its officers, employees, agents, subcontractors, and volunteers or on account of the performance or character of the work, and to pay all judgements, settlements, legal costs, adjuster fees, and attorney fees related thereto. HARD's duty and obligation under this provision shall not apply to any Claim arising out of the active negligence, sole negligence, or willful misconduct of the City, its officers, employees, agents, or volunteers. It is understood that the duty of HARD hereunder includes the duty to defend as set forth in Section 2778 of the California Civil Code. Acceptance of insurance certificates and endorsements required under this Agreement does not relieve HARD from responsibility under this indemnification provision. This indemnification shall apply whether or not such insurance policies shall have been determined to be applicable to any such Claims.

11. Non-Discrimination. HARD agrees that no person shall, on the grounds of race, color, national origin, religion, sex, sexual orientation, human immunodeficiency virus (HIV) status, age, marital status, familial status, or handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available to HARD pursuant to this Agreement. HARD shall not, on the grounds of race, color, national origin, religion, sex, sexual orientation, human immunodeficiency virus (HIV) status, age, marital status, familial status, or handicap:

11.1 Deny any service or other benefit provided under the Work Program;

11.2 Provide any service or other benefit which is different, or is provided in a different form from that provided to others under the Work Program;

11.3 Subject to segregated or separate treatment in any facility, or in any matter or process related to receipt of any service or benefit under the Work Program;

11.4 Restrict in any way the enjoyment of any advantage or privilege enjoyed by others receiving any service or benefit under the Work Program;

11.5 Treat an individual differently from others in determining whether he/she satisfies any admission, enrollment, eligibility, membership or other requirement or condition which individuals must meet in order to be provided any service or other benefit provided under the Work Program;

11.6 Deny any person an opportunity to participate the Work Program as an employee; provided, however, that nothing in this paragraph shall prevent HARD from taking any action to ameliorate an imbalance in services or facilities provided to any geographic area or specific group of persons, where the purpose of such action is to overcome prior discriminatory practice or usage, and provided, further, that nothing in this paragraph



shall be construed to prohibit HARD from maintaining or constructing separate living facilities or restroom facilities for the different sexes.

11.7 In carrying out the Work Program, HARD shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, sexual orientation, human immunodeficiency virus status, national origin, age, marital status, familial status, or handicap. HARD shall make every effort to insure that applicants for employment are employed and employees are treated during employment, without regard to their race, color, religion, sex, sexual orientation, human immunodeficiency virus (HIV) status, national origin, age, marital status, familial status, or handicap. Such action shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. HARD shall post in conspicuous places, available to employees and applicants for employment, notices of this nondiscrimination clause. HARD shall state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, sexual orientation, human immunodeficiency virus (HIV) status, national origin, age, marital status, familial status, or handicap. HARD shall incorporate the foregoing requirements of this paragraph in all of its agreements for Work Program work, and shall require all of its subcontractors for such work to incorporate such requirements in all subcontracts.

11.8 No qualified handicapped person shall, solely on the basis of handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under the Work Program. HARD shall not, solely on the basis of handicap, deny a qualified handicapped person the opportunity to participate in or benefit from the aid, benefit, or service provided under this Agreement. The aid, benefit, or service must be equivalent to and as effective as that provided to others, and may be different or separate from that provided to others, only if such action is necessary to provide equivalent and effective aid, benefit, or service to qualified handicapped persons. HARD may not deny a qualified handicapped person the opportunity to participate in programs or activities that are not separate or different despite the existence of separate or different programs or activities designed specifically for the handicapped. Also, HARD shall ensure that communications with their applicants, employees, and program participants are available to persons with impaired vision and/or hearing and that access to HARD's services is in compliance with the requirements of the American's with Disabilities Act of 1990.

11.9 If reasonable accommodation of disabled employees or program participants poses an undue hardship on the operation of HARD or the Work Program, HARD may apply in writing to the City Manager for a waiver.

11.10 Nothing in the above paragraph prohibits HARD from applying for and receiving any exception or waiver available by law.



11.11 HARD shall make available to employees, program participants, and other interested persons, such information regarding HARD's nondiscrimination policies, procedures, and responsibilities, as HARD or City finds necessary to apprise such persons of the protections against discrimination assured them under this Agreement. HARD shall also notify such persons of their right to seek redress of alleged violations under this Agreement, of 31 C.F.R. 51.55 (d) (2) implementing Section 504 of the Rehabilitation Act of 1973 or of 24 C.F.R. Part 41 by filing a written complaint with the City Manager within 90 days of the date the complainant becomes aware of the alleged discrimination.

12. Termination. If, through any cause, either Party shall fail to fulfill in a timely and proper manner its obligations under this Agreement, or if either Party shall violate any of the covenants, agreements, or stipulations of this Agreement, then the other Party shall thereupon have the right to terminate this Agreement by giving written notice to defaulting Party of such termination and specifying the effective date thereof, which shall be at least five (5) days before the effective date of such termination. Upon any such termination, City shall pay to HARD any outstanding amount due under Section 2, above, to the date of termination. Without prejudice to the foregoing, HARD agrees that if prior to the termination or expiration of this Agreement upon any final or interim audit by City, or otherwise, it shall be disclosed to, or determined by City, that HARD shall have failed in any way to comply with any requirements of this Agreement, HARD shall forthwith bring itself into compliance and shall pay to City forthwith whatever sums are so disclosed to be due to City, if any, directly related to HARD's failure to comply with the requirements herein (or shall, at City's election permit City to deduct such sums from whatever amounts remain undisbursed by City to HARD pursuant to this Agreement). If this Agreement shall have terminated or expired, and it shall be disclosed upon such audit, or otherwise, that such failure shall have occurred, then HARD shall pay to City forthwith whatever sums, if any, are so disclosed to, or determined by City, to be due to City directly related to HARD's failure to comply with the requirements herein. Anything in this Agreement to the contrary notwithstanding, either Party shall have the right to terminate this Agreement with or without cause at any time upon giving the other Party at least 30 days written notice prior to the effective date of such termination.

13. Notices. Notices required by this agreement shall be personally delivered or mailed, postage prepaid, as follows:

To CITY:                      City Manager  
                                       Attn: Kelly McAdoo  
                                       777 B Street, 4<sup>th</sup> Floor  
                                       Hayward, CA 94541-5007

To HARD:                     General Manager  
                                       Attn: Paul McCreary



1099 E Street  
Hayward, CA 94541

Each party shall provide the other party with telephone and written notice of any change in address as soon as practicable.

Notices given by personal delivery shall be effective immediately. Notices given by mail shall be deemed to have been delivered forty-eight hours after having been deposited in the United States mail.

14. Amendments. This Agreement may be modified or amended only by a written document approved by the City Council and HARD's Board of Directors and executed by HARD's General Manager and City's City Manager and approved as to form by the City Attorney. Such document shall expressly state that it is intended by the parties to amend the terms and conditions of this Agreement.

15. Waiver. The waiver of either Party of a breach by the other of any provision of this Agreement shall not constitute a continuing waiver or waiver of any subsequent breach of either the same or different provision of this Agreement.

16. Severability. Should any part of this Agreement be declared by a final decision by a court or tribunal of competent jurisdiction to be unconstitutional, invalid, or beyond the authority of either Party to enter into or carry out, such decision shall not affect the validity of the remainder of this Agreement, which shall continue in full force and effect, provided that the remainder of this Agreement, absent the unexcised portion can be reasonably interpreted to give effect to the intentions of the Parties.

17. Compliance with Laws. In the performance of this agreement, HARD shall abide by and conform to any and all applicable laws of the United States, the State of California, and the City Charter and Ordinances of City.

HARD warrants that all work done under this Agreement will be in compliance with all applicable safety rules, laws, statutes, and practices, including but not limited to Cal/OSHA regulations.

18. Controlling Law. This agreement and all matters relating to it shall be governed by the laws of the State of California. Neither Party shall file an action in any Court or administrative tribunal until it has complied with the Dispute Resolution requirement set forth in Section 26, below.

19. Conflict of Interest. HARD warrants and covenants, to the best of its knowledge, that the principal provider(s) of services presently has(have) no interest in, nor shall any interest be herein acquired in, any matter which will render the services required under the provisions of this Agreement a violation of any applicable State, local or federal law. If any principal provider of services is a "consultant" for the purposes of the Fair Political Practices Act (Gov. Code Sec. 81000 et seq.), each person shall comply with Form 721 Statement of Economic Interests filing



requirements in accordance with the City's local Conflict of Interest Code. In addition, if any other conflict of interest should nevertheless hereinafter arise, the principal provider of services shall promptly notify City of the existence of such conflict of interest so that the City may determine whether to terminate this Agreement.

20. Anti-Lobbying Certification. HARD agrees that no Federal appropriated funds have been paid, or will be paid by, or on behalf of, HARD, to any person for influence, or attempting to influence, an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress, in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any federal contract, loan, or cooperative agreement as noted in Exhibit E.

20.1 HARD agrees that if any funds other than Federal appropriated funds have been paid, or will be paid, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this Agreement, HARD shall complete and submit Standard Form LLL, "Anti-Lobbying Certification", or Exhibit E, in accordance with its instructions.

20.2 HARD agrees that no member, officer or employee of City, or its designees or agents, no member of the governing body of City and no other public official of City who exercises any functions of responsibilities with respect to the HARD and its programs and services during his/her tenure or for one year thereafter, shall have any interest, direct or indirect, in this Agreement, or the process thereof. "Interest" here includes, but is not limited to, serving on the Board of Directors of HARD, leasing property to HARD, and being employed by HARD under this Agreement.

20.3 HARD, and any City approved subcontractors, shall not hire, or permit the hiring of, any person if that person or a member of that person's immediate family has an administrative or policy making position with the HARD. The term "immediate family" means wife, husband, son, daughter, mother, father, grandmother, grandfather, brother, sister, and in-law relationships. The term "administrative capacity" means persons who have selection, hiring, or supervisory responsibilities for employees of HARD. The term "policy making" capacity means membership on the board of directors, advisory boards and committees or a similar position with HARD any parent or subsidiary organization of the HARD.

20.4 HARD agrees that the language in paragraph 20.1 and 20.2 shall be included in subcontracts and that all subcontractors shall certify and disclose accordingly.

21. Non-Discrimination. HARD shall comply with the "City of Hayward Nondiscriminatory Employment Practices Provision" and "Special Affirmative Action Provision for Supply and Service



Contracts", copies of which are attached hereto and incorporated herein by reference as Exhibit F and, where applicable, cause its subcontractors in excess of \$10,000 to do the same.

21.1 If not already adopted, within 30 days following the date of this Agreement, HARD's Board of Directors shall adopt a resolution substantially similar to the following:

Be it resolved by the Hayward Area Recreation and Park District that it shall not discriminate against any employee or applicant for employment because of race, color, national origin, religion, gender, sexual orientation, age, marital status, familial status, disability, or human immunodeficiency virus (HIV) status.

21.2 In addition, the HARD shall provide no religious instruction or counseling, conduct no religious worship services, engage in no religious proselytizing, and exert no other religious influence in the provision of services paid for by City.

21.3 As used in this Agreement, the term "human immunodeficiency virus status" includes any perception that a person is suffering from the medical conditions commonly referred to as AIDS (Acquired Immune Deficiency Syndrome).

21.4 A copy of the resolution identified in Section 19.1, above, shall be submitted to City upon request.

22. Nuclear Free Hayward. Consultant agrees to comply with the requirements imposed by Ordinance No. 87-024 C.S., establishing a "Nuclear Free Hayward." An executed copy of the Affirmation of Non-Involvement in the Development or Production of Nuclear Weapons is attached hereto as Exhibit G and made a part hereof.

23. Time is of the Essence. The Parties agree to diligently prosecute the services to be provided under this agreement to completion and in accordance with any schedules specified herein. In the performance of this agreement, time is of the essence.

24. Whole Agreement. This Agreement has nine pages excluding the exhibits described on its signature page. This Agreement constitutes the entire understanding and agreement of the Parties. This Agreement integrates all of the terms and conditions mentioned herein or incidental hereto and supersedes all negotiations or previous agreements between the Parties with respect to all or any part of the subject matter hereof.

25. Multiple Copies of Agreement. Multiple copies of this Agreement may be executed but the Parties agree that the Agreement on file in the Office of the City Clerk is the version of the Agreement that shall take precedence should any differences exist among counterparts of the document.

26. Dispute Resolution. Any dispute between the Parties in regards to the duties, obligations and responsibilities hereunder or in regards to the interpretation or enforcement of this Agreement



shall be submitted to the City Manager and HARD General Manager for resolution. If the Parties are unable to resolve the dispute, then it shall be submitted to arbitration. The Parties shall select an arbitrator from a panel of three (3) provided by the American Arbitration Association. Each Party shall bear its own costs. The decision of the arbitrator shall be binding on the Parties, except in matters where the arbitrator has engaged in willful misconduct or exceeded his/her jurisdiction. However, neither Party shall file an action in any court unless and until the arbitration has concluded and a decision rendered. Any applicable statute of limitations shall be held in abeyance during the dispute resolution process.

IN WITNESS WHEREOF, HARD, by its General Manager, has executed this Agreement, and the City, by its City Manager, who is authorized to do so, has executed this Agreement.

Hayward Area Recreation and Park District:

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Paul McCreary, General Manager

City of Hayward:

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Kelly McAdoo, City Manager

Attest: \_\_\_\_\_  
Miriam Lens, Hayward City Clerk

Approved as to Form:

By: \_\_\_\_\_  
Michael S. Lawson, Hayward City Attorney

Attachments:	Exhibit A	Work Program
	Exhibit B	Program Budget
	Exhibit C	Reporting Requirements
	Exhibit D	City of Hayward General Provisions
	Exhibit E	Anti-Lobbying Certification
	Exhibit F	Non-Discriminatory Employment Practices
	Exhibit G	Affirmation of Non-Involvement in the Development or Production of Nuclear Weapons



## EXHIBIT A

WORK PROGRAM  
HAYWARD AREA RECREATION AND PARK DISTRICT (HARD)

Scope of Work A: Matt Jimenez Community Center (MJCC) – Operations:

1. **CITY:** The City will pay up to **\$208,390 for work completed over fourteen months, July 2019 - August 2020**, to help maintain the programs, events and additional costs associated with operating a community center (including program staff, communications (phone, alarm, internet access, etc.), PG&E, building repair and maintenance, operation supplies, custodial services, waste management services, water, and other indirect administrative costs required to operate MJCC events, programs and services as described in Part A. 2. below). **There is no option to extend this scope of work beyond August 31, 2020.**
2. **HARD:** Will manage and facilitate the day-to-day operations of the MJCC facility, including all record keeping as may be required by the City and other applicable funding agents, and the provision of events, programs and services at the facility that meet identified community needs. A mixture of social, education, and recreation programming and community services that may include fee-based, reduced fee-based, and free programming will be offered in accordance with the requirements of this Agreement. The core programs that will be provided include:
3. **After-school programs:** Will operate on Monday, Tuesday, Thursday, and Friday during the school year from 3pm to 7pm, and on Wednesdays from 1pm to 7pm (in order to accommodate early school release days); and
4. **Summer Programs:** Will operate for school-age Hayward youth (7 yrs. to 17 yrs. of age) from 12 noon to 6pm, Monday – Friday of each week during the summer months when public schools are not in session.

Scope of Work B: Sunset Swim Center – Operations:

1. **CITY:** The City will pay up to **\$3,000 per month for the summer months of June, July, and August**, to help maintain a Summer Swim Programs, including: Personnel expenses associated with Pool Maintenance Staff, Lifeguards, Instructors and Pool Managers; and related Pool Equipment, Maintenance/Repair Services, Permit Fees, Supplies, and Security costs. **This agreement covers fourteen months for Scope B from July 2019 - August 2020, with the option to extend through June 2022 at the written approval of both parties.**
2. **HARD:** Will manage and facilitate the day-to-day operations of the Hayward Sunset Swim Center in accordance with related health and safety laws and regulations during the Summer Season for a minimum of 8 weeks (June to August) and will offer the following service hours: Monday - Thursday, 9am to 7pm; Friday, 9am to 3pm; Saturday, 10am to 3pm; and closed on



Sundays (Service Dates and Hours are subject to change upon mutual documented agreement between the City and HARD).

3. **Aquatic programs and services:** Will be designed to meet the aquatic needs and interests of the community and will include, but not be limited to: Open Public Swim, Swim Lessons for children and adults, Competitive Swim Lessons/Events, and other related pool programs and services. Fee-based, reduced fee-based, and free aquatic programs and services will be offered.

**Scope of Work C: Volunteer Hayward Program:**

1. **CITY:** The City will pay up to **\$37,128 for work completed over six months, July 2019 - December 2019**, annually in support of a Volunteer Coordinator to carryout activities described in Section 3 below on behalf of the CITY. **There is no option to extend Scope C past December 31, 2019.**

Additionally, a CITY representative shall be appointed to:

- 1.1. Serve as the direct oversight manager to the Volunteer Coordinator with regard to services provided to the City;
  - 1.2. Serve as the City's representative on the ***Volunteer Hayward!*** Program Advisory and Coordination Committee;
  - 1.3. Coordinate with HARD on the implementation of mutual Program goals, and Program goals that are specific to each agency, as outlined in Section 3 below; and
  - 1.4. Serve as liaisons between the Volunteer Coordinator and other Departments/Programs as appropriate.
2. **HARD:** Will serve as the Lead Agency for the ***Volunteer Hayward!*** (Program), and as such will serve as the Employer of Record for the Volunteer Coordinator position. The Volunteer Coordinator will be primarily responsible for program implementation on behalf of HARD and the City. It is hereby mutually agreed that:
    - 2.1. The selection of the individual employed to serve as the ***Volunteer Hayward!*** (Volunteer) Coordinator must be selected by, and mutually acceptable to HARD and CITY during the term of this Agreement; and
    - 2.2. HARD and the City share in the cost of applicable employment taxes and employee benefits in accordance with HARD Personnel Policies and Procedures in support of a Volunteer Coordinator to carryout activities described in Section 3 below on behalf of HARD and the City. Additionally, HARD will provide the Volunteer Coordinator:



- 2.2.1. Office space and associated equipment to include volunteer support (interns, etc.).
- 2.2.2. Office supplies and telephone and cell phone.
- 2.2.3. Use of HARD volunteer program and recording formats.
- 2.2.4. Printing of volunteer applications, flyers, and related promotional materials.
- 2.2.5. Postage and other associated overhead expenses.
- 2.3. Additionally, a HARD representative shall be appointed who will:
  - 2.3.1. Serve as the direct supervisor of the Volunteer Coordinator with regard to the services provided to HARD under this Agreement;
  - 2.3.2. Serve as HARD's representative on the ***Volunteer Hayward!*** Program Advisory and Coordination Committee;
  - 2.3.3. Coordinate with the City on the implementation of mutual Program goals, and Program goals that are specific to each agency, as outlined in Section 3 below; and
  - 2.3.4. Serve as HARD's liaison between the Volunteer Coordinator and various HARD Departments/Programs as appropriate.
- 3. **Volunteer Hayward Scope of Work:** The Volunteer Coordinator shall:
  - 3.1. Provide equal time to each agency to develop volunteer program opportunities, related administrative procedures, and the placement of volunteers at each Agency. When appropriate and feasible, will refer applicants to volunteer listings/referral agencies and known volunteer opportunities in nonprofit service agencies serving the Hayward community.
  - 3.2. Develop annual calendar for anchor events.
  - 3.3. Develop consistent recruiting campaigns, strategies and marketing efforts to recruit volunteers for each agency. This includes outreach for volunteers from diverse cultures represented in the Hayward community, including communities that speak languages other than English. Also includes volunteer opportunity publication materials targeted to corporate, college and university volunteer participation.
  - 3.4. Keep each agency's Volunteer Manuals, Brochures, Flyers and other related volunteer recruitment media, forms and materials current.



- 3.5. Match volunteers' skills, knowledge, interests, and availability with ongoing and special project volunteer opportunities within each agency.
- 3.6. Ensure that each agency's volunteer policies and procedures are in accordance with applicable laws, regulations, and other legal requirements.
- 3.7. Provide information and technical assistance to "Site Volunteer Supervisors" in each agency as needed.
- 3.8. Maintain a database of vacant and filled volunteer positions within each agency, as well as related financial and volunteer records – including referral and placement information in a standardized form.
- 3.9. Coordinate and disseminate information regarding volunteer awards, training, and other relevant information to Site Volunteer Supervisors.
- 3.10. Secure and coordinate the delivery of resources for the annual Adopt-A-Family, Week of Caring, Celebrity Waiter, and/or other programs/ community events as may be established by both parties in the future. This includes outreach to corporate, small businesses, and service/community groups as appropriate to support these and other *Volunteer Hayward!* activities.
- 3.11. Update volunteer manual for both parties to this agreement.
- 3.12. Develop and implement internship Service Learning Program resulting in the placement of student volunteers in various departments within each agency (based on the opportunities developed within each agency), and which provides both a learning experience appropriate for the student "interns" and provides assistance to each agency in terms of carrying out programs and services to the public (without undermining, interfering with, or substituting for the duties and functions of agency personnel).
- 3.13. Seek additional grant funding and donations of financial and other resources to supplement and expand the *Volunteer Hayward!* Program. This includes the development of proposals to each agency to implement new volunteer programs and services.
- 3.14. Serve on the annual volunteer dinner committee.

#### **Scope of Work D: HOP Mobility Management Program**

1. **CITY:** The City will pay up to **\$70,000** annually in support of a Mobility Specialist to carryout activities described in Section 3 below on behalf of the CITY. **This agreement covers twelve**



months for Scope D from July 2019 - June 2020, with the option to extend through June 2022 at the written approval of both parties.

2. **HARD:** Will serve as the Lead Agency for the *HOP Mobility Management Program* (Program), and as such will serve as the Employer of Record for the Mobility Specialist position. The Mobility Specialist will be primarily responsible for oversight and coordination of day-to-day operations of the Hayward Area Paratransit service on behalf of HARD and the City. It is hereby mutually agreed that:
  - 2.1. The selection of the individual employed to serve as the *Mobility Specialist* must be selected by, and mutually acceptable to HARD and CITY during the term of this Agreement; and
  - 2.2. HARD will pay the salary and benefits for the Mobility Specialist and will be reimbursed by the City within 30 days upon receipt of an invoice;
  - 2.3. HARD will provide to the Mobility Specialist
    - 2.3.1. Office space and associated equipment
    - 2.3.2. Office supplies and telephone
    - 2.3.3. Microsoft Office 365 with cloud capabilities for access to work from various sites
  - 2.4. A HARD representative shall be appointed who will
    - 2.4.1. Coordinate with the City on the implementation of mutual Program goal, and Program goals that are specific to each agency, as outlined below.
3. **Mobility Specialist Scope of Work:** The **Mobility Specialist** shall:
  - 3.1. Serve as the primary contact with HOP service providers; and
  - 3.2. Enroll, update and maintain rider records; and
  - 3.3. Respond to requests for program information from individuals and groups; and
  - 3.4. Review billing for services provided by contractors and recommend/deny payments of invoices; and
  - 3.5. Develop and implement marketing strategies and promotional materials; and
  - 3.6. Provide critical information for service and grant applications in a timely manner; and



- 3.7. Recommend and implement transportation service enhancements; and
- 3.8. Complete one (1) Annual Rider Survey, one (1) Monthly status report (ridership, etc.), and serve fifty (50) unduplicated clients annually.

**Scope of Work E: Childcare Services**

1. **CITY:** The City will pay up to **\$7,000** annually in support of a Childcare Services to carryout activities described in Section 2 below. **This agreement covers twelve months for Scope E from July 2019 - June 2020, with the option to extend through June 2022 at the written approval of both parties.**
2. **HARD:** Will provide childcare services for City Council Meetings, as needed. HARD will be primarily responsible for oversight and coordination of these childcare services on behalf of HARD and the City. It is hereby mutually agreed that:
  - 2.1. The selection of the individuals employed to serve as the childcare workers must be selected by HARD during the term of this Agreement; and
  - 2.2. A HARD representative shall be appointed who will coordinate with the City Clerk's Office on the City Council Meeting dates, times, and meeting location. CITY shall notify HARD at least by the Friday prior to the City Council Meeting dates to schedule or cancel childcare services. Childcare services from two (2) childcare workers are typically needed Tuesday nights 6:30-10:30 p.m., the first, third, and fourth Tuesday of each month, and typically occur at City Hall, 777 B Street, Conference Room 2A, second floor, Hayward, CA. Additional special meetings may also occur on Tuesday nights 6:30-10:30 p.m. the second and fifth Tuesday of each month, or on other days, times, and locations, as needed.
  - 2.3. **CHILDCARE WORKERS shall:**
    - 2.3.1. Keep children safe within the contained, designated childcare space, and shall provide supplies to engage the children during the meeting timeframe.
    - 2.3.2. Use a sign-in and sign-out sheet to track when children participate in childcare, and to ensure children are safely returned to their parent or guardian.



## EXHIBIT B

PROGRAM BUDGET  
HAYWARD AREA RECREATION AND PARK DISTRICT (HARD)

Work Scope	Description	Contract Amount	Period of Work	Option to Renew	Annual Amount
A:	Matt Jimenez Community Center: Operations Subsidy	\$208,390	July 1, 2019- August 31, 2020	No	NA
B:	Sunset Swim Center (\$3,000/month for the months of June, July, & August)	\$15,000	July 1, 2019- August 31, 2020	Through 6/30/22	\$9,000
C:	Volunteer Hayward: Volunteer Coordinator	\$37,128	July 1, 2019- Dec 31, 2019	No	NA
D:	HOP Mobility Management Program: Mobility Specialist	\$70,000	July 1, 2019- June 30, 2020	Through 6/30/22	\$70,000
E:	Childcare Services	\$7,000	July 1, 2019- June 30, 2020	Through 6/30/22	\$7,000
	<b>Total</b>	<b>\$337,518</b>			<b>\$86,000</b>

**PAYMENT TERMS:**

Payment will be made within 30 days of receipt of an approved invoice and performance report, in accordance with the terms and conditions of this executed Agreement.



## EXHIBIT C

### PROGRAM REPORTING REQUIREMENTS

#### REPORTING REQUIREMENTS

1. Scope of Work A: Matt Jimenez Community Center (MJCC); and Scope of Work B: Sunset Swim Center:

1.1. **Demographics** - (Please report for each person served):

- 1.1.1. Number of total (unduplicated) persons served
- 1.1.2. Residency of each person served
- 1.1.3. For Each Hayward Resident Served:
- 1.1.4. Racial/Ethnic (per format provided by City)
- 1.1.5. Gender
- 1.1.6. Age
- 1.1.7. Number of Hayward residents served with disabilities.

1.2. **Household Characteristics:**

- 1.2.1. Income Level (by categories noted below):
- 1.2.2. low (50%-80% of Median Income)
- 1.2.3. very low (30%-50% of Median Income)
- 1.2.4. extremely low (less than 30% of Median Income)
- 1.2.5. Number of single female heads of household with minor children
- 1.2.6. Number of families with children under 18 years
- 1.2.7. Size of Household:
  - 1.2.7.1. 5 or more
  - 1.2.7.2. 4 or less

1.3. **Program Outcomes:**

- 1.3.1. A listing of each program component for Part A and Part B respectively;
- 1.3.2. A description of program achievements; and
- 1.3.3. A description of challenges experienced during the reporting and strategies developed to address the noted challenges.

2. Reporting Requirements, Scope of Work C: Volunteer Hayward Program

- 2.1. The Volunteer Coordinator will be responsible for the submission of the reporting requirements for this portion of the Agreement in accordance with the Reporting Periods described below. The content of each report shall include, but not necessarily be limited to:



- 2.2. The ***number of volunteers recruited and placed*** at each agency (i.e., HARD, HUSD and the CITY), and a description of the recruitment activities conducted;
- 2.3. A brief description of all ***Special Events*** and ***Special Projects*** conducted during the reporting period for each agency, including dates and location of each; the number of volunteers working at each event / project; and (if feasible) the number of residents participating/benefitting from each event / project;
- 2.4. The ***resource development activities conducted***, including: the fund development strategies carried out, and the amount of funds requested and received from each funding source; and
- 2.5. A brief description of the **Administrative Activities conducted**, including any recommended policies and procedures developed pertaining to the Volunteer Hayward Program, record keeping systems developed and implemented; and a listing of submitted reports to other funding agents.

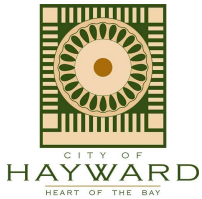
### 3. MONITORING AND EVALUATION

- 3.1. The CITY may assign a staff liaison to visit the project site periodically to review records and observe activities. HARD will provide clients' names, addresses, and telephone numbers to designated City liaison in accordance with applicable federal laws and regulations.

### 4. REPORTING PERIODS FOR PARTS A, B, AND C:

- 4.1. The above reports shall be submitted at least twice a year, once after the first 6 months of operation (due by January 31 for the prior six months – July through December); and a year-end report due by August 31 for the prior 12-month period – July through June).
- 4.2. A City approved invoice will be submitted with each report, and payment made in accordance with Exhibit B for each service area rendered based on satisfactory performance. Alternative, mutually agreeable, reporting and payment periods may be established.





# CITY OF HAYWARD

Hayward City Hall  
777 B Street  
Hayward, CA 94541  
[www.Hayward-CA.gov](http://www.Hayward-CA.gov)

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**File #:** CONS 20-074

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**DATE:** February 4, 2020

**TO:** Mayor and City Council

**FROM:** Deputy City Manager

**SUBJECT**

Adopt Resolutions Authorizing the City Manager to Apply as Joint Applicants with EAH Inc for the California State Department of Housing and Community Development (HCD) Infill Infrastructure Grant Program to Support Mission Paradise and Pimentel Place in Amounts Not-to-Exceed \$4 Million and \$6.5 Million Respectively

**RECOMMENDATION**

That the Council:

1. Adopts a resolution (Attachment II) authorizing the City Manager to apply as a joint applicant with EAH, Inc. for the California State Department of Housing and Community Development (HCD) Infill Infrastructure Grant Program (IIG) in an amount not to exceed \$4 million to support the Mission Paradise infill development for 76 senior affordable housing units, and
2. Adopts a resolution (Attachment III) authorizing the City Manager to apply as a joint applicant with EAH, Inc. for HCD IIG in an amount not to exceed \$6.5 million to support the Pimentel Place infill development for 57 affordable housing units.

**SUMMARY**

On October 30, 2019, HCD released the IIG Program Notice of Funding Availability (NOFA), which made available approximately \$194 million in funding for qualifying infill projects. City staff and EAH, Inc. have determined that Mission Paradise and Pimentel Place meet the eligibility requirements for the IIG Program and could receive up to \$9.5 million in grant money, collectively, to cover eligible project infrastructure costs. A successful application to HCD's IIG Program would provide additional funding needed to develop both projects. Since some of the eligible project costs are in the public right of way, the City must apply to HCD for IIG funds as a joint applicant with EAH, Inc. Staff recommends that the City, as a joint applicant with EAH, Inc., apply for and utilize the funds to cover the costs associated with the infrastructure improvements required for both projects.



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**File #:** CONS 20-074

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**ATTACHMENTS**

Attachment I	Staff Report
Attachment II	Resolution for IIG Mission Paradise
Attachment III	Resolution for IIG Pimentel Place





**DATE:** February 4, 2020

**TO:** Mayor and City Council

**FROM:** Deputy City Manager

**SUBJECT:** Financing of New Affordable Units at Mission Paradise and Pimentel Place:  
Adopt Resolutions Authorizing the City Manager to Apply as Joint Applicants  
with EAH Inc for the California State Department of Housing and Community  
Development (HCD) Infill Infrastructure Grant Program to Support Mission  
Paradise and Pimentel Place in Amounts Not-to-Exceed \$4 Million and \$6.5  
Million Respectively

## **RECOMMENDATION**

That the Council:

1. Adopts a resolution (Attachment II) authorizing the City Manager to apply as a joint applicant with EAH, Inc. for the California State Department of Housing and Community Development (HCD) Infill Infrastructure Grant Program (IIG) in an amount not to exceed \$4 million to support the Mission Paradise infill development for 76 senior affordable housing units, and
2. Adopts a resolution (Attachment III) authorizing the City Manager to apply as a joint applicant with EAH, Inc. for HCD IIG in an amount not to exceed \$6.5 million to support the Pimentel Place infill development for 57 affordable housing units.

## **SUMMARY**

On October 30, 2019, HCD released the IIG Program Notice of Funding Availability (NOFA), which made available approximately \$194 million in funding for qualifying infill projects. City staff and EAH, Inc. have determined that Mission Paradise and Pimentel Place meet the eligibility requirements for the IIG Program and could receive up to \$10.5 million in grant money, collectively, to cover eligible project infrastructure costs. A successful application to HCD's IIG Program would provide additional funding needed to develop both projects. Since some of the eligible project costs are in the public right of way, the City must apply to HCD for IIG funds as a joint applicant with EAH, Inc. Staff recommends that the City, as a joint applicant with EAH, Inc., apply for and utilize the funds to cover the costs associated with the infrastructure improvements required for both projects.



## **BACKGROUND**

On April 30, 2018, the City issued a Notice of Funding Availability (NOFA) for affordable housing development projects. EAH, Inc. submitted proposals for two projects including: 1) Mission Paradise, formerly known as Mission Senior Paradise; and, 2) Pimentel Place, formerly known as Matsya Villas. Both projects were awarded funds under the City's NOFA and have continued to apply for funds from other available sources.

### **Mission Paradise**

On October 2, 2018, the City Council approved a \$2.5 million loan to EAH, Inc. for the development of Mission Paradise, which will provide 76 units of affordable senior housing. Subsequently, the project has been awarded almost \$4.6 million from Alameda County under the Measure A1 Bond Regional Pool.

Currently, EAH, Inc. is in the process of applying for additional federal and state funding sources such as the Low-Income Housing Tax Credit Program (LIHTC) and HCD's Multi-Family Housing Program (MHP) for Mission Paradise. Provided that the remaining funding applications are successful, construction is anticipated to commence in early 2021 with an estimated completion date in 2022.

### **Pimentel Place**

On October 2, 2018, the City Council approved a \$2 million loan to EAH, Inc. for the development of Pimentel Place, which will provide 57 units of affordable housing to very low- and low-income households. Subsequently, the project has been awarded over \$5.3 million from Alameda County under the Measure A1 Bond Regional Pool.

EAH, Inc. is currently in the process of applying to several state and federal funding sources including HCD's MHP, Housing for a Healthy California (HHC), and 4% LIHTC for Pimentel Place. Provided that the remaining funding applications are successful, construction is anticipated to commence in early 2021 with an estimated completion date in 2022.

### **Infrastructure Infill Grant NOFA**

On October 30, 2019, the IIG NOFA was released and made available approximately \$194 million in IIG funding for the 2019 program year for qualifying infill projects and areas. The IIG Program serves to promote and support residential or mixed-use infill development by providing grant assistance, available as gap funding, to aid new construction and rehabilitation of infrastructure. The maximum grant award for eligible infill projects is \$7.5 million to cover eligible infrastructure costs such as construction, rehabilitation, or other physical improvement of parks or open space, transit facilities, streets, and sidewalks. Additionally, there is a \$30 million cap for any eligible infill projects located in large jurisdictions. Alameda County is identified as a large jurisdiction with a population of more



than 250,000 in the current IIG Program NOFA. Applications are due on February 18, 2020 and funding awards are anticipated to be announced in late May 2020 based on the merits of the individual infill projects and areas.

## **DISCUSSION**

In response to the 2019 IIG Program NOFA, EAH, Inc. and staff have determined that Mission Paradise and Pimentel Place meet the eligibility requirements for the IIG Program and could receive up to \$10.5 million in grant money, collectively, to cover eligible project infrastructure costs. A successful application to HCD's IIG Program would provide additional needed project funding. A description of the IIG Program and the assistance it will provide to each of the projects is further described in the following sections.

### **Description of IIG Program Eligibility Criteria**

Under the IIG Program, grant funds are available as gap financing for infrastructure improvements necessary for residential or mixed-use infill development projects. Pursuant to the program guidelines, the project and its surrounding areas must have either been previously developed or be largely surrounded by urban development to be eligible to apply. The project must also demonstrate that IIG Program funds are reasonably necessary for project feasibility and no other source of funding is reasonably available. Eligible uses of the funds include the development or reconstruction of parks or open space, water, sewer or other utility service improvements, streets, roads, parking structures, transit linkages, transit shelters, traffic mitigation features, sidewalks, and streetscape improvements. The application selection criteria include project readiness, affordability, density, proximity and access to transit, parks, employment centers, and consistency with regional plans. Further, the IIG Program requires applications be submitted jointly with the project sponsor and a local jurisdiction when the eligible uses fall within the public right of way.

### **Project Descriptions**

**Mission Paradise:** Mission Paradise is a proposed 76-unit residential apartment building located at Mission Boulevard and Webster and Hancock Streets. Currently, the site is a vacant lot. The project will provide approximately 76 units of affordable housing to low-income seniors, age 62 and older, for a term of 55 years. Additionally, the project will have to provide at-least 6% of the units affordable to low- and very low-income seniors in perpetuity in compliance with the Affordable Housing Ordinance.

All units, excluding the manager's unit, will serve income eligible households earning a range from \$17,360 to \$79,360 (20% to 80% AMI levels). **Table 3** provides the income limits associated with each income category for Alameda County. The project's unit mix includes: 65 one-bedrooms; 10 two-bedroom apartments; and one on-site manager's unit. Additionally, the project amenities will include on-site laundry facilities, community room, computer learning center, an outdoor roof deck, and exercise area and an on-site resource coordinator to provide coordination of services related to health, nutrition, education, employment, transit, and other services for residents.



The City and EAH, Inc. would request \$4 million from the IIG Program to cover the following eligible project costs at Mission Paradise:

- Soil treatment/soil preparation;
- Offsite concrete (sidewalk, curb, gutter);
- Onsite concrete (retaining walls, walkways, ramps);
- Wet utilities (sanitary sewer, storm draining, domestic and irrigation water);
- Dry utilities – Joint trench; and,
- PG&E and other utility fees.

Pimentel Place: Pimentel Place is located at 2<sup>nd</sup> and C Streets. The site is currently a vacant lot following the demolition of a vacant commercial building in 2019. The project will consist of 57 units of residential apartments with two non-residential spaces, 800 sf and 1600 sq. ft. in size. The project amenities include on-site laundry facilities, community room, computer learning center, indoor kids' play area, and an outdoor roof deck, and an on-site resource coordinator to provide coordination of services related to health, nutrition, education, employment, transit, and other services for residents.

The project will provide approximately 56 units of affordable housing for a term of 55 years. Additionally, the project will have to provide at least 6% of the units affordable to low- and very low-income seniors in perpetuity in compliance with the Affordable Housing Ordinance. All units, excluding the manager's unit, will serve income eligible households earning a range from \$17,360 to \$99,120 (20% to 50% AMI levels). **Table 3** provides the income limits associated with each income category for Alameda County. The project's unit mix includes: 11 one-bedroom apartments; 27 two-bedroom apartments; and 18 three-bedroom apartments; and one on-site manager's unit.

The City and EAH, Inc. would request \$6.5 million from the IIG Program to cover the following eligible project costs at Pimentel Place:

- Soil treatment;
- Concrete offsite;
- Striping in garage;
- Wet utilities;
- Dry utilities (Joint trench and undergrounding of power lines);
- PG&E connection fees; and,
- Construction of structured parking.



**Table 3 – California Tax Credit Allocation Committee 2019 Maximum Income Levels \***

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

Notes: \* For project's that place in service on or after 4/24/19+.

### **Housing Element and Regional Housing Needs Allocation Compliance**

Local jurisdictions report progress annually on meeting their RHNA goals. **Table 4** demonstrates progress made toward meeting Hayward's RHNA goals for the period between 2015-2023 as of the last report year (2018) and estimates potential for compliance by including approved projects and projects pending approval. Permits to construct the units must be issued in order to count toward the City's RHNA goals.

Mission Paradise and Pimentel Place will add a total of 131 affordable housing units to the City's housing stock, which would help the City to meet almost 10% of its RHNA goals for low- and very low-income households. Note, staff has identified affordability levels based on income targeting submitted under the City's NOFA. However, the income targeting is expected to change based on the requirements of all the funding sources utilized to fully fund the project. The most restrictive income targeting will apply. Generally, projects with low average affordability levels are more competitive for state funding sources, which means the project may serve a lower-income population than initially proposed. Additionally, both projects help the City meet the following goals established in the City's Housing Element:

- Assist in the development of housing affordable to low- and moderate-income households;
- Promote equal housing opportunities for all persons; and
- Provide for the special housing needs of seniors, persons with disabilities, large families with children, single female-headed households, and persons who are homeless.



**Table 4 - 2023 RHNA Goal Progress in the City of Hayward**

Income Category	Unit Goal	Reported 2018		Approved		Pending Approval		Estimated Compliance		Estimated Deficiency	
		Units	% of goal	Units	% of goal	Units	% of goal	Units	% of goal	Units	% of goal
Very low	851	40	5%	224	26%	103	12%	444	52%	407	48%
Low	480	19	4%	241	50%	22	5%	314	65%	166	35%
Moderate	608	0	0%	40	7%	21	3%	61	10%	547	90%
Above Moderate	1981	873	44%	2,617	132%	318	16%	3,808	192%	0	N/A

Prior to seeking approval from City Council on February 4, 2020, staff will submit a Grant Review Application to the City's Grant Administrative Committee for approval as per Section 3.6 - Grant Management Policy of the City Administrative Rules. Departments seeking grant funding opportunities are required to submit a grant application for review and recommendation of approval.

### **ECONOMIC IMPACT**

The proposed affordable units support housing stability and will reduce the cost burden for very low- and low-income Hayward residents for 55 years.

### **FISCAL IMPACT**

There is no fiscal impact associated with this agenda item.

If awarded, the grant funds will reimburse costs directly to the payee. While the City will be party to the Standard Agreement with HCD, EAH, Inc. will cover the costs associated with the development of both projects and will be reimbursed directly. All financing documents with respect to the issuance of the grant funds will contain clear disclaimers that the IIG grant funds are not obligations of the City or the State of California but are to be paid for solely by EAH, Inc. Staff has requested authority to receive the grant award to conform with the template resolution provided by the State but does not anticipate the need to receive the grant funds since the City will not be paying for the project costs.

### **STRATEGIC INITIATIVES**

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



- Goal 2: Provide a mix of housing stock for all Hayward residents and community members, including the expansion of affordable housing opportunities and resources.
- Objective 2: Facilitate the development of diverse housing types that serve the needs of all populations.
- Objective 4: Increase the supply of affordable, safe and resilient housing in Hayward.

## **PUBLIC CONTACT**

In accordance with entitlement requirements, notices of both projects were sent out to all property owners within a 300-foot radius of the project site. Additionally, as a requirement of the 2018 NOFA, EAH, Inc. held public outreach meetings to introduce the organization and the proposed project to the community, and to solicit input from the community.

## **NEXT STEPS**

If authorized, EAH, Inc. will prepare and submit the IIG Program application before the February 18, 2020 deadline. As an IIG Program requirement, if grant funds are awarded, staff will coordinate with EAH, Inc. to draft and enter into a standard agreement and all other necessary documents for the disbursement of funds to implement the infrastructure improvements related to the Projects.

*Prepared by:* Jane Kim, Housing Development Specialist

*Recommended by:* Christina Morales, Housing Division Manager  
Jennifer Ott, Deputy City Manager

Approved by:



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Kelly McAdoo, City Manager



HAYWARD CITY COUNCIL

RESOLUTION NO. 20-\_\_\_\_\_

Introduced by Council Member \_\_\_\_\_

RESOLUTION AUTHORIZING THE CITY MANAGER TO: 1) APPLY FOR AN AWARD FROM THE INFILL INFRASTRUCTURE PROGRAM FROM THE CALIFORNIA STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT INFILL INFRASTRUCTURE GRANT PROGRAM; 2) ENTER INTO A STANDARD AGREEMENT THE CALIFORNIA STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT INFILL INFRASTRUCTURE GRANT PROGRAM; AND 3) ACCEPT AN THE AMOUNT NOT TO EXCEED \$4 MILLION TO SUPPORT THE MISSION PARADISE INFILL DEVELOPMENT FOR 76 UNITS OF SENIOR AFFORDABLE HOUSING.

WHEREAS, the City of Hayward, a municipal corporation, (the "City") is authorized to do business in the State of California; and

WHEREAS, the City is working with EAH Inc., a California nonprofit corporation wishes to jointly apply for and receive an allocation of funds through the Infill Infrastructure Grant Program ("IIG") to support the development of Mission Senior Paradise; and,

WHEREAS, the State of California Department of Housing and Community Development (the "Department") has issued a Notice of Funding Availability ("NOFA") for IIG established under Assembly Bill 101 (Chapter 159, Statutes of 2019) and Part 12.5 (commencing with section 53559) of Division 31 of the Health and Safety Code, which authorizes the Department to approve funding allocations utilizing monies made available by the State Legislature, subject to the terms and conditions of the statute and the IIG Guidelines implemented October 30, 2019.

NOW, THEREFORE, BE IT RESOLVED, that the City pursuant to the above-described Notice of Funding Availability wishes to apply for, jointly with EAH, Inc., and receive an allocation of funds in an amount not to exceed \$4 million (the "IIG Grant").

BE IT FURTHER RESOLVED, that in connection with the City's IIG Grant, the City is authorized and directed to enter into, execute, and deliver a State of California Standard Agreement, and any and all other documents required or deemed necessary or appropriate to carry into effect the full intent and purpose of the above resolution, in order to evidence



the IIG Grant, the City's obligations related thereto, and the Department's security therefore; including, but not limited to, an affordable housing covenant, a performance deed of trust, a disbursement agreement, and certain other documents required by the Department as security for, evidence of or pertaining to the IIG Grant, and all amendments thereto (collectively, the "IIG Grant Documents").

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized to execute the IIG Grant Documents, and any amendment or modifications thereto, on behalf of the City in a form approved by the City Attorney.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately upon its passage.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2020

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. 20-\_\_\_\_\_

Introduced by Council Member \_\_\_\_\_

RESOLUTION AUTHORIZING THE CITY MANAGER TO: 1) APPLY FOR AN AWARD FROM THE INFILL INFRASTRUCTURE PROGRAM FROM THE CALIFORNIA STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT INFILL INFRASTRUCTURE GRANT PROGRAM; 2) ENTER INTO A STANDARD AGREEMENT THE CALIFORNIA STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT INFILL INFRASTRUCTURE GRANT PROGRAM; AND 3) ACCEPT AN THE AMOUNT NOT TO EXCEED \$6.5 MILLION TO SUPPORT THE PIMENTEL PLACE INFILL DEVELOPMENT FOR 57 UNITS OF AFFORDABLE HOUSING.

WHEREAS, the City of Hayward, a municipal corporation, (the "City") is authorized to do business in the State of California; and

WHEREAS, the City, working with EAH Inc., a California nonprofit corporation wishes to jointly apply for and receive an allocation of funds through the Infill Infrastructure Grant Program ("IIG") to support the development of Mission Senior Paradise; and,

WHEREAS, the State of California Department of Housing and Community Development (the "Department") has issued a Notice of Funding Availability ("NOFA") for IIG established under Assembly Bill 101 (Chapter 159, Statutes of 2019) and Part 12.5 (commencing with section 53559) of Division 31 of the Health and Safety Code, which authorizes the Department to approve funding allocations utilizing monies made available by the State Legislature, subject to the terms and conditions of the statute and the IIG Guidelines implemented October 30, 2019.

NOW, THEREFORE, BE IT RESOLVED, that the City pursuant to the above-described Notice of Funding Availability wishes to apply for, jointly with EAH, Inc., and receive an allocation of funds in an amount not to exceed \$6.5 million (the "IIG Grant")

BE IT FURTHER RESOLVED, that in connection with the City's IIG Grant, the City is authorized and directed to enter into, execute, and deliver a State of California Standard Agreement, and any and all other documents required or deemed necessary or appropriate to carry into effect the full intent and purpose of the above resolution, in order to evidence the IIG Grant, the City's obligations related thereto, and the Department's security



therefore; including, but not limited to, an affordable housing covenant, a performance deed of trust, a disbursement agreement, and certain other documents required by the Department as security for, evidence of or pertaining to the IIG Grant, and all amendments thereto (collectively, the "IIG Grant Documents").

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized to execute the IIG Grant Documents, and any amendment or modifications thereto, on behalf of the City in a form approved by the City Attorney.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately upon its passage.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2020

ADOPTED BY THE FOLLOWING VOTE:

AYES:            COUNCIL MEMBERS:  
                     MAYOR:

NOES:           COUNCIL MEMBERS:

ABSTAIN:       COUNCIL MEMBERS:

ABSENT:        COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_  
                 City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward





# CITY OF HAYWARD

Hayward City Hall  
777 B Street  
Hayward, CA 94541  
[www.Hayward-CA.gov](http://www.Hayward-CA.gov)

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**File #:** PH 20-006

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**DATE:** February 4, 2020

**TO:** Mayor and City Council

**FROM:** Development Services Director

**SUBJECT**

25036-25096 Carlos Bee Blvd Housing Development: Approve Proposed Residential Development Consisting of Nine Detached Single-Family Homes and Six Accessory Dwelling Units on a Single Parcel Located at 25036-25096 Carlos Bee Boulevard (Assessor Parcel Number 445-0170-039-13) Requiring Approval of Zone Change to Planned Development and Vesting Tentative Map (8473) Application No. 201802159, and Related Initial Study and Mitigated Negative Declaration; Kodama Diseno Architects/Zalman Investments LLC (Applicant/Owner)

**RECOMMENDATION**

That the City Council introduces an Ordinance (Attachment II) approving the Zone Change to Planned Development District and adopts a Resolution (Attachment III) approving the Vesting Tentative Map (8473) and the Initial Study and Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the project (Attachments V and VI), subject to findings and conditions of approval.

**SUMMARY**

The proposed development includes a Zone Change from RSB6 (Single Family Residential with a Minimum 6,000 Square Foot Lot) District to Planned Development (PD) District and approval of a Vesting Tentative Tract Map (8473) to construct nine detached single-family homes and six accessory dwelling units on a single parcel. The proposed project would be consistent with the density permitted by the applicable Low Density Residential General Plan land use designation.

The applicant is seeking PD District approval to eliminate minimum lot sizes and required side yard setbacks in order to cluster the residential development to avoid the steepest slopes along the northern property line and the earthquake fault hazard area located on the western portion of the site. The proposed project includes alley loaded garages, a meandering pedestrian pathway along the development frontage, and an approximately 3,200 square foot pocket park and 18 guest parking spaces in addition to two car garages for each residential unit.



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**File #:** PH 20-006

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**ATTACHMENTS**

Attachment I	Staff Report
Attachment II	Ordinance
Attachment III	Resolution
Attachment IV	Project Plans
Attachment V	Initial Study

<https://www.hayward-ca.gov/sites/default/files/Carlos%20Bee%20Final%20IS%2012.06.19%20wo%20appendices.pdf>

Attachment VI	Mitigation Monitoring and Reporting Program
Attachment VII	Initial Study - Public Comment Letters
Attachment VIII	Draft Planning Commission Minutes, January 9, 2020





**DATE:** February 4, 2020

**TO:** Mayor and City Council

**FROM:** Development Services Director

**SUBJECT:** 25036-25096 Carlos Bee Blvd Housing Development: Approve Proposed Residential Development Consisting of Nine Detached Single-Family Homes and Six Accessory Dwelling Units on a Single Parcel Located at 25036-25096 Carlos Bee Boulevard (Assessor Parcel Number 445-0170-039-13) Requiring Approval of Zone Change to Planned Development and Vesting Tentative Map (8473) Application No. 201802159, and Related Initial Study and Mitigated Negative Declaration; Kodama Diseno Architects/Zalman Investments LLC (Applicant/Owner)

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## **SUMMARY**

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The applicant is seeking PD District approval to eliminate minimum lot sizes and required side yard setbacks in order to cluster the residential development to avoid the steepest slopes along the northern property line and the earthquake fault hazard area located on the western portion of the site. The proposed project includes alley loaded garages, a meandering pedestrian pathway along the development frontage, and an approximately 3,200 square foot pocket park and 18 guest parking spaces in addition to two car garages for each residential unit.

## **BACKGROUND**



According to Assessor's Records, the proposed project site was subdivided into six single family lots in 1957. Building permit records from the early 1960s indicate that two single family homes were developed on the lots at 25036 Carlos Bee Blvd and 25096 Carlos Bee Blvd; however, there are no records indicating that single family homes were constructed on the interior lots. In the late 1960s-early 1970s, Caltrans purchased all of the properties for the Route 238 Bypass. The single-family homes were demolished by Caltrans between 2008 and 2012 before the property was sold at auction in 2017.

On January 24, 2019, the Planning Commission<sup>1</sup> held a work session on the proposed project, which consisted of 14 detached, three-story single-family homes. Three nearby residents attended the meeting and spoke against the project on the grounds that it was not consistent with the surrounding neighborhood of larger lot single family homes, that the three story homes would obstruct their views and lead to a loss of privacy, that the development would lower surrounding property values, and that development could lead to slope instability. Following public comment on the project, the Planning Commission urged the applicant to reduce the number of homes to better fit on the constrained site, to add accessory dwelling units and/or affordable housing units on the site, and to redesign the homes to have a more traditional architectural style to reflect the surrounding development.

On January 9, 2020, the Planning Commission<sup>2</sup> held a public hearing and voted 7:0:0 to recommend that the Council approve the proposed project (Attachment VIII). Prior to the Commission meeting, two nearby residents submitted comments related to the Initial Study/Mitigated Negative Declaration prepared for the project citing concerns about traffic impacts and slope stability issues (see further discussion under Environmental Review below). At the meeting, three public speakers raised similar issues to those raised in the comment letters in addition to concerns about spillover parking and loss of views. The Commission discussed the commenters' issues, asked clarifying questions related to slope stability and the review process for grading plan review and inspections during construction, and analyzed section drawings that showed the relative heights of the existing and proposed homes. The Commissioners appreciated the applicant's modifications to the plans in response to the January 2019 Work Session (see Discussion below for additional detail), felt that the proposed development was appropriately scaled to the site, and recommended that the pedestrian pathways providing access to the ADUs be connected to the larger pedestrian spine that runs along Carlos Bee Boulevard.

## **Project Description**

**Existing Conditions:** The proposed 1.64-acre project site is vacant and covered in trees and grasses. The irregularly shaped site is steeply sloped from the north to the south and from the east to the west. Specifically, the north-south slopes range from a 215-foot elevation near the northern property line to an approximately 188-foot elevation at Carlos Bee Boulevard; and, from a 240-foot elevation at Overlook Street on the eastern property line to an approximately

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<sup>1</sup> January 24, 2019 Planning Commission Work Session: <https://hayward.legistar.com/LegislationDetail.aspx?ID=3839500&GUID=9B5E384E-8CF6-479B-A200-3FD0DB060CCF&Options=&Search=>

<sup>2</sup> January 9, 2020 Planning Commission Public Hearing: <https://hayward.legistar.com/LegislationDetail.aspx?ID=4292899&GUID=895F0422-F3CA-4554-A710-99B6DA2F9BE9&Options=&Search=>



180-foot elevation near the western property line. A utility easement with overhead power lines and various utility boxes runs along the southern property line along Carlos Bee Blvd.

The western half of the project site falls within the Alquist Priolo Fault Zone. A Fault Rupture Hazard Evaluation (Attachment V, Appendix C1) prepared for the project site found no active fault traces within an exploratory trench. However, the Evaluation recommended that no residential construction occur within 95 feet of the western boundary of the project site. This area is referred to as the “No Residential Construction Zone” on the proposed architectural and civil plans.

Surrounding land uses include single family residential development to the north and east and Silver Oak High School to the west. Currently, the City is processing an application for a 57,500 square foot Subaru dealership and service station at the southeastern corner of Mission Boulevard and Carlos Bee Boulevard, southwest of the project site.

**Project Description:** The proposed project consists of a Zone Change from RSB6 District to PD District and a Vesting Tentative Map for Condominium Purposes to develop nine new single-family homes and six accessory dwelling units on a single lot.

The development would be a mix of two- and three-story single-family homes. The detached homes would be staggered along Carlos Bee Boulevard with front yard setbacks ranging from 20 to 60 feet and side yard setbacks ranging from six to 10 feet between each unit. Three of the units would be three-stories tall, and six of the units would be two-stories tall and include ADUs within the building footprint. The three-story units (Unit Type A) would have three bedrooms and four bathrooms and provide approximately 2,200 square feet of living space. The two-story units (Unit Type B and C) would be approximately 2,700 square feet in area and would have three bedrooms and two bathrooms in the main residence and approximately 603 square foot ground floor ADUs. Unit Type B ADUs would have one bedroom and bathroom, and Unit Type C ADUs would have two bedrooms and one bathroom. The ADUs would be located on the ground floor of Type B and C units and have separate entries from the main residences (Attachment IV, Sheets A2.1 through A2.3). Each of the homes would have private balconies and Units 5 through 7 would have private, fenced yards. The maximum height of the proposed homes would be 30 feet to the top of the roofline.

The buildings would be designed in a contemporary style with pitched roofs and building pop-outs to break up the building form, particularly on the front and rear of the homes. The exterior building materials would include a mix of stucco siding and horizontal fiber cement siding, balconies with metal railings, vinyl windows, and doors with wood trim (Attachment IV, Sheets A3.1 and A3.2). Amenity space would be provided in the form of an approximately 3,200 square foot pocket park with playground on the western portion of the site, and the yards fronting Carlos Bee Boulevard would have a meandering pedestrian pathway that would parallel the existing sidewalk.

Vehicular access to the project site would be provided via a 20-foot wide two-way driveway on Overlook Avenue and an emergency vehicle access on Carlos Bee Boulevard. The roadway would run along the rear of the site and would provide access to alley-loaded individual



garages. The project would provide two car garages for each single-family unit (18 enclosed parking spaces) plus 18 guest surface parking spaces on the western portion of the site and along the northern side of the roadway. Pedestrian access would be provided via paved pathways connecting the existing sidewalks on Carlos Bee Boulevard and Overlook Avenue to the interior of the site.

The project proposes new landscaping that would consist of primarily low to moderate water use trees, shrubs, and groundcover. A total of 84 trees on and adjacent to the site were surveyed as part of the project according to the Arborist Report prepared for the project and 56 of those trees are considered “protected” per the Ordinance (Attachment V, Appendix B). Between 52 and 54 trees would be removed by the project (with 30-32 preserved depending on suitability and adjacency to construction), and 87 new trees would be planted on the site. Landscaped areas would be located along the site perimeter and intermittently throughout the site. Trees would be planted along the sidewalk on Carlos Bee Boulevard to provide visual screening of the residences.

### **Policy Context and Code Compliance**

Hayward 2040 General Plan<sup>3</sup>: The project site has a *Low Density Residential* General Plan land use designation where detached single-family homes are identified as a primary use at a density range of 4.3 to 8.7 dwelling units per net acre. According to the General Plan, net acreage excludes land required for public and private streets, parks, and other public facilities. Subdividing the site into a single parcel with air rights as proposed allows the developer to avoid netting out acreage for the driveway because driveways are not considered “private streets.” As proposed, the density of the proposed project is about 5.5 units per acre, which is within the allowable density range for the Low Density Residential land use designation. Further, the project meets the intent of the applicable land use designation in that it includes construction of detached single-family homes.

The Housing Element contains policies to allow flexibility within the City’s standards and regulations to encourage a variety of housing types (H-3.6); and, to allow for a range of residential densities, housing types, prices, ownership and size (H-3.1). In addition, the proposed development follows the Residential Design Strategies called for in General Plan Policy LU-3.6 in that the project includes a pedestrian pathway that connects to sidewalks, orients the fronts of the homes toward public right-of-way and the garages along a rear alley, and ensures windows front streets and public spaces; and in LU-3.2, to provide neighborhood amenities in centralized locations whenever feasible.

Zoning Ordinance: The PD District is intended to facilitate development of land in an innovative fashion to allow for flexibility in site design and encourage development that is sensitive to environmental and site-specific considerations. The applicant is seeking deviations from the minimum lot size and side yard setbacks to cluster the development on the least sloped portion of the site that is outside of the identified “No Residential Construction Zone.”

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<sup>3</sup> Hayward General Plan. <https://www.hayward2040generalplan.com/>



Pursuant to the Hayward Municipal Code (HMC) Section 10-1.2535(d)<sup>4</sup>, Findings for the Planned Development designation, any deviations from or exceptions to the base district standards shall be compensated by the installation of amenities not otherwise required. The applicant is proposing to off-set the deviations from the base standards by installing solar panels on all residences and provision of common open spaces including the meandering pathway in front of the homes and the pocket park and playground at the western end of the project site, which are not required by the Hayward Municipal Code for single family developments.

**Parking Regulations:** Pursuant to HMC Section 10-2.310<sup>5</sup>, single family dwellings shall provide two covered parking spaces per dwelling unit. Each of the proposed homes includes a side by side two car garage. In addition, the proposed development provides 18 uncovered parking spaces along the driveway and near the pocket park for guests and residents of the ADUs.

**Accessory Dwelling Units:** Pursuant to HMC Section 10-1.2743(c)<sup>6</sup>, ADUs are permitted within Planned Development Districts provided that ADUs are specifically called out as permitted uses within the applicable Planned Development District. In addition, the proposed ADUs meet the applicable Design and Development Standards set forth in HMC Section 10-1.2744.

**Affordable Housing:** The proposed project is subject to the requirements set forth in HMC Chapter 10, Article 17, Affordable Housing Ordinance<sup>7</sup>. Per HMC Section 10-17.205, the applicant intends to satisfy the requirements of the ordinance by paying an affordable housing in lieu fee. The current fee for low density detached single family development is \$18.33 per square foot of habitable space if paid at building permit issuance, or \$20.16 per square foot if paid at issuance of occupancy permit. Based on the current proposal of two single family homes at approximately 1,767 square feet and seven single family homes at approximately 1,645 square feet (plus 603 square foot ADUs), the total projected affordable housing fee would be \$342,166 at issuance of building permit, or \$376,326 at issuance of occupancy permit.

**Regional Housing Needs Allocation (RHNA):** The Bay Area's housing needs across all income levels are determined by the California Department of Housing and Community Development (HCD). The Association of Bay Area Governments (ABAG) is responsible for distributing those housing needs to each city and county in the nine-county Bay Area every eight years. Each city and county is required to demonstrate the ability to accommodate its RHNA in their Housing

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<sup>4</sup> HMC Section 10-1.2500, Planned Development District.

[https://library.municode.com/ca/hayward/codes/municipal\\_code?nodeId=HAYWARD\\_MUNICIPAL\\_CODE\\_CH10PLZOSU\\_ART1ZOOR\\_S10-1.2500PLDEDIPD](https://library.municode.com/ca/hayward/codes/municipal_code?nodeId=HAYWARD_MUNICIPAL_CODE_CH10PLZOSU_ART1ZOOR_S10-1.2500PLDEDIPD)

<sup>5</sup> HMC Chapter 10, Article 2, Off Street Parking Regulations.

[https://library.municode.com/ca/hayward/codes/municipal\\_code?nodeId=HAYWARD\\_MUNICIPAL\\_CODE\\_CH10PLZOSU\\_ART2OREPARE](https://library.municode.com/ca/hayward/codes/municipal_code?nodeId=HAYWARD_MUNICIPAL_CODE_CH10PLZOSU_ART2OREPARE)

<sup>6</sup> HMC Section 10-1.2740, Accessory Dwelling Units.

[https://library.municode.com/ca/hayward/codes/municipal\\_code?nodeId=HAYWARD\\_MUNICIPAL\\_CODE\\_CH10PLZOSU\\_ART1ZOOR\\_S10-1.2740ACDWUN](https://library.municode.com/ca/hayward/codes/municipal_code?nodeId=HAYWARD_MUNICIPAL_CODE_CH10PLZOSU_ART1ZOOR_S10-1.2740ACDWUN)

<sup>7</sup> HMC Chapter 10, Article 17, Affordable Housing Ordinance.

[https://library.municode.com/ca/hayward/codes/municipal\\_code?nodeId=HAYWARD\\_MUNICIPAL\\_CODE\\_CH10PLZOSU\\_ART17AFHOOR](https://library.municode.com/ca/hayward/codes/municipal_code?nodeId=HAYWARD_MUNICIPAL_CODE_CH10PLZOSU_ART17AFHOOR)



Element and must submit an Annual Progress Report to HCD to demonstrate progress towards meeting those housing goals. The current cycle runs from 2015-2023.

The table below provides a breakdown of residential units reported to HCD, approved and pending since 2015. Briefly, each of the table columns include:

- 1) Income Category - The number of housing units required to be deed restricted for a specific level of affordability. Income limits are updated and released on an annual basis by HCD<sup>8</sup>. Income limits are set by County and are adjusted by number of persons in the household.
- 2) Unit Goal - Hayward's RHNA allocation by income level
- 3) Reported to HCD in 2018 APR - Total number of units reported to HCD (through 2018) as building permits
- 4) Approved - Total approved units but building permits have not been issued
- 5) Pending Approval - Total number of units going through the approval process
- 6) Estimated Deficiency - This is the deficiency between what was reported, approved, and pending versus RHNA requirements

Income Category	Unit Goal	Reported 2018		Approved		Pending Approval		Estimated Compliance		Estimated Deficiency	
		Units	% of goal	Units	% of goal	Units	% of goal	Units	% of goal	Units	% of goal
Very low	851	40	5%	224	26%	103	12%	444	52%	407	48%
Low	480	19	4%	241	50%	22	5%	314	65%	166	35%
Moderate	608	0	0%	40	7%	21	3%	61	10%	547	90%
Above Moderate	1981	873	44%	2,617	132%	318	16%	3,808	192%	0	N/A

As noted in the Affordable Housing section above, the applicant is electing to pay the affordable housing in lieu fee; therefore all nine single family units would fall into the Above Moderate-income category. However, the six ADUs would be considered Moderate Income housing units regardless of deed restriction.

Parkland Dedication: Pursuant to HMC Chapter 10, Article 16, Property Developers – Obligations for Parks and Recreation<sup>9</sup>, developers shall dedicate land, pay a fee in lieu thereof or do a combination of both for park and recreation purposes. The applicant intends to pay the park in lieu fee to satisfy the requirement. Based on the updated park fee schedule, which was adopted by the City Council on December 17, 2019, the applicable in lieu fees for nine three-bedroom single family units is \$137,241. Pursuant to State Law, as of January 1, 2020, ADUs less than 750 square feet in size are exempt from park fees.

<sup>8</sup> HCD 2019 Income Limits. <https://www.hcd.ca.gov/grants-funding/income-limits/state-and-federal-income-limits/docs/Income-Limits-2019.pdf>

<sup>9</sup> HMC Chapter 10, Article 16, Property Developers – Obligations for Parks and Recreation. [https://library.municode.com/ca/hayward/codes/municipal\\_code?nodeId=HAYWARD\\_MUNICIPAL\\_CODE\\_CH10PLZOSU\\_ART16PRDEBLPAR](https://library.municode.com/ca/hayward/codes/municipal_code?nodeId=HAYWARD_MUNICIPAL_CODE_CH10PLZOSU_ART16PRDEBLPAR)



Tree Preservation: HMC Chapter 10, Article 15, Tree Preservation<sup>10</sup>, provides guidance on the preservation of protected trees and procedures for removal and mitigation of protected trees. Pursuant to the Ordinance, native trees with four inches or larger trunk diameter, all trees with eight inches or greater trunk diameter, and all street trees are protected. Based on these standards, a total of 56 trees are protected and cannot be removed without a permit and appropriate mitigation. Proposed conditions of approval relate to updating the Arborist Report to reflect missing tree appraisal values and required updates to the Landscape and related plans to ensure consistency (proposed Condition Nos. 16 through 23). Mitigation Measures BIO-5.1 and 5.2 (proposed Condition Nos. 7 and 8) provide guidance on tree preservation, permits, and related mitigations.

Hillside Design Guidelines: The project site is subject to the City of Hayward Hillside Design Guidelines. Generally, the Hillside Design Guidelines support clustering development to avoid steep slopes and natural site features and hazards. The average slope of the lot is 20%. While the proposed homes are sited on the flattest part of the site along Carlos Bee Boulevard, it is clear that there will be a large amount of grading along the northern property line where the project driveway is proposed (Attachment IV, Sheet C-3 Cross Sections). To shore up the slopes, approximately three-foot-tall keystone retaining walls will be constructed along the driveway.

Vesting Tentative Map Tract 8473: The proposed project includes a Vesting Tentative Tract Map (8473) for a one lot subdivision for condominium purposes. Property owners would own the individual homes but the land under the homes, the driveways, and open spaces would be under common ownership. The proposed project site is an infill site and the City of Hayward provides water and sanitary sewer service to the site and has adequate capacity to serve the proposed development. Access to the site would be provided through a combination of public and privately dedicated streets.

Per proposed Condition No. 33, the applicant will be required to enter into a Subdivision Improvement Agreement prior to Final Map approval to ensure that related site infrastructure and improvements are constructed in a timely manner. Maintenance of publicly accessible, private facilities (driveway, common open space, landscaping and stormwater facilities) would be handled through a Homeowners' Association (HOA) (proposed Conditions of Approval 40-41).

## **DISCUSSION**

Staff believes that the City Council can make the findings to approve the Zone Change and Vesting Tentative Map based on the findings and conditions of approval included in Attachment III, to this staff report.

As noted above, there are significant site constraints including the unbuildable Alquist Priolo Zone on much of the western portion of the site and steep unbuildable slopes along the northern part of the site. Further, the project site fronts Carlos Bee Boulevard, a steep and

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<sup>10</sup> HMC Chapter 10, Article 15, Tree Preservation Ordinance.

[https://library.municode.com/ca/hayward/codes/municipal\\_code?nodeId=HAYWARD\\_MUNICIPAL\\_CODE\\_CH10PLZOSU\\_ART15TRPR](https://library.municode.com/ca/hayward/codes/municipal_code?nodeId=HAYWARD_MUNICIPAL_CODE_CH10PLZOSU_ART15TRPR)



curvilinear arterial that provides primary access to Cal State East Bay. To reduce the potential for traffic accidents, the Public Works – Transportation Division would not permit vehicular access to the proposed development from Carlos Bee Boulevard other than emergency vehicle access. To address these various site constraints and access issues, the applicant is seeking the flexibility of the PD District zoning designation in order to cluster development on the flattest portion of the site because adherence to minimum lot size and minimum side yard setbacks is not be possible due to the irregularly shaped lot and the required project access.

In the first project iteration, which was considered by the Planning Commission in January 2019, the applicant sought to maximize density on the site by constructing up to 14 three story narrow single-family homes with very small setbacks between homes (between three and six feet), which led to a crowded and unattractive site plan. Per Planning Commission recommendation, the applicant reduced the number of units on site from 14 to nine, developed a two story elevation and floor plan that could accommodate ground floor ADUs in six of the units, applied a more traditional architectural style reflective of the surrounding development, and provided more open space between the units. It is important to note that the reduction of units resulted in the availability of more on-site guest parking per unit.

The revised, proposed site design is more attractive with varied setbacks along the project frontage, a meandering pedestrian landscaped pathway that provides access to the front doors, and a small pocket park on the unbuildable western portion of the site. There is variety in the building types (mix of two- and three-story structures) and in unit types from three-bedroom single-family homes to one and two-bedroom ADUs that would be appropriate for Cal State East Bay students among others. Staff believes that the proposed parking, which includes up to four on-site parking spaces per residential unit, will accommodate the demand on the site. Overall, staff believes that the proposed development is appropriately scaled for the project site and would make a positive addition to the surrounding neighborhood.

## **ENVIRONMENTAL REVIEW**

An Initial Study evaluating the potential environmental impacts of this project was prepared in accordance with the California Environmental Quality Act (CEQA). The Initial Study found that the proposed project would result in potential impacts in the areas of Biological Resources, Geology and Soils, Hazards and Noise, and contains standard or project-specific mitigation measures reducing the identified impacts to a level of less than significant.

A Notice of Intent to Adopt a Mitigated Negative Declaration (NOI) was filed with the Alameda County Clerk on December 13, 2019. The NOI and the Initial Study were posted at the Permit Center and the City Clerk's Office at City Hall, delivered to both Hayward libraries, and posted on the City's website. Copies of the NOI were sent to interested parties and property owners within 300 feet of the project site on December 13, 2019. The public comment period for the proposed Mitigated Negative Declaration and Initial Study ran from December 13, 2019 through January 6, 2020. A copy of the Initial Study/Mitigated Negative Declaration (IS/MND) and related appendices are attached to this report for the Council's review and consideration (Attachment V).



Two comment letters were submitted during the public comment period (Attachment VII). The comments generally discussed issues related to increased traffic and safety along Carlos Bee Boulevard and concerns about slope stability.

On the topic of traffic impacts, the traffic counts are based on nationally accepted Institute of Traffic Engineers (ITE) generation rates. They are not arbitrary or subjective. According to the Initial Study, the project would generate 103 daily trips with 8 AM peak trips and 11 PM peak trips (Attachment V, Table 4.17-1). Based on the low peak traffic counts generated by this project, it will not result in an impact to the roadways nor does it trigger any new signals or other traffic controls.

On the topic of slope stability, several geotechnical investigations were prepared for the project, which were reviewed by the City's Engineering Division, incorporated into the Initial Study by reference, and made conditions of approval for the project (Attachment III, proposed Condition No. 38). Through the grading permit and inspections process, City engineers will require that grading on site be performed under the supervision of a qualified and State Licensed geotechnical engineer. Final grading and its stability shall be certified by the geotechnical engineer retained by the applicant to oversee the grading operation.

## **ECONOMIC IMPACT**

The proposed development would have a positive economic benefit in that it would result in development of a currently vacant site. Currently, the site is vacant and there is a history of dumping and nuisance activities on and near the site. The proposed development is expected to attract up to nine market rate households and would provide housing for an additional six households in the Accessory Dwelling Units. Expenditures from these new households would contribute positively to the City's sales tax base. Further development of the project is also expected to generate temporary construction jobs, which will draw workers to the site who will patronize surrounding businesses.

## **FISCAL IMPACT**

According to an estimate based on the City of Hayward Fiscal Impact Model (2017) prepared by Applied Development Economics, Inc., the project would generate about \$23,892 in annual revenue from taxes including: property, real property transfer, business license, emergency facilities and intergovernmental transfer among others. It would generate approximately \$22,098 in annual costs related to City services including but not limited to Fire, Police, Library, Maintenance Services, resulting in a net positive impact of approximately \$1,794 per year.

## **STRATEGIC INITIATIVES**

The proposed project, as conditioned, supports the City's Complete Communities Strategic Initiative. The purpose of the Complete Communities Initiative is to create and support structures, services, and amenities to provide inclusive and equitable access with the goal



of becoming a thriving and promising place to live, work and play for all. This item supports the following goal and objective:

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

Objective 2: Increase the supply of affordable, safe and resilient housing in Hayward.

## **SUSTAINABILITY FEATURES**

The development will follow the requirements of the California Green (CALGreen) Building Code, which requires that all single-family development be zero net energy.

## **PUBLIC CONTACT**

On May 9, 2018, Notice of Receipt of Application was mailed to all property owners, residents and business owners within 300 feet of the project site. Staff received a written letter opposing the project due to traffic, environmental and density concerns. On December 13, 2019, notices of the public review period for the project Initial Study/Mitigated Negative Declaration were sent to all property owners and residents within a 300-foot radius of the project site; was posted at the Alameda County Clerk Recorder's Office; and, was published in The Daily Review. On January 24, 2020, notices for the Council public hearing were sent to all interested parties, property owners, and residents within a 300-foot radius of the project site and were published in The Daily Review.

## **NEXT STEPS**

Following Council approval, the Ordinance approving the Zone Change to Planned Development District will return to the City Council for a second reading after which the applicant will submit a Precise Development Plan and Final Map. The Final Map will be subject to City Council review and approval, after which construction permits will be processed and issued to ultimately allow for development of the project.

*Prepared by:* Leigha Schmidt, Senior Planner

*Recommended by:* Laura Simpson, Development Services Director

*Approved by:*



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Kelly McAdoo, City Manager



ORDINANCE NO. 20-

AN ORDINANCE AMENDING CHAPTER 10, ARTICLE 1 (ZONING ORDINANCE) OF THE HAYWARD MUNICIPAL CODE REZONING CERTAIN PROPERTY TO PLANNED DEVELOPMENT DISTRICT IN CONNECTION WITH ZONE CHANGE AND VESTING TENTATIVE MAP (8473) APPLICATION NO. 201802159 FOR 25036-25096 CARLOS BEE BOULEVARD

WHEREAS, on February 4, 2020, the City Council held a public hearing and adopted findings in support of the requested Zone Change and Vesting Tentative Map (8473) as set forth in the companion Resolution (No. 20-\_\_ ;

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

Section 1. Provisions.

Chapter 10 of the Hayward Municipal Code is hereby amended to rezone the parcel located at 25036-25096 Carlos Bee Boulevard (Assessor Parcel No. (APN) 445-0170-036-13) to Planned Development District, subject to the findings and conditions of approval set forth in the companion Resolution (No. 20-\_\_) to this Ordinance.

Section 2. Severance.

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

Section 3. Effective Date.

This ordinance shall become effective immediately upon adoption.

INTRODUCED at a regular meeting of the City Council of the City of Hayward, held the \_\_\_\_ day of \_\_\_\_, 2020, by Council Member \_\_\_\_\_.

ADOPTED at a regular meeting of the City Council of the City of Hayward, held the \_\_\_\_ day of \_\_\_\_, 2020, by the following votes of members of said City Council.



AYES: COUNCIL MEMBERS:  
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

APPROVED: \_\_\_\_\_  
Mayor of the City of Hayward

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward



HAYWARD CITY COUNCIL

RESOLUTION NO. 19-\_\_

Introduced by Council Member \_\_\_\_\_

RESOLUTION APPROVING ZONE CHANGE AND VESTING TENTATIVE MAP (TRACT 8473) FOR A RESIDENTIAL DEVELOPMENT AT 25036-25096 CARLOS BEE BOULEVARD AND APPROVAL OF THE RELATED INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION; JOANNE WONG, KODAMA DISENO ARCHITECTS/ZALMAN INVESTMENTS LLC (APPLICANT/OWNER)

WHEREAS, on April 26, 2018, Joanne Wong, on behalf of Kodama Diseno Architects, submitted Zone Change and Vesting Tentative Map (8473) Application No. 201802159, to develop 14 detached single-family homes on an approximately 1.6 acre vacant parcel at 25036-25096 Carlos Bee Boulevard (Assessor Parcel No. (APN) 445-0170-039-13); and

WHEREAS, on January 12, 2019, the Planning Commission held a Work Session and recommended that the applicant reduce the density on the site, reduce the height of the three-story homes, provide integral Accessory Dwelling Units or deed restrict a unit for pursuant to the Affordable Housing Ordinance, and redesign the homes to have a more traditional architectural style reflective of the adjacent residential neighborhood; and

WHEREAS, on July 25, 2019, the applicant submitted a modified site plan and elevations redesigned in accordance with the Planning Commission comments. The revised project reduced the density on the site, provided a mix of two- and three-story homes, included six ADUs within the envelope of the two-story single-family homes, and provided a more traditional architectural style; and

WHEREAS, an Initial Study and Mitigated Negative Declaration were prepared to assess the potential impacts of the project and circulated for a minimum 20-day public review period from December 13, 2019 through January 6, 2020; and

WHEREAS, on December 13, 2019, notice of the Planning Commission and City Council public hearings and the Notice of Intent to Adopt a Mitigated Negative Declaration with Mitigation Monitoring Plan were sent to all property owners and residents within a 300-foot radius of the project site; to interested parties who requested to be notified about the project; was posted at the Alameda County Clerk Recorder's Office; and, was published in The Daily Review; and

WHEREAS, the City received two comment letters related to the Initial Study that focused on potential impacts related to traffic and slope stability issues. As detailed in the staff report, the low peak hour traffic counts generated by this project will not result in an impact to the roadways nor does the project trigger any new or updated traffic controls.



On the topic of slope stability, proposed conditions of approval will ensure that grading plans are reviewed, work performed and inspected under the supervision of a qualified and State Licensed geotechnical engineer to ensure safety and reliability of slopes. Final grading work shall be certified by the geotechnical engineer retained by the applicant to oversee the grading operation reducing potential impacts related to slope stability; and

WHEREAS, on January 9, 2020, the Planning Commission held a duly noticed public hearing on the proposed project and voted 7:0:0 to recommend City Council approval of the project with a recommendation that pedestrian connections be installed from the entrances of the ADUs to the pedestrian pathway that runs parallel to Carlos Bee Boulevard; and

WHEREAS, on January 24, 2020, notice of the City Council public hearing related to the proposed project was mailed to all property owners and residents within 300 feet of the project site as well as those who requested such notice; and was published in The Daily Review; and

WHEREAS, on February 4, 2020, the City Council held a public hearing and accepted public testimony on the proposed project; and

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

**CALIFORNIA ENVIRONMENTAL QUALITY ACT**

- A. Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15220, an Initial Study (IS) was prepared for this project with the finding that a Mitigated Negative Declaration (MND) was appropriate because all potential impacts could be mitigated to a level of less than significant with the implementation of Mitigation Measures that were incorporated as conditions of approval for the Project.
- B. That the MND was prepared by David J. Powers & Associates, Inc. on behalf of the City of Hayward acting as the Lead Agency, and that the IS/MND was circulated with a minimum twenty (20) day public review period between December 13, 2019 and January 6, 2020.
- C. That the proposed MND was independently reviewed, considered and analyzed by the Planning Commission and reflects the independent judgment of the Planning Commission; that such independent judgment is based on substantial evidence in the record; that the Planning Commission recommends that the City Council adopt the proposed MND and its findings and conclusions as its source of environmental information; and that the proposed MND is legally adequate and was completed in compliance with CEQA.
- D. That the proposed MND identified all potential adverse impacts and provided standard or project-based mitigation measures to reduce the effects of such impacts in the areas of Biological Resources, Cultural Resources, Geology and Soils, and Noise. Based on the



proposed MND and the whole record before the City Council, there is no substantial evidence that the project will have a significant effect on the environment.

- E. That the project complies with CEQA, and that the proposed MND was presented to the deciding body, which reviewed and considered the information contained therein prior to approving the project. The custodian of the record of proceedings upon which this decision is based in the Development Services Department of the City of Hayward located at 777 B Street, Hayward, CA 94544.

### **ZONE CHANGE**

**A. The development is in substantial harmony with the surrounding area and conforms to the General Plan and applicable City policies.**

The development is in substantial harmony with the surrounding area and conforms to the General Plan and applicable City policies in that it would result in development of a single-family detached development on a currently underutilized, infill site. The proposed development would maximize the density on the environmentally constrained site while allowing for a variety of housing types and sizes and remaining consistent with the form and uses permitted in the *Low Density Residential* General Plan land use designation. While the development would deviate from the base RS (Single Family Residential) District standards with regard to lot size and side yard setbacks, the proposed project would result in the development of a detached single family neighborhood with staggered front yards, a meandering pedestrian pathway across the site, alley loaded vehicular access, and a pocket park while keeping much of the site undeveloped, open space.

Further, the infill development is consistent with the following General Plan Goals and Policies:

- Policy LU-1.3 Growth and Infill Development: The City shall direct local population and employment growth toward infill development sites within the City.
- Policy LU-3.7 Infill Development in Neighborhoods: The City shall protect the pattern and character of existing neighborhoods by requiring new infill developments to have complimentary building forms and site features.
- Policy H-3.1 Diversity of Housing Types: The City shall implement land use policies that allow for a range of residential densities and housing types, prices, ownership, and size, including low density single-family uses, moderate-density townhomes, and higher-density apartments, condominiums, transit-oriented developments, live-work units, and units in mixed-use developments.
- Policy H-3.3 Sustainable Housing Development: The City shall improve affordability by promoting sustainable housing practices that incorporate a 'whole system' approach to siting, designing, and constructing housing that is integrated into the building site, consumes less water and improves water



quality, reduces the use of energy use, and other resources, and minimizes its impact on the surrounding environment.

- Policy H-3.4 Residential Uses Close to Services: The City shall encourage development of residential uses close to employment, recreational facilities, schools, neighborhood commercial areas, and transportation routes.
- Policy H-3.5 Compatible Development of Underutilized Sites: The City shall encourage compatible residential development in areas with underutilized land.
- Policy H-3.6 Flexible Standards and Regulations: The City shall allow flexibility within the City's standards and regulations to encourage a variety of housing types.

The project would further support goals for connectivity if pedestrian pathways are installed between the proposed ADUs and the pedestrian pathway that runs parallel to Carlos Bee Boulevard.

**B. Streets and utilities, existing or proposed, are adequate to serve the development.**

The proposed infill project site is surrounded by existing streets and utilities with adequate capacity to serve the proposed development. An Initial Study/Mitigated Negative Declaration prepared for the project determined that it would not have significant impacts related to streets, public facilities, utilities and agencies.

**C. The development creates a residential environment of sustained desirability and stability, that sites proposed for public facilities, such as playgrounds and parks, are adequate to serve the anticipated population and are acceptable to the public authorities having jurisdiction thereon, and the development will have no substantial adverse effect upon surrounding development or neighborhoods.**

The development will create a residential environment of sustained desirability and stability because it will result in the development of a detached single family neighborhood with varying building heights, staggered front yards, a meandering pedestrian pathway across the site, alley loaded vehicular access, and a pocket park while keeping much of the site undeveloped, open space. The project is consistent with the form and use permitted in the *Low Density Residential* General Plan designation and would continue the pattern of existing single-family residential development to the north and east of the project site.

The development will not have an adverse effect upon surrounding development or neighborhoods in that there is adequate capacity on surrounding roadways to provide access to the site. In addition, the homes will have two car garages and two guest parking spaces per unit reducing the potential for a nuisance related to parking.



- D. In the case of a development in increments, each increment provides a sufficient proportion of total planned common open space, facilities, and services so that it may be self-contained in the event of default or failure to complete the total development according to schedule.**

The development will be completed within one phase ensuring that the infrastructure, services and facilities will be available to all residents in a timely fashion.

- E. Any latitude or exception(s) to development regulations or policies is adequately offset or compensated for by providing functional facilities or amenities not otherwise required or exceeding other required development standards, which, in the judgment of the Planning staff provides for a high quality and attractive development.**

The proposed infill project site is constrained by the Alquist Priolo Fault Zone along the western portion of the site, steep slopes along the northern property line, and no vehicular access from Carlos Bee Boulevard. The proposed development would cluster the proposed single-family detached homes on the flattest part of the site while providing vehicular access from a driveway behind the homes.

The proposed development is consistent with the form and use permitted in the *Low Density Residential* General Plan designation; however, the proposed development requires deviation from the base RS District standards for minimum lot sizes and side yard setbacks. Project amenities intended to off-set the requested exceptions to base district standards include installation of solar photo-voltaic systems on each residence to reduce energy consumption; inclusion of six accessory dwelling units within the footprint of the two story units to provide rental housing within walking distance of Cal State East Bay and Mission Boulevard; and, inclusion of a pocket park and meandering pedestrian pathway along the project frontage which would act as a shared yard for the development.

### **VESTING TENTATIVE MAP**

- A. That the proposed map is consistent with applicable general and specific plans as specified in Section 65451. [Subdivision Map Act §66474(a)]**

The proposed map is consistent with the allowable uses and densities permitted in the *Low Density Residential* General Plan land use designation; and the proposed development is not subject to a specific plan.

- B. That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans. [Subdivision Map Act §66474(b)]**

The proposed subdivision is consistent with the density permitted in the *Low Density Residential* General Plan land use designation as well as specific goals and



policies, including but not limited to policies supporting infill development, a diversity of housing types, sustainable housing development, and placement of housing in close proximity to existing infrastructure and services as detailed in the Zone Change findings above. Utilities, including water, sewer, and storm drain facilities, will be provided to accommodate the proposed development and there is adequate capacity to provide access to the project site from Overlook Avenue.

**C. That the site is physically suitable for the type of development. [Subdivision Map Act §66474(c)]**

A Fault Rupture Hazard Evaluation was prepared by *Earth Focus Geological Services, Inc.*, a geologic peer review was prepared by Louis A. Richardson, P.G., C.E.G., and a geotechnical investigation prepared by *Alan Kropp & Associates, Inc.* All of the documentation was reviewed and referenced in the Initial Study/Mitigated Negative Declaration prepared for the project and concluded that the project site is physically suitable for the type of development proposed provided that a condition of approval be included that a project geologic team shall observe excavations and exposures for the existence or nonexistence of active faulting and verify that the locations of specific building sites are in conformance with their recommendations.

**D. That the site is physically suitable for the proposed density of development. [Subdivision Map Act §66474(d)]**

The proposed development would comply with the Low Density Residential General Plan land use designation, which allow a density range of 4.3 to 8.7 dwelling units per net acre. Further, as described in Vesting Tentative Tract Map Finding C above, several studies and reports were prepared to determine if and how the site would be physically suitable for the proposed density of development provided that those specific recommendations are included as conditions of approval for the proposed development.

**E. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. [Subdivision Map Act §66474(e)]**

The project site is in an urban neighborhood and is surrounded by residential, commercial and public facilities. According to the Initial Study and Mitigated Negative Declaration prepared for the project, there are no sensitive habitats or wetlands adjacent to or on the property, and there is a low likelihood of any sensitive or special-status species due to the developed nature of the project area.

There are 56 on-site trees of varying health and that are protected under the City's Tree Preservation Ordinance. Pursuant to that Ordinance, Mitigation Measures and conditions of approval would require the applicant protect trees or obtain permits to remove and adequately mitigate any trees being removed.



**F. That the design of the subdivision or type of improvements is not likely to cause serious public health problems. [Subdivision Map Act §66474(f)]**

The development is an infill site surrounded by infrastructure with adequate capacity to serve the future development. The Initial Study/Mitigated Negative Declaration concluded that the project would not result adverse Air Quality impacts related to construction-related dust and toxic air contaminants with the inclusion of standard measures issued by the Bay Area Air Quality District. With implementation of these measures which are included as a condition of approval, the proposed project will not cause serious public health problems and reduce any potential impacts to a level of less than significant.

**G. That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. [Subdivision Map Act §66474(g)]**

The proposed project will not conflict with existing easements for access through or use of the property. The proposed private roadways and pedestrian facilities will be open and accessible to the public.

BE IT FURTHER RESOLVED that the City Council of the City of Hayward, based on the foregoing findings, hereby adopts the mitigated negative declaration and approves the Zone Change and Vesting Tentative Tract Map (8473) Application 201802159, subject to the adoption of the companion ordinance (Ordinance No. 20-\_\_) rezoning the property located at 25036-25096 Carlos Bee Boulevard (Assessor Parcel Number 445-0170-039-13) to Planned Development District, subject to the attached conditions of approval (Exhibit I.a).

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2020

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



## **CONDITIONS OF APPROVAL**

### **ZONE CHANGE & VESTING TENTATIVE MAP (TRACT 8473) APPLICATION NO. 201802159**

– Applicant: Joanne Wong, Kodama Diseno Architects/Owner: Zalman Investments LLC – Proposed Zone Change and Vesting Tentative Map (Tract 8473), grading and building permits related to development of nine detached single family residential units and six accessory dwelling units on a 1.64-acre vacant lot at 25036-25096 Carlos Bee Boulevard (Assessor Parcel Number 445-0170-039-13).

### **GENERAL**

1. The developer shall assume the defense of and shall pay on behalf of and hold harmless the City, its officers, employees, volunteers and agents from and against any or all loss, liability, expense, claim costs, suits and damages of every kind, nature and description directly or indirectly arising from the performance and action of this permit.
2. Zone Change and Vesting Tentative Map Application No. 201802159, is approved subject to the Architectural Plans and Vesting Tentative Map plans date stamped October 3, 2019, and the Landscape Plans stamped November 13, 2019, except as modified by the conditions listed below.
3. The Vesting Tentative Map approval shall align with the timeframes set forth in the Subdivision Map Act, and all related automatic and Applicant-initiated extensions.
4. Any proposal for alterations to the conditionally approved site plan and/or design that does not require a variance to any zoning ordinance standard shall be subject to approval by the Development Services Director or his/her designee, prior to implementation. Alterations requiring a variance or exception shall be subject to review and approval by the Planning Commission.
5. The permittee, property owner or designated representative shall allow City planning and code enforcement staff access to the property for site inspection(s) to confirm all approved conditions have been completed and are being maintained in compliance with all adopted city, state and federal laws.
6. All permit charges accrued in the processing of Zone Change and Vesting Tentative Map Application No. 201802159 shall be paid in full prior to consideration of a request for approval extensions and/or submittal of building permits for the development.

### **MITIGATION MESURES**

7. MM BIO-5.1. All protected trees removed from the site shall obtain a Tree Removal Permit per the City of Hayward Tree Preservation Ordinance (Municipal Code



Chapter 10, Article 15). The removed trees would be required to be replaced at the quantities and species set forth in the Tree Preservation Ordinance. All removed trees would require replacement with like-size, like-kind trees or an equal value tree or trees as determined by the City's Landscape Architect. The project shall adhere to the conditions of approval described in the City's Tree Preservation Ordinance for the removal, replacement or maintenance of protected trees. Final landscape plans shall be reviewed and approved by the City's Landscape Architect prior to issuance of any grading, trenching, or building permits. Final landscape plans shall clearly identify all "protected trees", as defined in the Tree Preservation Ordinance, and all trees to be removed from the project site and the size, location, type, value of trees and specific the species of all replacement trees.

8. MM BIO 5.2. The project applicant shall implement all tree protection measures as described below:

*Design Recommendations.*

- a. Any changes to the plans affecting the trees shall be reviewed by the Project Arborist with regard to tree impacts. These include, but are not limited to, site plans, improvement plans, utility and drainage plans, grading plans, landscape and irrigation plans, and demolition plans.
- b. A Tree Protection Zone (TPZ) shall be established around each tree to be preserved. No grading, excavation, construction or storage of materials shall occur within this zone. Underground services, including utilities, sub-drains, water or sewer shall be routed around the TPZ.
  1. A fence shall be placed to encircle the group of Italian stone pine and blue gums #136-140 (refer to Figure 4.4-1);
  2. No fencing is required for trees #173-180;
  3. Off-site oak #185 will require additional fencing at the line of grading. Additionally, within the dripline no self-propelled equipment shall be used.
  4. Any other measures as required by the Landscape Architect.
- c. Irrigation systems must be designed so that no trenching severs roots larger than one inch in diameter will occur within the TPZ.
- d. Tree Preservation Guidelines prepared by the Project Arborist, which include specifications for tree protection during demolition and construction, shall be included on all plans.



- e. Any herbicides placed under paving materials must be safe for use around trees and labeled for that use.
- f. The soil shall be not be limed within 50 feet of any tree. Lime is toxic to tree roots.
- g. Ensure adequate but not excessive water is supplied to trees; in most cases, occasional irrigation will be required. Avoid directing runoff towards trees.

*Pre-Construction Treatments and Recommendations.*

- a. The demolition and construction superintendents shall meet with the Project Arborist before beginning work to review all work procedures, access routes, storage areas, and tree protection measures.
- b. Prune trees to be preserved to clean the crown of dead branches one inch and larger in diameter, raise canopies as needed for construction activities. All pruning shall be done by a State of California Licensed Tree Contractor (C/61/D49). All pruning shall be done by Certified Arborist or Certified Tree Worker in accordance with the Best Management Practices for Pruning (International Society of Arboriculture, 2002) and adhere to the most recent editions of the American National Standard for Tree Care Operations (Z133.1) and Pruning (A300). The Project Arborist will provide pruning specifications prior to site demolition.
- c. Structures and underground features to be removed within the TPZ shall use equipment that will minimize damage to trees above and below ground and operate from outside the TPZ. The Project Arborist shall be on-site during all operations within the TPZ to monitor demolition activity.
- d. All tree work shall comply with the Migratory Bird Treaty Act as well as California Fish and Wildlife Code 3503-3513 to not disturb nesting birds, consistent with MM BIO-1 above. To the extent feasible tree pruning and removal should be scheduled outside of the breeding season. Breeding bird surveys shall be conducted prior to tree work. Qualified biologists shall be involved in establishing work buffers for active nests.

*Recommendations for Tree Protection during Construction.*



- a. Any approved grading, construction, demolition or other work within the TPZ shall be monitored by the Project Arborist.
- b. All contractors shall conduct operations in a manner that will prevent damage to trees to be preserved.
- c. Tree protection devices are to remain until all site work has been completed within the work area. Fences or other protection devices may not be relocated or removed without permission of the Project Arborist.
- d. Construction trailers, traffic, and storage areas shall remain outside the TPZ at all times.
- e. Any root pruning required for construction purposes shall receive the prior approval of, and be supervised by, the Project Arborist.
- f. If roots two inches and greater in diameter are encountered during site work and must be cut to complete the construction, the Project Arborist shall be consulted to evaluate effects on the health and stability of the tree and recommend treatment.
- g. Spoils from trenching, footing, utility or other excavation shall not be placed within the TPZ, neither temporarily nor permanently.
- h. All grading within the dripline of trees shall be done using the smallest equipment possible. The equipment shall operate perpendicular to the tree and operate from outside the TPZ. Any modifications shall be approved and monitored by the Project Arborist.
- i. All trees shall be irrigated on a schedule to be determined by the Project Arborist (every three to six weeks is typical). Each irrigation shall wet the soil within the TPZ to a depth of 30 inches.
- j. If injury should occur to any tree during construction, it should be evaluated as soon as possible by the Project Arborist so that appropriate treatments can be applied.
- k. No excess soil, chemicals, debris, equipment or other materials shall be dumped or stored within the TPZ.



- l. Any additional tree pruning needed for clearance during construction shall be performed by a Certified Arborist and not by construction personnel.
- m. Trees that accumulate a sufficient quantity of dust on their leaves, limbs and trunk as judged by the Project Arborist shall be spray-washed at the direction of the Project Arborist.

*Maintenance of Relocated Trees*

- a. Irrigate. Until roots develop into the surrounding soil, the tree is dependent on water contained in the root ball itself. Plants should be irrigated before the root ball becomes dry, but not so frequently that it remains wet. Irrigation frequencies may range from every few days in hot, dry weather to every few weeks in cool weather. A soil probe should be used to check soil moisture and water applied as needed.
- b. Prune. Trees should be pruned following transplanting to remove broken or damaged branches. If bark has been damaged, cut off any torn bark or wood with a knife. Do not shape the wound or apply wound paint.
- c. Fertilize. Fertilizer should be applied if soil tests reveal deficiencies. Fall or late winter are the best times to apply fertilizer.
- d. Monitor for pests and diseases. Transplanted trees are under stress until new roots are established in the landscape, and they are more susceptible to attack by parasites. Borers and canker disease are the most common problems. Inspect transplants monthly to assess any developing problems and determine appropriate treatments.
- e. Inspect anchor stakes or guys. Every three months check that the plant is not being damaged by hardware.
- f. Enlarge basin, replenish mulch. At the beginning of the second year, enlarge the watering basin by 50 percent and replenish wood chip mulch in basin.

*Maintenance of Impacted Trees*

- a. Preserved trees will experience a physical environment different from that pre-development. As a result, tree health and structural stability shall be monitored. Occasional pruning, fertilization, mulch, pest management, replanting and irrigation may be required. In addition, provisions for monitoring both tree



health and structural stability following construction must be made a priority. As trees age, the likelihood of failure of branches or entire trees increases; therefore, annual inspection for hazard potential is recommended.

9. MM CUL-1.1. *Undiscovered Archaeological Resources*. If evidence of an archaeological site or other suspected cultural resource as defined by CEQA Guideline Section 15064.5, including darkened soil representing past human activity (“midden”), that could conceal material remains (e.g., worked stone, worked bone, fired clay vessels, faunal bone, hearths, storage pits, or burials) is discovered during construction related earth-moving activities, all ground-disturbing activity within 100 feet of the resources shall be halted and the City Planning Manager shall be notified. The project sponsor shall hire a qualified archaeologist to conduct a field investigation. The City Planning Manager shall consult with the archaeologist to assess the significance of the find. Impacts to any significant resources shall be mitigated to a less-than-significant level through data recovery or other methods determined adequate by a qualified archaeologist and that are consistent with the Secretary of the Interior’s Standards for Archaeological documentation. Any identified cultural resources shall be recorded on the appropriate DPR 523 (A-J) form and filed with the NWIC.
10. MM CUL-1.2. *Human Remains*. If human remains are discovered at any project construction site during any phase of construction, all ground-disturbing activity within 100 feet of the resources shall be halted and the City Planning Manager and the Alameda County coroner shall be notified immediately, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California’s Health and Safety Code. If the remains are determined by the County coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. The project sponsor shall also retain a professional archaeologist with Native American burial experience to conduct a field investigation of the specific site and consult with the Most Likely Descendant, if any, identified by the NAHC. As necessary, the archaeologist may provide professional assistance to the Most Likely Descendant, including the excavation and removal of the human remains. The City of Hayward shall be responsible for approval of recommended mitigation as it deems appropriate, taking account of the provisions of State law, as set forth in CEQA Guidelines section 15064.5(e) and Public Resources Code section 5097.98. The project sponsor shall implement approved mitigation, to be verified by the City of Hayward, before the resumption of ground-disturbing activities within 100 feet of where the remains were discovered.
11. MM GEO-6. *Unique Paleontological and/or Geologic Features and Reporting*. Should a unique paleontological resource or site or unique geological feature be identified at the project site during any phase of construction, all ground disturbing activities within 25 feet shall cease and the City’s Planning Manager notified immediately. A



qualified paleontologist shall evaluate the find and prescribe mitigation measures to reduce impacts to a less than significant level. Work may proceed on other parts of the project site while mitigation for paleontological resources or geologic features is implemented. Upon completion of the paleontological assessment, a report shall be submitted to the City and, if paleontological materials are recovered, a paleontological repository, such as the University of California Museum of Paleontology shall also be submitted to the City.

12. MM NOI-1.1. The applicant shall develop a construction noise plan, including, but not limited to the following available controls:
- In accordance with the Municipal Code, utilize the best commercially reasonable available noise suppression devices and techniques during construction activities to reduce noise levels from individual devices or pieces of equipment to 83 dBA or less at a distance of 25 feet and 86 dBA at the property plane.
  - Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
  - Unnecessary idling of internal combustion engines shall be strictly prohibited.
  - Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors as feasible. If they must be located near receptors, adequate muffling (with enclosures where feasible and appropriate) shall be used reduce noise levels at the adjacent sensitive receptors. Any enclosure openings or venting shall face away from sensitive receptors.
  - Utilize "quiet" air compressors and other stationary noise sources where technology exists.
  - Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
  - Locate temporary material stockpiles, as well as maintenance/equipment staging and parking areas, as far as feasible from residential receptors.
  - Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site.
  - Notify in writing all adjacent business, residences, and other noise-sensitive land uses of the construction schedule.
  - Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include in it the notice sent to neighbors regarding the



construction schedule.

**PRECISE PLAN**

13. In accordance with Zoning Ordinance Section 10-1.2550, and prior to approval of building permits, the applicant shall submit a Precise Development Plan to the Planning Division for review and approval prior to the issuance of building permits.
14. The Precise Development Plan shall be in substantial conformance with the approved Preliminary Development Plan except as modified by Condition No. 24 below and shall be submitted either in advance of or in conjunction with the subdivision improvement plans and Final Map.
15. The Precise Development Plan shall include the following information and/or details:
  - a. A copy of these conditions of approval shall be included on a full-sized sheet(s).
  - b. Proposed location for construction staging, designated areas for construction employee parking (on- and off-site), construction office, sales office (if any), hours of construction, provisions for vanpooling construction workers or having them use transit to access the site, provisions for noise and dust control, and common area landscaping.
  - c. Details of address numbers shall be provided. Address numbers shall be decorative. Building addresses shall be minimum four-inch self-illuminated or six-inch on contrasting background to ensure visibility from the street.
  - d. Retaining walls shall be under four feet in height. Large expanses of blank wall shall be prohibited and shall be articulated or otherwise treated with design or architectural features.
  - e. Mailboxes shall be installed in accordance with Post Office policy and include locking mechanisms to minimize opportunities for theft. Approved address numbers shall be at least four inches in height on a contrasting background. Font strokes shall be of sufficient width such that they are legible to the public from the street fronting the property.
  - f. Proposed color and materials board for all buildings, fences and walls.

The Following Landscaping Conditions Shall be Addressed Prior to Precise Plan Approval:

16. Arborist report submitted November 2019 shall be revised:
  - a. The report shall be resubmitted to include missing the appraised tree values provided on the revised tree inventory and mitigation charts L1.2.



- b. Appraised tree value for non-protected tree shall not be included in the mitigation: Tree Number 131 and 161 are protected for having larger than an eight-inch trunk diameter when adding three largest tree trunks but Tree Number 166 and 167 aren't protected for having less than an eight-inch trunk diameter.
  - c. All exhibits shall be included in the report: tree inventory map, tree assessment form and tree appraisal calculation.
- 17. Removed trees shall be mitigated equal to the approved appraised value of \$71,875 above and beyond providing required trees such as street trees in the front setback area, front yard trees, parking shade trees and screening trees. Required trees could be upsized and the cost difference between required and proposed sizes could be used toward meeting the mitigation goal. Proposed tree mitigation summary chart shall be provided following the attached City's tree mitigation guidelines. Minimum required trees are:
  - a. One 24-inch or larger box street tree per 20 to 40 lineal feet of frontage.
  - b. One 15-gallon tree in each parking lot endcap.
  - c. One 15-gallon shade tree for every 6 parking spaces.
  - d. One 15-gallon evergreen buffer tree shall be planted at every 20 lineal feet or to achieve adequate screening where this development abuts residential on the north.
- 18. Landscape plans shall be prepared on an accurately surveyed topographic plan that matches the architectural, site or civil plan. Base information shall be screened but legible, and shall include lot numbers, easements and all proposed above and underground utilities.
- 19. One set of landscape plans shall be wet signed by the project landscape architect.
- 20. Hydrozone map shall address:
  - a. Hydrozone information shall be legible. Base information such as existing trees, tree identification numbers, proposed trees and utility information shall be screened but shall remain legible.
  - b. Planting area between units shall be in a separate Hydrozone.
  - c. Hydrozone shall include all planting area including the public right-of-way planting strip.
  - d. Two irrigation efficiency standards shall be used: 0.75 for overhead spray devices and 0.81 for drip system. Water budget calculations shall be revised accordingly.
- 21. Planting Plan shall address:



- a. Tree planting at the driveway shall be offset ten feet from the face of curb at the ingress and five feet from the face of curb at the egress.
  - b. Tree shall be located a minimum of five feet from underground utility lateral service lines and driveways, a minimum of fifteen feet from a light pole, and a minimum of thirty feet from the face of a traffic signal, or as otherwise specified by the City.
  - c. Minimum dimension for planting area shall be five feet measured in all direction from back of curb/paving/structure to back of curb/paving/structure: see the divider island by the handicap parking space.
  - d. Planting in Public Right-of-Way: One 24-inch box street tree shall be planted at every twenty to forty feet on center in the right-of-way planting strip between curb and sidewalk. Missing street tree, Red Oak, and understory planting shall be provided along Carlos Bee Boulevard.
  - e. Planting plan shall provide each plant locations at proposed spacing.
  - f. Tree planting shall not be permitted if the bioretention area would be lined on the bottom with impervious material. If the bioretention area wouldn't be lined on the bottom, tree planting would be allowed on the side slopes only with proper tree planting detail to augment the shallow and fast draining C.3 soil mix. Tree planting detail in bioretention area shall be provided in addition to standard tree planting details.
  - g. All plants in bioretention basin shall conform to the plant list in the latest C.3 Stormwater Technical Guidance Appendix B.
  - h. Mulch shall be organic recycled chipped wood in dark brown color. The size of the mulch shall not exceed 1-1/2-inches in diameter.
22. Group open space plan shall address:
- a. Grading shall be studied to allow ADA compliant access to the group open space from the south near Carlos Bee Boulevard.
  - b. Enlarged group open space plan shall provide additional information defining different surface materials and patterns.
  - c. Preliminary specifications and detailed information shall be provided for paving including color and finished texture, planting, play equipment and furnishing.
23. The Irrigation Plan shall address:
- a. Irrigation design shall comply with the City's Bay-Friendly Water Efficient Landscape Ordinance.
  - b. Dedicated irrigation meter shall be provided. Irrigation meter location and size shall be consistent with the civil plan.
  - c. Backflow prevention device shall conform to the City Standard Detail SD-202 and the detail shall be provided in the irrigation detail sheet.

General Planning Conditions:



24. The project approval includes the following project amenities to support the finding required to be made that “any latitude or exception(s) to development regulations or policies is adequately offset or compensated for by providing functional facilities or amenities not otherwise required or exceeding other required development standards.” Amenities shall include:
  - a. Photovoltaic solar panels shall be installed on all residential structures. To the greatest extent possible, the project architect shall consult with an energy consultant regarding the design and orientation of roof surfaces and reorient rooflines to maximize solar orientation;
  - b. A minimum of six of the units shall have accessory dwelling units included within the footprint of the floor plan; and
  - c. A pedestrian pathway with decorative paving, trellises, pedestrian scale lighting shall run along the project frontage parallel to Carlos Bee Boulevard, and shall include pedestrian pathways to the front door of the ADUs. The final location, design and materials of the pathways shall be reviewed and approved by the Planning Division prior to the issuance of building permits.
25. All final exterior building finishes, paint colors, parking lot mesh design and other architectural details shall be reviewed and approved by the Planning Division prior to issuance of a building permit for the project.
26. All air conditioners and utility connections for air conditioners shall be located behind solid board fences or walls and shall not exceed the height of the fence or wall.
27. All above-ground utility meters, mechanical equipment and water meters shall be enclosed within the buildings or shall be screened with shrubs and/or an architectural screen from all perspectives, unless other noise mitigation is required.
28. All rooftop mechanical equipment, other than solar panels, shall be fully and completely screened from view by the proposed roof structure or appropriate screening that is reviewed and approved by the Planning Division. All roof vents shall be shown on roof plans and elevations. Vent piping shall not extend higher than required by building code. Roof apparatus and utilitarian equipment such as vents shall be painted to match surface to which it is adhered.

**Park Dedication Fees and Credits:**

29. This development is subject to the requirements of the Property Developers – Obligations for Parks and Recreation set forth in HMC Chapter 10, Article 16. Per HMC Section 10-16.10, the applicant shall pay in lieu fees for each residential unit, including Accessory Dwelling Units. The in-lieu fees shall be those that are in effect at the time of building permit issuance.

**DUE PRIOR TO THE ISSUANCE OF BUILDING PERMIT**



Affordable Housing:

30. Pursuant to HMC Section 10-17.410, the Applicant shall pay the affordable housing in-lieu fees either prior to issuance of building permits, prior to approval of a final inspection, or issuance of an occupancy permit. No building permit(s) will be issued for any market-rate units in the Project until permits for all Affordable Units have been obtained or are obtained simultaneously, and all required housing in-lieu fees have been paid in full. No Certificate(s) of Occupancy will be issued for any market-rate units in the Project until Certificate(s) of Occupancy for all affordable units have been obtained or are obtained simultaneously, and all required housing in-lieu fees have been paid in full.

General Conditions – Building

31. A copy of these conditions of approval shall be included on full-sized sheet(s) on all building permit submittals.
32. Plans for building permit applications shall incorporate/comply with all applicable Building and Fire Codes.

General Conditions – Engineering

33. Subdivision Improvement Agreement: A Subdivision Improvement Agreement shall be executed prior to Final Map Approval that guarantees the completion of the improvements to the satisfaction of the Director of Public Works. This agreement includes surety (i.e. bonds), insurance, and additional deposit for City staff time and City resources to be expended on the project.
34. Final map shall be submitted for the City's review and approval. The map shall comply with the requirements of the Subdivision Map Act and the Hayward Municipal Code.
35. Final Map shall show the property as one lot. The map shall include a statement that nine condominium units will be created by a condominium plan to be filed separately.
36. Final Map shall show existing easements to remain and proposed easements for public sewer and water mains, emergency vehicle access and public utilities.
37. All new utility services to the project shall be installed underground. Such utilities shall include but not limited to provide electricity, gas and telecommunication services to each residence in the development. Two three-inch diameter conduits



with pull boxes and pull ropes shall be provided for high speed internet service. These conduits shall be dedicated to the City.

Grading Permit:

38. A grading permit issued by the City's Public Works Department is required prior to the building permits. The permit application shall include plans prepared by the state licensed engineer showing existing and finish grades, earth retaining structures, storm water pollution prevention measures, drainage and other site improvements. The grading plans shall be approved by the City Engineer and include, but not be limited to, the following design & submittal requirements:
- a. Grading and building plans shall consider the findings and recommendations of the Fault Rupture Hazard Evaluation Report prepared by Earth Focus Geological Services (January 2018) and its peer review report by Louis A Richardson, Consulting Engineering Geologist (December 2018).
  - b. Soil investigation report, prepared by a State licensed geotechnical engineer, shall provide design criteria and recommendations for site grading, soil retaining structures, street pavements and storm water pollution prevention.
  - c. Earth retaining structures exceeding four feet in height (top of wall to bottom of footing) shall require building permits.
  - d. Surface water uphill of retaining walls shall be collected in ditches.
  - e. Drainage flow across sidewalks shall not be permitted. Grassy swales shall collect drainage from slopes uphill of the proposed walkway and the existing sidewalk along Carlos Bee Boulevard.
  - f. The project shall not block runoff from, or augment runoff to, adjacent properties. Any augmented runoffs shall be mitigated with on-site detention, re-use, ground percolation or other means to control site discharge rate to pre-existing level. Hydrologic/hydraulics study report shall be submitted.
  - g. The drainage system shall be designed for a storm event of not less than 10-year frequency. The plans for drainage conveyance facilities should include all proposed underground pipes, building drains, area drains and inlets.
  - h. Site drainage shall be treated for pollution prevention before it enters public drainage system.



- i. Site drainage plans shall include Stormwater Control Plan with details of all drainage management areas, treatment measures and numeric sizing calculations in conformance with Alameda County Clean Water Program C3 Design Guidelines.
- j. The Alameda County Flood Control and Water Conservation District's Hydrology and Hydraulics Criteria Summary shall be used to design the storm drain system.
- k. Storm Water Pollution Prevention Plan (SWPPP) prepared by a Qualified SWPPP Developer (QSD) shall be filed with the Regional Water Quality Control Board (RWQCB). A copy of the filed SWPPP shall be provided to the City Engineer before start of any grading operation.
- l. The City shall receive copies of the Notice of Intent with WDID number issued by RWQCB before start of any grading work.
- m. The City's grading permit may include site improvements per plans approved by the City Engineer. Such improvements may include vehicular drive, parking bays, lighting, lot and other common use improvements.
- n. On-site driveway design shall consider the structural and geometric needs of emergency vehicles as defined by the Fire Department. Driveway grades steeper than 10% typically require concrete pavement.

Encroachment Permit:

- 39. Encroachment/Major Street Improvement Permit Required: An encroachment permit is required prior to the issuance of building permits for improvements in the City maintained street rights-of-way. The permit application and privately engineered design documents shall be approved by the City Engineer prior to issuance of building permits. The engineered plans shall include, but not be limited to, the following:
  - a. Damaged and uplifted sidewalk along the project frontage on Overlook Avenue shall be replaced with the City standard concrete sidewalk.
  - b. Damage to existing public service infrastructure shall be repaired.
  - c. Existing utility poles along Carlos Bee Boulevard and Overlook Avenue fronting the project site shall be removed and their utility facilities shall be placed underground.
  - d. City streets fronting the development site shall have new City standard metal poles with LED light(s). Illumination levels in public streets fronting the



development and the private street serving the new lots shall be as per the City standards.

- e. Carlos Bee Boulevard raised median island shall be extended across the full frontage of the development.

#### Homeowners Association

- 40. Homeowners Association shall be created to own and maintain the condominium improvements which shall include all improvements built outside the street rights of way of Overlook Avenue and Carlos Bee Boulevard excluding existing water main and storm drain improvements in the existing easements.
- 41. Prior to the sale of any parcel, or prior to the acceptance of site improvements, whichever occurs first, Conditions, Covenants and Restrictions (CC&R's), creating a homeowner's association (HOA) for the property, shall be submitted to the City for review and approval. The CC&Rs shall include the following provisions:
  - a. The HOA shall be managed and maintained by a professional property management company.
  - b. The HOA shall own and maintain the private access roads and on-site storm drain systems within the development.
  - c. The CC&R's shall describe how the stormwater conveyance, treatment and site-design measures associated with privately owned improvements and landscaping shall be maintained by the association.
  - d. The HOA shall maintain the common area irrigation system and maintain the common area landscaping in a healthy, weed-free condition.
  - e. On-site streetlights and pedestrian lighting shall be owned and maintained by the HOA.
  - f. Street sweeping of the private street and private parking stalls shall be conducted at least once a month.
  - g. The garage for each unit shall be maintained for off-street parking for one or two vehicles, as designed, and shall not be converted to living or storage areas. An automatic garage door opening mechanism shall be provided for all garage doors.
  - h. The residents shall not use parking spaces for storage of recreational vehicles, camper shells, boats or trailers. These parking spaces shall be monitored by the HOA. The HOA shall remove vehicles parked contrary to this provision. The CC&R's shall include authority for the HOA to tow illegally parked vehicles.
  - i. The association shall ensure that no less than 75 percent of the units shall be owner-occupied. The CC&Rs shall further provide that the leasing of units as a regular practice for business, speculative investment or other similar purpose is not permitted. However, to address special situations and avoid unusual hardship or special circumstances, such as a loss of job, job transfer, military



- transfer, change of school or illness or injury that, according to a doctor, prevents the owner from being employed, the CC&Rs may authorize the governing body to grant its consent, which consent shall not be unreasonably withheld, to a unit owner who wishes to lease or otherwise assign occupancy rights to a specified lessee for a specified period.
42. Utility Services: All new utility service connections to the project shall be installed underground.
  43. Street Lighting: Public street lighting along the development frontage and on-site lighting shall comply with current City lighting standards and the City's Security Ordinance. Lighting shall be designed by a qualified lighting designer and erected and maintained so that light is confined to the property and will not cast a direct light or glare upon adjacent properties or rights-of-way.
  44. Utilities, meters, and mechanical equipment when not enclosed in a cabinet, shall be screened by either plant materials or decorative screen so that they are not visible from the street. Sufficient access for meter-reading by utility staff must be provided to all meters.
  45. Any transformer shall be located underground or screened from view by landscaping and shall be located outside any front or side street yard.

#### General Conditions - Engineering – Transportation

46. Applicant shall submit on-site and off-site Signing and Striping Plans. Refer to latest edition of Caltrans Standard Plan Drawing A90A for disabled parking requirements and Hayward's 2017 Standard Details Sheet SD-110B for parking stall markings.
47. Applicant shall submit an on-site and off-site Outdoor Photometric Analysis and Lighting Plan. Refer to Hayward's 2017 Standard Details sheet SD-120 for lighting requirements. Link: [https://www.hayward-ca.gov/sites/default/files/documents/ET\\_STANDARD%20DETAILS\\_V042117.pdf](https://www.hayward-ca.gov/sites/default/files/documents/ET_STANDARD%20DETAILS_V042117.pdf)

#### General Conditions - Utilities

##### Water:

48. The development's proposed water main and valves shall be public, owned and maintained by the City. If the water mains are located in a private roadway, the entire roadway shall be a public utility easement granted to the City.
49. All public water mains and appurtenances shall be constructed in accordance to the City's "Specifications for the Construction of Water Mains and Fire Hydrants," latest revision at the time of permit approval.



50. All connections to existing water mains shall be performed by City Water Distribution Personnel at the Applicant/Developer expense.
51. All water services from existing water mains shall be installed by City Water Distribution Personnel at the Applicant/Developer expense. The Developer may only construct new services in conjunction with their construction of new water mains.
52. The parcel has an existing 5/8" meter and 3/4" service line at 25036 Carlos Bee Blvd (account 60007), and another 5/8" meter and 3/4" service line at 25096 Carlos Bee Blvd (account 20884). If existing water services cannot be reused, it shall be abandoned at the Owner/Applicant expense.
53. Domestic & Fire Services
  - a. Domestic: Each single-family residence (SFR) shall have an individual domestic water meter. Facilities fees for residential connections are based on the domestic demand for the home. A larger water meter may be installed if the service is combined with a private fire service. The Developer is required to pay water facilities fees and installation charges for connections to water mains and work performed by City forces
  - b. Fire: Each structure shall have its own fire service, sized per the requirements of the Fire Department. Fire services shall have an above ground Double Check Valve Assembly, per City Standards SD-201 and SD-204.
  - c. Combined Residential Services: The development could use combined residential domestic and fire services for each residence. Residential combined domestic and fire services are allowed, per City Standard SD-216. Fire services shall be sized by the Fire Department; however, the minimum size for a residential fire service connection is 1".
54. Each proposed accessory dwelling unit (ADU) will require a separate water service line and water meter.
55. Per City of Hayward Municipal Code Section 11-3.351(2), if the frontage of the ADU to the street exceeds 75 feet, separate sanitary sewer lateral connections are required.
56. Irrigation: It is anticipated that one or more separate irrigation water meters and services shall be installed for the development's landscaping. The gallon-per-minute demand of the irrigation system must be provided to determine appropriate meter size. The Applicant/Developer shall install an above ground Reduced Pressure Backflow Prevention Assembly (RPBA) on each irrigation water meter, per SD-202. Backflow preventions assemblies shall be at least the size of the water meter or the water supply line on the property side of the meter, whichever is larger.



57. Water meters and services are to be located a minimum of two feet from top of driveway flare as per SD-213 thru SD-218. Water meter boxes in driveway aisle areas shall have steel H20 rated lids. Water meter lids shall be Nicor, Inc.
58. Water mains and services, including the meters, must be located at least 10 feet horizontally from and one-foot vertically above any parallel pipeline conveying untreated sewage (including sanitary sewer laterals), and at least four feet from and one foot vertically above any parallel pipeline conveying storm drainage, per the current California Waterworks Standards, Title 22, Chapter 16, Section 64572. The minimum horizontal separation distances can be reduced by using higher grade (i.e., pressure) piping materials.
59. Water mains shall be ductile iron in concrete streets and surfaces.

Sewer:

60. The development's sanitary sewer mains and manholes shall be public, owned and maintained by the City. If the sanitary sewer mains are located in a private roadway, the entire roadway shall be a public utility easement granted to the City.
61. All sewer mains and appurtenances shall be constructed in accordance to the City's "Specifications for the Construction of Sewer Mains and Appurtenances (12" Diameter or Less)," latest revision at the time of permit approval.
62. Each SFR shall have an individual sanitary sewer lateral. Each sanitary sewer lateral shall have at least one cleanout and be constructed per SD-312.
63. The Developer is responsible for payment of sewer connection fees at the current rates at the time the application for building permits are submitted.
64. The alternate utility plan would not be acceptable and associated plan sheets shall be removed accordingly. The development's sanitary sewer mains shall be located in the private street provided a pump is not needed.
65. The development's proposed sanitary sewer main shall be connected to the City's existing sanitary sewer main with a manhole.

Utilities – Solid Waste

66. All trash enclosures must adhere to all the basic design guidelines provided in Section 3 of the City's Standard Design Requirements for Collection & Storage of Trash, Recyclables and Organics for Commercial (Business) and Multi-Family Projects. The building permit submittal shall include a detailed set of plans that show the design details of the enclosures, including the location of all bins and label



each bin with the capacity (ex: three cubic yards, four cubic yards, etc.) as well as the type of waste (trash, recyclables, organics).

Hayward Fire Department:

67. All public streets, private streets and private courts shall be designed and engineered to withstand 75,000 lbs. gross vehicle weight of fire apparatus. Such standard is also applicable to pavers or decorative concrete. Design of the public streets and private streets and courts shall meet City of Hayward Fire Department Standards.
68. Fire apparatus access roads shall not exceed 10% in grade unless approved by the Fire Chief. Roads more than 10% in grade may require an Alternate Means and Methods Request and approval by the Fire Chief.
69. Fire lane of 20 to 26 feet wide shall be posted on both sides as a fire lane; 26 feet to 32 feet shall be posted on one side of the road as a fire lane. "No Parking" sign shall meet the City of Hayward Fire Department fire lane requirements.
70. Addressing of the buildings shall follow the Hayward Fire Department requirements. All buildings shall have a minimum 4-inch self-illuminated address installed on the front of the building so as to be visible from the street. A decorative address monument sign shall be installed at each court entrance, indicating the building addresses for the units served by such court. Minimum size numbers shall be 6 inches in height on a contrasting background.
71. If fire hydrants are located so as to be subjected to vehicle impacts as determined by the Hayward Fire Department, crash posts shall be installed around the fire hydrant(s).
72. The minimum fire flow of 1, 500 GPM shall be provided on site.
73. All new fire hydrants shall be Modified Steamer Hydrant (Clow Valve Co. Model LB 614 with one 2-1/2" outlet and one 4-1/2" outlet). The capacity of each individual hydrant shall be 1,500 GPM. Vehicular protection may be required for the fire hydrants. Blue reflective fire hydrant blue dot markers shall be installed on the roadways indicating the location of the fire hydrants. (If applicable)

Fire Protection Requirements

74. Submit for proper building permits for the construction of the building to the Building Department. All building construction shall meet the requirements of the current edition of the California Residential Code.
75. Buildings are required to install fire sprinkler systems in accordance with NFPA 13D. (deferred submittal by a licensed C16 contractor)



76. Per the requirement of Hayward Public Works Department, a static pressure of 80 PSI should be used when a water test data indicates a higher pressure. The residual pressure should be adjusted accordingly.
77. Underground fire service line serving NFPA 13D sprinkler systems shall be installed in accordance with the Hayward Public Work Department SD-216. Water meters shall be minimum one-inch in diameter.
78. An interior audible alarm device shall be installed within the dwelling in a location so as to be heard throughout the home. The device shall activate upon any fire sprinkler system water flow activity.
79. All bedrooms and hallway areas shall be equipped with smoke detectors, hard-wired with battery backup. Installation shall conform to the California Building Code (CBC).
80. CO detectors should be placed near the sleeping area on a wall about 5 feet above the floor. The detector may be placed on the ceiling. Each floor needs a separate detector.
81. An approved type spark arrestor shall be installed on any chimney cap.
82. The building is located within the City of Hayward Wildland/Urban Interface Area, and shall meet the construction requirements as stated in the City of Hayward Hillside Design and Urban/Wildland Interface Guidelines, which includes Class A roofing materials and exterior non-combustible siding materials (stucco), double-pane windows. Do not use wood shake or treated wood shake roofs. The building construction shall comply with the requirements contained in the California Residential Code Section R327.
83. Deck shall comply with requirements of the Hayward Fire Department Urban Wildland Interface Deck Construction.
84. Within ten feet of a structure, construct fences with an open wire mesh or noncombustible material to prevent fire from spreading to the structure.
85. Provide spark arrestors with 1/4" metal mesh screens on all chimneys. Homeowners should inspect spark arrestors every year to ensure mesh screen integrity.
86. Restrict outdoor storage of firewood, kindling, or compost material within 30 feet of any structure, unless the material is stored in an approved bin or enclosure.
87. Locate chimney at least ten feet away from existing tree canopies.
88. Enclose all roof eaves with minimum required attic vents covered with metal mesh in accordance with Chapter 7A of California Building Code. The dimensions of mesh openings shall be a minimum 1/16-inch and shall not exceed 1/8-inch.



Hazardous Materials:

89. Environmental and Health Based Site Clearance – A Phase I Environmental Site Assessment dated November 4, 2019, has been submitted to the Hayward Fire Department. There was a house previously on the property. The property abuts Carlos Bee Boulevard. It is unclear if the road was at one time on the property. Additionally, it appears that there was a quarry type operation near/adjacent to the property per several aerial photos provided in the report. The applicant shall provide environmental screening clearance from Alameda County Department of Environmental Health - Local Oversight Program (contact Paresh Khatri at 510-567-6700.) This will help ensure that the proposed sensitive use which includes residential meets development investigation and cleanup standards, along with any stipulations of any clearances such as a deed restriction or the need for any groundwater/soil management plan. This clearance shall be submitted prior to issuance of any grading or building permits.
90. Electronic Submittal of Environmental Documentation – Environmental documentation associated with the evaluation, investigation and/or clearance of this site shall be provided in an electronic format to the City of Hayward Fire Department and Planning Division prior to the issuance of the Building or Grading Permit.
91. Grading and Demolition – A condition of approval, prior to grading: If structures and their contents are present, then they shall be removed or demolished under permit in an environmentally sensitive manner. Proper evaluation, analysis and disposal of materials shall be done by appropriate professional(s) to ensure hazards posed to development construction workers, the environment, future uses and other persons are mitigated.
92. Wells, Septic Tank Systems or Subsurface Structures – Any wells, septic tank systems and others subsurface structures shall be removed properly in order not to pose a threat to the development construction workers, future residents or the environment. These structures shall be documented and removed under permit from appropriate regulatory agency when required.
93. Hazardous Materials/Waste and their Vessels discovered during Grading/Construction – If hazardous materials/waste or their containers are discovered during grading/construction the Hayward Fire Department shall be immediately notified at (510) 583-4910.
94. Underground Storage Tanks, Oil Water Separators, Hydraulics Lifts – If found on the property, the underground vessels/structures shall be removed under a plan filed with Hayward Fire Department and appropriate samples shall be taken under the direction of a qualified consultant to ensure that contamination has not occurred to



the soil or groundwater. A follow up report shall be required to be submitted that documents the activities and any conclusions. Below are specific requirements on each:

- a. Underground storage tank and associate piping (plan, sampling and Hayward Fire Department permit and follow up report is required)
  - b. Oil Water Separators (plan, sampling required and follow up report is required)
  - c. Hydraulic Lifts (plan, sampling and follow up report is required).
95. Construction Materials and Wastes - During grading and construction, hazardous materials and hazardous waste generated shall be properly stored, managed and disposed.

### **CONDITIONS APPLICABLE DURING CONSTRUCTION**

#### **Standard Construction Measures to Reduce Air Quality Impacts:**

96. The following standard measures reflect BAAQMD best management practices and would be implemented by the project to reduce potential impacts from fugitive dust.

All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.

- a. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- b. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- c. All vehicle speeds on unpaved roads shall be limited to 15 mph.
- d. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- e. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five (5) minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- f. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- g. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take



corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Engineering:

97. Grading Activity:
  - a. The project geologic team shall observe excavations and exposures and verify that the locations of specific building sites are in conformance with their recommendations.
  - b. A permanent record of the surveyed locations of the sheared contact shall be submitted to the State Geologist and the City Engineer. Those locations shall be shown on the final grading and development plans for the project.
  - c. The project geotechnical engineer shall submit a written report acceptable to the City's Building Official confirming that buildings intended for human occupancy are built outside the ground deformation and damage zone of the earthquake fault zone.
  
98. Stormwater Pollution Prevention: Stormwater pollution prevention measures approved by the city engineer shall be in place before any ground disturbing activity.
  - a. Stormwater pollution prevention measures shall be upgraded and maintained as needed during construction.
  - b. Qualified SWPPP Practitioner (QSP) shall regularly inspect and submit monthly and final reports to the Public Works Inspector in addition to the submittals to the State Water Quality Control Board.
  
99. The following standard measures (based on the Regional Water Quality Control Board's Best Management Practices) will be included in the SWPPP prepared for the project and would reduce identified construction-related water quality impacts to a less than significant level.
  - a. Burlap bags filled with drain rock shall be installed around storm drains to route sediment and other debris away from the drains.
  - b. Earthmoving or other dust-producing activities shall be suspended during periods of high winds.
  - c. All exposed or disturbed soil surfaces shall be watered at least twice daily to control dust as necessary.
  - d. Stockpiles of soil or other materials that can be blown by the wind shall be watered or covered.



- e. All trucks hauling soil, sand, and other loose materials shall be required to cover all trucks or maintain at least two feet of freeboard.
  - f. All paved access roads, parking areas, staging areas and residential streets adjacent to the construction sites shall be swept daily (with water sweepers).
  - g. Vegetation in disturbed areas shall be replanted as quickly as possible.
  - h. All unpaved entrances to the site shall be filled with rock to knock mud from truck tires prior to entering City streets. A tire wash system may also be employed at the request of the City.
100. Construction Damage: The Developer shall be responsible to remove and replace curb, gutter, sidewalks, driveways, signs, pavement, thermoplastic pavement markings, etc. damaged during construction of the proposed project prior to issuance of the Final Construction Report by the City Engineer. Developer is responsible for documenting the existing conditions prior to the start of construction to serve as a baseline for this requirement.

Utilities – Water and Sewer:

101. All connections to existing water mains shall be performed by City Water Distribution Personnel at the Applicant/Developer expense.
102. All water services from existing water mains shall be installed by City Water Distribution Personnel at the Applicant/Developer expense. The Developer may only construct new services in conjunction with their construction of new water mains.

Utilities – Solid Waste:

103. A Construction and Demolition Debris Recycling Statement shall be submitted with building permit applications. The minimum debris recycling requirements are 100% for asphalt, concrete, and similar materials, and 65% of remaining debris.

Utilities – Other:

104. All service to the development shall be an "underground service" designed and installed in accordance with the Pacific Gas and Electric Company, AT&T (phone) Company and local cable company regulations. Transformers and switch gear cabinets shall be placed underground unless otherwise approved by the Planning Director and the City Engineer. Underground utility plans must be submitted City approval as part of the Improvement Plans prior to installation. (DS/PW-ET)



**CONDITIONS DUE PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY AND POST-CONSTRUCTION:**

105. Stormwater Treatment Measures Maintenance: The property owner shall enter into the City's standard "Stormwater Treatment Measures Maintenance Agreement" as prepared by the City. The Maintenance Agreement shall be recorded with the Alameda County Recorder's Office.
106. Construction of Improvements: All public and private improvements, including punch list items, must be complete prior to the issuance of a certificate of occupancy.
107. "As-Built" Records: Provide "as-built" record plans in electronic formats to the City Engineer. Electronic plans shall be in "AutoCad" and pdf formats acceptable to the City Engineer.

**Landscaping:**

108. Prior to the issuance of Certificate of Occupancy for a specific building, all landscape and irrigation adjacent to the specific building shall be completed in accordance to the approved plan and accepted by the City Landscape Architect. Before requesting an inspection from the City Landscape Architect, the project landscape architect shall inspect and accept landscape improvements and shall complete Appendix C. Certificate of Completion in the City's Bay-Friendly Water Efficient Landscape Ordinance. The completed Certificate of Completion Part 1 through Part 7 or applicable parts shall be faxed/e-mailed/turn in prior to requesting an inspection from the City Landscape Architect.
109. Irrigation systems shall be tested periodically to maintain uniform distribution of irrigation water; irrigation controller shall be programmed seasonally; irrigation system should be shut-off during winter season; and the whole irrigation system should be flushed and cleaned when the system gets turn on in the spring.
110. Prior to issuance of certificate of occupancy or final inspection, the developer shall pay the following additional fees/taxes, in accordance with existing regulations. The amounts of the fees/taxes shall be in accordance with the fee schedule or codes in effect at the time of building permit application submittal, unless otherwise indicated herein:
  - a. Supplemental Building Construction and Improvement Tax;
  - b. School Impact Fee; and
  - c. Park In-Lieu Fee, as applicable.



# HAYWARD, CALIFORNIA

The map shows the project site located on Carlos Bee Blvd, south of the intersection with Mission Blvd. The project site is marked with a black rectangle and labeled "PROJECT SITE". The map includes surrounding streets such as Edith St, Sycamore Ave, Margaret Dr, Redstone Pl, Palisade St, Overlook Ave, Tanglewood Ct, and Central Blvd. A north arrow is present in the upper right corner.

SYMBOLS

	KEY NOTE		REFERENCE TARGET		ROOM NAME/NUMBER
	GRID LINE		WALL TYPE		DETAIL REFERENCE
	DOOR NUMBER		EXTERIOR ELEVATION		SECTION REFERENCE
	WINDOW TYPE		AREA <b>NOT</b> ON ACCESSIBLE PATH OF TRAVEL (SEE SITE PLAN NOTE 3, SHT: A1.01)		SECTION REFERENCE
	REVISION NUMBER		AREA <b>NOT</b> ON ACCESSIBLE PATH OF TRAVEL (SEE SITE PLAN NOTE 3, SHT: A1.01)		FINISHES REFERENCE

<p><b><u>OWNER</u></b>  <b>KALAMIN INVESTMENTS LLC</b>          4901 RUE CALAIS          SAN JOSE, CA 95136          CONTACT: BEN HALALI          T: 408.813.8687          EMAIL: bhalali@_ahoo.com</p>	<p><b><u>ARCHITECT</u></b>  <b>KODAMA DISEÑO ARCHITECTS</b>          570 10TH STREET, SUITE 2          OAKLAND, CA 94607          CONTACT: STEVEN KODAMA          T: 510.986.0696 EXT. 12          EMAIL: skodama@kodamadieno.com</p>	<p><b><u>CIVIL ENGINEER</u></b>  <b>BERRY AND ASSOCIATES</b>          1733 WOODSIDE ROAD, SUITE 335          REDWOOD CITY, CA 94061          CONTACT: JOHN BERRY          T: 650.368.0750          EMAIL: Berr_Associates@sbglobelab.net</p>
<p><b><u>SURVEYOR</u></b>  <b>MACLEOD AND ASSOCIATES</b>          965 CENT STREET          SAN CARLOS, CA 94070          CONTACT: DANIEL MACLEOD          T: 650.593.8580</p>	<p><b><u>LANDSCAPE ARCHITECT</u></b>  <b>ROBERT LAROCKA &amp; ASSOC., INC.</b>          2434 UNION STREET          SAN FRANCISCO, CA 94123          CONTACT: ROBERT LAROCKA          T: 415.777.5363          EMAIL: robert@larockadesign.com</p>	

## An aerial photograph showing the intersection of Highway 101 and Highway 101. The intersection is marked with a large 'X' and the text '101/101'. The surrounding area includes residential buildings, trees, and a parking lot. The image is oriented horizontally, with the intersection at the top center.

PARCEL APN :	445-0170-039-13
PROJECT LOCATION:	25036 TO 25096 CARLOS BEE BOULEVARD, HAYWARD, CA 94546
ZONING:	EXISTING ZONING: RSB6 (SINGLE FAMILY RESIDENTIAL, MINIMUM LOT SIZE 6000 SF) PROPOSED ZONING: PD (PLANNED DEVELOPMENT)
HEIGHT LIMITATION:	30 FT HIGH (FOR RESIDENTIAL PER SEC.10-1.235)
PROJECT DESCRIPTION:	NINE (9) SINGLE FAMILY 2 OR 3-STORY DWELLING UNITS WITH 3 BEDROOMS, 3 BATHROOMS, LIVING / DINING ROOM, KITCHEN, BALCONIES, 2-CAR COVERED GARAGE. DEVELOPMENT ALSO INCLUDES NEW PRIVATE DRIVEWAY, 18 GUEST PARKING SPACES, PEDESTRIAN PATHWAYS, AND OPEN LANDSCAPED AREAS.
OCCUPANCY GROUP:	R-2 RESIDENTIAL
TYPE OF CONSTRUCTION:	TYPE V
NUMBER OF STORIES:	2 STORIES (TYPE B AND C UNITS) AND 3 STORIES (TYPE A)
BUILDING FLOOR AREA:	TOTAL CONDITIONED SPACE FOR ALL UNITS: 19,263 SF TOTAL UNCONDITIONED SPACE (GARAGE □ BALCONIES) : 4,851 SF
LOT AREA:	71,472 SF± (1,641 ACRES±)
TOTAL BUILDING FOOTPRINTS:	10,476 SF
LAND COVERAGE AREA :	10,458 SF / 71,472 SF □ 0.146 (14.6□ )
TOTAL BUILDING GROSS AREA:	22,665 SF
FIRE SPRINKLERED:	YES
PARKING:	18 GARAGE SPACES, 18 UNCOVERED SPACES, TOTAL 36 SPACES.

PROPOSED (9) SINGLE FAMILY HOMES, REFER TO FLOOR PLANS A2.1, A2.2, AND A2.3

UNITS TYPES	NUMBER OF UNITS	BEDRMS PER UNIT	BATHRMS PER UNIT	GARAGE PER UNIT	BALCONY SF PER UNIT	CONDITIONED SPACE	UNCONDITIONED SPACE	BLDG FOOTPRINT	GROSS AREA OF EACH UNIT
<b>A</b> ( #4, #8 & #9) 3 STORY SINGLE FAMILY HOME	3	3	4	2 CARS (472 SF)	93 □108 201 SF	300 (1ST FLR) 777 (2ND FLR) □690 (3RD FLR) 1767 SF	472 (GARAGE) 93 (BALCONY) □108 (BALCONY) 673 SF	772 SF	2,239 SF
<b>B</b> (#1, #2, & #3) 2 STORY SINGLE FAMILY HOME	3	3	2	2 CARS (410 SF)	62 SF	344 (1ST FLR) □1301 (2ND FLR) 1645 SF	410 (GARAGE) □ 62 (BALCONY) 472 SF	1,357 SF	2,658 SF
W/ ACCESSORY DWELLING UNIT		1	1			603 SF (ADU)			
<b>C</b> (#5, #6, & #7) 2 STORY SINGLE FAMILY HOME	3	3	2	2 CARS (410 SF)	62 SF	344 (1ST FLR) □1301 (2ND FLR) 1645 SF	410 (GARAGE) □ 62 (BALCONY) 472 SF	1,357 SF	2,658 SF
W/ ACCESSORY DWELLING UNIT		2	1			603 SF (ADU)			
TOTAL UNITS	9					6,263 X 3 □ 18,789 SF	1,617 X 3 □ 4,851 SF	3,486 X 3 □ 10,458 SF	7,555 X 3 □ 23,139 SF
		ADU / MAIN UNIT: 603 /1645 □ 37□ □ 50□					TOTAL GROSS FLOOR AREA: 22,665 SF		

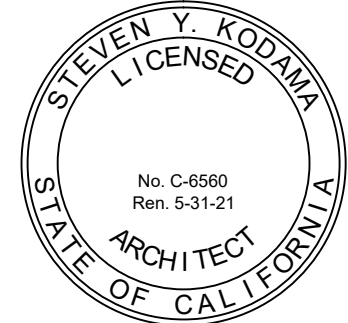
TYPE OF PARKING SPACE	DWELLING UNIT COVERED PARKING SPACES	GUEST PARKING SPACES (UNCOVERED)	TOTAL SPACES
NUMBER OF SPACES	18 SPACES: 2 X 9 (UNITS) (GARAGE SPACES)	18 SPACES: 1 HC VAN ACCESSIBLE SPACE (P12) 11 STANDARD SPACES (P1-P11) 6 COMPACT SPACES (P13-P18) NOTED AS C	36

SITE SURVEY	
SV-1	TOPOGRAPHIC SURVEY (REFERENCE ONLY)

A0	COVER SHEET
A1.1	PROPOSED SITE PLAN
A1.2	PROPOSED SITE PLAN - LANDSCAPE
A2.1	DWELLING TYPE A FLOOR PLANS
A2.2	DWELLING TYPE B FLOOR PLANS
A2.3	DWELLING TYPE C FLOOR PLANS
A2.4	PROPOSED ROOF PLANS
A3.1	PROPOSED DWELLING TYPE A ELEVATIONS
A3.2	PROPOSED DWELLING TYPE B & C ELEVATIONS
A3.3	PROPOSED SECTIONS
A3.4	3D PERSPECTIVES

C-1	SITE GRADING & DRAINAGE PLAN
C-2	SITE UTILITY PLAN
C-2A	SITE UTILITY PLAN (ALTERNATE)
C-3	SITE SECTIONS & DRIVEWAY PROFILE
C-4	STORMWATER CONTROL PLAN

L1.1	TREE INVENTORY PLAN
L1.2	TREE INVENTORY AND MITIGATION CHARTS
L1.3	HYDROZONE PLAN
L2.1	LANDSCAPE PLAN I - SCHEMATIC
L2.2	LANDSCAPE PLAN II - SCHEMATIC (PLAYGROUND AREA)
L2.3	LANDSCAPE PLANT LIST
L3.1	IRRIGATION PLAN - SCHEMATIC



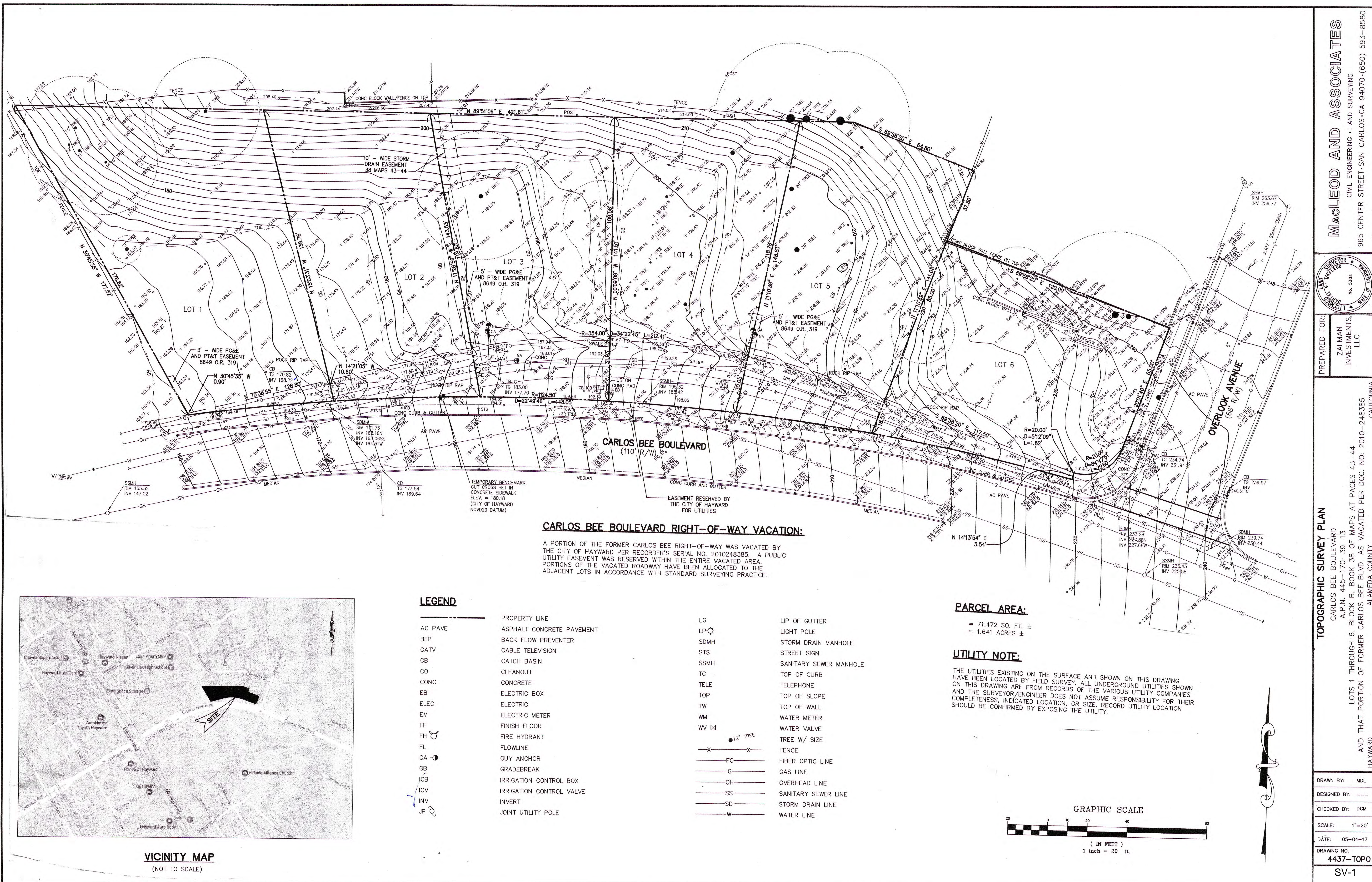
25036-25096 CARLOS BEE BLVD  
HAYWARD, CALIFORNIA  
ZALMAN INVESTMENTS, LLC

# COVER SHEET

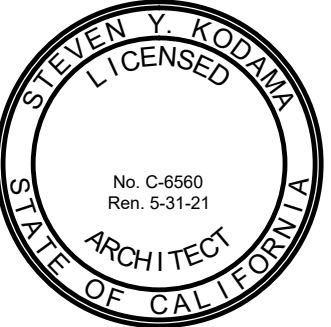
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5	4/30/19	PD APPLICATION	JW	SK	
4	1/10/18	PD APPLICATION	JW	SK	
3	10/3/18	PD APPLICATION	HQ	SK	
2	4/24/18	PD APPLICATION	JW	SK	
1	8/16/17	PRE-APP MTG	JW	SK	

No.	DATE	DESCRIPTION	BY	CKD
SCALE		SHEET		
KD PROJ. NO. 2.1701		<b>A0</b>		









25036-25096 CARLOS BEE BLVD  
HAYWARD, CALIFORNIA  
ZALMAN INVESTMENTS, LLC

PROPOSED  
SITE PLAN

NO.	DATE	DESCRIPTION	BY	CHKD
7	10/3/19	PD APPLICATION	JW	SK
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5	4/30/19	PD APPLICATION	JW	SK
6	7/22/19	PD APPLICATION	JW	SK
7	10/3/19	PD APPLICATION	JW	SK

SCALE: 1" = 20'-0" A1.1

PARKING SPACE

TYPE OF PARKING SPACE	NUMBER OF SPACE
DWELLING UNIT GARAGE PARKING SPACES (COVERED)	18 SPACES: 2 X 9 (UNITS) (GARAGE SPACES)
GUEST PARKING SPACES (UNCOVERED)	18 SPACES: 1 HC VAN ACCESSIBLE SPACE (P12) 11 STANDARD SPACES (P1-P11) 6 COMPACT SPACES (P13-P18) NOTED AS 'C'
TOTAL PARKING SPACES	36 SPACES

OPEN SPACE

LOCATION	TYPE	AREA (SQ. FT.)	CALCULATION*	TOTAL (SQ. FT.)	REMARK
PLAYGROUND	GROUP	3200	X 1	3200	PLAYGROUND
BALCONY	PRIVATE	201 X 3 UNIT	X 2	1206	TYPE A UNIT 4, 8, 9, SEE A2.1 FOR DETAILS
PRIVATE YARD	PRIVATE	1130**	X 2	2260	UNIT 5, 6, 7 AS INDICATED
TOTAL				6666	

OPEN SPACE FOR EACH UNIT: 6666 SF / 9 (UNIT) = 740 SF

\* CALCULATION BASE ON HAYWARD CITY OPEN SPACE REQUIREMENTS

\*\* INDICATED ON SITE PLAN BELOW

KEY NOTES

1. PROPOSED ASPHALT / 'GRADED PORTLAND CEMENT' DRIVEWAY FOR VEHICULAR ACCESS (SEE PROFILE, CIVIL C-3)

2. EMERGENCY ACCESS DRIVEWAY AND BARRIER TO CARLOS BEE BLVD

3. PROPOSED PEDESTRIAN PATHWAYS AND STAIRS AS NOTED

4. PROPOSED CONCRETE DRIVEWAYS

5. PROPOSED KEYSTONE RETAINING WALLS WITH VARYING HEIGHTS, MAX HEIGHT AT 3'-0". SEE CIVIL DWGS.

6. PROPOSED LANDSCAPING, SEE LANDSCAPE DWGS. FOR DETAILS.

7. EXISTING FIRE HYDRANT AND COVERAGE AREA

8. PER SEISMIC REPORT, NO CONDITIONED SPACE TO BE CONSTRUCTED IN AREA AS NOTED

9. PROPOSED UNCOVERED PARKING SPACE
10. PROPOSED BIORETENTION AREA, SEE CIVIL C-4

11. EXISTING SIDEWALK TREES

12. TURNING RADIUS FOR FIRE VEHICULAR ACCESS

13. EXISTING FENCE / CONCRETE WALL TO REMAIN

14. PROPOSED NEW GRADING, SEE CIVIL DWG. C-1 OR VESTING TENTATIVE MAP 2 OF 5

15. DRIVEWAY SWALE FOR STORM WATER (WITH INLETS)

SHEET NOTES

1. FOR GENERAL NOTES, SYMBOLS AND ABBREVIATIONS, SEE A0
2. PROPOSED GRADING AND UTILITIES, SEE CIVIL DWGS.
3. PROPOSED LANDSCAPING, SEE LANDSCAPE DWGS.
4. THE LOT EXISTING SLOPE IS: S = 2(9961)(100) / 55,185 = 21.6



LEGEND	
PROPERTY LINE	(N) EMERGENCY VEHICULAR
(E) GRADING	(E) FIRE HYDRANT
(N) PROPOSED GRADING	(E) STREETLIGHT/JUNCTION POLE

PROJECT  
NORTH

0 10' 20' 40'

SCALE: 1" = 20'-0"



## SHEET NOTES

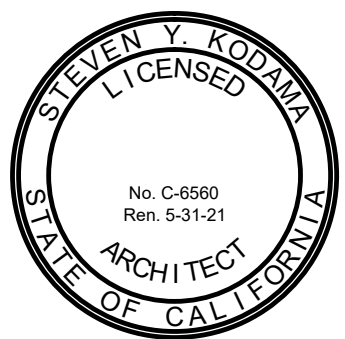
1. FOR GENERAL NOTES, SYMBOLS AND ABBREVIATIONS, SEE A0
2. PROPOSED GRADING AND UTILITIES, SEE CIVIL DWGS.
3. PROPOSED LANDSCAPING, SEE LANDSCAPE DWGS.
4. THE LOT EXISTING SLOPE IS: S = 2(5961)(100) / 55,185 = 21.6

THIS LANDSCAPING PLAN WILL BE CHANGED IF CITY UTILITIES STAFF PREFER OUR ORIGINAL PROPOSAL WITH THE SEWER MAIN ADJACENT TO THE FRONTAGE OF THE RESIDENTIAL.

FOR LANDSCAPE DESIGN DETAILS.  
SEE LANDSCAPE DRAWINGS

## KEY NOTES

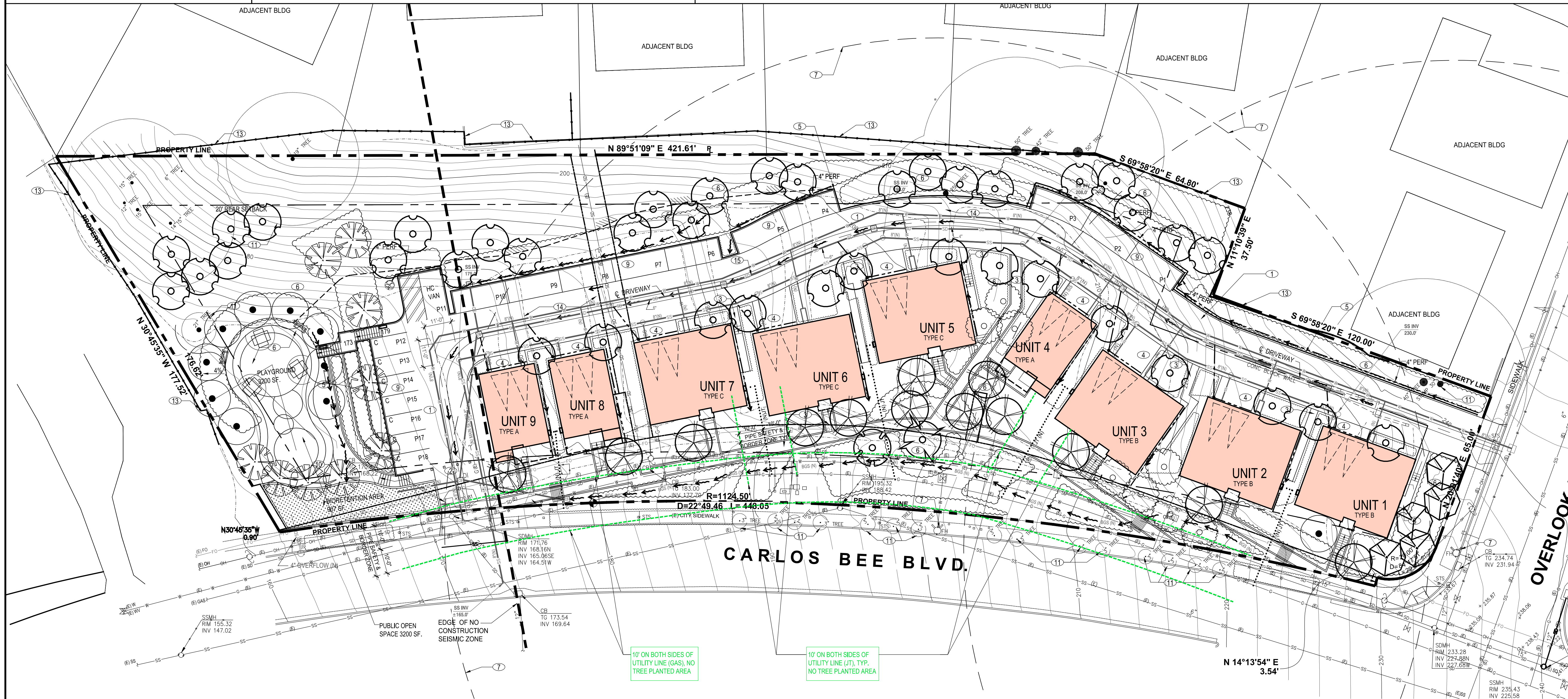
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2. EMERGENCY ACCESS DRIVEWAY AND BARRIER TO CARLOS BEE BLVD
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12. TURNING RADIUS FOR FIRE VEHICULAR ACCESS
13. EXISTING FENCE / CONCRETE WALL TO REMAIN
14. PROPOSED NEW GRADING. SEE CIVIL DWG. C-1 OR VESTING TENTATIVE MAP 2 OF 5
15. DRIVEWAY SWALE FOR STORM WATER (WITH INLETS)



25036-25096 CARLOS BEE BLVD  
HAYWARD, CALIFORNIA  
ZALMAN INVESTMENTS, LLC

PROPOSED  
SITE PLAN

LANDSCAPE



## LANDSCAPING PLAN

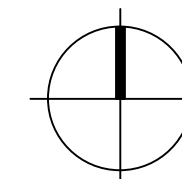
## LEGEND

- (N) PROPERTY LINE
- (N) PROPOSED GRADING CONTOUR
- (E) EXISTING GRADING CONTOUR
- (E) STREETLIGHT/JUNCTION POLE
- (E) FIRE HYDRANT

- (E) GAS LINE
- (E) OVERHEAD LINE
- (E) FIBER OPTIC LINE
- (E) WATER LINE
- (E) SANITARY SEWER LINE & CLEANOUT
- (E) STORM DRAIN LINE (CLEANOUT OR INLET)

- (N) WATER LINE
- (N) SANITARY SEWER LINE & CLEANOUT
- (N) STORM DRAIN LINE (CLEANOUT OR INLET)
- (N) JOINT TRENCH LINE
- (N) STORMDRAIN INLET
- (N) BIOREMEDIAL GRASS SWALE \*
- (N) ROCK OUTFALL
- (N) PERFORATED WALL SUBDRAIN
- (N) CATCH BASIN

PROJECT  
NORTH

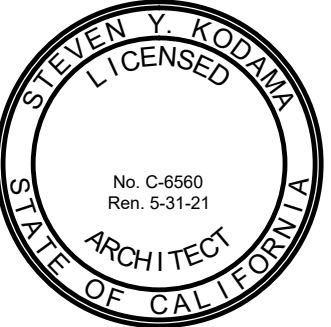


0 10' 20' 40'

SCALE: 1" = 20'-0"

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5	4/30/19	PD APPLICATION	JW	SK
4	1/10/18	PD APPLICATION	JW	SK
3	10/3/18	PD APPLICATION	HQ	SK
2	4/24/18	PD APPLICATION	JW	SK
1	8/16/17	PRE-APP MTG	JW	SK
SCALE: 1" = 20'-0"				
A1.2				





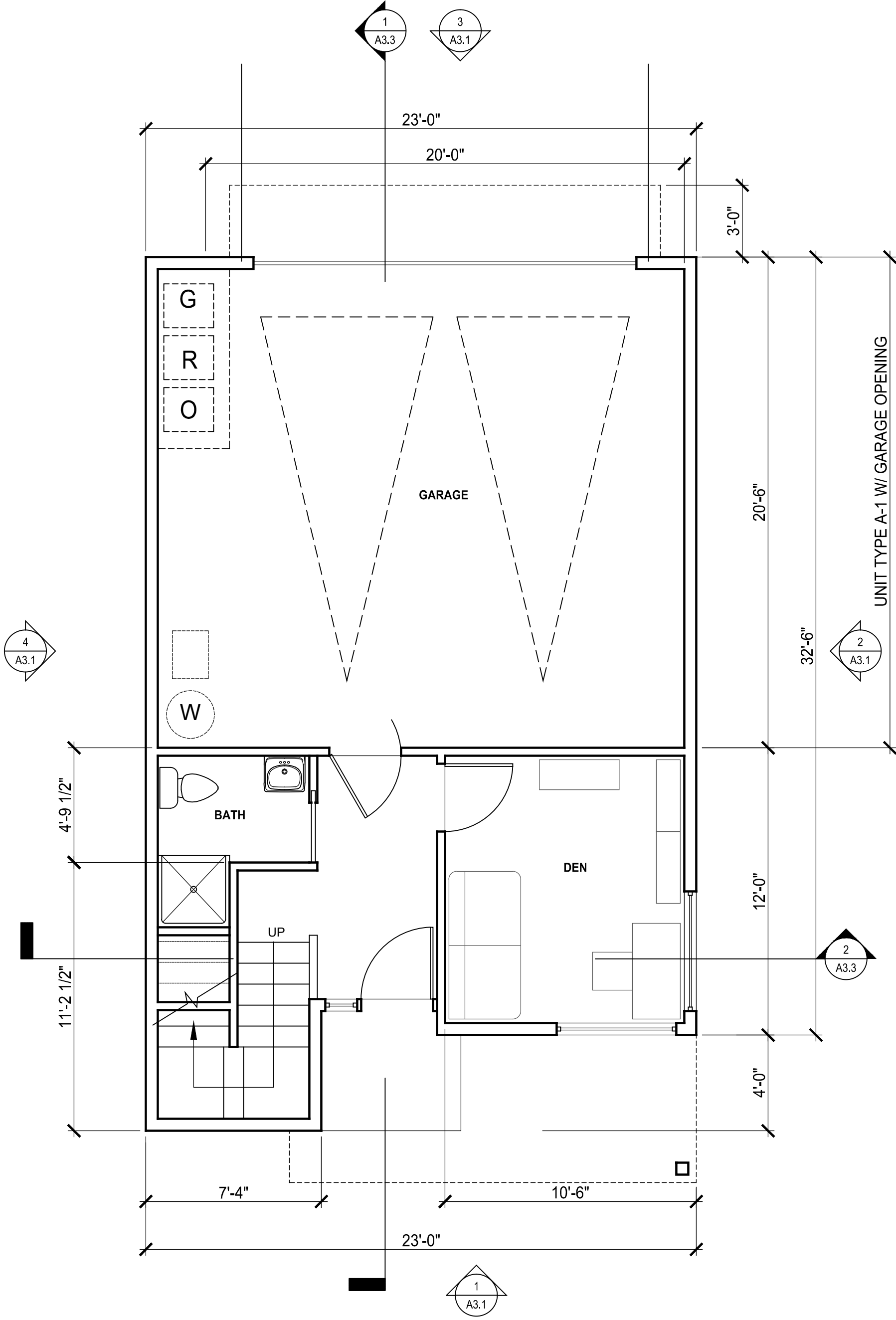
25036-25096 CARLOS BEE BLVD  
HAYWARD, CALIFORNIA  
ZALMAN INVESTMENTS, LLC

DWELLING  
TYPE A  
FLOOR PLANS

7	10/3/19	PD APPLICATION	JW	SK
6	7/22/19	PD APPLICATION	JW	SK
5	4/30/19	PD APPLICATION	JW	SK
4	1/10/18	PD APPLICATION	JW	SK
3	10/3/18	PD APPLICATION	HQ	SK
2	4/24/18	PD APPLICATION	JW	SK
1	8/16/17	PRE-APP MTG	JW	SK

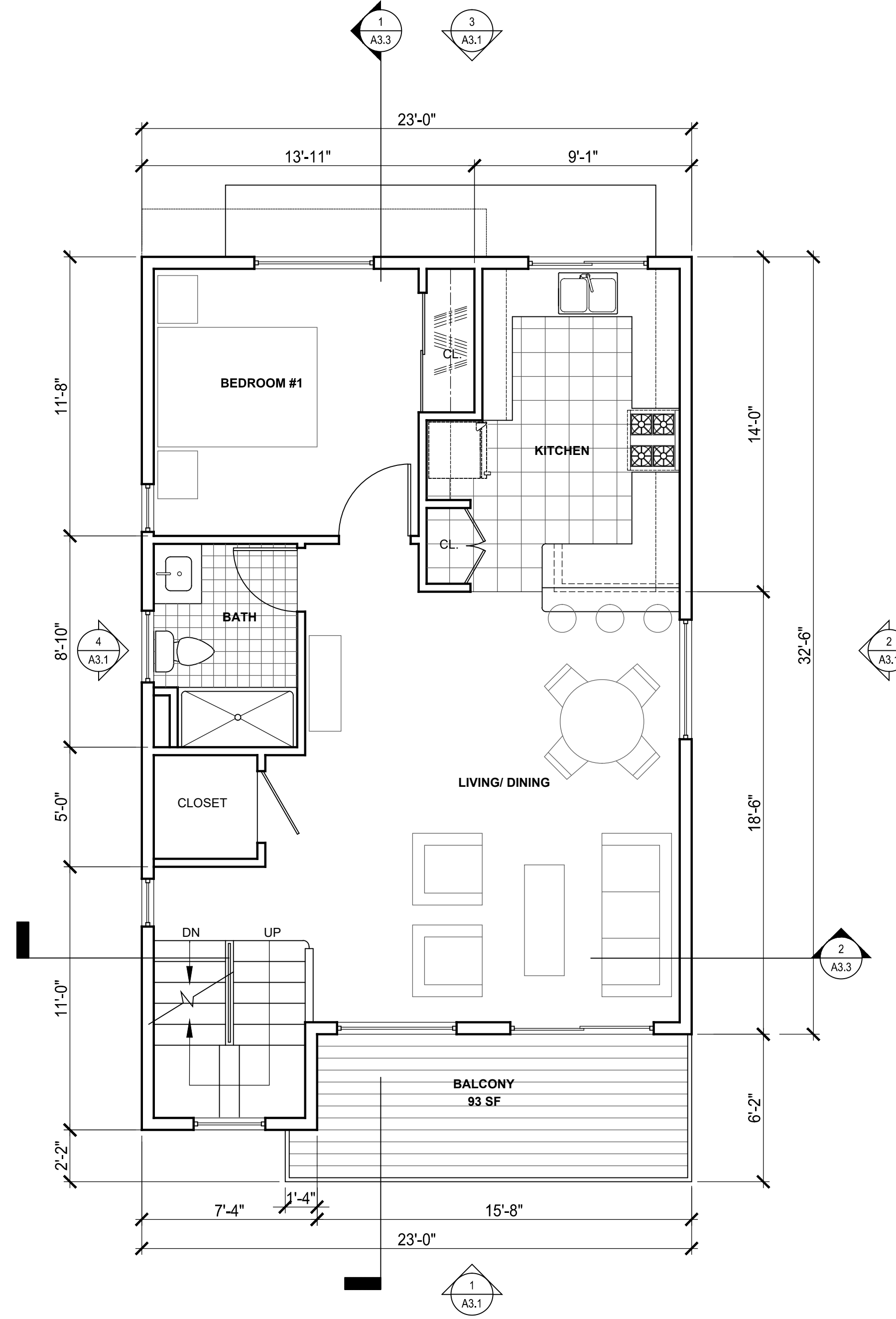
No.	DATE	DESCRIPTION	BY	CKD
SCALE	1/4" = 1'-0"	SHEET	A2.1	
KD PROJ. NO.	2.1701			

DWELLING A						TOTAL AREA
	GARAGE	BEDRM	BATH	FLR.AREA	BALCONY	
1ST FLOOR	472	-	1	300		772
2ND FLOOR		1	1	777	93	
3RD FLOOR		2	2	690	108	
TOTAL	472			1767	201	2239



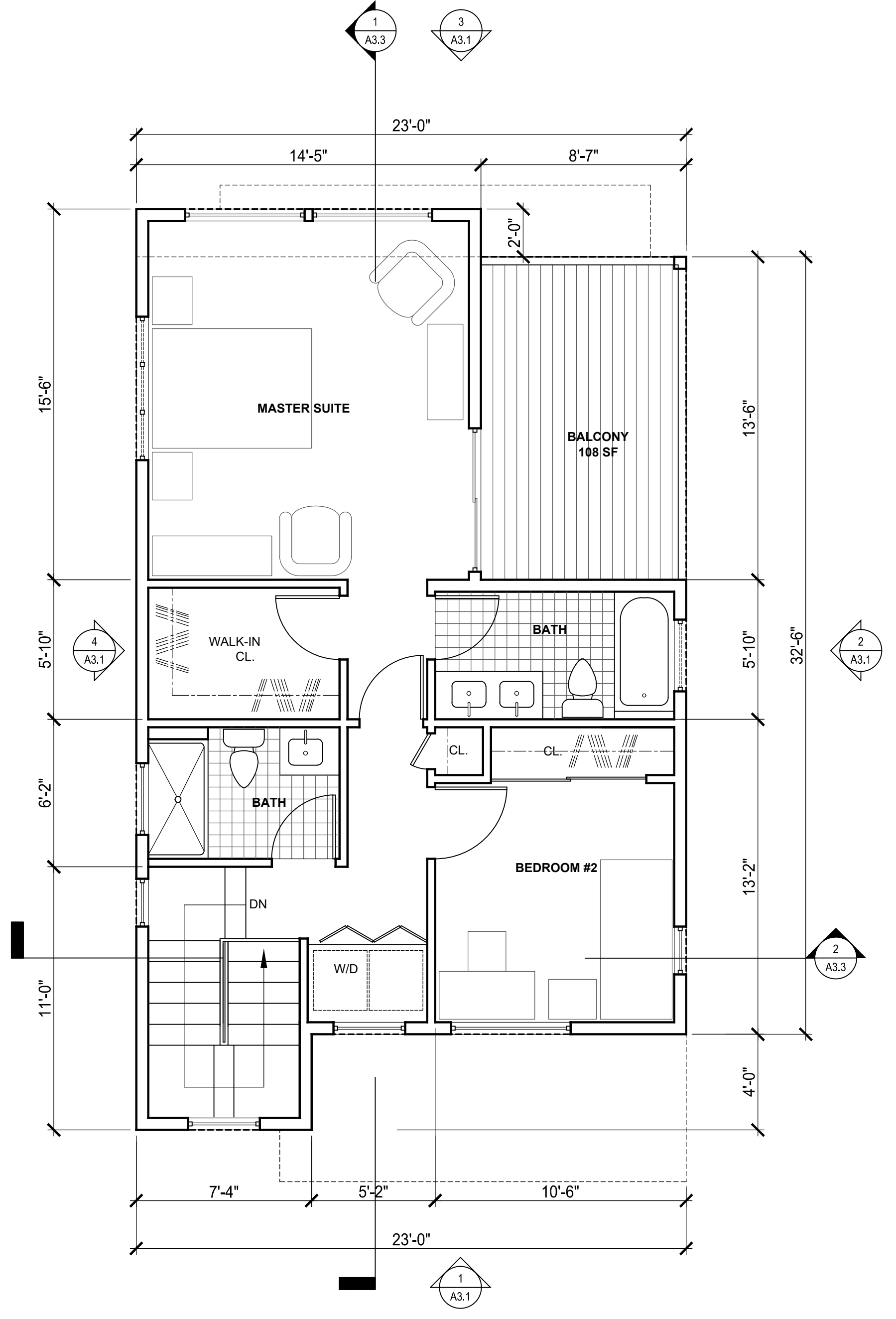
GARAGE LEVEL - 1ST FLOOR PLAN

FLOOR AREA □ 300 SF  
GARAGE □ 472 SF



MAIN LEVEL - 2ND FLOOR PLAN

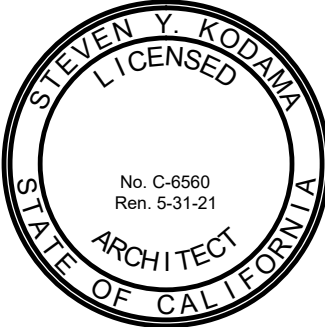
FLOOR AREA □ 777 SF  
BALCONY SPACE □ 93 SF



UPPER LEVEL - 3RD FLOOR PLAN

FLOOR AREA □ 690 SF  
BALCONY SPACE □ 108 SF





25036-25096 CARLOS BEE BLVD  
HAYWARD, CALIFORNIA  
ZALMAN INVESTMENTS, LLC

DWELLING  
TYPE B  
FLOOR PLANS

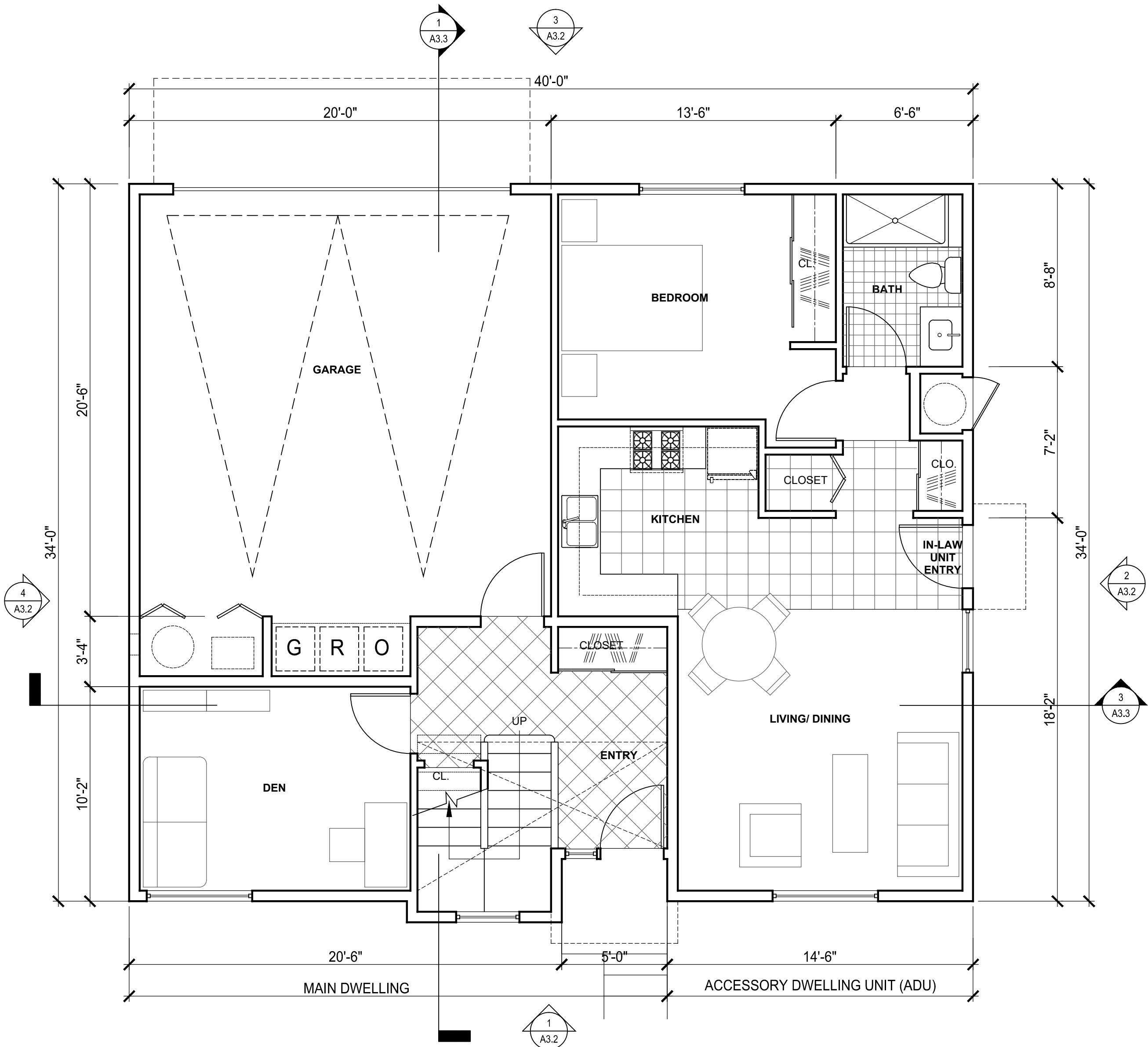
7	10/3/19	PD APPLICATION	JW	SK
6	7/22/19	PD APPLICATION	JW	SK
5	4/30/19	PD APPLICATION	JW	SK
4	1/10/18	PD APPLICATION	JW	SK
3	10/3/18	PD APPLICATION	HQ	SK
2	4/24/18	PD APPLICATION	JW	SK
1	8/16/17	PRE-APP MTG	JW	SK

No.	DATE	DESCRIPTION	BY	CKD
SCALE	1/4" = 1'-0"	SHEET	A2.2	
KD PROJ. NO.	2.1701			

KEY NOTES

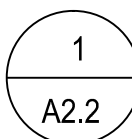
- ① STUCCO SIDING WITH CONTROL JOINTS
- ② FRONT ENTRY DOOR CANOPY

DWELLING B	MAIN DWELLING					ACCESSORY DWELLING UNIT			TOTAL AREA
	GARAGE	BEDRM	BATH	FLR.AREA	BALCONY	BEDRM	BATH	FLR.AREA	
1ST FLOOR	410	0	0	344	-	1	1	603	
2ND FLOOR	-	3	2	1301	62	-	-	-	
TOTAL	410			1645				603	2658



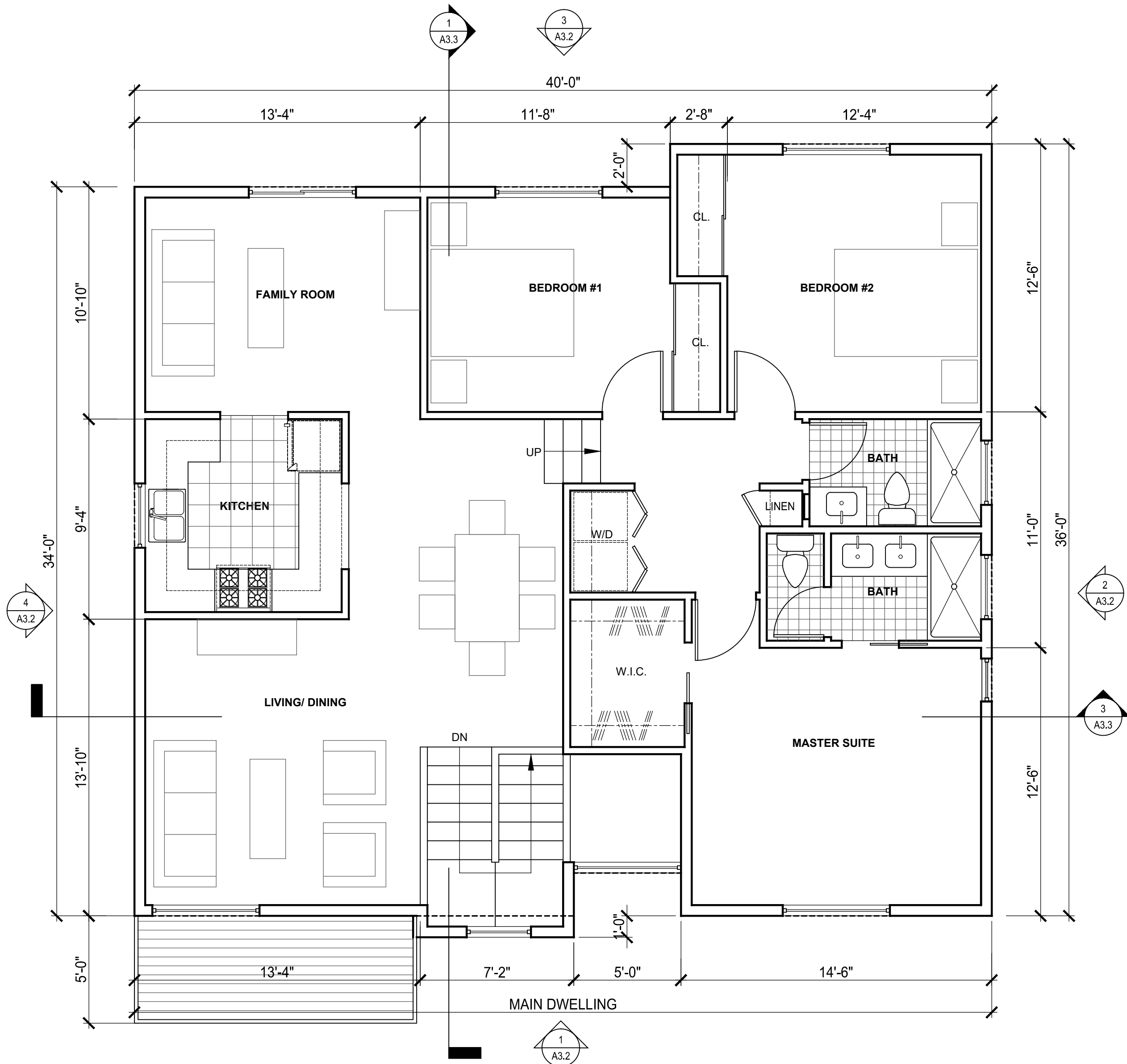
1ST FLOOR PLAN - GARAGE & 1 BEDROOM ADU

MAIN DWELLING FLOOR AREA □ 344 SF  
ADU FLOOR AREA □ 603 SF  
GARAGE □ 410 SF



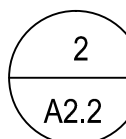
1ST FLOOR PLAN - DWELLING TYPE B WITH 1 BED ADU

SCALE : 1/4" = 1'-0"



2ND FLOOR PLAN - MAIN DWELLING UNIT

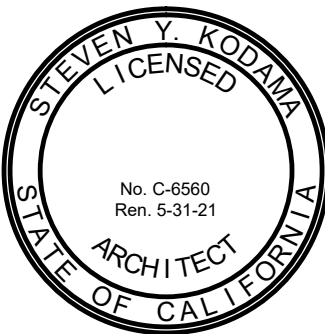
MAIN DWELLING FLOOR AREA □ 1301 SF  
BALCONY □ 62 SF



2ND FLOOR PLAN - DWELLING TYPE B WITH 1 BED ADU

SCALE : 1/4" = 1'-0"





25036-25096 CARLOS BEE BLVD  
HAYWARD, CALIFORNIA  
ZALMAN INVESTMENTS, LLC

DWELLING  
TYPE C  
FLOOR PLANS

7	10/3/19	PD APPLICATION	JW	SK
6	7/22/19	PD APPLICATION	JW	SK
5	4/30/19	PD APPLICATION	JW	SK
4	1/10/18	PD APPLICATION	JW	SK
3	10/3/18	PD APPLICATION	HQ	SK
2	4/24/18	PD APPLICATION	JW	SK
1	8/16/17	PRE-APP MTG	JW	SK

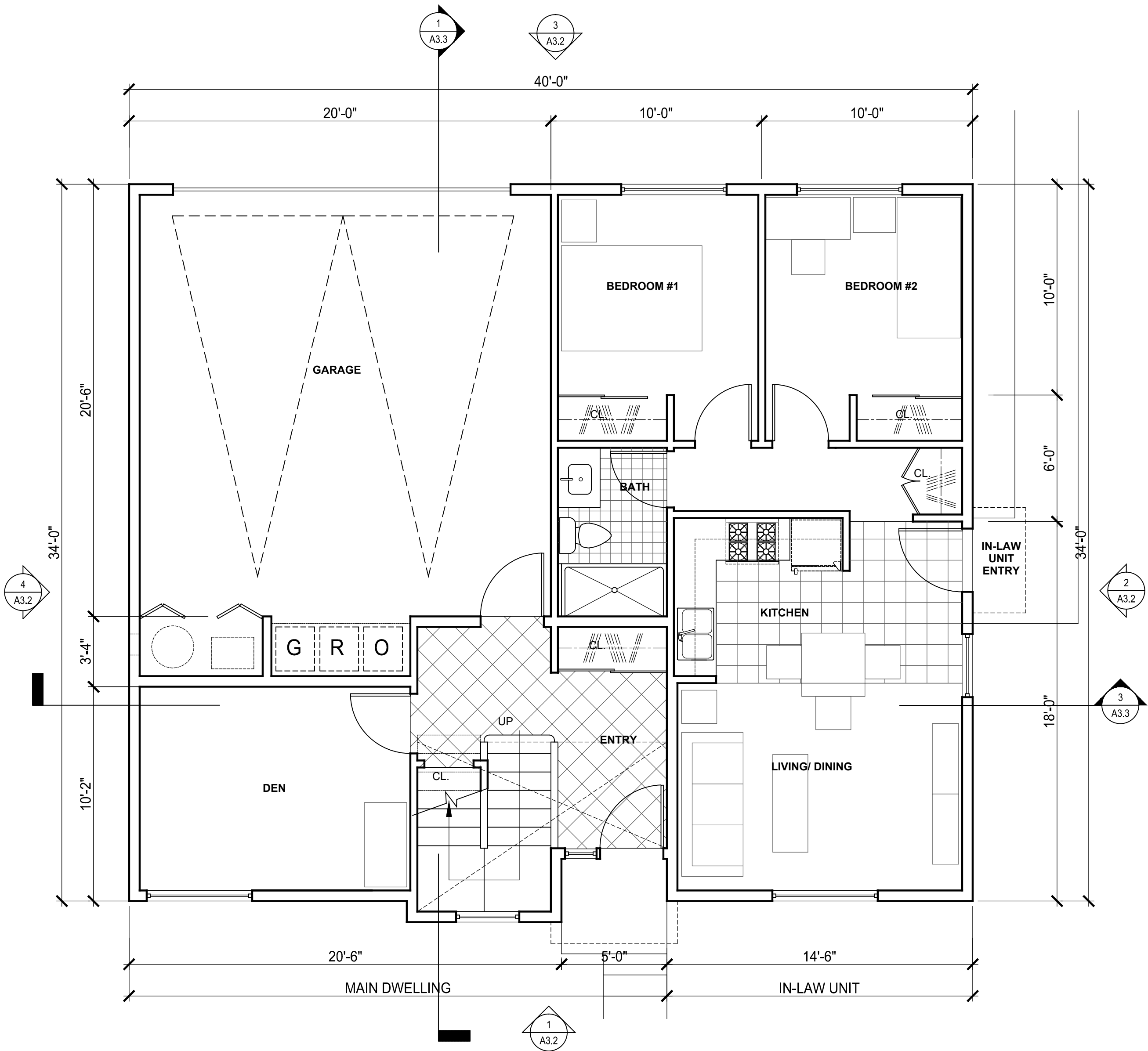
No.	DATE	DESCRIPTION	BY	CKD
SCALE	1/4" = 1'-0"			
KD PROJ. NO.	2.1701			

A2.3

KEY NOTES

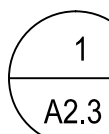
- ① STUCCO SIDING WITH CONTROL JOINTS
- ② FRONT ENTRY DOOR CANOPY

DWELLING C	MAIN DWELLING					ACCESSORY DWELLING UNIT			TOTAL AREA
	GARAGE	BEDRM	BATH	FLR.AREA	BALCONY	BEDRM	BATH	FLR.AREA	
1ST FLOOR	410	0	0	344	-	2	1	603	
2ND FLOOR	-	3	2	1301	62	-	-	-	
TOTAL	410			1645				603	2658



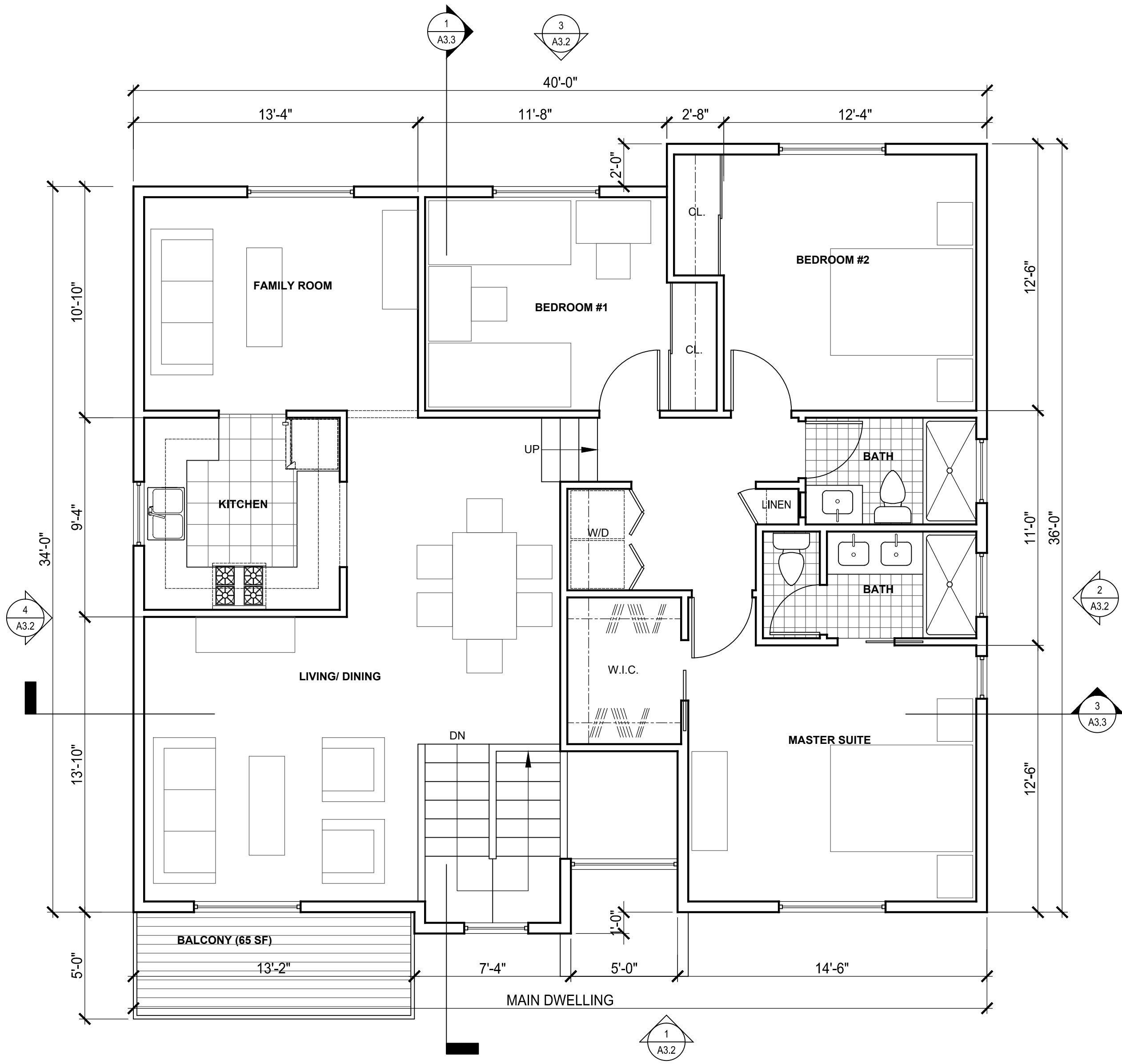
1ST FLOOR PLAN - GARAGE & 2 BEDROOM ADU

MAIN DWELLING FLOOR AREA □ 344 SF  
ADU FLOOR AREA □ 603 SF  
GARAGE □ 410 SF



1ST FLOOR PLAN - DWELLING TYPE C WITH 2 BED ADU

SCALE : 1/4" = 1'-0"



2ND FLOOR PLAN - MAIN DWELLING UNIT

MAIN DWELLING FLOOR AREA □ 1301 SF  
BALCONY □ 62 SF



2ND FLOOR PLAN - DWELLING TYPE C WITH 2 BED ADU

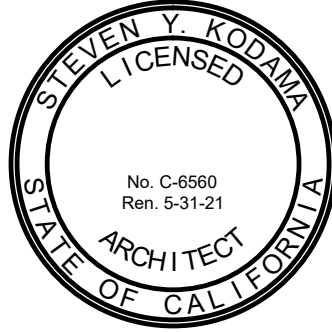
SCALE : 1/4" = 1'-0"





KODAMA  
DISEÑO

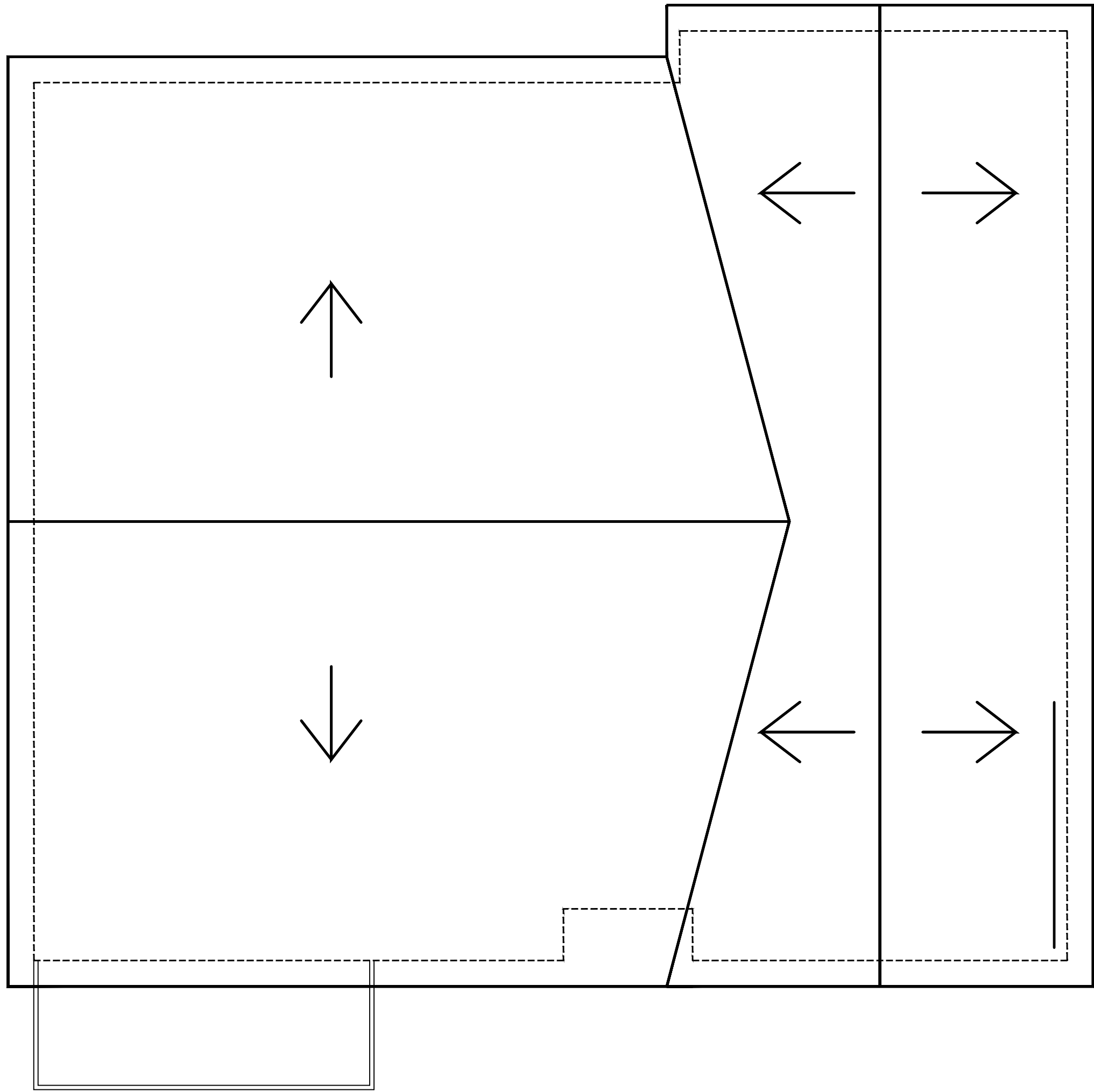
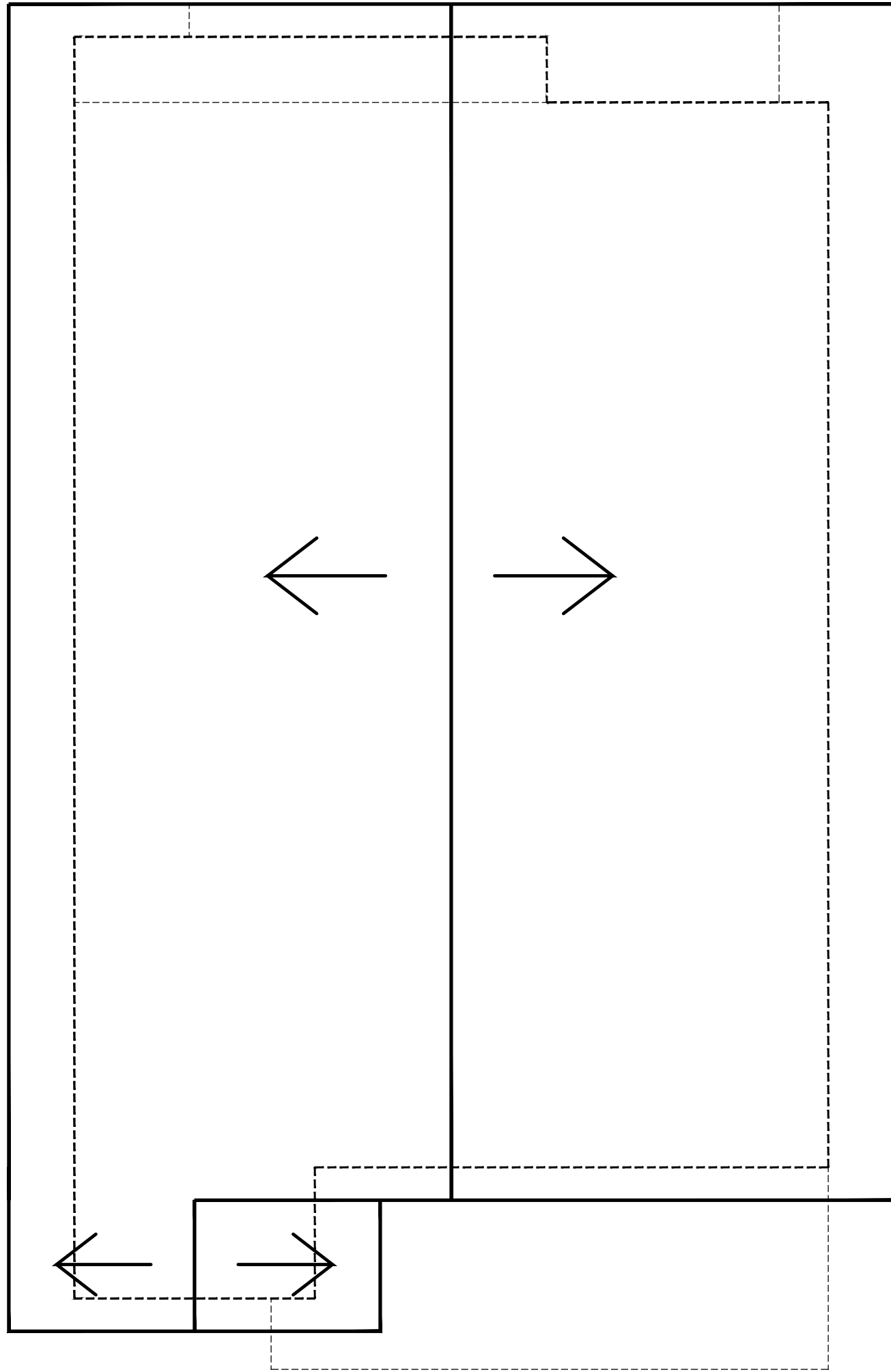
Architects & Planners  
570 10th Street, Suite 2  
Oakland, California 94607  
510.986.0694 tel  
510.986.0690 fax



25036-25096 CARLOS BEE BLVD  
HAYWARD, CALIFORNIA  
ZALMAN INVESTMENTS, LLC

PROPOSED  
ROOF PLANS

7	10/3/19	PD APPLICATION	JW	SK	
6	7/22/19	PD APPLICATION	JW	SK	
5	4/30/19	PD APPLICATION	JW	SK	
4	1/10/18	PD APPLICATION	JW	SK	
3	10/3/18	PD APPLICATION	HQ	SK	
2	4/24/18	PD APPLICATION	JW	SK	
1	8/16/17	PRE-APP MTG	JW	SK	
No. DATE DESCRIPTION BY CKD					
SCALE		1/4" = 1'-0"		SHEET	
KD PROJ. NO.		2.1701		A2.4	



1

A2.4

DWELLING TYPE A ROOF PLAN

SCALE : 1/4" = 1'-0"

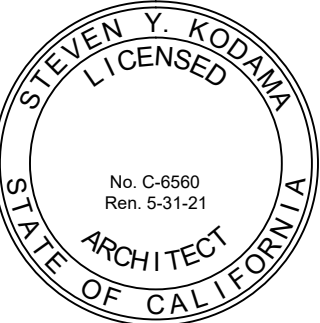
2

A2.4

DWELLING TYPE B AND C ROOF PLAN

SCALE : 1/4" = 1'-0"





25036-25096 CARLOS BEE BLVD  
HAYWARD, CALIFORNIA  
ZALMAN INVESTMENTS, LLC

PROPOSED  
DWELLING  
TYPE A  
ELEVATIONS

No.	DATE	DESCRIPTION	BY	CHKD
7	10/3/19	PD APPLICATION	JW	SK
6	7/22/19	PD APPLICATION	JW	SK
5	4/30/19	PD APPLICATION	JW	SK
4	1/10/18	PD APPLICATION	JW	SK
3	10/3/18	PD APPLICATION	HQ	SK
2	4/24/18	PD APPLICATION	JW	SK
1	8/16/17	PRE-APP MTG	JW	SK

SCALE: 1/4" = 1'-0"

KD PROJ. NO. 2.1701

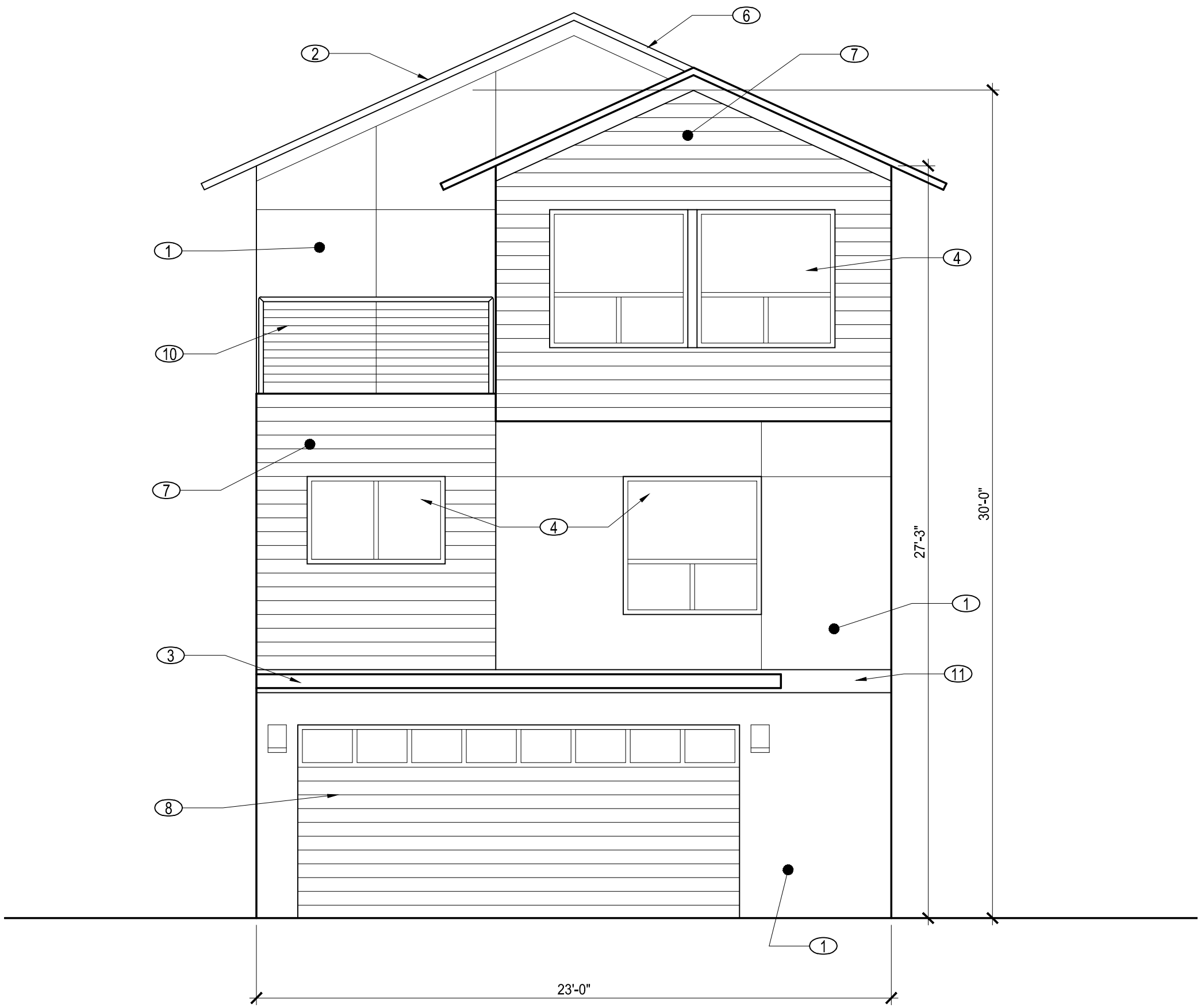
**A3.1**

KEY NOTES

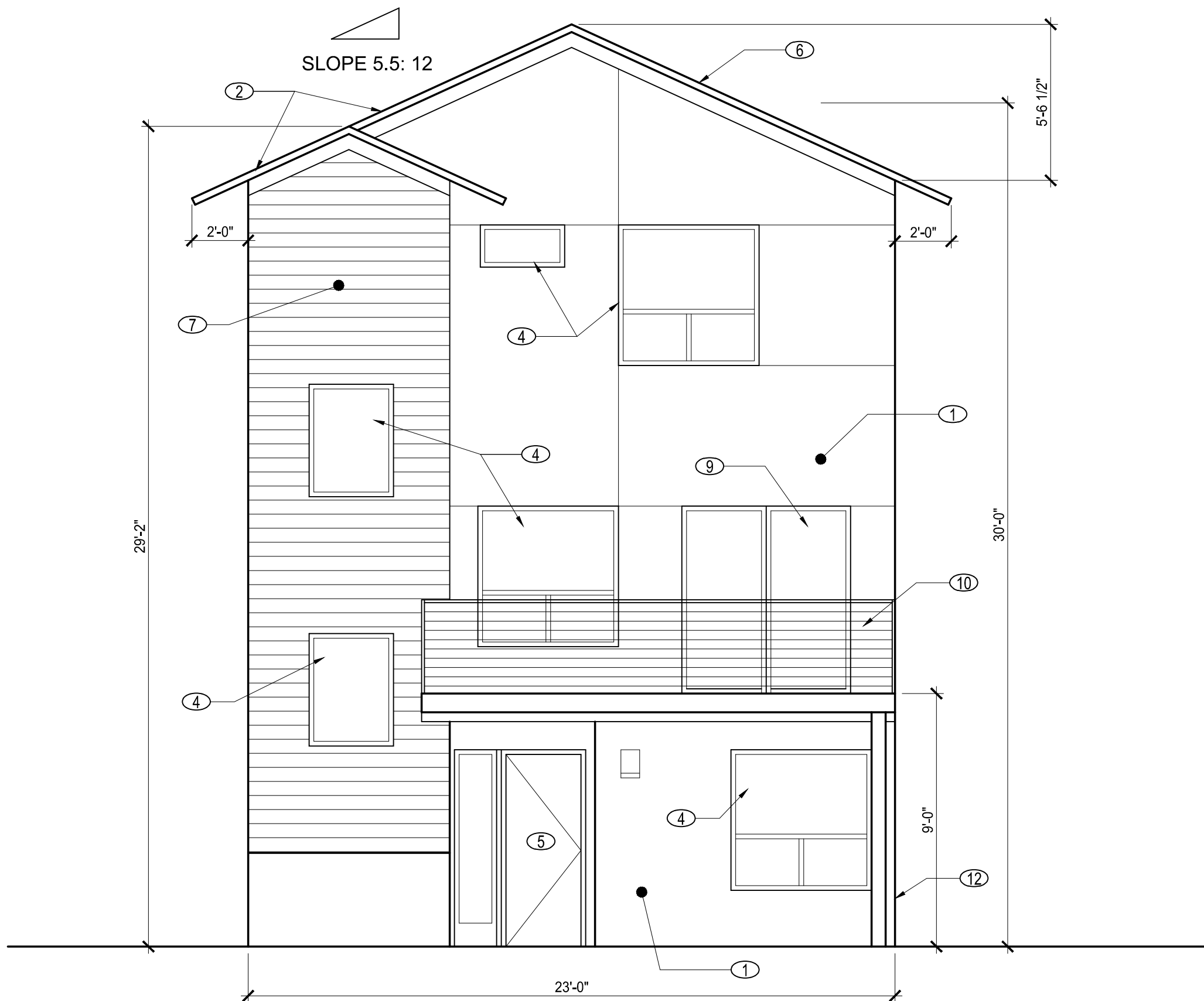
- 1 STUCCO SIDING WITH CONTROL JOINTS
- 2 ASPHALT SHINGLE ROOF (MIN. SLOPE 2:12)
- 3 GARAGE CANOPY SLOPED
- 4 VINYL WINDOW, TYP.
- 5 DOOR WITH WOOD TRIM
- 6 SOLAR PANELS ON ROOF
- 7 HORIZONTAL FIBER CEMENT SIDING
- 8 GARAGE DOOR W/ GLAZING
- 9 SLIDING GLASS DOOR
- 10 METAL RAILING AT BALCONY
- 11 BELLY BAND TRIM
- 12 COLUMN POST

0 1' 5' 10'

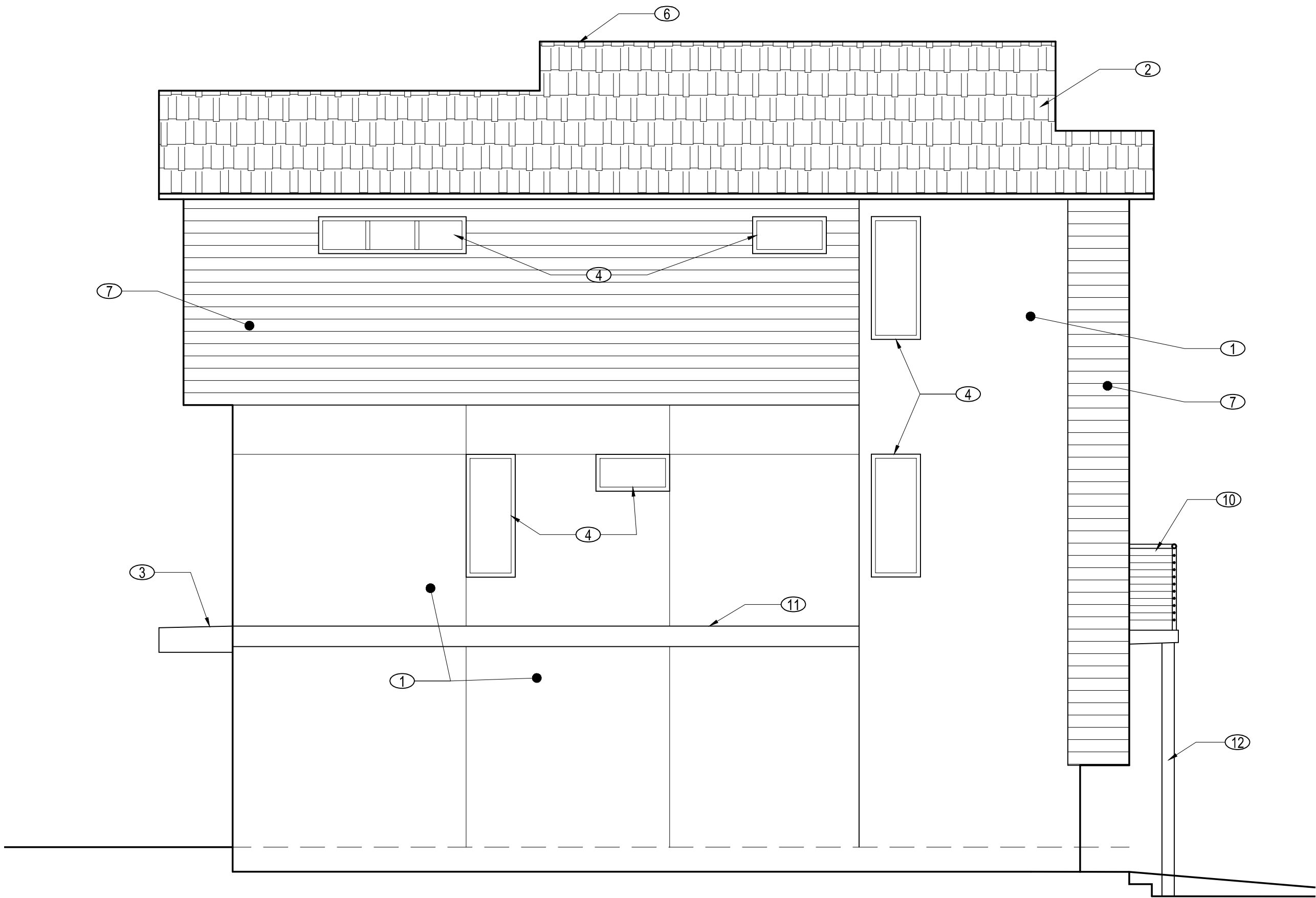
SCALE: 1/4" = 1'-0"



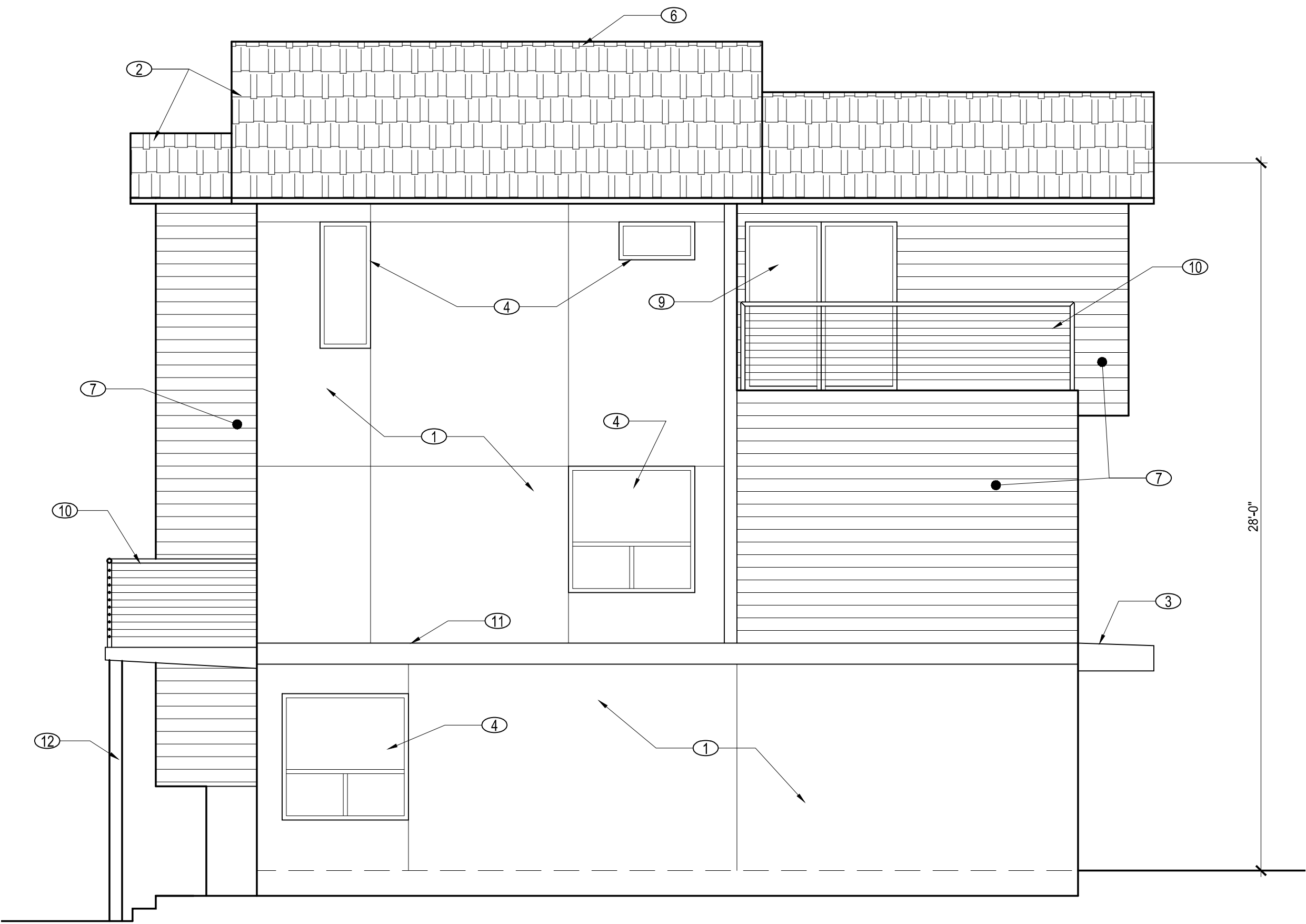
3 NORTH ELEVATION (REAR) - UNIT TYPE A  
A3.1 SCALE : 1/4" = 1'-0"



1 SOUTH ELEVATION (FRONT) - UNIT TYPE A  
A3.1 SCALE : 1/4" = 1'-0"

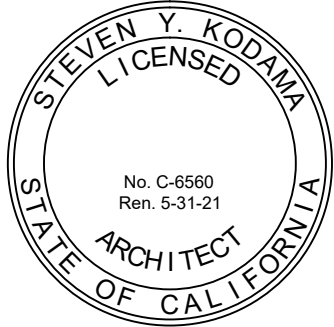


4 WEST ELEVATION (SIDE) - UNIT TYPE A  
A3.1 SCALE : 1/4" = 1'-0"



2 EAST ELEVATION (SIDE) - UNIT TYPE A  
A3.1 SCALE : 1/4" = 1'-0"





25036-25096 CARLOS BEE BLVD  
HAYWARD, CALIFORNIA  
ZALMAN INVESTMENTS, LLC

PROPOSED  
DWELLING  
TYPE B & C  
ELEVATIONS

No.	DATE	DESCRIPTION	BY	CKD
7	10/3/19	PD APPLICATION	JW	SK
6	7/22/19	PD APPLICATION	JW	SK
5	4/30/19	PD APPLICATION	JW	SK
4	1/10/18	PD APPLICATION	JW	SK
3	10/3/18	PD APPLICATION	HQ	SK
2	4/24/18	PD APPLICATION	JW	SK
1	8/16/17	PRE-APP MTG	JW	SK

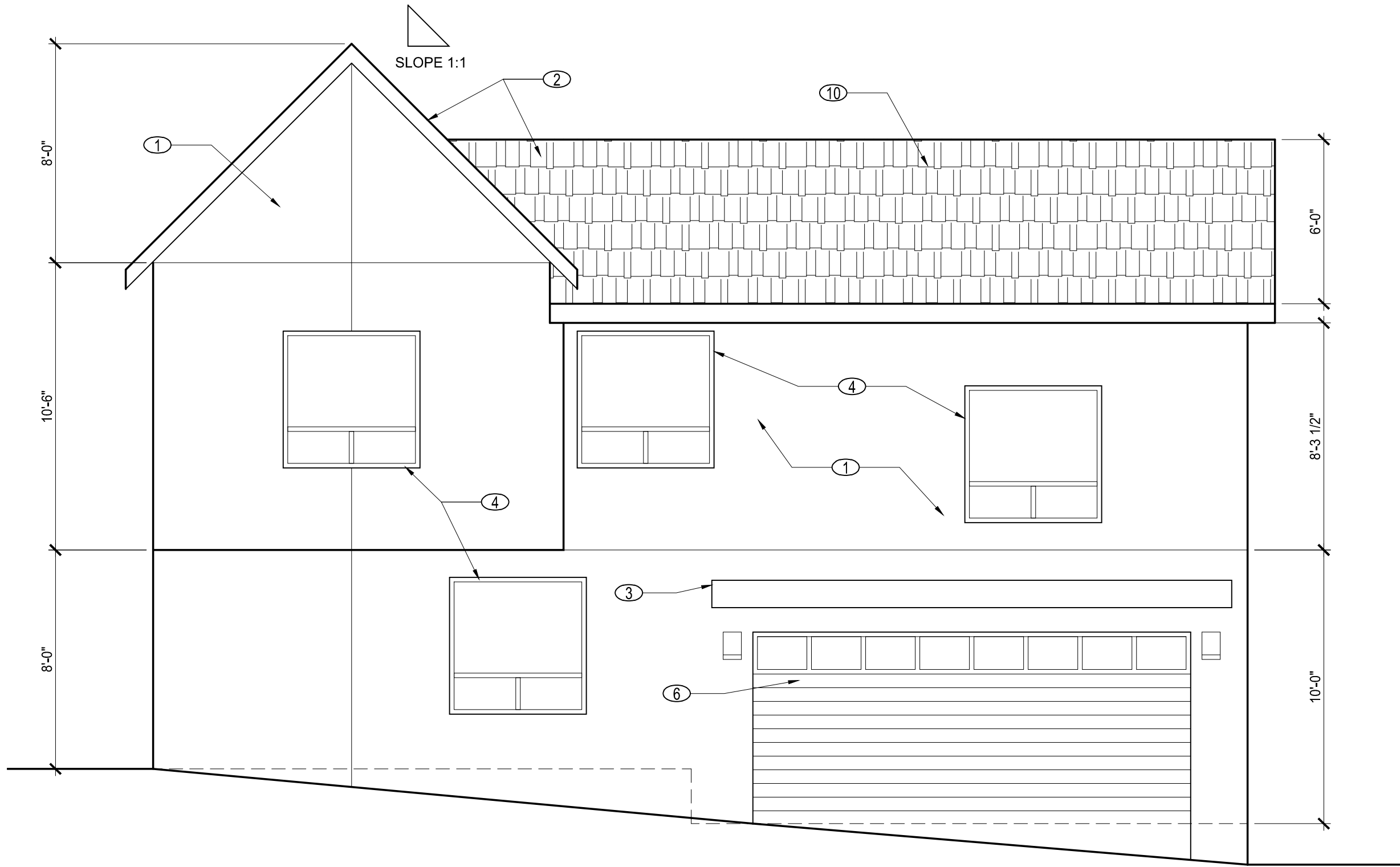
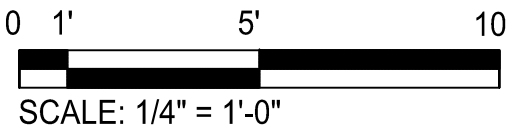
SCALE: 1/4" = 1'-0"

KD PROJ. NO. 2.1701

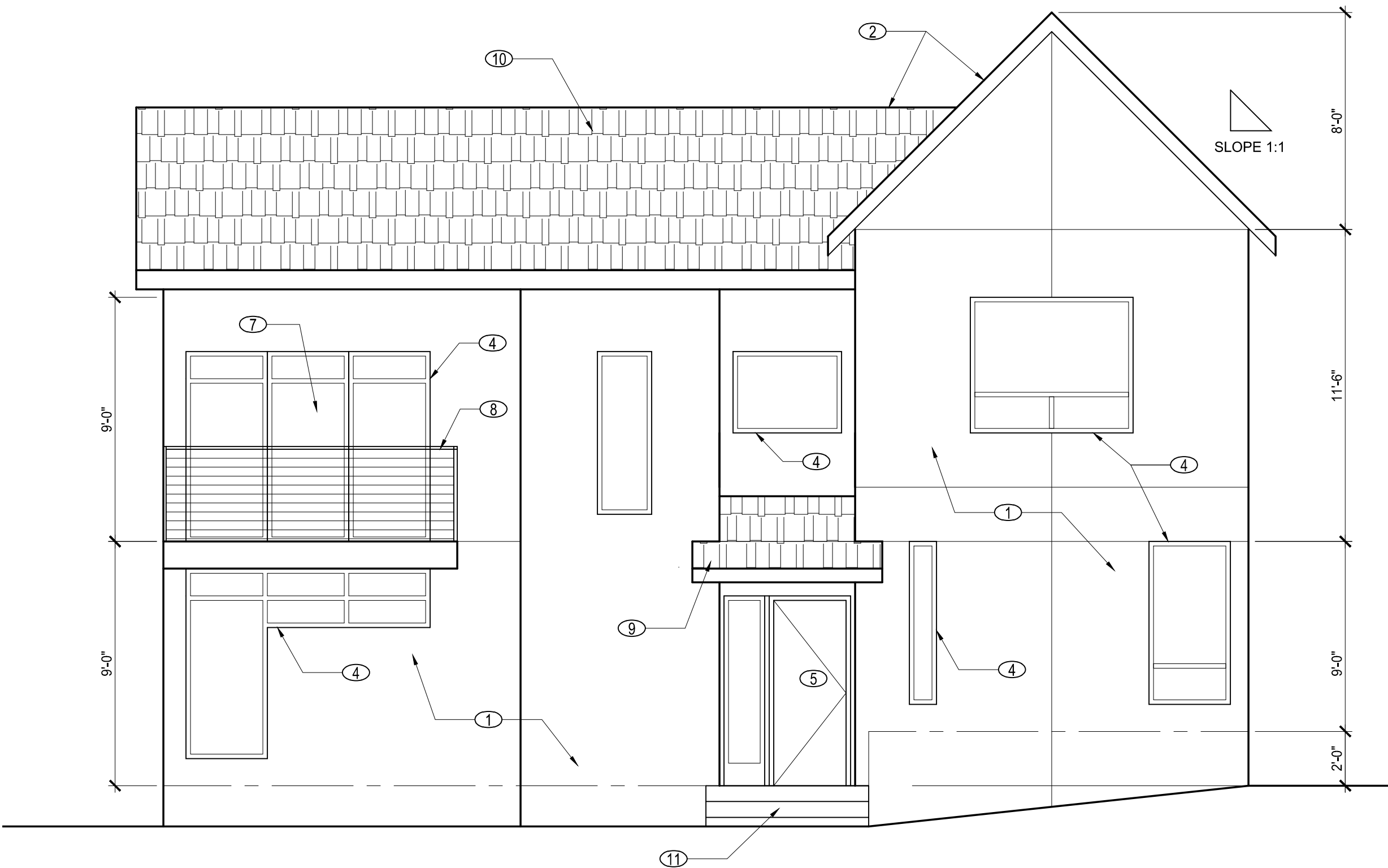
**A3.2**

KEY NOTES

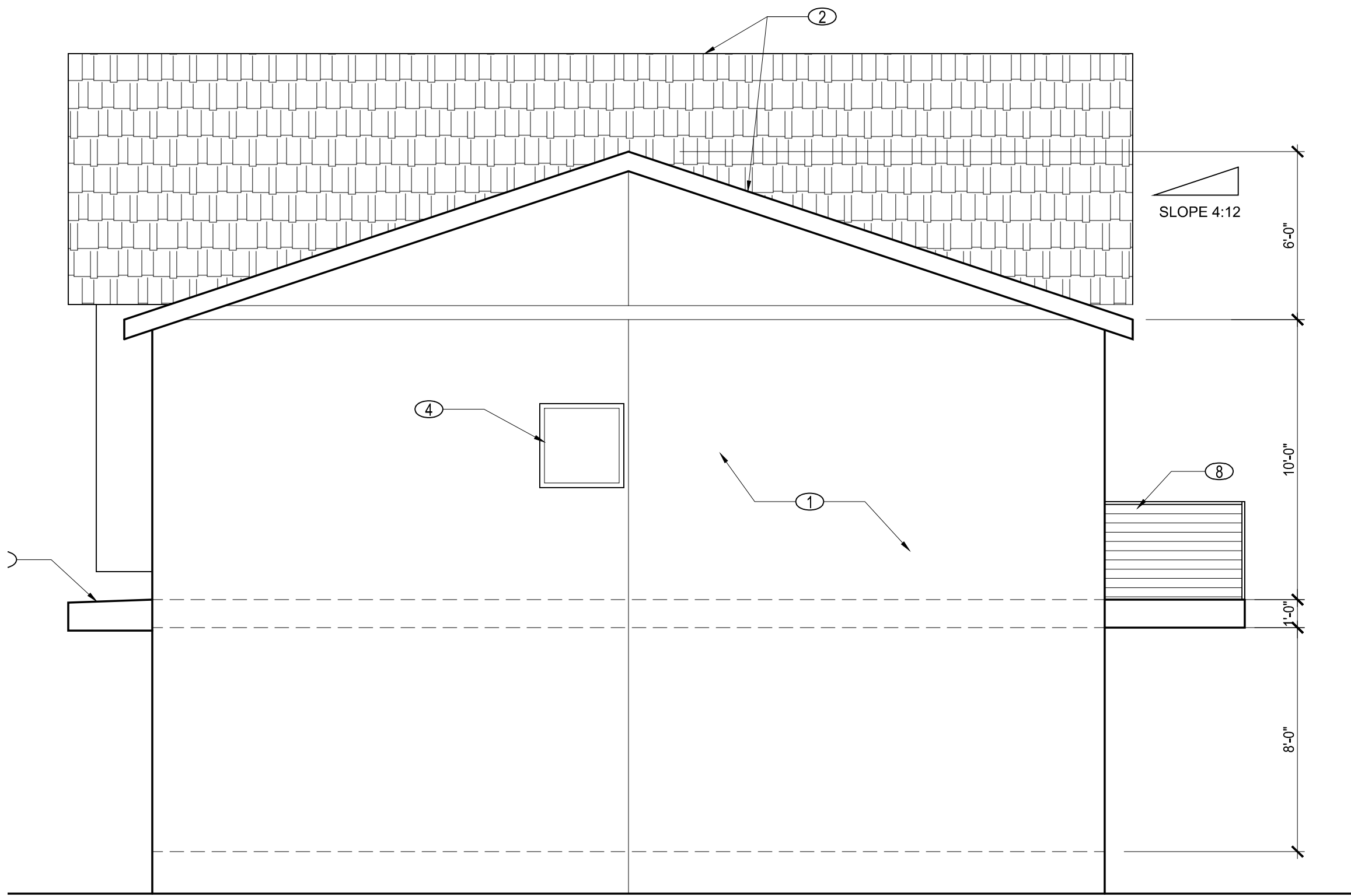
- ① STUCCO SIDING WITH CONTROL JOINTS
- ② ASPHALT SHINGLE ROOF (MIN. SLOPE 2:12)
- ③ GARAGE CANOPY SLOPED
- ④ VINYL WINDOW, TYP.
- ⑤ DOOR WITH WOOD TRIM
- ⑥ GARAGE DOOR W/ GLAZING
- ⑦ SLIDING GLASS DOOR
- ⑧ METAL RAILING AT BALCONY
- ⑨ ENTRY CANOPY
- ⑩ SOLAR PANELS ON ROOF
- ⑪ EXTERIOR CONCRETE STEPS AS REQUIRED



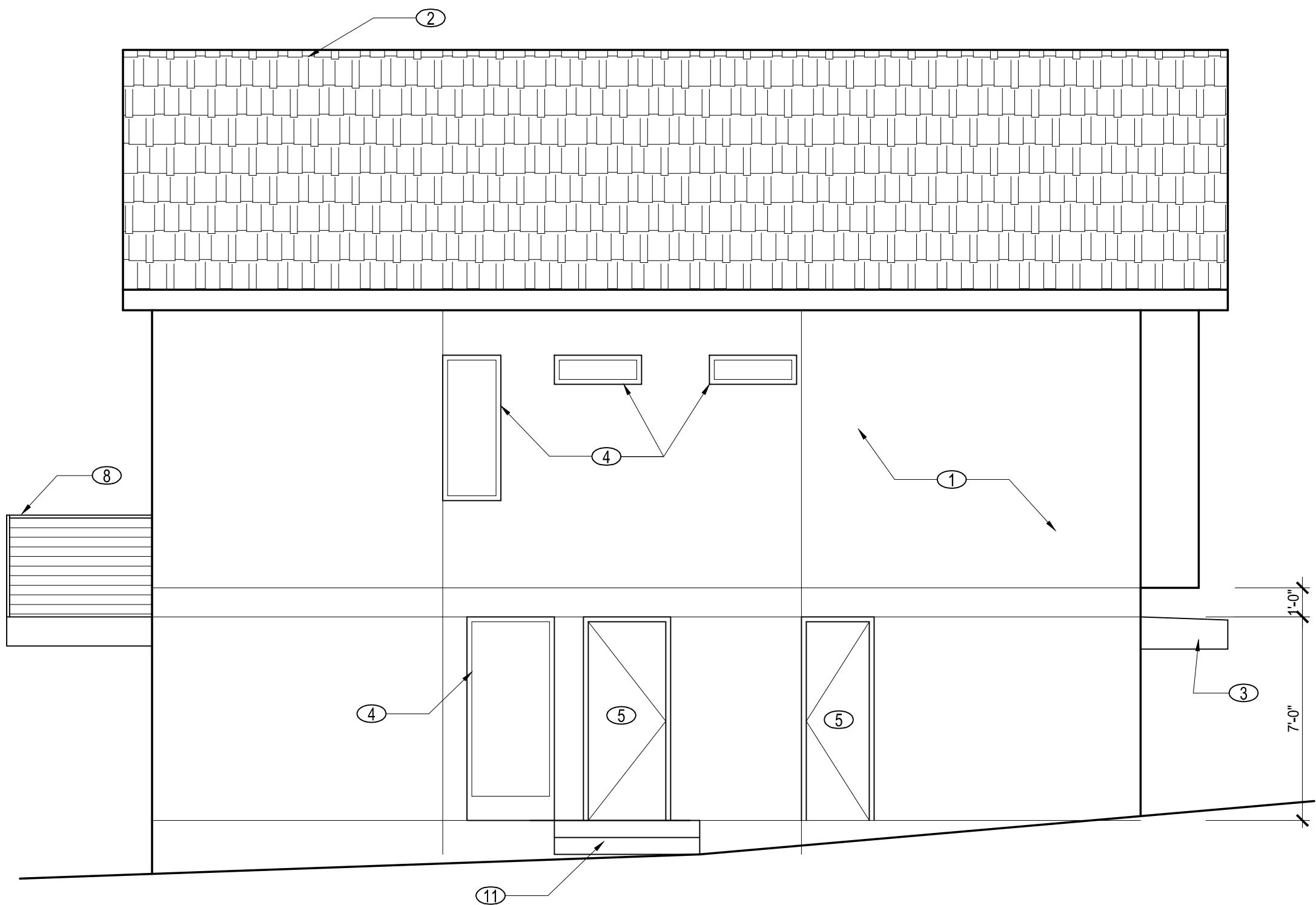
③ (N) NORTH ELEVATION (REAR) - UNIT TYPE B  
A3.2 SCALE : 1/4" = 1'-0"



① (N) SOUTH ELEVATION (FRONT) - UNIT TYPE B  
A3.2 SCALE : 1/4" = 1'-0"

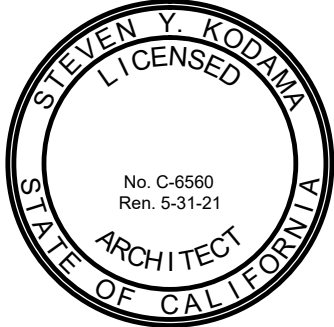


④ (N) WEST ELEVATION (SIDE) - UNIT TYPE B  
A3.2 SCALE : 1/4" = 1'-0"



② (N) EAST ELEVATION (SIDE) - UNIT TYPE B  
A3.2 SCALE : 1/4" = 1'-0"





25036-25096 CARLOS BEE BLVD  
HAYWARD, CALIFORNIA  
ZALMAN INVESTMENTS, LLC

PROPOSED SECTIONS

No.	DATE	DESCRIPTION	BY	CKD
7	10/3/19	PD APPLICATION	JW	SK
6	7/22/19	PD APPLICATION	JW	SK
5	4/30/19	PD APPLICATION	JW	SK
4	1/10/18	PD APPLICATION	JW	SK
3	10/3/18	PD APPLICATION	HQ	SK
2	4/24/18	PD APPLICATION	JW	SK
1	8/16/17	PRE-APP MTG	JW	SK

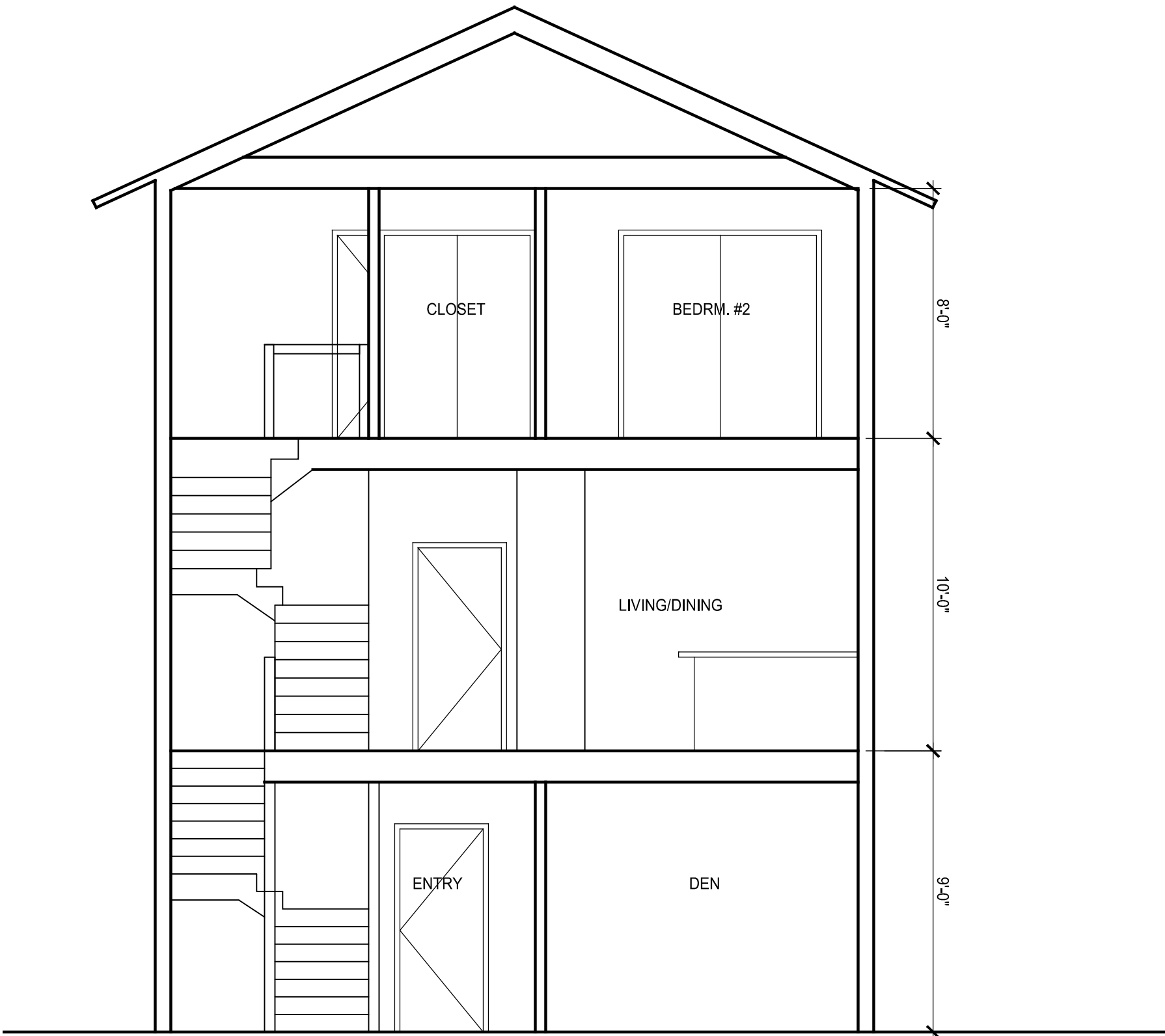
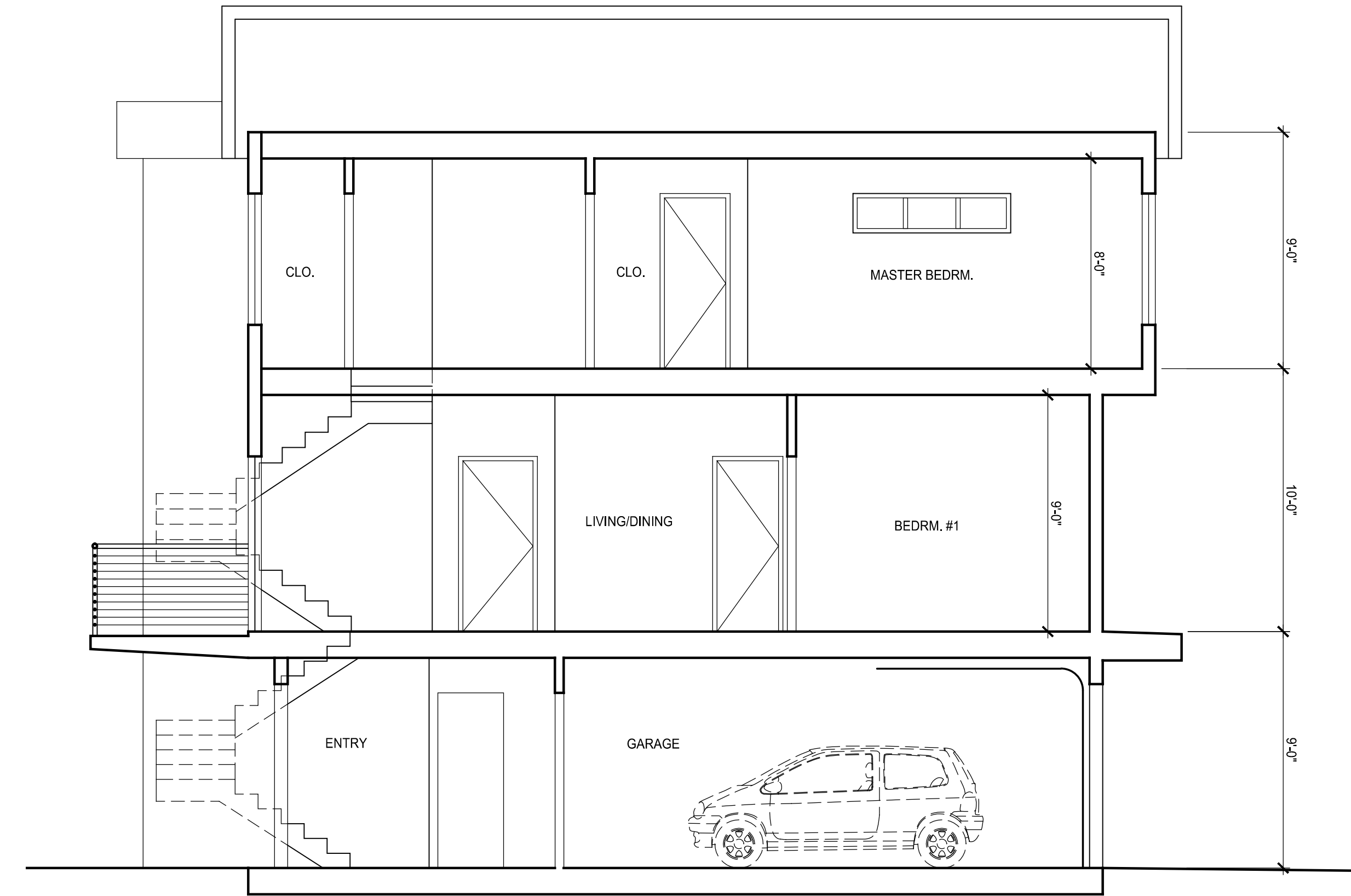
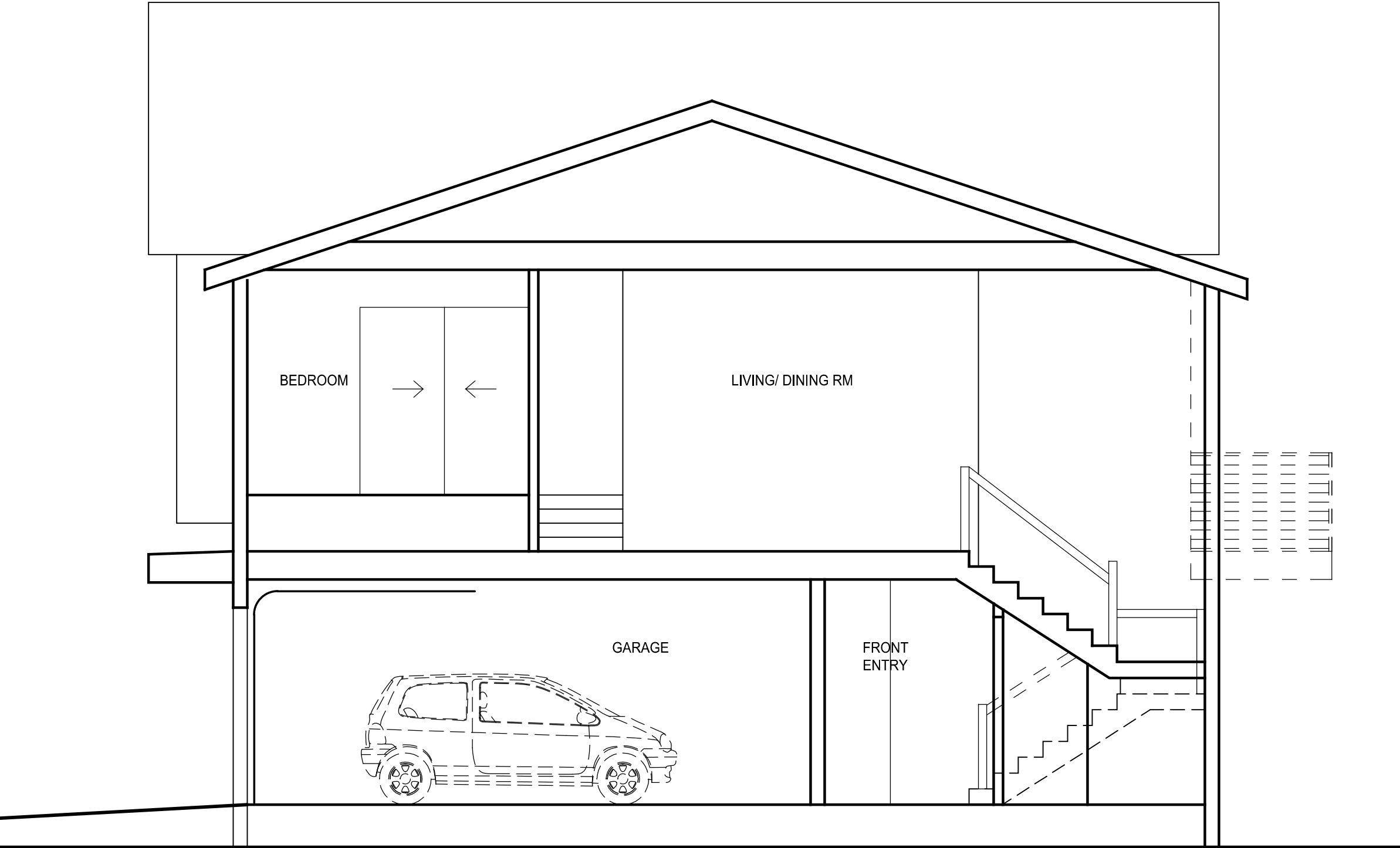
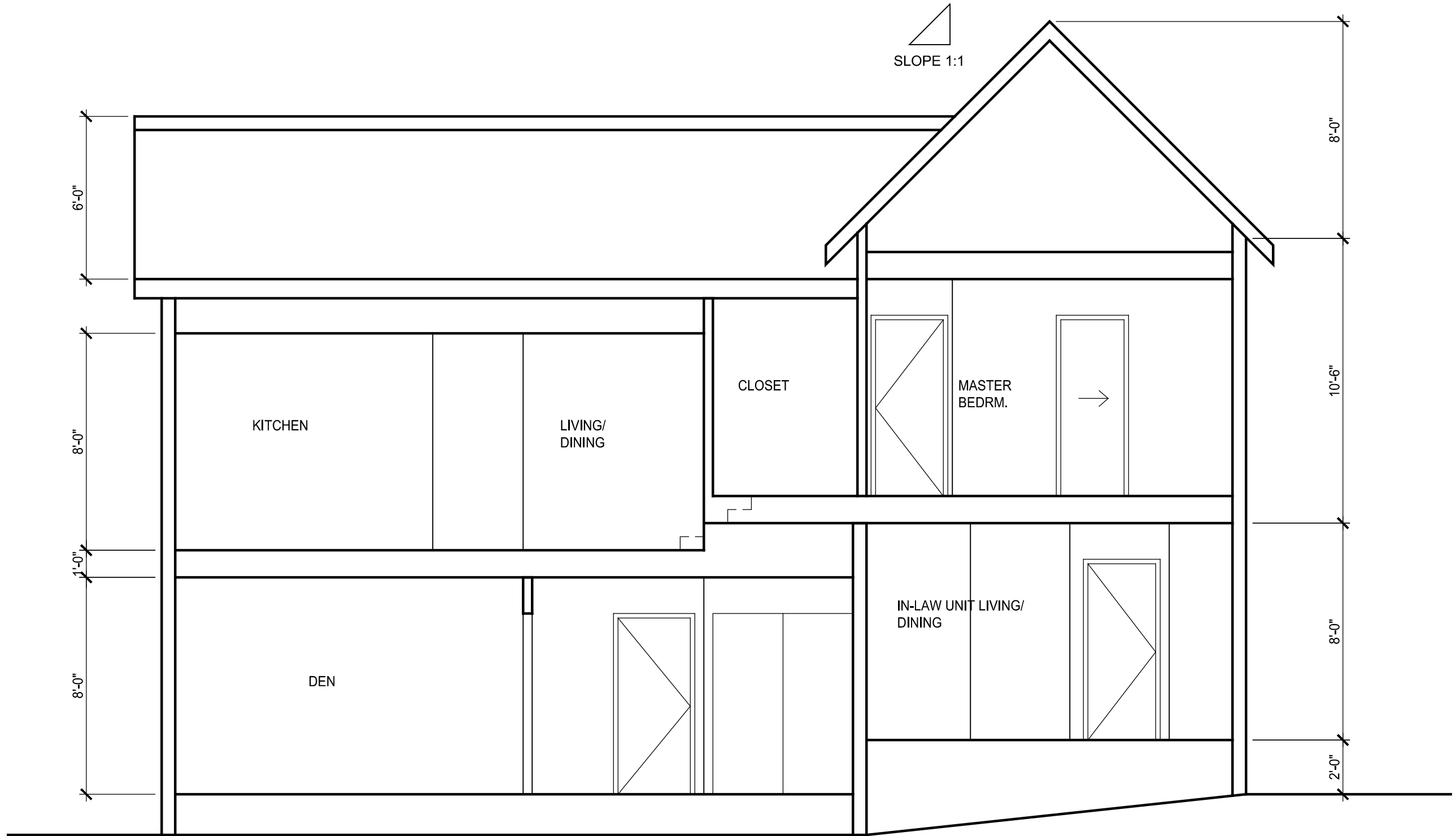
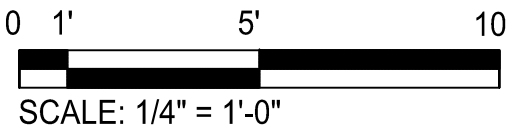
SCALE: 1/4" = 1'-0"

KD PROJ. NO. 2.1701

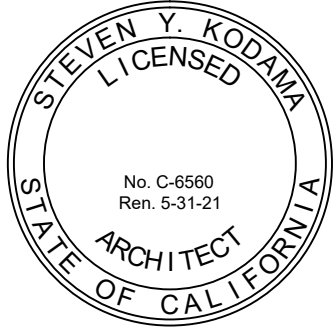
**A3.3**

KEY NOTES

- 1 STUCCO SIDING WITH CONTROL JOINTS
- 2 ASPHALT SHINGLE ROOF (MIN. SLOPE 2:12)
- 3 FLAT ROOF (¼ PER FT. SLOPE) WITH GRAVEL AND CAPSHEET
- 4 VINYL WINDOW, TYP.
- 5 DOOR WITH WOOD TRIM
- 6 VERTICAL FIBER CEMENT SIDING
- 7 HORIZONTAL FIBER CEMENT SIDING
- 8 GARAGE DOOR W/ GLAZING
- 9 SLIDING GLASS DOOR
- 10 METAL RAILING AT BALCONY
- 11 BALCONY WALL







25036-25096 CARLOS BEE BLVD  
HAYWARD, CALIFORNIA  
ZALMAN INVESTMENTS, LLC

3D  
PERSPECTIVES

7	10/3/19	PD APPLICATION	JW	SK	
6	7/22/19	PD APPLICATION	JW	SK	
5	4/30/19	PD APPLICATION	JW	SK	
4	1/10/18	PD APPLICATION	JW	SK	
3	10/3/18	PD APPLICATION	HQ	SK	
2	4/24/18	PD APPLICATION	JW	SK	
1	8/16/17	PRE-APP MTG	JW	SK	

No.	DATE	DESCRIPTION	BY	CKD
SCALE	SHEET			
KD PROJ. NO.	A3.4			
2.1701				



4 CARLOS BEE BLVD ELEVATION  
A3.4 SCALE : 1/4" = 1'-0"



2 CARLOS BEE BLVD VIEW FROM NORTH END  
A3.4 SCALE : 1/4" = 1'-0"



3 PERSPECTIVE ON UNITS 2, 3, 4 AND 5  
A3.4 SCALE : 1/4" = 1'-0"



1 CARLOS BEE BLVD VIEW FROM SOUTH END  
A3.4 SCALE : 1/4" = 1'-0"



SHEET NOTES

1. FOR GENERAL NOTES, SYMBOLS AND ABBREVIATIONS, SEE A0
2. PROPOSED GRADING AND UTILITIES, SEE CIVIL DWGS.
3. PROPOSED LANDSCAPING, SEE LANDSCAPE DWGS.
4. THE LOT EXISTING SLOPE IS:  $S = 2(5961)(100) / 55,185 = 21.6$

KEY NOTES

1. PROPOSED ASPHALT / 'GRADED PORTLAND CEMENT' DRIVEWAY FOR VEHICULAR ACCESS (SEE PROFILE, CIVIL C-3)
2. EMERGENCY ACCESS DRIVEWAY AND BARRIER TO CARLOS BEE BLVD (SEE PROFILE, CIVIL C-3)
3. PROPOSED PEDESTRIAN PATHWAYS AND STAIRS AS NOTED
4. PROPOSED CONCRETE DRIVEWAYS
5. PROPOSED KEYSTONE RETAINING WALLS WITH VARYING HEIGHTS, MAX HEIGHT AT 3'-0". SEE CIVIL DWGS.
6. PROPOSED LANDSCAPING, SEE LANDSCAPE DWGS. FOR DETAILS.
7. EXISTING FIRE HYDRANT AND COVERAGE AREA
8. PER SEISMIC REPORT, NO CONDITIONED SPACE TO BE CONSTRUCTED IN AREA AS NOTED
9. PROPOSED UNCOVERED PARKING SPACE
10. PROPOSED BIOSWALE, SEE CIVIL C-4
11. EXISTING SIDEWALK TREES
12. TURNING RADIUS FOR FIRE VEHICULAR ACCESS
13. EXISTING FENCE / CONCRETE WALL TO REMAIN
14. PROPOSED NEW GRADING
15. DRIVEWAY SWALE FOR STORM WATER (WITH INLETS)
16. PROPOSED TRENCH DRAIN IN FRONT OF THE GARAGE (TYP). DETAIL SEE C/ C-4, OR C/ 6 OF 6 (VTM)
17. PROPOSED SEPARATE WATER SERVICE LINE AND METER FOR ADU.
18. ALTERNATE LOCATION OF SANITARY SEWER SEE C-2A, OR 4A OF 6 (VTM)

Berry and Associates

1733 Woodside Road, Suite 335  
Redwood City, CA 94061  
Phone: (650) 368-0750



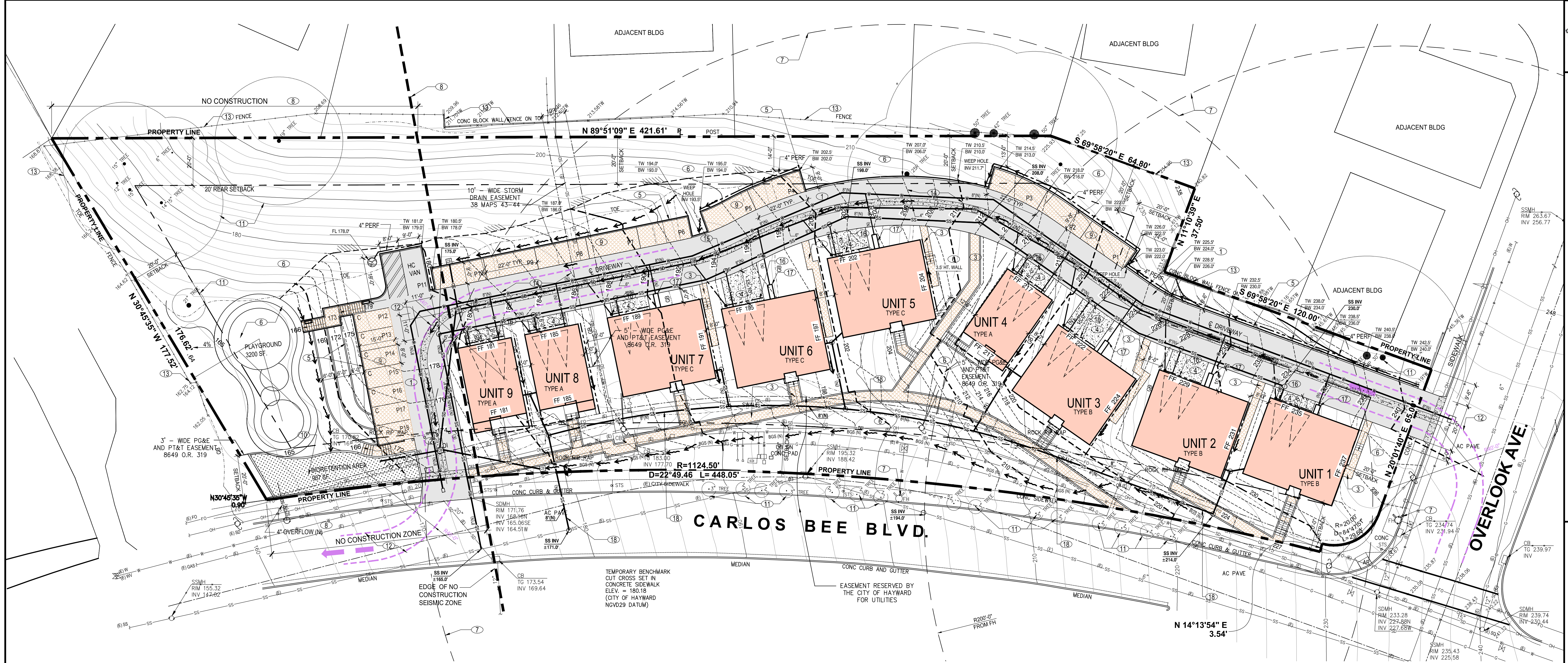
HAYWARD, CA

SITE GRADING & DRAINAGE PLAN

23036 CARLOS BEE BLVD

No.	Revisions
10-3-19	PD APPLICATION
Date:	AS NOTED
Scale:	JCB
Design:	KDA
Drawn:	Approved: JCB
Drawing Number:	Job No. 3138

C-1



LEGEND	
	(E) PROPERTY LINE
	(N) PROPOSED GRADING CONTOUR
	(E) EXISTING GRADING CONTOUR
	(E) STREETLIGHT/JUNCTION POLE
	(E) FIRE HYDRANT

	(E) GAS LINE
	(E) OVERHEAD LINE
	(E) FIBER OPTIC LINE
	(E) WATER LINE
	(E) SANITARY SEWER LINE & CLEANOUT
	(E) STORM DRAIN LINE (CLEANOUT OR INLET)

	(N) WATER LINE
	(N) SANITARY SEWER LINE & CLEANOUT
	(N) STORM DRAIN LINE (CLEANOUT OR INLET)
	(N) JOINT TRENCH LINE
	(N) STORMDRAIN INLET
	(N) BIOREMEDIAL GRASS SWALE *
	(N) ROCK OUTFALL
	(N) PERFORATED WALL SUBDRAIN
	(N) CATCH BASIN
	(N) LIMIT OF EARTHWORK

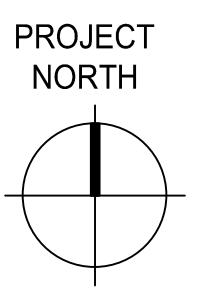
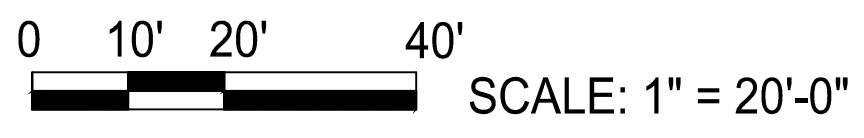
**NOTE**

ALL PROPOSED SD LINES 4" UNLESS OTHERWISE NOTED.

ALL PROPOSED WATER MAIN LINES 8" UNLESS OTHERWISE NOTED.

ALL PROPOSED SEWER MAIN LINES 8" UNLESS OTHERWISE NOTED.

\* SEE C-4 FOR DETAILS.





SHEET NOTES

1. FOR GENERAL NOTES, SYMBOLS AND ABBREVIATIONS, SEE A0
2. PROPOSED GRADING AND UTILITIES, SEE CIVIL DWGS.
3. PROPOSED LANDSCAPING, SEE LANDSCAPE DWGS.
4. THE LOT EXISTING SLOPE IS:  $S = 2(5961)(100) / 55,185 = 21.6$

KEY NOTES

1. PROPOSED ASPHALT / 'GRADED PORTLAND CEMENT' DRIVEWAY FOR VEHICULAR ACCESS (SEE PROFILE, CIVIL C-3)
2. EMERGENCY ACCESS DRIVEWAY AND BARRIER TO CARLOS BEE BLVD (SEE PROFILE, CIVIL C-3)
3. PROPOSED PEDESTRIAN PATHWAYS AND STAIRS AS NOTED
4. PROPOSED CONCRETE DRIVEWAYS
5. PROPOSED KEYSTONE RETAINING WALLS WITH VARYING HEIGHTS, MAX HEIGHT AT 3'-0", SEE CIVIL DWGS.
6. PROPOSED LANDSCAPING, SEE LANDSCAPE DWGS. FOR DETAILS.
7. EXISTING FIRE HYDRANT AND COVERAGE AREA
8. PER SEISMIC REPORT, NO CONDITIONED SPACE TO BE CONSTRUCTED IN AREA AS NOTED
9. PROPOSED UNCOVERED PARKING SPACE
10. PROPOSED BIOSWALE, SEE CIVIL C-4
11. EXISTING SIDEWALK TREES
12. TURNING RADIUS FOR FIRE VEHICULAR ACCESS
13. EXISTING FENCE / CONCRETE WALL TO REMAIN
14. PROPOSED NEW GRADING
15. DRIVEWAY SWALE FOR STORM WATER (WITH INLETS)
16. PROPOSED TRENCH DRAIN IN FRONT OF THE GARAGE (TYP), DETAIL SEE C/ C-4, OR C/ 6 OF 6 (VTM)
17. PROPOSED SEPARATE WATER SERVICE LINE AND METER FOR ADU.
18. ALTERNATE LOCATION OF SANITARY SEWER SEE C-2A, OR 4A OF 6 (VTM)

Berry and Associates

1733 Woodside Road, Suite 335  
Redwood City, CA 94061  
Phone: (650) 368-0750



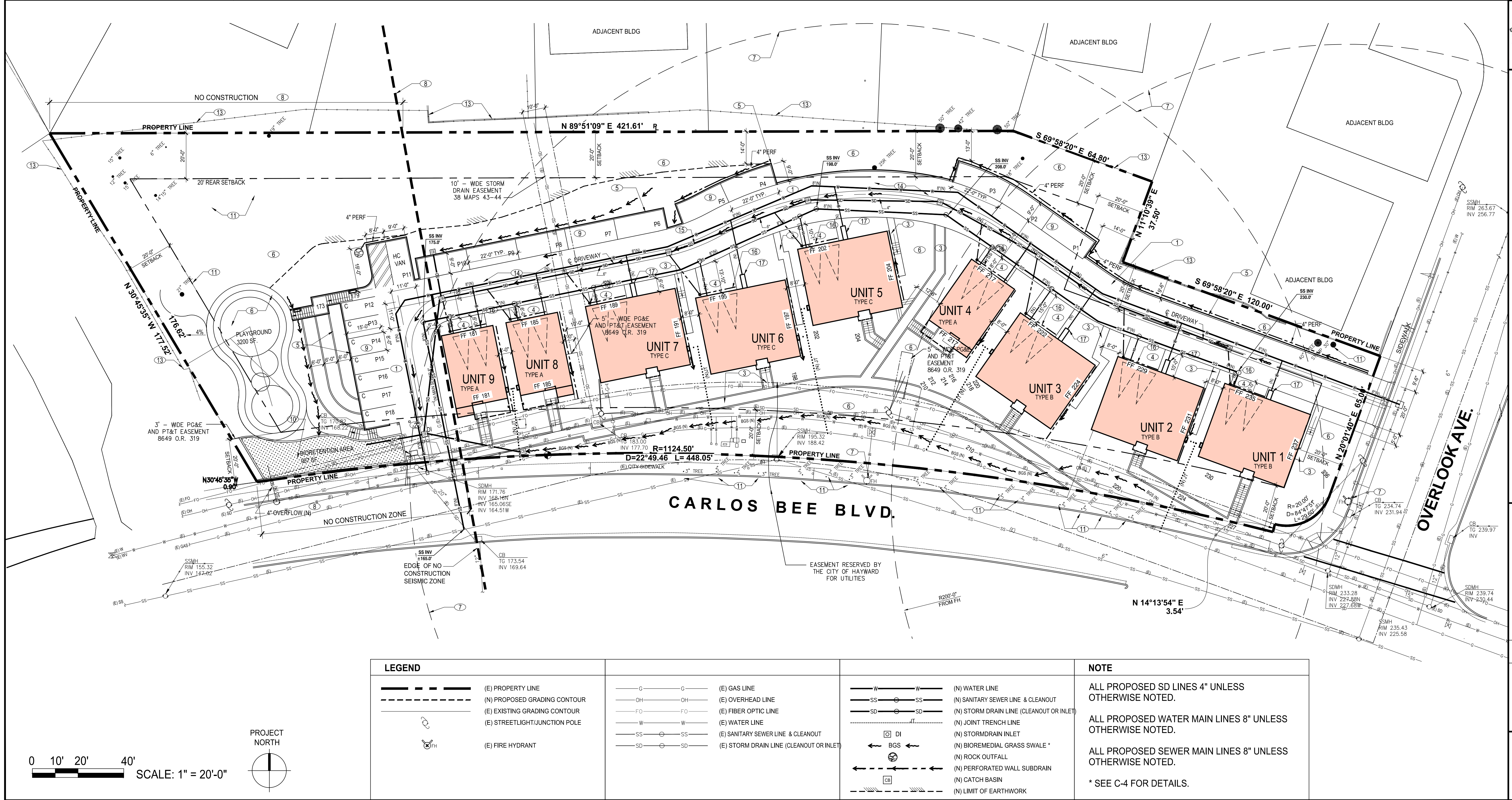
HAYWARD, CA

SITE UTILITY PLAN

23036 CARLOS BEE BLVD

No.	Date:	Scale:	AS NOTED	PD APPLICATION
10-3-19	10-3-19	AS NOTED	JCB	JCB
	Design:	JCB	KDA	JCB
	Drawn:	JCB	JCB	JCB
	Approved:	JCB	JCB	JCB
	Job No.	3138		

C-2





SHEET NOTES

1. FOR GENERAL NOTES, SYMBOLS AND ABBREVIATIONS, SEE A0  
2. PROPOSED GRADING AND UTILITIES, SEE CIVIL DWGS.  
3. PROPOSED LANDSCAPING, SEE LANDSCAPE DWGS.  
4. THE LOT EXISTING SLOPE IS: S = 2(5961)(100) / 55,185 = 21.6

KEY NOTES

- ① PROPOSED ASPHALT / 'GRADED PORTLAND CEMENT' DRIVEWAY FOR VEHICULAR ACCESS (SEE PROFILE, CIVIL C-3)  
② EMERGENCY ACCESS DRIVEWAY AND BARRIER TO CARLOS BEE BLVD (SEE PROFILE, CIVIL C-3)  
③ PROPOSED PEDESTRIAN PATHWAYS AND STAIRS AS NOTED  
④ PROPOSED CONCRETE DRIVEWAYS  
⑤ PROPOSED KEYSTONE RETAINING WALLS WITH VARYING HEIGHTS, MAX HEIGHT AT 3'-0", SEE CIVIL DWGS.  
⑥ PROPOSED LANDSCAPING, SEE LANDSCAPE DWGS. FOR DETAILS.  
⑦ EXISTING FIRE HYDRANT AND COVERAGE AREA  
⑧ PER SEISMIC REPORT, NO CONDITIONED SPACE TO BE CONSTRUCTED IN AREA AS NOTED  
⑨ PROPOSED UNCOVERED PARKING SPACE  
⑩ PROPOSED BIOSWALE, SEE CIVIL C-4  
⑪ EXISTING SIDEWALK TREES  
⑫ TURNING RADIUS FOR FIRE VEHICULAR ACCESS  
⑬ EXISTING FENCE / CONCRETE WALL TO REMAIN  
⑭ PROPOSED NEW GRADING  
⑮ DRIVEWAY SWALE FOR STORM WATER (WITH INLETS)  
⑯ PROPOSED TRENCH DRAIN IN FRONT OF THE GARAGE (TYP), DETAIL SEE C/ C-4, OR C/ 6 OF 6 (VTM)  
⑰ PROPOSED SEPARATE WATER SERVICE LINE AND METER FOR ADU.  
⑱ ALTERNATE LOCATION OF SANITARY SEWER SEE C-2A, OR 4A OF 6 (VTM)

Berry and Associates

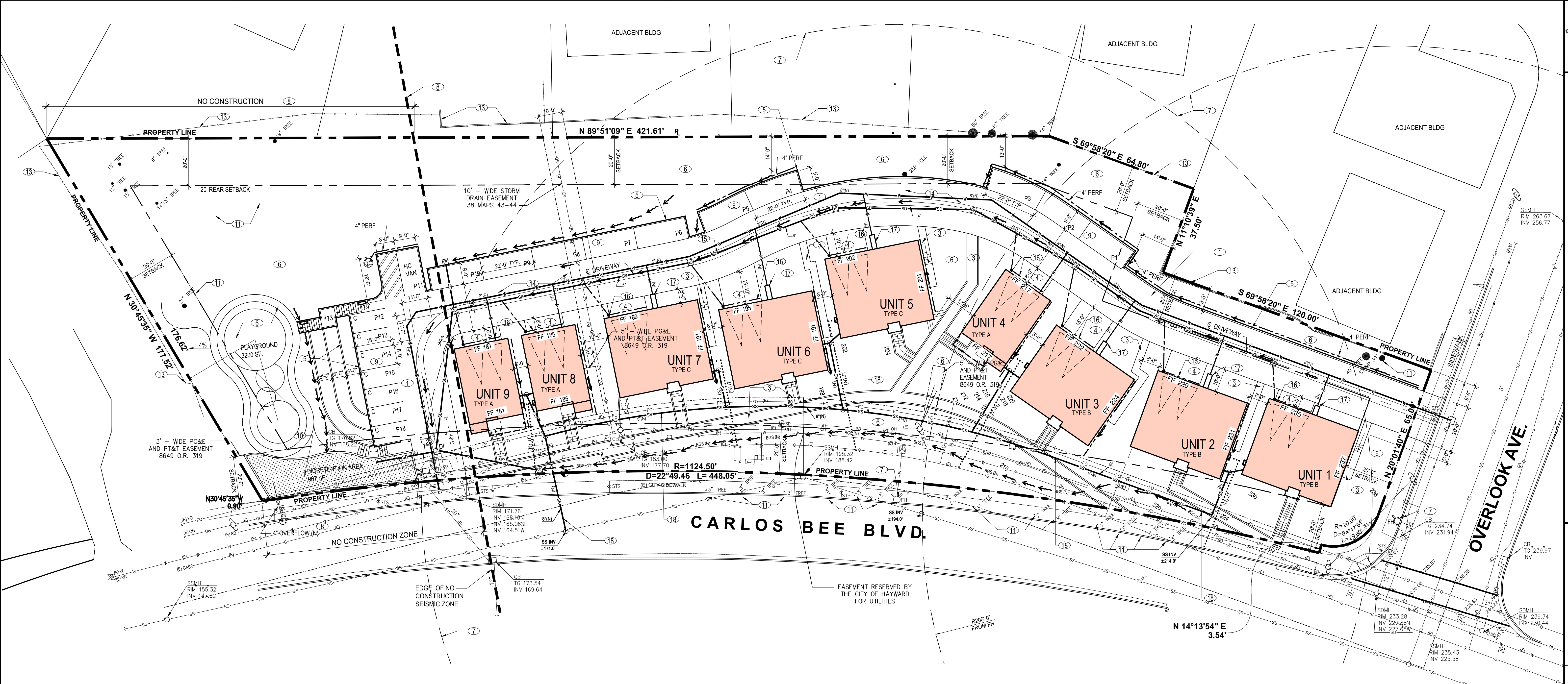
1733 Woodside Road, Suite 335  
Redwood City, CA 94061  
Phone: (650) 368-0750



HAYWARD, CA

SITE UTILITY PLAN (ALTERNATE)

23036 CARLOS BEE BLVD



LEGEND	
	(E) PROPERTY LINE
	(N) PROPOSED GRADING CONTOUR
	(E) EXISTING GRADING CONTOUR
	(E) STREETLIGHT/JUNCTION POLE
	(E) FIRE HYDRANT

	(E) GAS LINE
	(E) OVERHEAD LINE
	(E) FIBER OPTIC LINE
	(E) WATER LINE
	(E) SANITARY SEWER LINE & CLEANOUT
	(E) STORM DRAIN LINE (CLEANOUT OR INLET)

	(N) WATER LINE
	(N) SANITARY SEWER LINE & CLEANOUT
	(N) STORM DRAIN LINE (CLEANOUT OR INLET)
	(N) JOINT TRENCH LINE
	(N) STORMDRAIN INLET
	(N) BIOREMEDIAL GRASS SWALE *
	(N) ROCK OUTFALL
	(N) PERFORATED WALL SUBDRAIN
	(N) CATCH BASIN
	(N) LIMIT OF EARTHWORK

**NOTE**

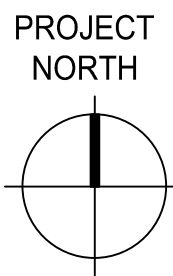
ALL PROPOSED SD LINES 4" UNLESS OTHERWISE NOTED.

ALL PROPOSED WATER MAIN LINES 8" UNLESS OTHERWISE NOTED.

ALL PROPOSED SEWER MAIN LINES 8" UNLESS OTHERWISE NOTED.

\* SEE C-4 FOR DETAILS.

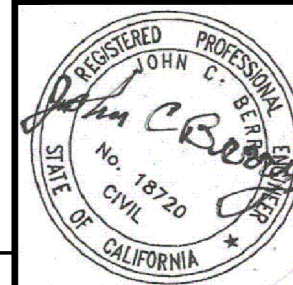
0 10' 20' 40'  
SCALE: 1" = 20'-0"



No.	Date:	Scale:	AS NOTED	PD APPLICATION
10-3-19	10-3-19	AS NOTED	JCB	JCB
	Design:	JCB	KDA	JCB
	Drawn:	JCB	JCB	JCB
	Approved:	JCB	JCB	JCB
	Job No.	3138		
	Drawing Number:			

C-2A

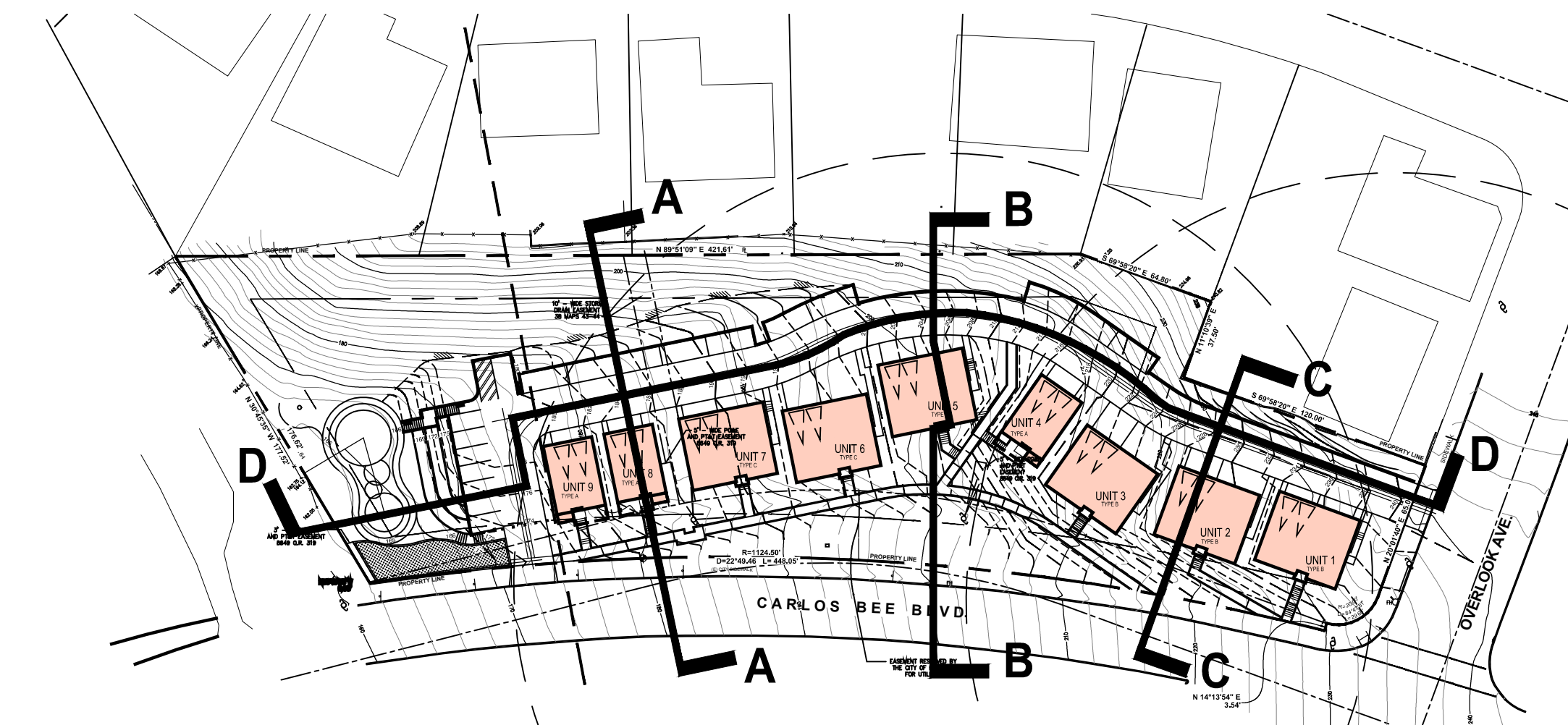




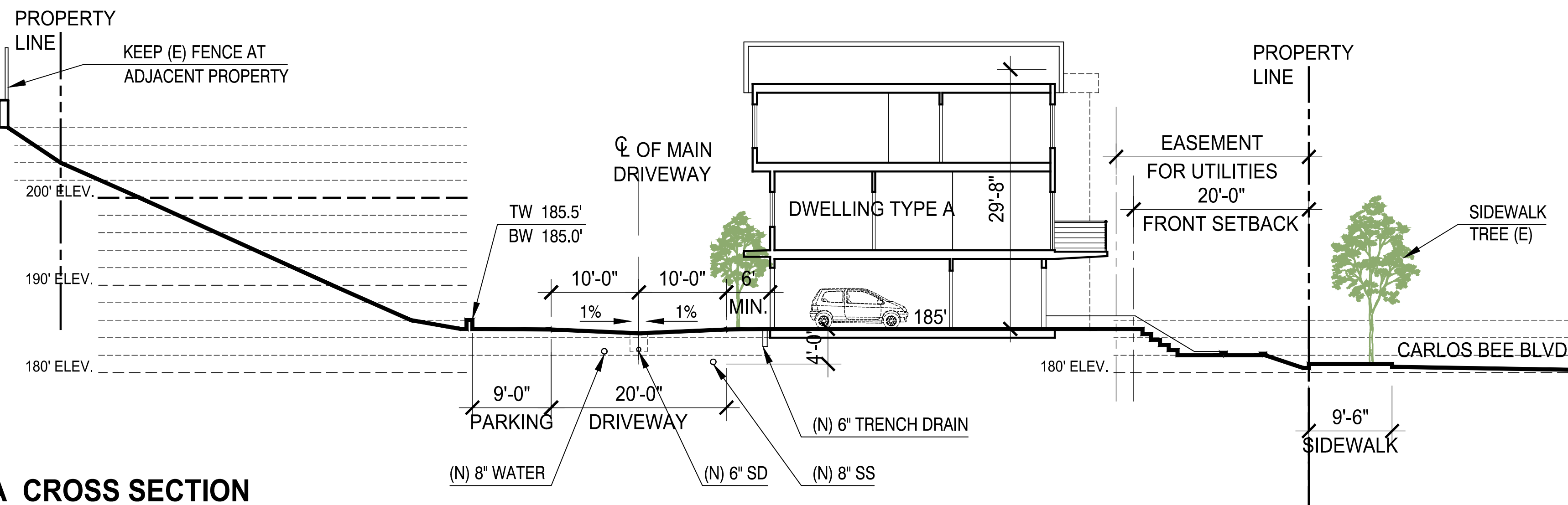
Revisions		No.	Date
10-3-19	AS NOTED		
PD APPLICATION	JCB		
Design:	KDA		
Drawn:	JCB		
Approved:	JCB		
Job No.	3138		

Drawing Number:

C-3

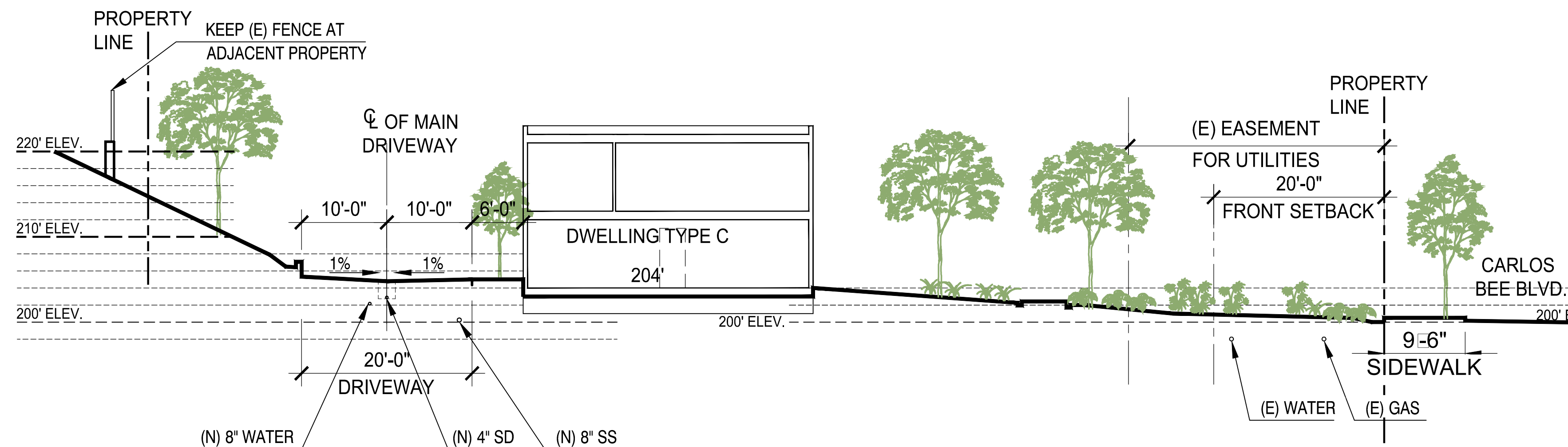


**CROSS SECTIONS ON SITE PLAN**



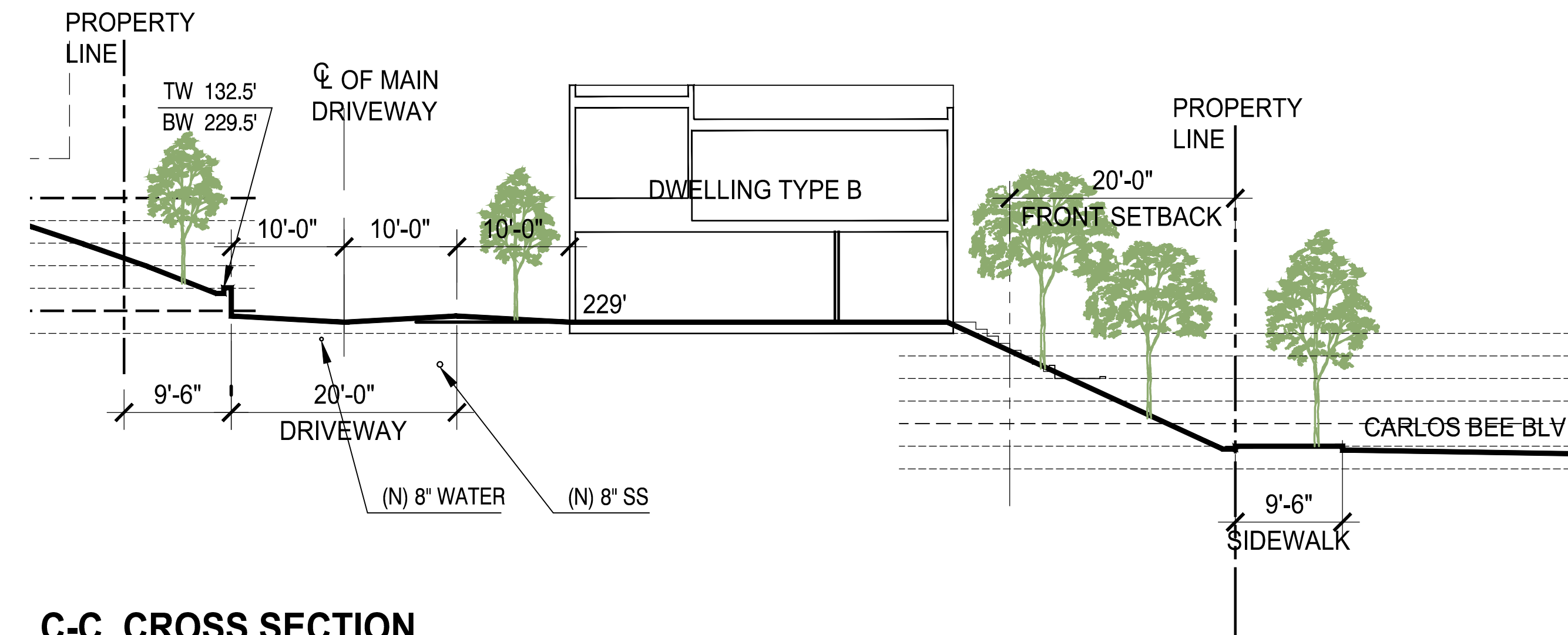
**A-A CROSS SECTION**

SCALE: 1" = 10'-0"



**B-B CROSS SECTION**

SCALE: 1" = 10'-0"

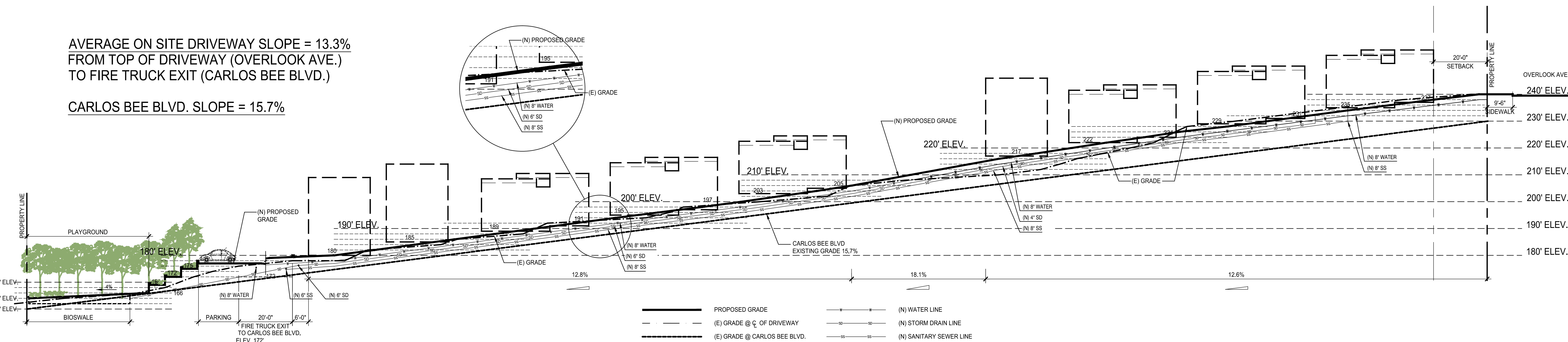


**C-C CROSS SECTION**

SCALE: 1" = 10'-0"

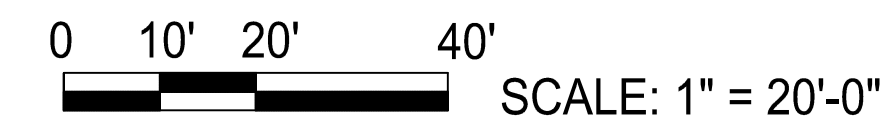
AVERAGE ON SITE DRIVEWAY SLOPE = 13.3%  
FROM TOP OF DRIVEWAY (OVERLOOK AVE.)  
TO FIRE TRUCK EXIT (CARLOS BEE BLVD.)

CARLOS BEE BLVD. SLOPE = 15.7%

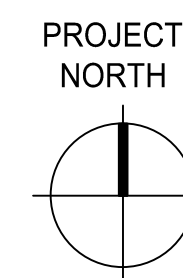


**D-D PROFILE ALONG THE CENTER LINE OF THE DRIVEWAY**

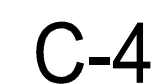
SCALE: 1" = 20'-0"







\* — W — W (N) WATER LINE  
\* — SS — SS (N) SANITARY SEWER LINE & CLEANOUT  
\* — SD — SD (N) STORM DRAIN LINE (CLEANOUT OR INLET)  
\* — JT — (N) JOINT TRENCH LINE  
□ DI (N) STORMDRAIN INLET  
← BGS ← (N) BIOREMEDIAL GRASS SWALE \*  
⊗ (N) ROCK OUTFALL  
← ← ← ← ← (N) PERFORATED WALL SUBDRAIN  
□ CB (N) CATCH BASIN  
--- (N) LIMIT OF EARTHWORK







ZALMAN INVESTMENTS, LLC

5	11/12/19	PUD SUBMITTAL	AK	RLA			
4	4/20/18	PUD SUBMITTAL	AK	RLA			
3	3/14/18	PUD SUBMITTAL	AK	RLA			
2	2/22/18	PUD SUBMITTAL	JW	SK			
1	8/16/17	PRE-APP MTG	JW	SK			
No.	DATE	DESCRIPTION	BY	CKD			
SCALE		SHEET					
KD PROJ. NO.		L1.1					
2.1603							



0 10' 20' 40' SCALE: 1" = 20'-0"

Tree No.	Species	Trunk Diameter (in.)	Protected Tree	Disp.	Comments	Tree No.	Species	Trunk Diameter (in.)	Protected Tree	Disp.	Comments
120	Loquat	5,5	No	Remove	10' from wall; low suit	162	Arroyo willow	8,7	Yes	Con. Remove	Low suit
121	Monterey cypress	45	Yes	Remove	10' from wall	163	Arroyo willow	8,8,6	Yes	Con. Remove	Low suit
122	Coast live oak	15,9	Yes	Remove	Next to retaining wall	164	Arroyo willow	10,7,6	Yes	Con. Remove	Low suit
123	Coast live oak	12,11	Yes	Remove	10' from wall	165	Arroyo willow	13	Yes	Con. Remove	Low suit
124	Italian cypress	6,4,3	No	Remove	Next to retaining wall	166	Arroyo willow	7	No	Con. Remove	Low suit
125	Italian cypress	7,2	No	Remove	Next to retaining wall	167	Arroyo willow	6	No	Con. Remove	Low suit
126	Italian cypress	6,5	No	Remove	Next to retaining wall	168	Arroyo willow	13,12,7,6,6	Yes	Con. Remove	Low suit
127	Plum	7,6,6,5,5,4	No	Remove	10' from construction; low suit	169	Loquat	7,6	No	Remove	8' from construction; low suit
128	Plum	5,4,3,3,2,2,2	No	Remove	Adjacent to retaining wall; low suit	170	Apricot	6	No	Remove	20' from construction; low suit
129	Almond	5,5,5	No	Remove	In roadway; low suit	171	Yellow willow	26	Yes	Remove	2' from curb
130	Almond	8,8,7,6,5,5	Yes	Con. Remove	Low suit	172	Arroyo willow	10,7,6	Yes	Remove	In home; low suit
131	Almond	5,4,3,3,2,2,2	No	Con. Remove	Low suit	173	Monterey pine	20,8	Yes	Preserve	80' from construction; low suit
132	Almond	12	Yes	Remove	5' from home; low suit	174	Almond	5,4	No	Preserve	80' from construction; low suit
133	Almond	5,2	No	Remove	1' from home; low suit	175	Coast live oak	5,4	No	Preserve	80' from construction
134	Plum	5,5,4	No	Remove	5' from wall; low suit	176	Almond	6	No	Preserve	80' from construction; low suit
135	Almond	7,7,7,6,5	No	Remove	30' from construction; low suit	177	Coast live oak	18,10	Yes	Preserve	80' from construction
136	Italian stone pine	19	Yes	Preserve	30' from construction	178	Coast live oak	15	Yes	Preserve	80' from construction
137	Blue gum	50	Yes	Preserve	25' from construction; low suit	179	Coast live oak	13,6	Yes	Preserve	80' from construction
138	Blue gum	42	Yes	Preserve	25' from construction; low suit	180	Coast live oak	13,9	Yes	Preserve	80' from construction
139	Blue gum	52	Yes	Preserve	25' from construction; low suit	181	Mexican fan palm	19	Yes	Remove	80' from construction
140	Blue gum	27,6	Yes	Remove	8' from construction; low suit	182	Coast live oak	28	Yes	Preserve (?)	80' from construction
141	Blue gum	16	Yes	Remove	In roadway; low suit	183	Blue gum	55,23	No	Preserve	80' from construction
142	Arroyo willow	7	No	Remove	In roadway; low suit	184	Blue gum	48	Yes	Preserve	80' from construction
143	Arroyo willow	5	No	Remove	In roadway; low suit	185	Coast live oak	18	Yes	Preserve (?)	5-10' from construction
144	Arroyo willow	9	Yes	Remove	6' from construction; low suit	186	English oak	3	Yes	Preserve	In parkway
145	Loquat	5	No	Remove	In roadway	187	English oak	4	Yes	Preserve	In parkway
146	Loquat	5,3,3	No	Remove	In roadway; low suit	188	English oak	4	Yes	Preserve	In parkway
147	Arroyo willow	5	No	Remove	In roadway; low suit	189	English oak	4	Yes	Preserve	In parkway
148	Arroyo willow	5	No	Remove	In roadway; low suit	190	English oak	3	Yes	Preserve	In parkway
149	Arroyo willow	12,6	Yes	Remove	In roadway; low suit	191	English oak	3	Yes	Preserve	In parkway
150	Blue gum	24	Yes	Con. Remove	Low suit	192	English oak	4	Yes	Preserve	In parkway
151	Arroyo willow	12,6	Yes	Remove	In roadway; low suit	193	English oak	3	Yes	Preserve	In parkway
152	Arroyo willow	14	Yes	Remove	In roadway; low suit	194	English oak	2	Yes	Preserve	In parkway; low suit
153	Blue gum	33	Yes	Remove	In roadway; low suit	195	English oak	3	Yes	Preserve	In parkway
154	Arroyo willow	15,13,10	Yes	Con. Remove	Low suit	196	English oak	3	Yes	Preserve	In parkway
155	Arroyo willow	13,9,7,7,5	Yes	Con. Remove	Low suit	197	English oak	5	No	Preserve	In parkway
156	Arroyo willow	24	Yes	Remove	4' from home; low suit	198	English oak	4	Yes	Preserve	In parkway
157	Arroyo willow	17	Yes	Remove	In home; low suit	199	English oak	4	Yes	Preserve	In parkway
158	Coast live oak	13	Yes	Remove	5' from home; low suit	200	English oak	4	Yes	Preserve	In parkway
159	Arroyo willow	13,11,7	Yes	Con. Remove	Low suit	201	Australian bush cherry	8,7,5	Yes	Remove	5' from home; low suit
160	Toyon	7	No	Remove	In home; low suit	202	Hollywood juniper	12	Yes	Remove	4' from home
161	Arroyo willow	7,6	No	Con. Remove	Low suit	203	Sweetgum	18	Yes	Remove	1' from driveway



TREE VALUE TO BE REMOVED

UPDATED November 12, 2019

Tree No.	Species	Trunk Diameter (in.)	Protected Tree	Disp.	Cost
120	Loquat	5,5	No	Remove	\$ 600.00
121	Monterey cypress	45	Yes	Remove	\$ 27,400.00
122	Coast live oak	15,9	Yes	Remove	\$ 3,750.00
123	Coast live oak	12,11	Yes	Remove	\$ 3,250.00
124	Italian cypress	6,4,3	No	Remove	\$ 450.00
125	Italian cypress	7,2	No	Remove	\$ 400.00
126	Italian cypress	6,5	No	Remove	\$ 450.00
127	Plum	7,6,6,6,5,5,4	No	Remove	\$ 1,100.00
128	Plum	5,4,3,3,2,2,2,	No	Remove	\$ 400.00
129	Almond	5,5,5	No	Remove	\$ 300.00
132	Almond	12	Yes	Remove	\$ 600.00
133	Almond	5,2	No	Remove	\$ 150.00
134	Plum	5,5,4	No	Remove	\$ 450.00
135	Almond	7,7,7,6,5	No	Remove	\$ 750.00
140	Blue gum	27,6	Yes	Remove	\$ 1,300.00
141	Blue gum	16	Yes	Remove	\$ 450.00
142	Arroyo willow	7	No	Remove	\$ 200.00
143	Arroyo willow	5	No	Remove	\$ 100.00
144	Arroyo willow	9	Yes	Remove	\$ 350.00
145	Loquat	5	No	Remove	\$ 300.00
146	Loquat	5,3,3	No	Remove	\$ 450.00
147	Arroyo willow	5	No	Remove	\$ 100.00
148	Arroyo willow	5	No	Remove	\$ 100.00
149	Arroyo willow	12,6	Yes	Remove	\$ 750.00
151	Arroyo willow	12,6	Yes	Remove	\$ 750.00
152	Arroyo willow	14	Yes	Remove	\$ 800.00
153	Blue gum	33	Yes	Remove	\$ 3,050.00
156	Arroyo willow	24	Yes	Remove	\$ 2,350.00
157	Arroyo willow	17	Yes	Remove	\$ 1,200.00
158	Coast live oak	13	Yes	Remove	\$ 1,850.00
160	Toyon	7	No	Remove	\$ 200.00
169	Loquat	7,6	No	Remove	\$ 550.00
170	Apricot	6	No	Remove	\$ 250.00
171	Yellow willow	26	Yes	Remove	\$ 4,050.00
172	Arroyo willow	10,7,6	Yes	Remove	\$ 850.00
181	Mexican fan palm	19	Yes	Remove	\$ 625.00
201	Australian bush che	8,7,5	Yes	Remove	\$ 950.00
202	Hollywood juniper	12	Yes	Remove	\$ 1,000.00
203	Sweetgum	18	Yes	Remove	\$ 4,100.00
TOTAL					\$ 66,725.00

TREE MITIGATION PLAN

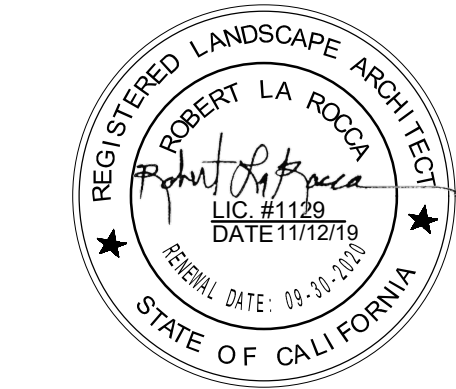
THESE INCLUDE SUCH TREES ABOVE AND BEYONG PROVIDING REQUIRED TREES SUCH AS STREET TREES, FRONT YARDS TREES, PARKING SHADE TREES AND SCREENING TREES.

TREES	QUANTIT	BOTANICAL	COMMON	CONTAIN	UNIT COST	SUB
LAG IND	1	LAGERSTROEMIA INDICA	CRAPE MYRTLE	24" BOX	\$ 375.00	\$ 375.00
LOP CON	9	LOPHOSTEMON CONFERTUS	BRISBANE BOX	15 GAL	\$ 175.00	\$ 1,575.00
PIS CHI	8	PISTACIA CHINENSIS	CHINESE PISTACHE	15 GAL	\$ 175.00	\$ 1,400.00
PLA ACE	5	PLATANUS ACERIFOLIA	LONDON PLANETREE	24"BOX	\$ 375.00	\$ 1,875.00
PRU AKE	9	PRUNUS × YEDOENSIS 'AKEBO	AKEBONO YOSHINO CHERRY	15 GAL	\$ 175.00	\$ 1,575.00
PRU PIS	9	PRUNUS CERA SIFERA 'PISSARI	PURPLE-LEAVED PLUM	24"BOX	\$ 375.00	\$ 3,375.00
PRU PIS	6	PRUNUS CERA SIFERA 'PISSARI	PURPLE-LEAVED PLUM	15 GAL	\$ 175.00	\$ 1,050.00
STY JAP	40	STYPHNOLOBIUM JAPONICUM	JAPANESE PAGODA TREE	15 GAL	\$ 175.00	\$ 7,000.00
GRAND TOTAL					\$ 18,225.00	

TREE VALUE TO BE REMOVED BASED ON THEIR CONDITION

UPDATED November 12, 2019

Tree No.	Species	Trunk Diameter (in.)	Protected	Disp.	Cost
130	Almond	8,8,7,6,5,5	Yes	Con. Remove	\$ 300.00
131	Almond	5,4,3,3,2,2,2	No	Con. Remove	\$ 100.00
150	Blue gum	24	Yes	Con. Remove	\$ 1,650.00
154	Arroyo willow	15,13,10	Yes	Con. Remove	\$ 650.00
155	Arroyo willow	13,9,7,7,5	Yes	Con. Remove	\$ 450.00
159	Arroyo willow	13,11,7	Yes	Con. Remove	\$ 450.00
161	Arroyo willow	7,6,	No	Con. Remove	\$ 100.00
162	Arroyo willow	8,7	Yes	Con. Remove	\$ 150.00
163	Arroyo willow	8,8,6	Yes	Con. Remove	\$ 250.00
164	Arroyo willow	10,7,6	Yes	Con. Remove	\$ 250.00
165	Arroyo willow	13	Yes	Con. Remove	\$ 250.00
166	Arroyo willow	7	No	Con. Remove	\$ 50.00
167	Arroyo willow	6	No	Con. Remove	\$ 50.00
168	Arroyo willow	13,12,7,6,6	Yes	Con. Remove	\$ 550.00
TOTAL					\$ 5,250.00



25036-25096 CARLOS BEE BLVD  
HAYWARD, CALIFORNIA  
ZALMAN INVESTMENTS, LLC

TREE INVENTORY AND MITIGATION CHARTS

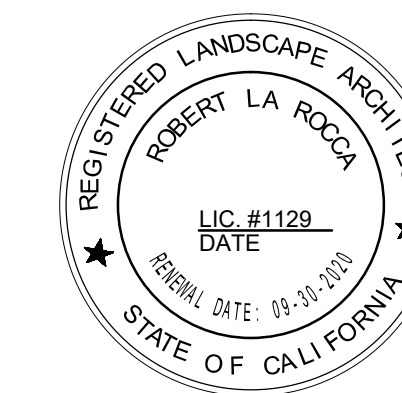
No.	DATE	DESCRIPTION	BY	CKD
5	11/12/19	PUD SUBMITTAL	AK	RLA
4	4/20/18	PUD SUBMITTAL	AK	RLA
3	3/14/18	PUD SUBMITTAL	AK	RLA
2	2/22/18	PUD SUBMITTAL	JW	SK
1	8/16/17	PRE-APP MTG	JW	SK
SCALE		SHEET		
KD PROJ. NO. 2,1603		L1.2		





**ROBERT LA ROCCA & ASSOCIATES**

URBAN DESIGN-LANDSCAPE ARCHITECTURE  
2434 Union Street,  
San Francisco, CA 94123  
Tel. No. (415) 777-5383  
Fax No. (415) 399-0244  
Email: robert@laroccadesign.com  
Web: www.laroccadesign.com

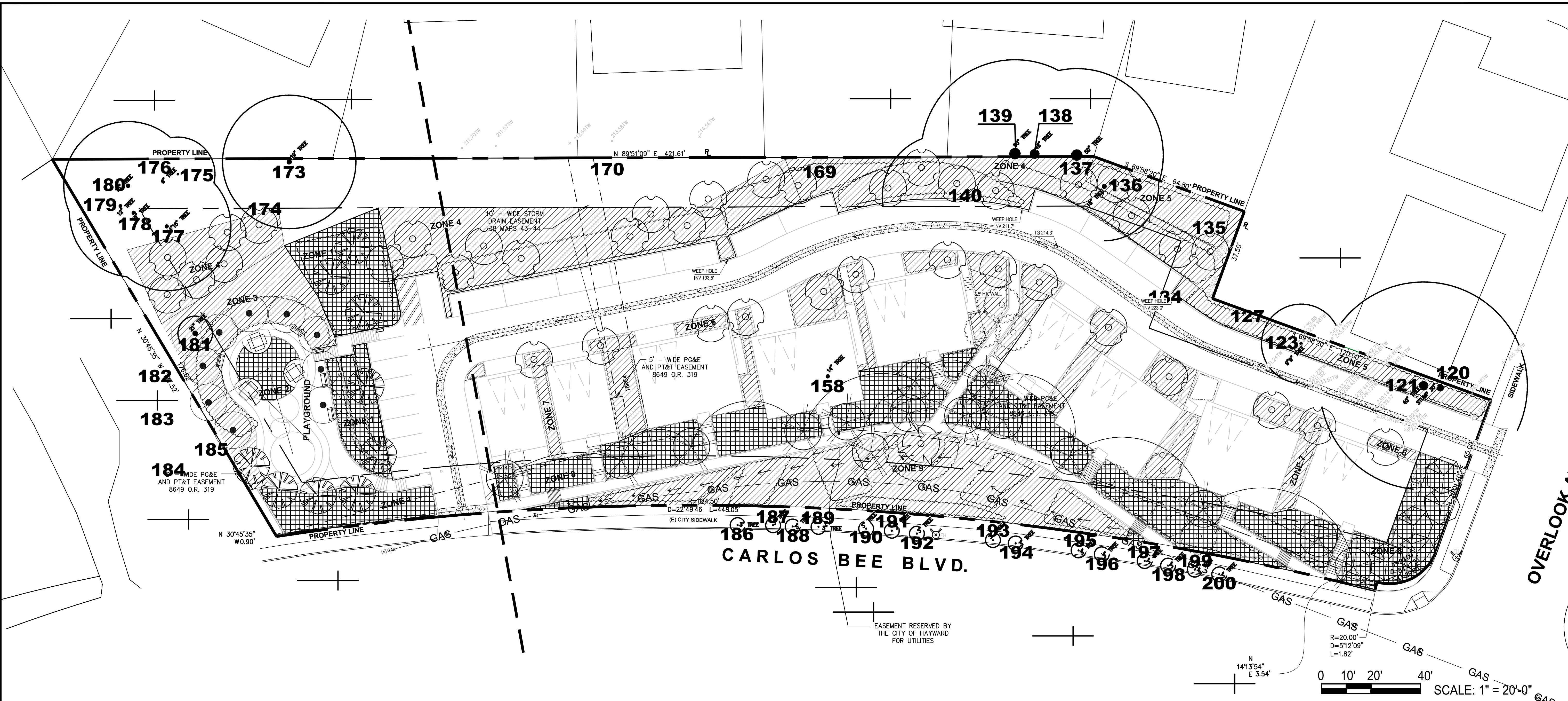


SEAL

**25036-25096 CARLOS BEE BLVD**  
**HAYWARD, CALIFORNIA**  
**ZALMAN INVESTMENTS, LLC**

## HYDROZONE PLAN

No.	DATE	DESCRIPTION	BY	CKD
6	7/22/19	PD APPLICATION	AK	RLR
5	4/30/19	PD APPLICATION	AK	RLR
4	1/10/18	PD APPLICATION	AK	RLR
3	10/3/18	PD APPLICATION	AK	RLR
2	4/24/18	PD APPLICATION	AK	RLR
1	8/16/17	PRE-APP MTG	AK	RLR
SCALE SHEET				
KD PROJ. NO. 2.1701				<b>L1.3</b>



### PROJECT INFORMATION:

PROJECT APPLICANT: Kodama Diseno Architects  
CONTACT INFORMATION: 570-10th St. Suite 2 , Oakland CA  
510.986.0696 ext. 13; jwong@kodamadiseno.com

PROPERTY OWNER: Zalman Investments LLC, contact Zohreh Gharaati  
CONTACT INFORMATION: 4901 Rue Calais, San Jose CA 95136  
408-540-4225 ; zgharaati@gmail.com

PROJECT ADDRESS: 25036-25096 CARLOS BEE BLVD., HAYWARD, CA  
PLANNING PERMIT NO: Application # 201802159  
PROJECT NAME: 25036-25096 Carlos Bee Blvd  
BUILDING PERMIT NO: not applicable

DATE PREPARED: 04-09-2019

PROJECT TYPE: MULTI-FAMILY RESIDENTIAL NEW 9 OF UNITS  
WATER SUPPLY TYPE: PORTABLE, CITY OF HAYWARD  
TOTAL IRRIGATED LANDSCAPING AREA: 32,678 SQFT  
TOTAL PROJECT SIZE: 71,513 SQFT

I AGREE TO COMPLY WITH THE REQUIREMENTS OF THE WATER EFFICIENT LANDSCAPE ORDINANCE AND SUBMIT A COMPLETE LANDSCAPE DOCUMENTATION PACKAGE.

LANDSCAPE ARCHITECT SIGNATURE

DATE

Reference Evapotranspiration (ETo)		44.2 HAYWARD					
ETWU requirement		ETWU requirement	ETWU requirement	ETWU requirement	MAWA requirement	ETWU requirement	Estimated Total Water Use (ETWU)
Hydrozone#/Planting Description	Plant Factor (PF)	Irrigation Method	Irrigation Efficiency (IE)	ETAF (PF/IE)	Landscape Area (LA) (sq. ft.)	ETAF x Area	
<b>Regular Landscape Areas</b>							
1) MOD WATER USE PLANTS	0.5	Overhead Spray	0.625	0.800	3,229	2,583	70,790
2) WARM SEASON TURF	0.6	Drip	0.85	0.706	370	261	7,157
3) LOW WATER USE PLANTS	0.2	Drip	0.85	0.235	2,207	519	14,231
4) LOW WATER USE PLANTS	0.2	Overhead Spray	0.625	0.320	8,664	2,772	75,977
5) LOW WATER USE PLANTS	0.2	Drip	0.85	0.235	2,138	503	13,786
6) LOW WATER USE PLANTS	0.2	Drip	0.85	0.235	2,273	535	14,656
7) LOW WATER USE PLANTS	0.2	Drip	0.85	0.235	2,411	567	15,546
8) MOD WATER USE PLANTS	0.5	Drip	0.85	0.588	6,925	4,074	111,631
9) LOW WATER USE PLANTS	0.2	Overhead Spray	0.625	0.320	4,461	1,428	39,120
Totals					32,678	13,242	362,894
Estimated Total Water Use (ETWU)						362,894	
Maximum Allowed Water Allowance (MAWA)						402,979	

Plant Water Use Type	Plant Factor	Irrigation method	Irrigation Efficiency	ETAF Calculations	
very low	0-0.1	overhead spray	0.625	Regular Landscape Areas	
low	0.1-0.3	drip	0.85	Total ETAF x Area	13,242
medium	0.4-0.6			Total Area	32,678
high	0.7-1.0			Average ETAF	0.41
All Landscape Areas					
Total ETAF x Area				13,242	
Total Area				32,678	
Sitewide ETAF				0.41	

Average ETAF for regular landscape areas must be 0.55 or below for residential areas, and 0.45 or below for non-residential areas.





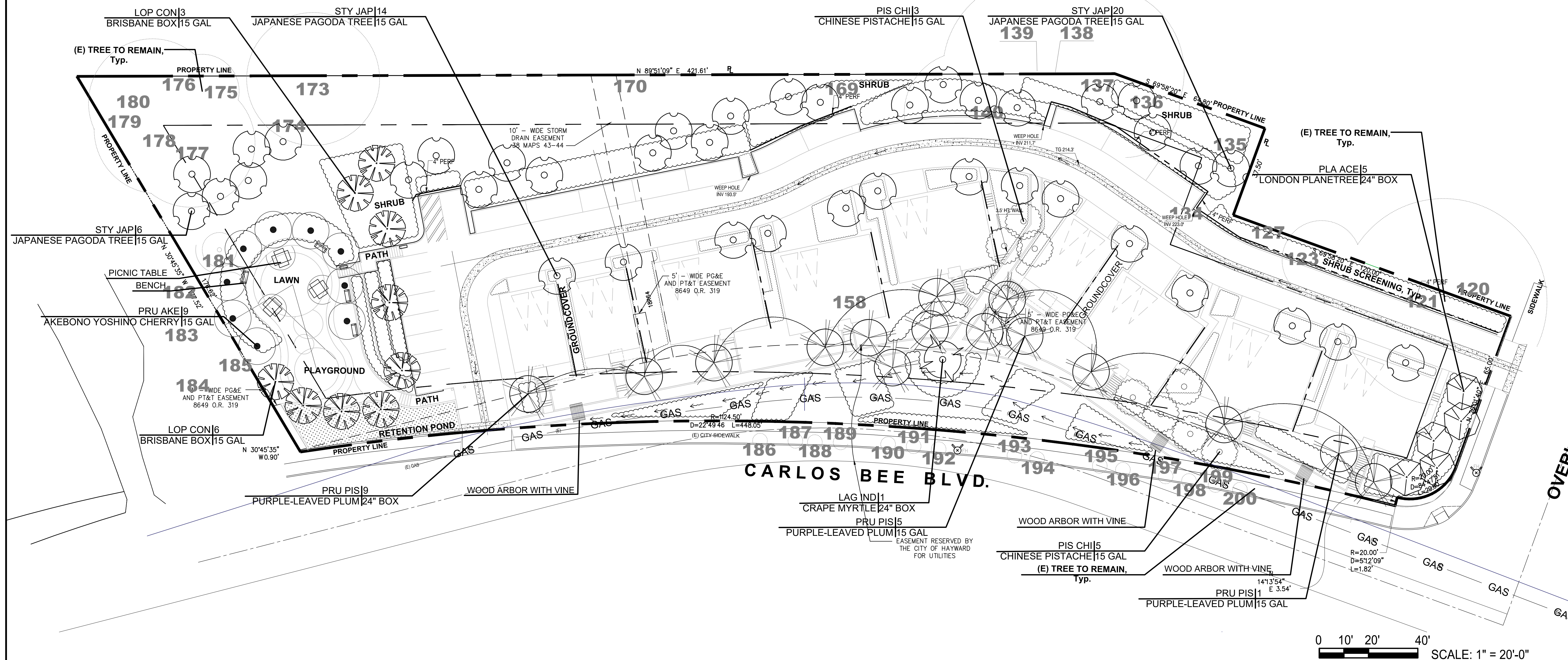
REGISTERED LANDSCAPE ARCHITECT  
ROBERT LA ROCCA  
LIC. #1129  
DATE  
RENEWAL DATE: 09-30-2023  
STATE OF CALIFORNIA

66-25096 CARLOS BEE BLVD  
HAYWARD, CALIFORNIA  
ZALMAN INVESTMENTS, LLC

# LANDSCAPE PLAN - I SCHEMATIC

No.	DATE	DESCRIPTION	BY	CKD
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SCALE	SHEET
KD PROJ. NO. 2.1701	<b>L2.1</b>







25036-25096 CARLOS BEE BLVD  
HAYWARD, CALIFORNIA  
ZALMAN INVESTMENTS, LLC

# LANDSCAPE PLAN - II SCHEMATIC

6	7/22/19	PD APPLICATION	AK	R/LR	
5	4/30/19	PD APPLICATION	AK	R/LR	
4	1/10/18	PD APPLICATION	AK	R/LR	
3	10/3/18	PD APPLICATION	AK	R/LR	
2	4/24/18	PD APPLICATION	AK	R/LR	
1	8/16/17	PRE-APP MTG	AK	R/LR	
No.	DATE	DESCRIPTION	BY	CKD	
SCALE		SHEET			
KD PROJ. NO.		<b>L2.2</b>			
2.1701					







ROBERT LA ROCCA  
& ASSOCIATES

URBAN DESIGN-LANDSCAPE  
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SEAL

25036-25096 CARLOS BEE BLVD  
HAYWARD, CALIFORNIA  
ZALMAN INVESTMENTS, LLC

LANDSCAPE  
PLANT LIST

6	7/22/19	PD APPLICATION	AK	RLR	
5	4/30/19	PD APPLICATION	AK	RLR	
4	1/10/18	PD APPLICATION	AK	RLR	
3	10/3/18	PD APPLICATION	AK	RLR	
2	4/24/18	PD APPLICATION	AK	RLR	
1	8/16/17	PRE-APP MTG	AK	RLR	

No.	DATE	DESCRIPTION	BY	CKD
SCALE		SHEET		
KD PROJ. NO.		L2.3		
2.1701				

PLANTING NOTES

1. PLANT MATERIAL LOCATIONS SHOWN ARE DIAGRAMMATIC AND MAY BE SUBJECT TO CHANGE IN THE FIELD BY LANDSCAPE ARCHITECT.
2. GROUND COVER SYMBOLS ARE DIAGRAMMATIC ONLY. SEE GROUND COVER DETAIL FOR PLANT SPACING.
3. PLANT COUNT IS FOR CONTRACTOR'S CONVENIENCE. IN CASE OF DISCREPANCY, THE PLAN SHALL GOVERN.
4. LANDSCAPE CONTRACTOR SHALL REPORT ANY DISCREPANCIES IN THE PLAN TO THE LANDSCAPE ARCHITECT.
5. TREES SHALL BE PLANTED NO CLOSER THAN 3'-6" FROM EDGE OF CONCRETE PAVING.
6. PLANT SPACING HAS BEEN DETERMINED TO ATTAIN DESIRABLE IMPACT AT TIME OF PLANTING. BASED UPON FUTURE MAINTENANCE PRACTICES AND CHANGING ENVIRONMENTAL CONDITIONS, FUTURE THINNING OF PLANT MATERIAL SHALL OCCUR.
7. ALL NEWLY LANDSCAPED AREAS, SHALL RECEIVE 3" OF BARK MULCH PER SPECIFICATIONS.

LAYOUT NOTES

1. FIELD VERIFY ALL DIMENSIONS, EXISTING GRADES, EXISTING UTILITIES, EXISTING STRUCTURES AND ANY OTHER EXISTING CONDITIONS ON SITE.
2. INSURE THAT ALL LANDSCAPE AND PAVED AREAS HAVE POSITIVE DRAINAGE AWAY FROM ALL STRUCTURES AND ALL AREAS DRAIN TO STORM DRAINAGE. WHERE ANY CONDITION EXISTS THAT DOES NOT COMPLY IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE OWNER'S REPRESENTATIVE.
3. ALL WORK SHALL CONFORM TO THE CURRENT UNIFORM BUILDING CODE AND/OR APPLICABLE CITY AND COUNTY CODES.
4. ALL WORK SHALL BE IN COMPLIANCE WITH ALL APPLICABLE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (O.S.H.A) STANDARDS AS SET FORTH BY THE FEDERAL DEPARTMENT OF LABOR AND/OR THE STATE OF CALIFORNIA.
5. THE DRAWINGS SHALL NOT BE SCALED. ALL WORK SHALL BE GOVERNED BY THE LOCATION AND ELEVATIONS SHOWN ON THE DRAWINGS. DISCREPANCIES SHALL BE BROUGHT TO THE OWNER'S REPRESENTATIVES ATTENTION FOR ADJUSTMENT PRIOR TO PROCEEDING WITH THE WORK.
6. DETAILS OF CONSTRUCTION NOT INDICATED OR NOTED SHALL BE CONSIDERED OF THE SAME CHARACTER SHOWN FOR SIMILAR OR EXISTING CONDITION.
7. CONTRACTOR SHALL PROVIDE 48 HOURS ADVANCE NOTICE TO THE OWNER'S REPRESENTATIVE FOR REQUESTED INSPECTIONS.
8. CONTRACTOR SHALL BE RESPONSIBLE FOR KEEPING ACCESS TO AREA OF WORK AND ADJACENT AREAS OPEN TO THE OWNER'S REPRESENTATIVE AT ALL TIMES.
9. THE OFFICE OF ROBERT LA ROCCA IS NOT RESPONSIBLE FOR ANY UNAUTHORIZED DEVIATION FROM THE PLANS AS SHOWN.
10. CONTRACTOR IS RESPONSIBLE TO PROTECT ALL TREES, STRUCTURES, LANDSCAPE, SITE ELEMENTS, ETC. AS NECESSARY TO PREVENT DAMAGE THROUGH THE DURATION OF THE PROJECT. CONTRACTOR IS RESPONSIBLE TO REPLACE ANY DAMAGED ITEMS.
11. ANY LINE WORK DISCREPANCIES SHALL BE BROUGHT TO THE OWNER'S REPRESENTATIVES ATTENTION FOR CLARIFICATION, ADJUSTMENT PRIOR TO PROCEEDING WITH THE WORK.
12. THESE GENERAL NOTES APPLY TO ALL OTHER DRAWINGS IN THIS SET BY THE OFFICE OF ROBERT LA ROCCA AND ASSOCIATES.

I HAVE COMPLIED WITH THE CRITERIA OF CITY OF HAYWARD BAY FRIENDLY WATER EFFICIENT LANDSCAPE ORDINANCE AND APPLIED THEM FOR THE EFFICIENT USE OF WATER IN THE LANDSCAPE AND IRRIGATION DESIGN PLAN.

LANDSCAPE ARCHITECT SIGNATURE

DATE

PLANT LIST

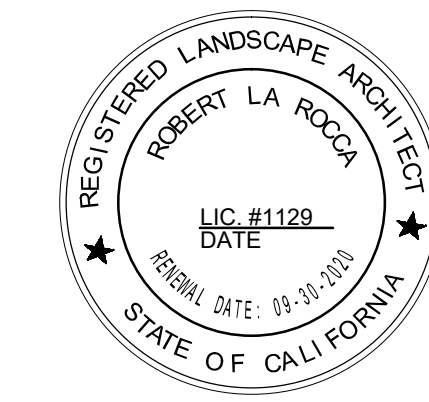
TREES	QUANTITY	BOTANICAL	COMMON	CONTAINER SIZE	HEIGHT X SPREAD	WUCOLS	RETENTION POND PLANTS	QUANTITY	BOTANICAL	COMMON	CONTAINER SIZE	REMARKS	WUCOLS
LAG IND	1	LAGERSTROEMIA INDICA	CRAPPE MYRTLE	24" BOX	30'x15'	LOW	CAR MOR		CAREX MORROWII 'AUREA-VARIEGATA'	VARIEGATED JAPANESE SEDGE	1 GAL	2' O.C.	MODERATE
LOP CON	9	LOPHOSTEMON CONFERTUS	BRISBANE BOX	15 GAL	30'x10'	MODERATE	EQU		EQUISETUM	HORSETAIL	1 GAL	2' O.C.	HIGH
PIS CHI	8	PISTACIA CHINENSIS	CHINESE PISTACHE	15 GAL	25'x15'	LOW	FES CAL		FESTUCA CALIFORNICA	CALIFORNIA FESCUE	1 GAL	2' O.C.	LOW
PLA ACE	5	PLATANUS ACERIFOLIA	LONDON PLANETREE	24"BOX	30'x20'	MODERATE	IRI PSE		IRIS PSEUDACORUS	YELLOW FLAG	1 GAL	2' O.C.	HIGH
PRU AKE	9	PRUNUS x YEDOENSIS 'AKEBONO'	AKEBONO YOSHINO CHERRY	15 GAL	20'x15'	LOW	IRI SET		IRIS SETOSA	BEACHHEAD IRIS	1 GAL	2' O.C.	HIGH
PRU PIS	9	PRUNUS CERASIFERA 'PISSARDII'	PURPLE-LEAVED PLUM	24"BOX	25'x20'	MODERATE	LAV ANG		LAVANDULA ANGUSTIFOLIA	ENGLISH LAVENDER	1 GAL	2' O.C.	LOW
PRU PIS	6	PRUNUS CERASIFERA 'PISSARDII'	PURPLE-LEAVED PLUM	15 GAL	25'x20'	MODERATE	PEN EAT		PENNISETUM 'EATON CANYON'	DWARF RED FOUNTAIN GRASS	1 GAL	2' O.C.	MODERATE
STY JAP	40	STYPHNOLOBIUM JAPONICUM	JAPANESE PAGODA TREE	15 GAL	25'x15'	LOW	WOO RAD		WOODWARDIA RADICANS	EUROPEAN CHAIN FERN	1 GAL	2' O.C.	HIGH
SHRUBS	QUANTITY	BOTANICAL	COMMON	CONTAINER SIZE	SPREAD*	WUCOLS	GROUNDCOVERS	QUANTITY	BOTANICAL	COMMON	CONTAINER SIZE	SPACING	WUCOLS
AGA AFR		AGAPANTHUS AFRICANUS	LILY-OF-THE-NILE, BLUE	5 GAL	3'	MODERATE	ARC UVA		ARCTOSTAPHYLOS UVA-URSI 'POINT REYES'	POINT REYES' MANZANITA	1 GAL		LOW
CIS INC		CISTUS INCANUS SSP. CRETICUS	PINK ROCKROSE	5 GAL	5'	LOW	BAC PIL		BACCHARIS PILULARIS CVS.	DWARF COYOTE BRUSH	1 GAL		LOW
ELA PUN		ELAEAGNUS PUNGENS	SILVERBERRY	5 GAL	10'	LOW	CEA THY		CEANOTHUS THYRSIFLORUS VAR. GRISEUS 'YANKEE POINT'	YANKEE POINT CEANOTHUS	1 GAL		LOW
LAN CAM		LANTANA CAMARA	LANTANA	5 GAL	6'	LOW	COP KIR		COPROSMA X KIRKII	CREEPING COPROSMA	1 GAL		LOW
LAV DEN		LAVANDULA DENTATA	FRENCH LAVENDER	5 GAL	3'	LOW	MYO PAR		MYOPORUM PARVIFOLIUM	MYOPORUM	1 GAL		LOW
LIG OVA		LIGUSTRUM OVALIFOLIUM	CALIFORNIA PRIVET	5 GAL	8'	LOW	OST FRU		OSTEOSPERMUM FRUTICOSUM	TRAILING AFRICAN DAISY	1 GAL		LOW
NER OLE		NERIUM OLEANDER 'PETITE PINK'	PETITE PINK OLEANDER	5 GAL	5'	LOW	ROS LOC		ROSMARINUS OFFICINALIS 'LOCKWOOD DE FOREST'	ROSEMARY	1 GAL		LOW
PHO TEN		PHORMIUM TENAX 'TOM THUMB'	TOM THUMB NEW ZEALAND FLAX	5 GAL	3'	LOW	TRA JAS		TRACHELOSPERMUM JASMINOIDES	STAR JASMINE	1 GAL	3' o.c.	MODERATE
PIT TOB		PITTOSPORUM TOBIRA	JAPANESE MOCK ORANGE	5 GAL	5'	LOW							
RHA MAJ		RHAPHIOLEPIS 'MAJESTIC BEAUTY'	MAJESTIC BEAUTY INDIAN HAWTHORN	5 GAL	6'	LOW							
ROS TUS		ROSMARINUS OFFICINALIS 'TUSCAN BLUE'	ROSEMARY	5 GAL	4'	LOW							
XYL CON		XYLOSMA CONGESTUM	SHINY XYLOSMA	5 GAL	8'	LOW							
							VINE/ESPALIER	QUANTITY	BOTANICAL	COMMON	CONTAINER SIZE	REMARKS	WUCOLS
							WIS SIN	18	WISTERIA SINENSIS	CHINESE WISTERIA PURPLE	5 GAL	TIE TO ARBOR	MODERATE

\* FOOT NOTE: SPREAD SIZE IS TAKEN FROM SUNSET NEW WESTERN GARDEN BOOK.





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25








25036-25096 CARLOS BEE BLVD  
HAYWARD, CALIFORNIA  
ZALMAN INVESTMENTS, LLC

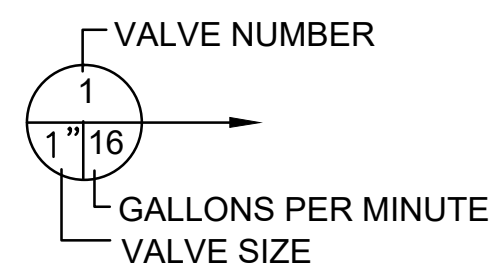
## SCHEMATIC




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No.	DATE	DESCRIPTION	BY	CKD
SCALE		SHEET		
KD PROJ. NO. 2.1701		L3.1		



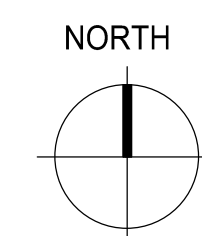
MFG.	SYMBOL	SERIES/MODEL	DESCRIPTION	PSI	RADIUS	PATTERN
	1806					
RAINBIRD		1800-MPR-5F	POP-UP SPRAY	30	5"□	FULL
RAINBIRD		1800-MPR-5H	POP-UP SPRAY	30	5"□	HALF
RAINBIRD		1800-MPR-5□	POP-UP SPRAY	30	5"□	□QUARTER
RAINBIRD		1800-S□-CTR	POP-UP SPRAY	30	2.5/4"□	S□UARE □QUARTER
RAINBIRD		1800-S□-HLF	POP-UP SPRAY	30	2.5/4"□	S□UARE HALF
RAINBIRD		1800-S□-FUL	POP-UP SPRAY	30	2.5/4"□	S□UARE FULL
RAINBIRD		1404-PA-80 IN PERF. PIPE-SEE DETAIL	FULL CIRCLE BUBBLER	30	1±3"□	BUBBLER ON POP UP



MANUF.	SYMBOL	MOD.	DESCRIPTION
RAINBIRD		44LRC	 QUICK COUPLER, IN VALVE BOX
RAINBIRD		100-PEB 150-PEB	REMOTE CONTROL VALVE, IN VALVE BOX SIZE AS NOTED ON PLAN
-----		SCH. 40	MAINLINE, 1" ALL MAINLINES
-----		CLASS 200	LATERAL PIPE PVC, SIZE ON PLAN
-----		CLASS 200	SLEEVE, SIZE 2X LATERAL/MAINLINE

MANUF.	SYMBOL	MOD.	DESCRIPTION
RAINBIRD		ESP8LXME 24 STATION	IRRIGATION CONTROLLER WALL MOUNTED, INSTALL IN MECHANICAL ROOM
RAINBIRD		ET MANAGER CARTRIDGE	RAIN SENSOR UNIT, AND ETMRMK SEE MANUFACTURER LITERATURE PRIOR INSTALLATION
FEBCO		825Y	$\frac{3}{4}$ " BACKFLOW PREVENTOR - WITH LEMEUR PROTECTIVE CAGE COLOR GREEN
			1" WATER METER
NIBCO		T113	GATE VALVE
		P.O.C.	POINT OF CONNECTION

- 1) ALL PLANTED AREAS SHALL HAVE COMPLETED AUTOMATIC IRRIGATION SYSTEMS
- 2) LANDSCAPE IRRIGATION LAYOUT ARE ONLY DIAGRAMMATIC. LOCATE ALL MAIN LINE, LATERALS, RCV, GATE VALVES, QUICK COUPLERS, SPRAY HEADS AND BUBBLERS IN PLANTING AREAS.
- 3) SEE IRRIGATION DETAILS FOR ALL INSTALLATION REQUIREMENTS AND SEE SPECIFICATIONS FOR ALL OTHER INFORMATION
- 4) PROVIDE SEPARATE BACKFLOW PREVENTER FOR LANDSCAPE IRRIGATION.
- 5) IRRIGATION SYSTEM DESIGNED FOR A MINIMUM 20 PSI/ MAXIMUM 65 PSI (STATIC PRESSURE) TO BE PROVIDED AT THE FARTHEST HEAD FROM POINT OF CONNECTION FIELD VERIFY PRIOR TO START OF WORK AND NOTIFY LANDSCAPE ARCHITECT
- 6) SLEEVE MAINLINE AND LATERALS WHEN UNDER ALL PAVING AND WALLS.
- 7) ALLOW FOR ADDITIONAL: 10 SPRAY HEADS, 1 VALVE 20 FT. LATERAL LINE, 10 FT. SLEEVE
- 8) REDUCE RADIUS ON HEADS TO PREVENT SPRAY ONTO PAVEMENT
- 9) SPRAY HEAD RADIUS MAY BE REDUCED UP TO 25"
- 10) UNSIZED LATERAL LINE PIPE DOWNSTREAM FROM SIZED PIPE SHALL BE 3/4"
- 11) PROVIDE SEPARATE WATER METER FOR IRRIGATION LINES.
- 12) LANDSCAPE CONTRACTOR SHALL COORDINATE WITH GENERAL CONTRACTOR REGARDING THE VALVES PLACEMENT IN THE AREA WHERE THE IRRIGATION BACKFLOW PREVENTER IS LOCATED. VALVES ARE TO BE PLACED IN THE PLANTING AREA AND AWAY FROM PEDESTRIAN PATHWAYS.
- 13) STREET TREES SHALL HAVE TWO BUBBLERS OVER THE ROOT BALL.



SCALE: 1" = 20'-0"



- 1 - COVER SHEET & ONE-LOT SUBDIVISION
- 2 - SITE GRADING AND DRAINAGE PLAN
- 3 - SITE SECTIONS & DRIVEWAY PROFILE
- 4 - SITE UTILITY PLAN
- 4A - SITE UTILITY PLAN (ALTERNATIVE)
- 5 - TOPOGRAPHIC SURVEY
- 6 - STORMWATER CONTROL PLAN



SHEET NOTES

1. FOR GENERAL NOTES, SYMBOLS AND ABBREVIATIONS, SEE A0
2. PROPOSED GRADING AND UTILITIES, SEE CIVIL DWGS.
3. PROPOSED LANDSCAPING, SEE LANDSCAPE DWGS.
4. THE LOT EXISTING SLOPE IS:  $S = 2(5961)(100) / 55,185 = 21.6$

SITE GRADING KEY NOTES

1. PROPOSED ASPHALT / 'GRADED PORTLAND CEMENT' DRIVEWAY FOR VEHICULAR ACCESS (SEE PROFILE, CIVIL C-3)
2. EMERGENCY ACCESS DRIVEWAY AND BARRIER TO CARLOS BEE BLVD (SEE PROFILE, CIVIL C-3)
3. PROPOSED PEDESTRIAN PATHWAYS AND STAIRS AS NOTED
4. PROPOSED CONCRETE DRIVEWAYS
5. PROPOSED KEYSTONE RETAINING WALLS WITH VARYING HEIGHTS, MAX HEIGHT AT 3'-0", SEE CIVIL DWGS.
6. PROPOSED LANDSCAPING, SEE LANDSCAPE DWGS. FOR DETAILS.
7. EXISTING FIRE HYDRANT AND COVERAGE AREA
8. PER SEISMIC REPORT, NO CONDITIONED SPACE TO BE CONSTRUCTED IN AREA AS NOTED
9. PROPOSED UNCOVERED PARKING SPACE
10. PROPOSED BIOSWALE, SEE CIVIL C-4
11. EXISTING SIDEWALK TREES
12. TURNING RADIUS FOR FIRE VEHICULAR ACCESS
13. EXISTING FENCE / CONCRETE WALL TO REMAIN
14. PROPOSED NEW GRADING
15. DRIVEWAY SWALE FOR STORM WATER (WITH INLETS)
16. PROPOSED TRENCH DRAIN IN FRONT OF THE GARAGE (TYP), DETAIL SEE C/ C-4, OR C/ 6 OF 6 (VTM)
17. PROPOSED SEPARATE WATER SERVICE LINE AND METER FOR ADU.
18. ALTERNATE LOCATION OF SANITARY SEWER SEE C-2A, OR 4A OF 6 (VTM)

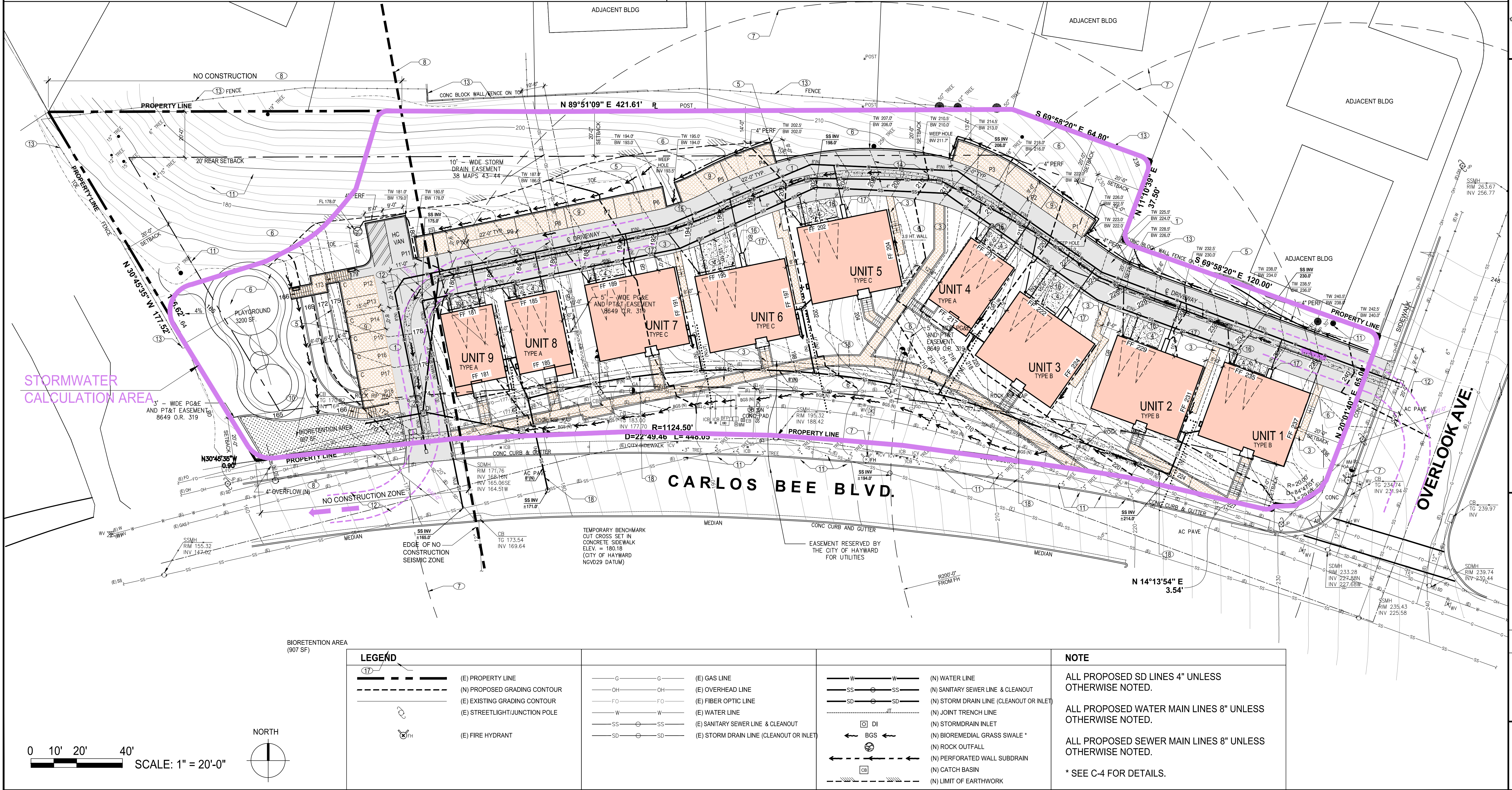
**Berry and Associates**  
1733 Woodside Road, Suite 335  
Redwood City, CA 94061  
Phone: (650) 368-0750



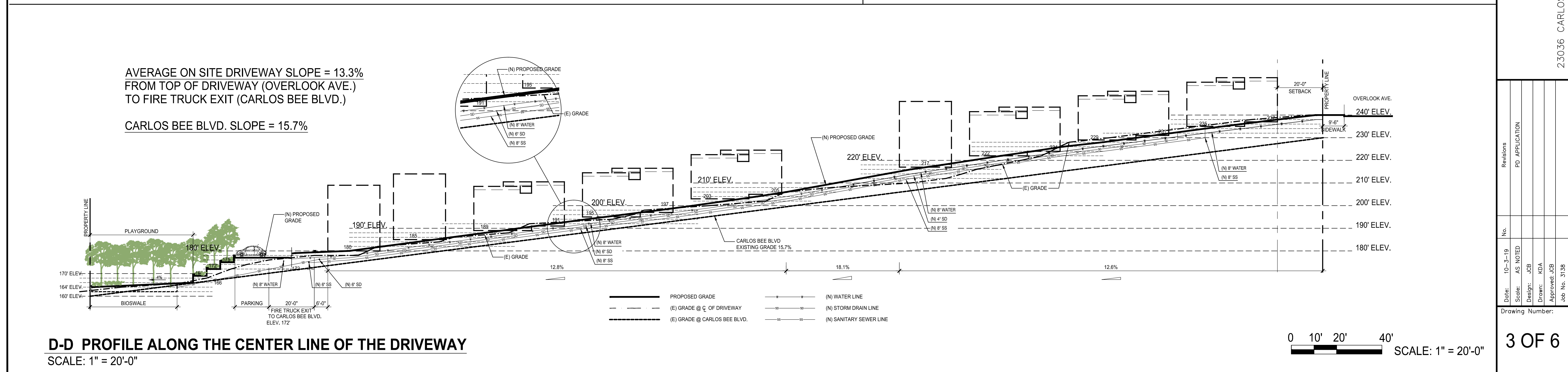
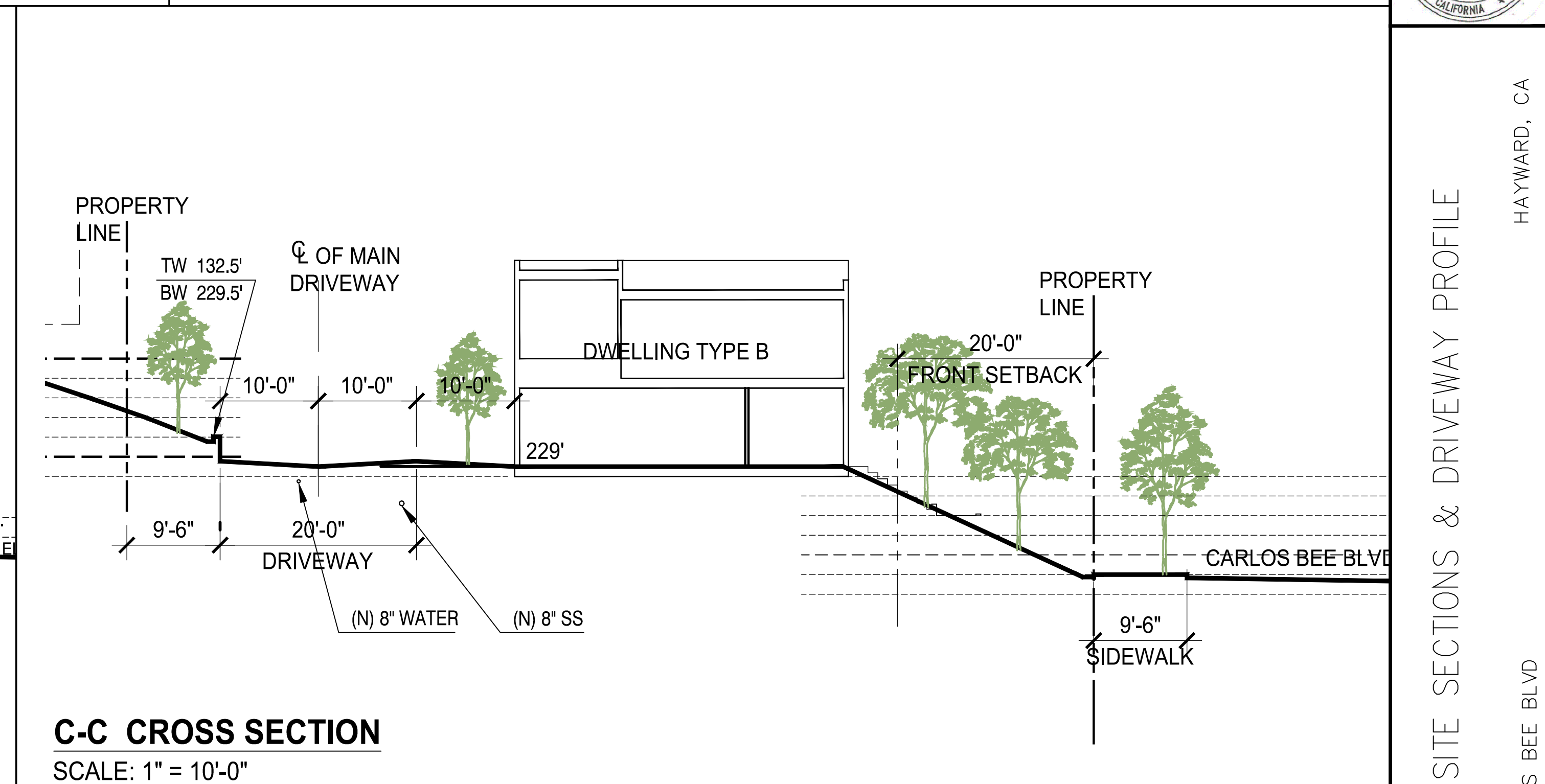
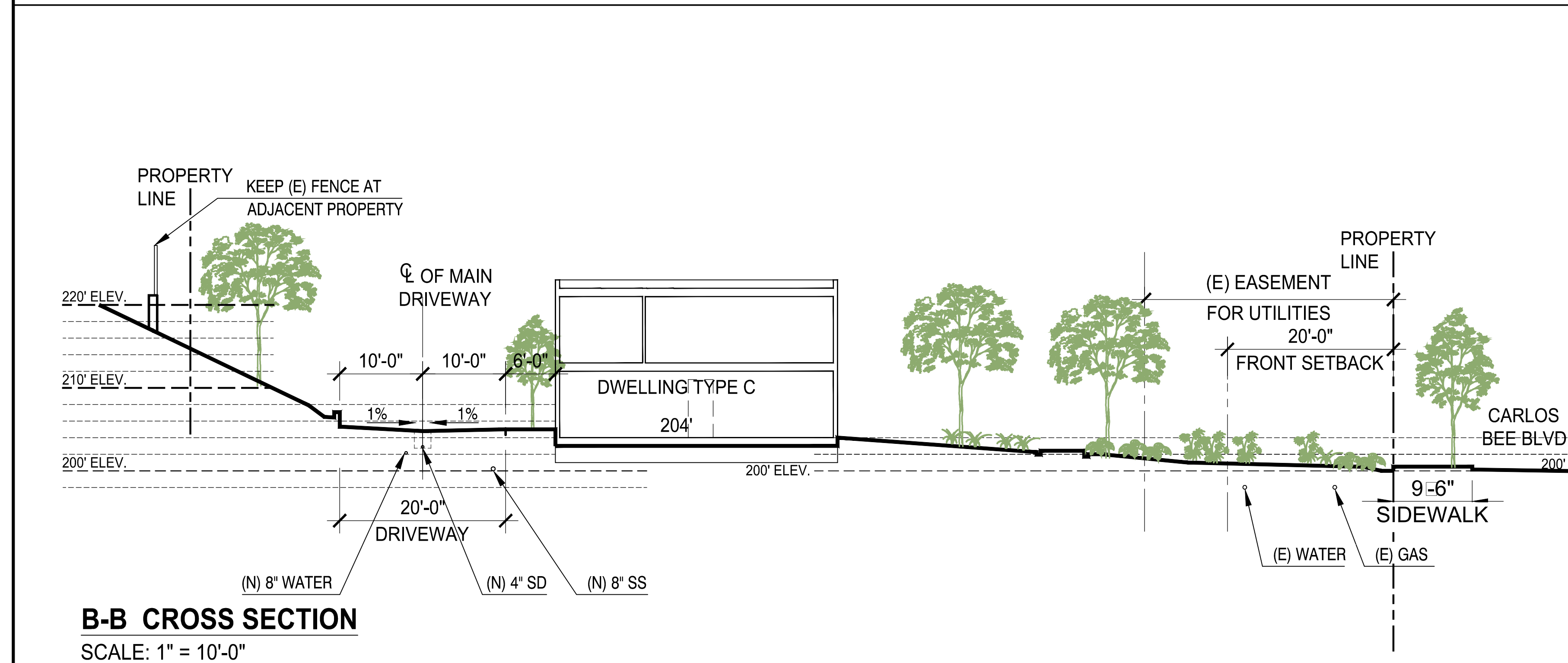
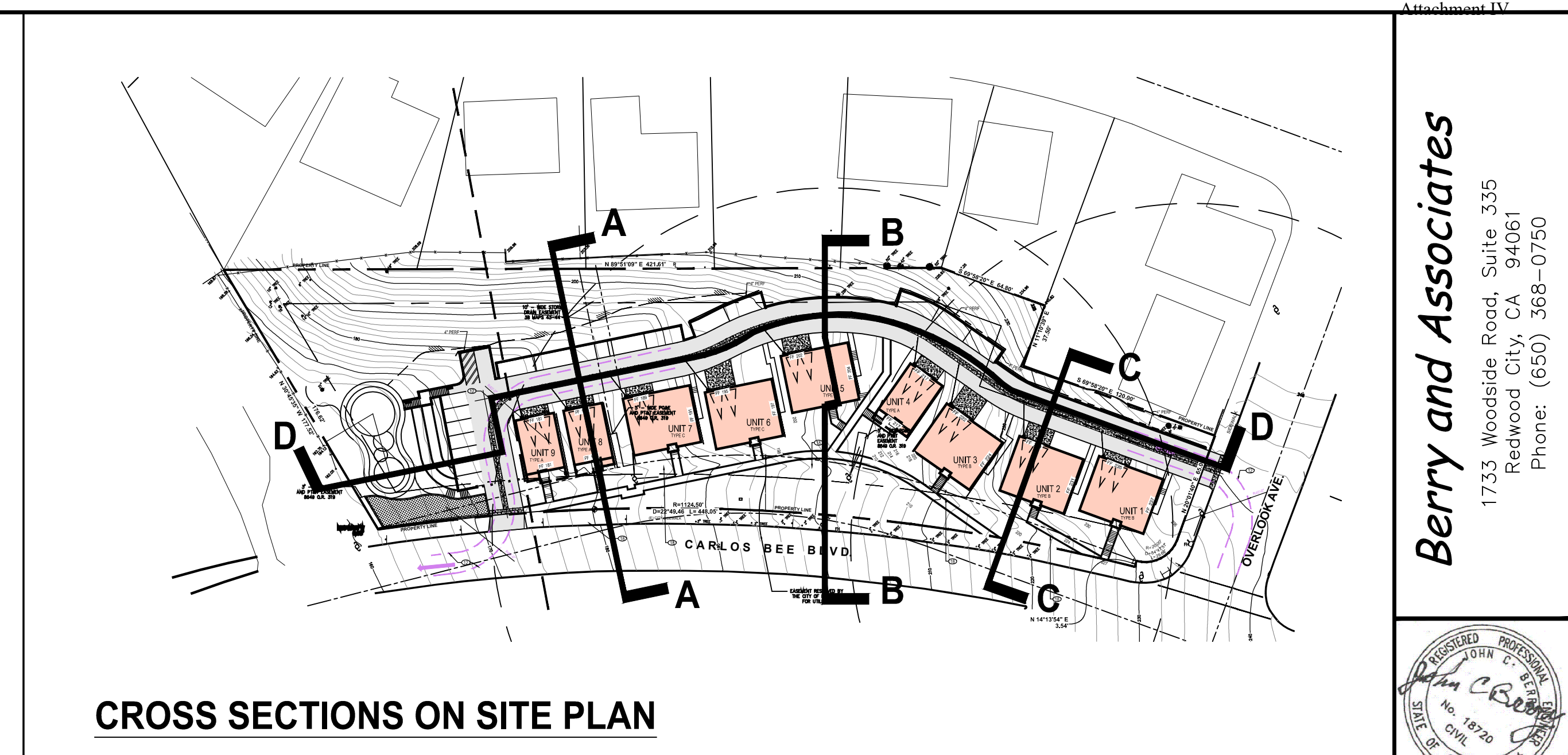
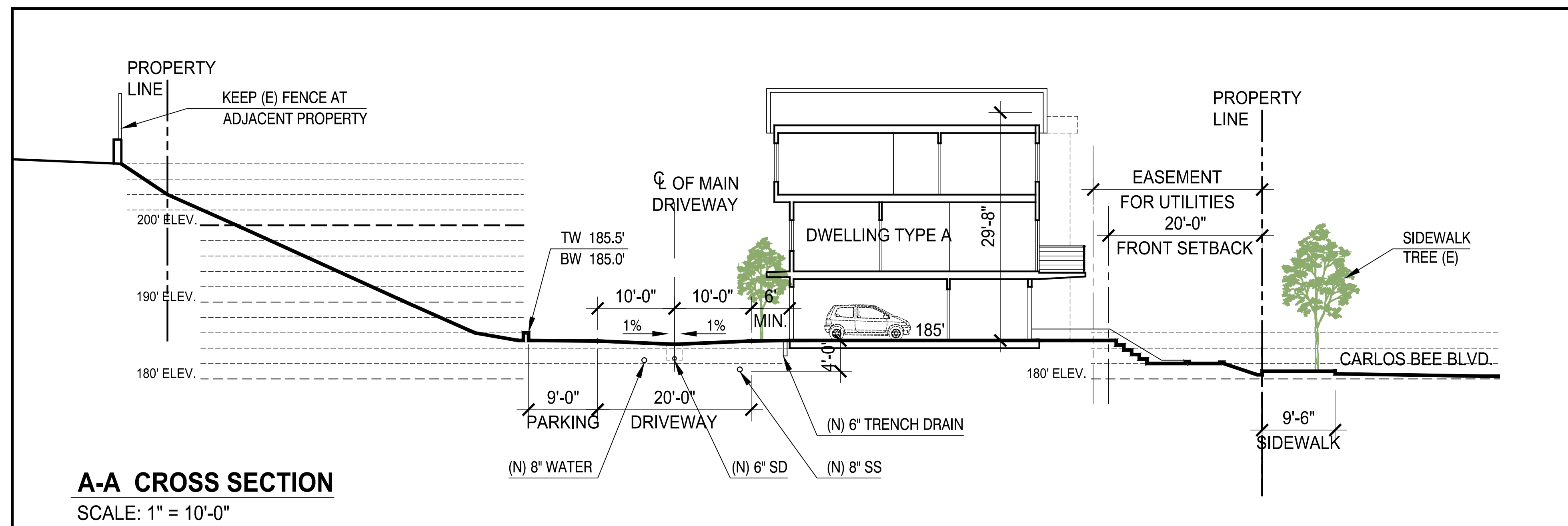
HAYWARD, CA

SITE GRADING & DRAINAGE PLAN  
23036 CARLOS BEE BLVD

No.	Revisions
10-3-19	PD APPLICATION
Date:	AS NOTED
Scale:	JCB
Design:	KDA
Drawn:	Approved: JCB
Drawing Number:	Job No. 3138









SHEET NOTES

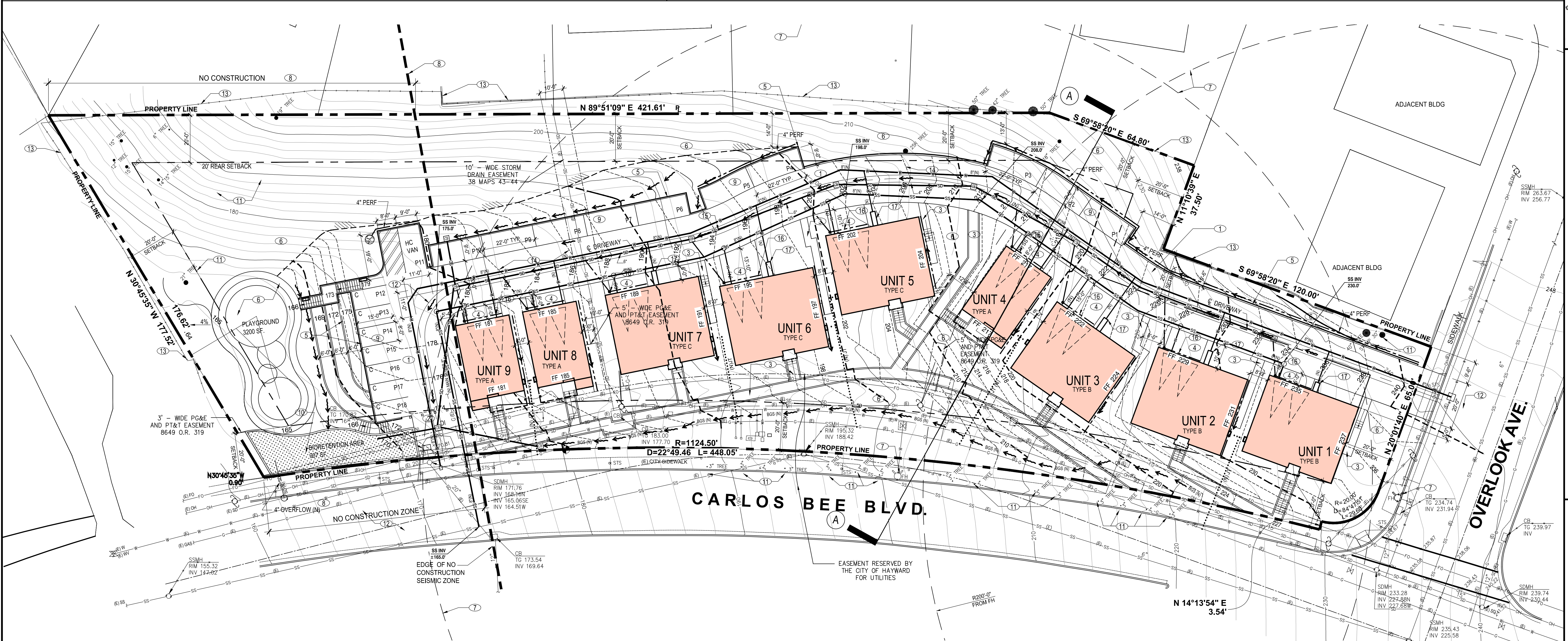
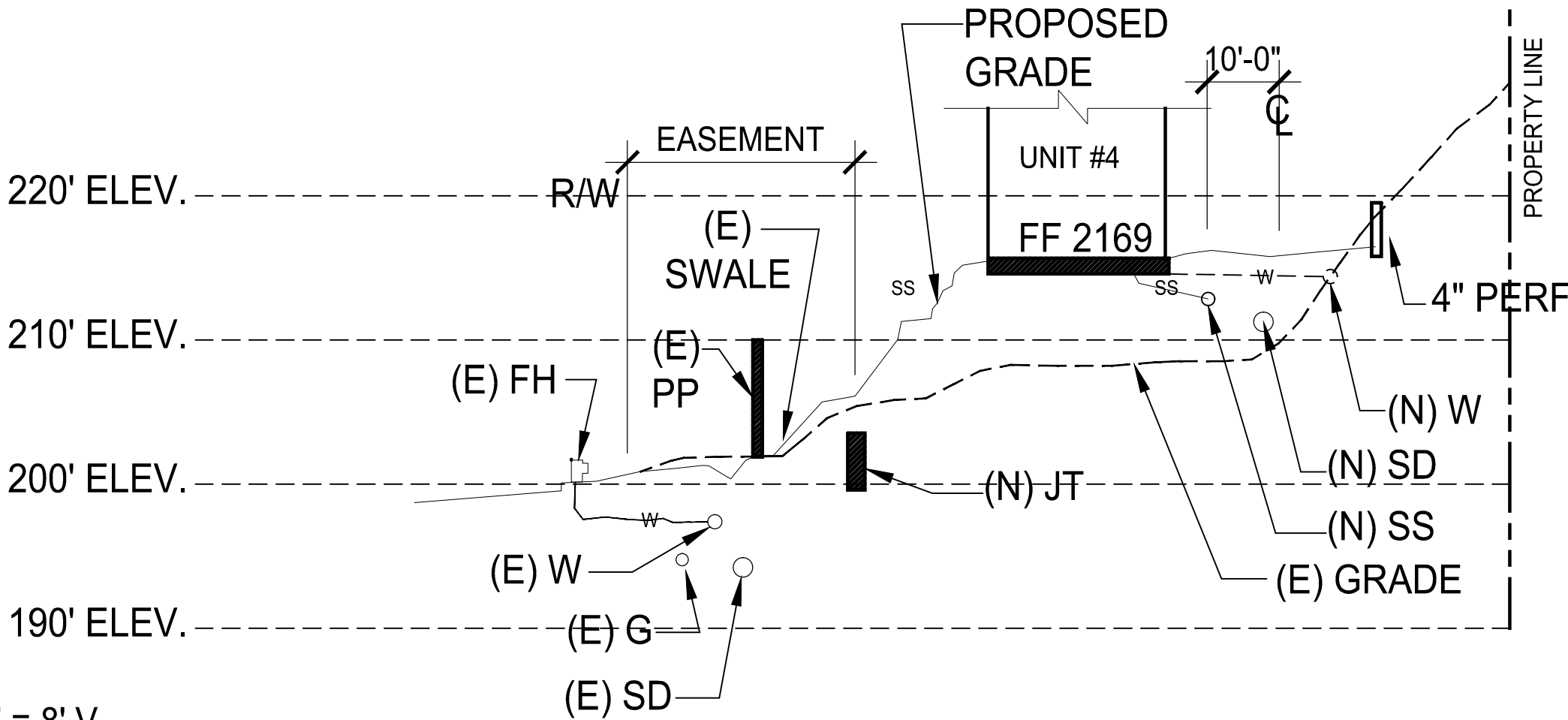
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3. PROPOSED LANDSCAPING, SEE LANDSCAPE DWGS.  
4. THE LOT EXISTING SLOPE IS: S = 2(5961)(100) / 55,185 = 21.6

KEY NOTES

- ① PROPOSED ASPHALT / 'GRADED PORTLAND CEMENT' DRIVEWAY FOR VEHICULAR ACCESS (SEE PROFILE, CIVIL C-3)  
② EMERGENCY ACCESS DRIVEWAY AND BARRIER TO CARLOS BEE BLVD (SEE PROFILE, CIVIL C-3)  
③ PROPOSED PEDESTRIAN PATHWAYS AND STAIRS AS NOTED  
④ PROPOSED CONCRETE DRIVEWAYS  
⑤ PROPOSED KEYSTONE RETAINING WALLS WITH VARYING HEIGHTS, MAX HEIGHT AT 3'-0", SEE CIVIL DWGS.  
⑥ PROPOSED LANDSCAPING, SEE LANDSCAPE DWGS. FOR DETAILS.  
⑦ EXISTING FIRE HYDRANT AND COVERAGE AREA  
⑧ PER SEISMIC REPORT, NO CONDITIONED SPACE TO BE CONSTRUCTED IN AREA AS NOTED  
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⑪ EXISTING SIDEWALK TREES  
⑫ TURNING RADIUS FOR FIRE VEHICULAR ACCESS  
⑬ EXISTING FENCE / CONCRETE WALL TO REMAIN  
⑭ PROPOSED NEW GRADING  
⑮ DRIVEWAY SWALE FOR STORM WATER (WITH INLETS)  
⑯ PROPOSED TRENCH DRAIN IN FRONT OF THE GARAGE (TYP), DETAIL SEE C/ C-4, OR C/ 6 OF 6 (VTM)  
⑰ PROPOSED SEPARATE WATER SERVICE LINE AND METER FOR ADU.  
⑱ ALTERNATE LOCATION OF SANITARY SEWER SEE C-2A, OR 4A OF 6 (VTM)

SECTION A-A

SCALE: 1" = 20'-0"H AND 1" = 8' V



BIORETENTION AREA (907 SF)

LEGEND

- (E) PROPERTY LINE  
--- (N) PROPOSED GRADING CONTOUR  
--- (E) EXISTING GRADING CONTOUR  
--- (E) STREETLIGHT/JUNCTION POLE  
--- (E) FIRE HYDRANT

- G — G — (E) GAS LINE  
— OH — OH — (E) OVERHEAD LINE  
— FO — FO — (E) FIBER OPTIC LINE  
— W — W — (E) WATER LINE  
— SS — SS — (E) SANITARY SEWER LINE & CLEANOUT  
— SD — SD — (E) STORM DRAIN LINE (CLEANOUT OR INLET)

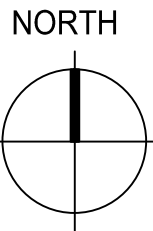
- W — W — (N) WATER LINE  
— SS — SS — (N) SANITARY SEWER LINE & CLEANOUT  
— SD — SD — (N) STORM DRAIN LINE (CLEANOUT OR INLET)  
--- (N) JOINT TRENCH LINE  
--- (N) STORMDRAIN INLET  
--- (N) BIOREMEDIAL GRASS SWALE \*  
--- (N) ROCK OUTFALL  
--- (N) PERFORATED WALL SUBDRAIN  
--- (N) CATCH BASIN  
--- (N) LIMIT OF EARTHWORK

NOTE

- ALL PROPOSED SD LINES 4" UNLESS OTHERWISE NOTED.  
ALL PROPOSED WATER MAIN LINES 8" UNLESS OTHERWISE NOTED.  
ALL PROPOSED SEWER MAIN LINES 8" UNLESS OTHERWISE NOTED.  
\* SEE C-4 FOR DETAILS.

0 10' 20' 40'

SCALE: 1" = 20'-0"



Berry and Associates



1733 Woodside Road, Suite 335  
Redwood City, CA 94061  
Phone: (650) 368-0750

SITE UTILITY PLAN

23036 CARLOS BEE BLVD  
HAYWARD, CA

No.	Date:	Scale:	AS NOTED	PD APPLICATION
10-3-19	AS NOTED	JCB	JCB	JCB
10-3-19	AS NOTED	JCB	JCB	JCB
10-3-19	AS NOTED	JCB	JCB	JCB
10-3-19	AS NOTED	JCB	JCB	JCB
10-3-19	AS NOTED	JCB	JCB	JCB
10-3-19	AS NOTED	JCB	JCB	JCB
10-3-19	AS NOTED	JCB	JCB	JCB
10-3-19	AS NOTED	JCB	JCB	JCB
10-3-19	AS NOTED	JCB	JCB	JCB

4 OF 6

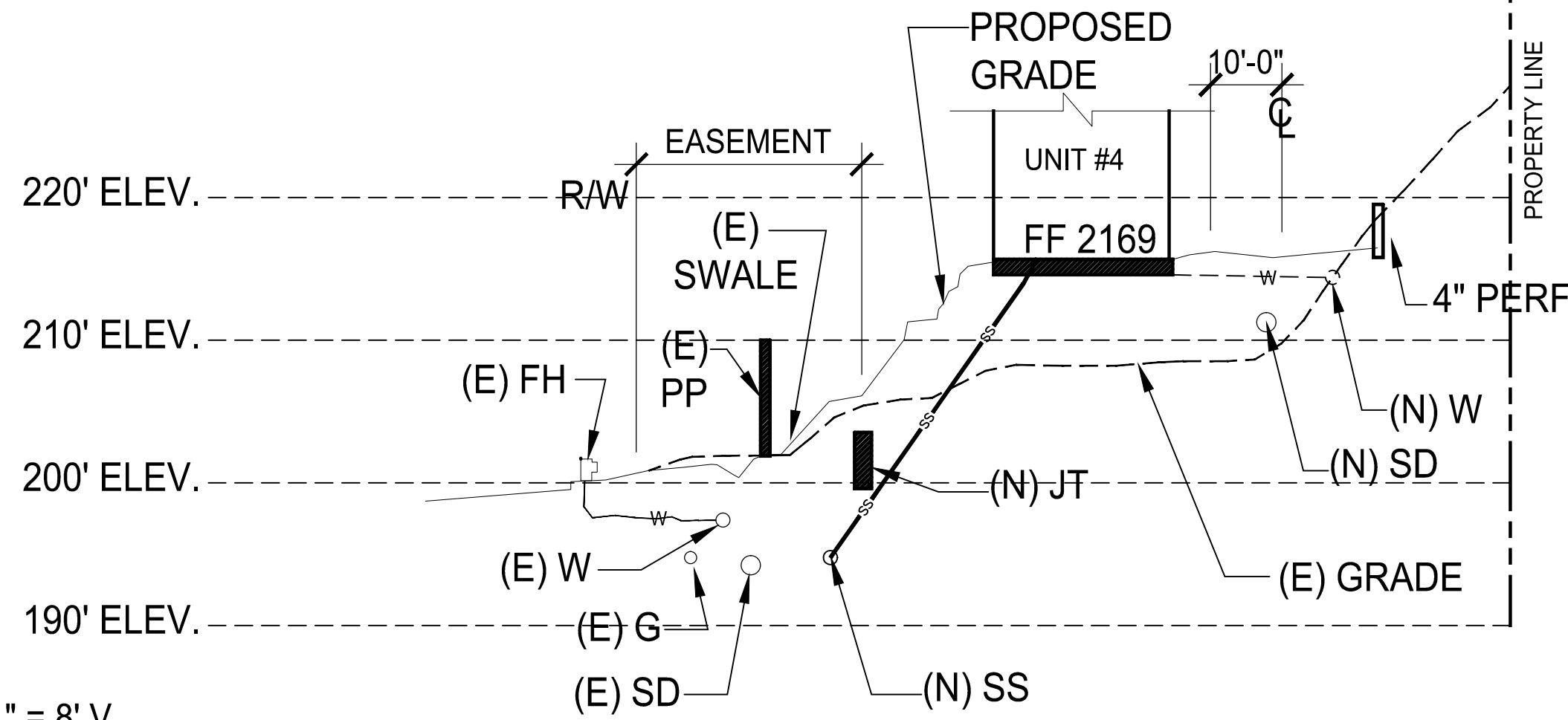


SHEET NOTES

1. FOR GENERAL NOTES, SYMBOLS AND ABBREVIATIONS, SEE A0
2. PROPOSED GRADING AND UTILITIES, SEE CIVIL DWGS.
3. PROPOSED LANDSCAPING, SEE LANDSCAPE DWGS.
4. THE LOT EXISTING SLOPE IS: S = 2(5961)(100) / 55,185 = 21.6

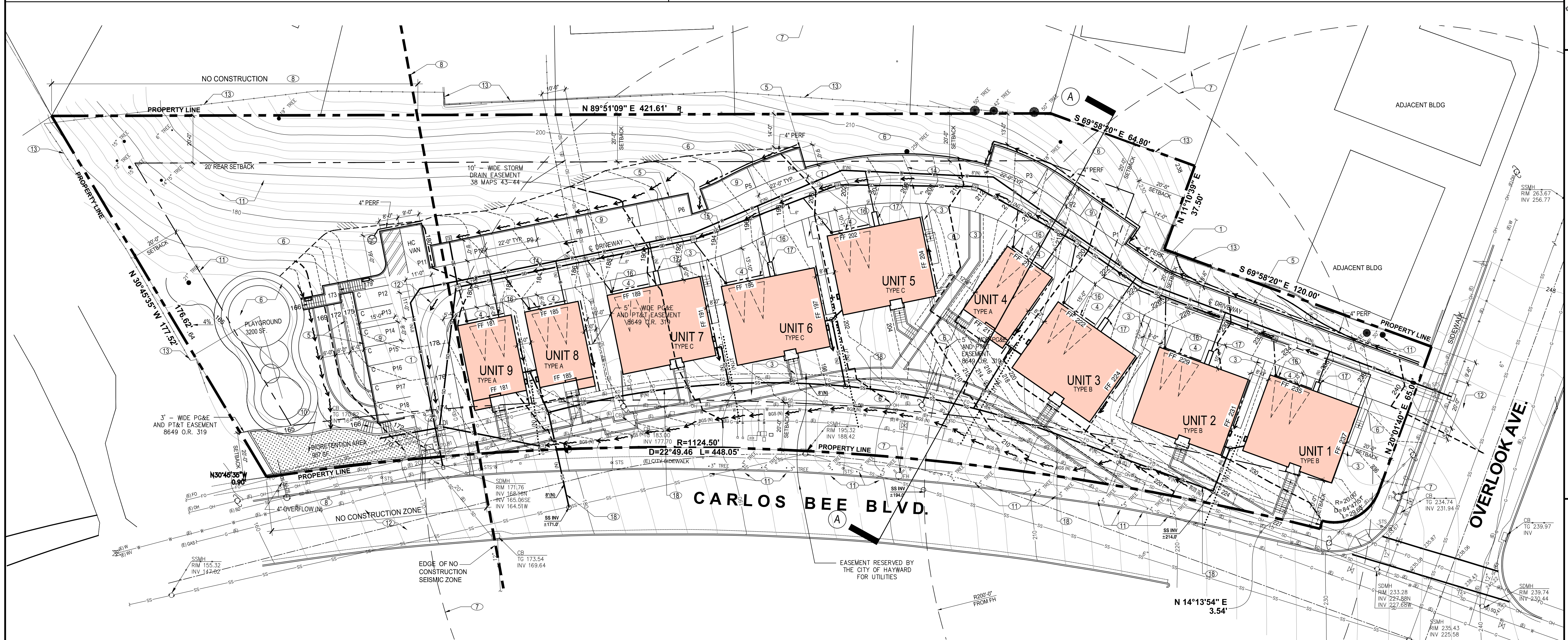
KEY NOTES

- |  |   |
|--|---|
| ① PROPOSED ASPHALT / 'GRADED PORTLAND CEMENT' DRIVEWAY FOR VEHICULAR ACCESS (SEE PROFILE, CIVIL C-3) | ⑩ PROPOSED BIOSWALE, SEE CIVIL C-4  |
| ② EMERGENCY ACCESS DRIVEWAY AND BARRIER TO CARLOS BEE BLVD (SEE PROFILE, CIVIL C-3)                  | ⑪ EXISTING SIDEWALK TREES   |
| ③ PROPOSED PEDESTRIAN PATHWAYS AND STAIRS AS NOTED   | ⑫ TURNING RADIUS FOR FIRE VEHICULAR ACCESS  |
| ④ PROPOSED CONCRETE DRIVEWAYS  | ⑬ EXISTING FENCE / CONCRETE WALL TO REMAIN  |
| ⑤ PROPOSED KEYSTONE RETAINING WALLS WITH VARYING HEIGHTS, MAX HEIGHT AT 3'-0", SEE CIVIL DWGS.       | ⑭ PROPOSED NEW GRADING  |
| ⑥ PROPOSED LANDSCAPING, SEE LANDSCAPE DWGS. FOR DETAILS.   | ⑮ DRIVEWAY SWALE FOR STORM WATER (WITH INLETS)  |
| ⑦ EXISTING FIRE HYDRANT AND COVERAGE AREA  | ⑯ PROPOSED TRENCH DRAIN IN FRONT OF THE GARAGE (TYP), DETAIL SEE C/ C-4, OR C/ 6 OF 6 (VTM) |
| ⑧ PER SEISMIC REPORT, NO CONDITIONED SPACE TO BE CONSTRUCTED IN AREA AS NOTED                        | ⑰ PROPOSED SEPARATE WATER SERVICE LINE AND METER FOR ADU.                                   |
| ⑨ PROPOSED UNCOVERED PARKING SPACE   | ⑱ ALTERNATE LOCATION OF SANITARY SEWER SEE C-2A, OR 4A OF 6 (VTM)                           |



SECTION A-A

SCALE: 1" = 20'-0"H AND 1" = 8' V



LEGEND

- |         |                               |
|---------|-------------------------------|
| ---     | (E) PROPERTY LINE             |
| - - - - | (N) PROPOSED GRADING CONTOUR  |
| - - - - | (E) EXISTING GRADING CONTOUR  |
| ○       | (E) STREETLIGHT/JUNCTION POLE |
| ○       | (E) FIRE HYDRANT              |

- |     |  |
|-----|--|
| --- | (E) GAS LINE                             |
| --- | (E) OVERHEAD LINE                        |
| --- | (E) FIBER OPTIC LINE                     |
| --- | (E) WATER LINE                           |
| --- | (E) SANITARY SEWER LINE & CLEANOUT       |
| --- | (E) STORM DRAIN LINE (CLEANOUT OR INLET) |

- |     |  |
|-----|--|
| --- | (N) WATER LINE                           |
| --- | (N) SANITARY SEWER LINE & CLEANOUT       |
| --- | (N) STORM DRAIN LINE (CLEANOUT OR INLET) |
| --- | (N) JOINT TRENCH LINE                    |
| --- | (N) STORMDRAIN INLET                     |
| --- | (N) BIOREMEDIAL GRASS SWALE *            |
| --- | (N) ROCK OUTFALL                         |
| --- | (N) PERFORATED WALL SUBDRAIN             |
| --- | (N) CATCH BASIN                          |
| --- | (N) LIMIT OF EARTHWORK                   |

NOTE

ALL PROPOSED SD LINES 4" UNLESS OTHERWISE NOTED.

ALL PROPOSED WATER MAIN LINES 8" UNLESS OTHERWISE NOTED.

ALL PROPOSED SEWER MAIN LINES 8" UNLESS OTHERWISE NOTED.

\* SEE C-4 FOR DETAILS.

Berry and Associates

1733 Woodside Road, Suite 335  
Redwood City, CA 94061  
Phone: (650) 368-0750



SITE UTILITY PLAN (ALTERNATE)

23036 CARLOS BEE BLVD

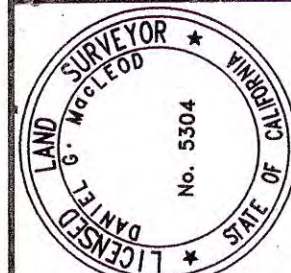
HAYWARD, CA

No.	Date:	Scale:	AS NOTED	PD APPLICATION
10-3-19	AS NOTED	JCB	JCB	JCB
	Design:	KDA	KDA	JCB
	Drawn:	JCB	JCB	JCB
	Approved:	JCB	JCB	JCB
	Job No.	3138		

Drawing Number:

4A OF 6



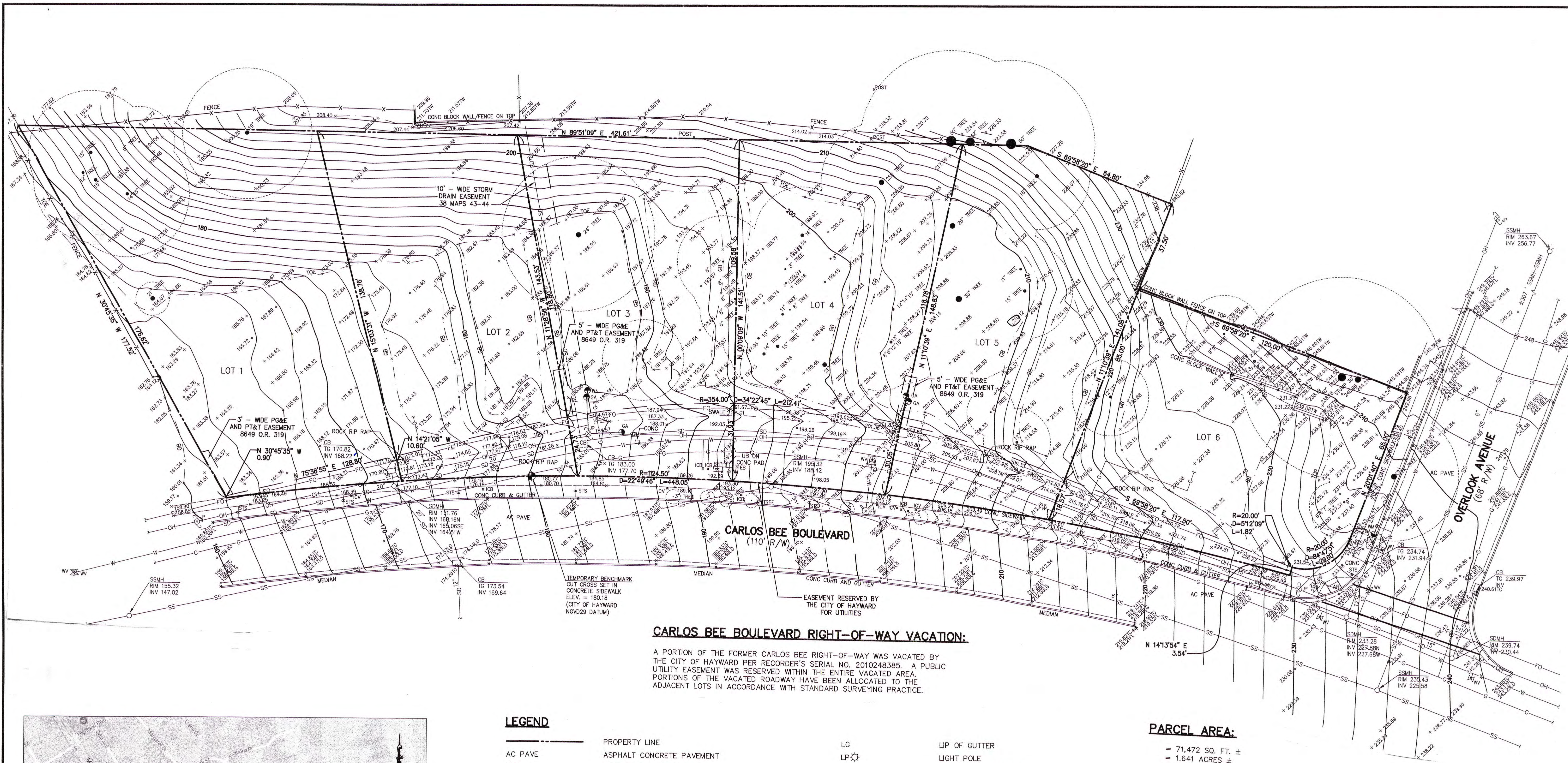


PREPARED FOR:  
**ZALMAN INVESTMENTS, LLC**

LOTS 1 THROUGH 6, BLOCK B, BOOK 38 OF MAPS AT PAGES 43-44  
AND THAT PORTION OF FORMER CARLOS BEE BLVD. AS VACATED PER DOC. NO. 2010-248385  
ALAMEDA COUNTY CALIFORNIA

**TOPOGRAPHIC SURVEY PLAN**  
CARLOS BEE BOULEVARD  
A.P.N. 445-170-39-13

DRAWN BY: MDL  
DESIGNED BY: ---  
CHECKED BY: DGM  
SCALE: 1"=20'  
DATE: 05-04-17  
DRAWING NO.  
**4437-TOPO**



**CARLOS BEE BOULEVARD RIGHT-OF-WAY VACATION:**

A PORTION OF THE FORMER CARLOS BEE RIGHT-OF-WAY WAS VACATED BY THE CITY OF HAYWARD PER RECORDER'S SERIAL NO. 2010248385. A PUBLIC UTILITY EASEMENT WAS RESERVED WITHIN THE ENTIRE VACATED AREA. PORTIONS OF THE VACATED ROADWAY HAVE BEEN ALLOCATED TO THE ADJACENT LOTS IN ACCORDANCE WITH STANDARD SURVEYING PRACTICE.

**LEGEND**

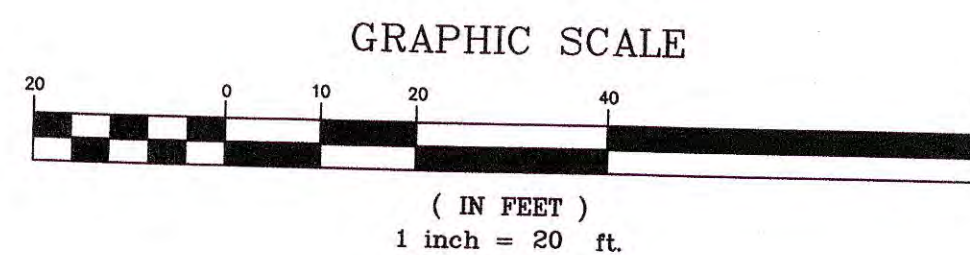
AC PAVE	PROPERTY LINE	LG	LIP OF GUTTER
BFP	ASPHALT CONCRETE PAVEMENT	LP	LIGHT POLE
CATV	BACK FLOW PREVENTER	SDMH	STORM DRAIN MANHOLE
CB	CABLE TELEVISION	STS	STREET SIGN
CO	CATCH BASIN	SSMH	SANITARY SEWER MANHOLE
CONC	CLEANOUT	TC	TOP OF CURB
EB	CONCRETE	TELE	TELEPHONE
ELEC	ELECTRIC BOX	TOP	TOP OF SLOPE
EM	ELECTRIC	TW	TOP OF WALL
FF	ELECTRIC METER	WM	WATER METER
FH	FINISH FLOOR	WV	WATER VALVE
FL	FIRE HYDRANT		TREE W/ SIZE
GA	FLOWLINE		FENCE
GB	GUY ANCHOR		FIBER OPTIC LINE
ICB	GRADEBREAK		GAS LINE
ICV	IRRIGATION CONTROL BOX		OVERHEAD LINE
INV	IRRIGATION CONTROL VALVE		SANITARY SEWER LINE
JP	INVERT		STORM DRAIN LINE
	JOINT UTILITY POLE		WATER LINE

**PARCEL AREA:**

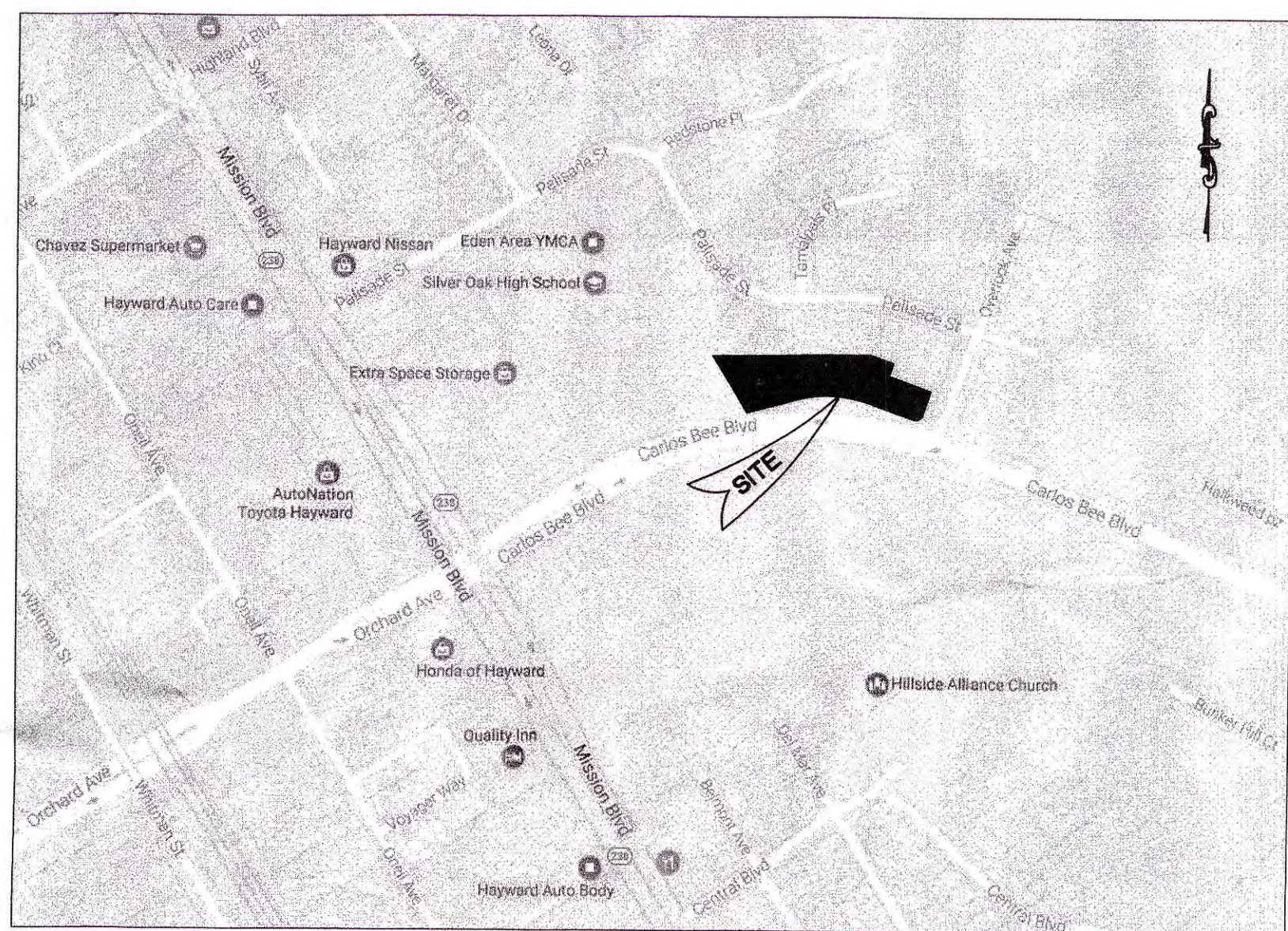
= 71,472 SQ. FT. ±  
= 1.641 ACRES ±

**UTILITY NOTE:**

THE UTILITIES EXISTING ON THE SURFACE AND SHOWN ON THIS DRAWING HAVE BEEN LOCATED BY FIELD SURVEY. ALL UNDERGROUND UTILITIES SHOWN ON THIS DRAWING ARE FROM RECORDS OF THE VARIOUS UTILITY COMPANIES AND THE SURVEYOR/ENGINEER DOES NOT ASSUME RESPONSIBILITY FOR THEIR COMPLETENESS, INDICATED LOCATION, OR SIZE. RECORD UTILITY LOCATION SHOULD BE CONFIRMED BY EXPOSING THE UTILITY.



**VICINITY MAP**  
(NOT TO SCALE)





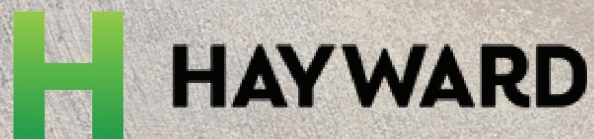
## RUNOFF VOLUME CALCULATIONS



Initial Study

# Carlos Bee Boulevard Residential Project

Prepared by the City of



In Consultation with



December 2019



## TABLE OF CONTENTS

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Section 1.0	Introduction and Purpose .....	1
Section 2.0	Project Information .....	2
Section 3.0	Project Description.....	6
Section 4.0	Environmental Setting, Checklist, and Impact Discussion .....	13
4.1	Aesthetics.....	14
4.2	Agriculture and Forestry Resources .....	21
4.3	Air Quality .....	24
4.4	Biological Resources .....	34
4.5	Cultural Resources.....	46
4.6	Energy.....	51
4.7	Geology and Soils.....	56
4.8	Greenhouse Gas Emissions.....	66
4.9	Hazards and Hazardous Materials .....	71
4.10	Hydrology and Water Quality .....	78
4.11	Land Use and Planning.....	86
4.12	Mineral Resources .....	89
4.13	Noise.....	91
4.14	Population and Housing.....	98
4.15	Public Services .....	100
4.16	Recreation.....	106
4.17	Transportation.....	109
4.18	Tribal Cultural Resources .....	115
4.19	Utilities and Service Systems .....	118
4.20	Wildfire.....	125
4.21	Mandatory Findings of Significance .....	129
Section 5.0	References.....	132
Section 6.0	Lead Agency and Consultants.....	136



## TABLE OF CONTENTS

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### Figures

Figure 2.4-1:	Regional Map .....	3
Figure 2.4-2:	Vicinity Map .....	4
Figure 2.4-3:	Aerial Photograph and Surrounding Land Uses .....	5
Figure 3.2-1:	Site Plan .....	8
Figure 3.2-2:	Unit Type A Building Elevations .....	9
Figure 3.2-3:	Unit Type B & C Building Elevations .....	10
Figure 4.4-1:	Tree Inventory Map .....	38
Figure 4.7-1:	Exploratory Trench Location and No Residential Construction Zone .....	63

### Photos

Photos 1&2:	.....	16
Photos 3&4:	.....	17
Photos 5&6:	.....	18

### Tables

Table 4.3-1:	Health Effects of Air Pollutants .....	24
Table 4.3-1:	BAAQMD Air Quality Significance Thresholds .....	29
Table 4.3-2:	Cumulative Construction Risk Assessment .....	33
Table 4.16-1:	Recreational Level of Service .....	107
Table 4.17-1:	Project Trip Generation Estimates .....	112

### Appendices

<b>Appendix A:</b>	Construction Health Risk Assessment
<b>Appendix B:</b>	Arborist Report
<b>Appendix C1:</b>	Fault Rupture Hazard Evaluation
<b>Appendix C2:</b>	Geologic Peer Review
<b>Appendix C3:</b>	Geotechnical Investigation
<b>Appendix D:</b>	Phase I Environmental Site Assessment
<b>Appendix E:</b>	AB 52 Notification Letter



## **SECTION 1.0 INTRODUCTION AND PURPOSE**

---

### **1.1 PURPOSE OF THE INITIAL STUDY**

The City of Hayward, as the Lead Agency, has prepared this Initial Study for the proposed residential development in compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines (California Code of Regulations §15000 et. seq.) and the regulations and policies of the City of Hayward, California.

The project proposes to develop a vacant, approximately 1.63-acre lot with nine single-family dwelling units and six accessory dwelling units. This Initial Study evaluates the environmental impacts that might reasonably be anticipated to result from implementation of the proposed project.

### **1.2 PUBLIC REVIEW PERIOD**

Publication of this Initial Study marks the beginning of a 20-day public review and comment period. During this period, the Initial Study will be available to local, state, and federal agencies and to interested organizations and individuals for review. Written comments concerning the environmental review contained in this Initial Study during the 20-day public review period should be sent to:

Leigha Schmidt, Senior Planner, AICP  
 Leigha.Schmidt@hayward-ca.gov  
 Development Services Department  
 Planning Division  
 City of Hayward  
 777 B Street,  
 Hayward, CA 94541

### **1.3 CONSIDERATION OF THE INITIAL STUDY AND PROJECT**

Following the conclusion of the public review period, the City of Hayward will consider the adoption of the Initial Study/Mitigated Negative Declaration (MND) for the project at regularly scheduled Planning Commission and City Council meetings. The City shall consider the Initial Study/MND together with any comments received during the public review process. Upon adoption of the MND, the City may proceed with project approval actions.

### **1.4 NOTICE OF DETERMINATION**

If the project is approved, the City of Hayward will file a Notice of Determination (NOD), which will be available for public inspection and posted within 24 hours of receipt at the County Clerk's Office for 30 days. The filing of the NOD starts a 30-day statute of limitations on court challenges to the approval under CEQA (CEQA Guidelines Section 15075(g)).



## **SECTION 2.0      PROJECT INFORMATION**

---

### **2.1              PROJECT TITLE**

Carlos Bee Boulevard Residential Project

### **2.2              LEAD AGENCY CONTACT**

Leigha Schmidt, AICP, Senior Planner  
Development Services Department  
Planning Division  
City of Hayward  
777 B Street,  
Hayward, CA 94541

### **2.3              PROJECT APPLICANT**

Ben Halali  
Zalman Investments, LLC  
4901 Rue Calais  
San José, CA 95136

### **2.4              PROJECT LOCATION**

The project is located at 25036-25096 Carlos Bee Boulevard, Hayward, CA 94542.

The project site is shown on the following figures:

- Figure 2.4-1    Regional Map
- Figure 2.4-2    Vicinity Map
- Figure 2.4-3    Aerial Photograph and Surrounding Land Uses

### **2.5              ASSESSOR'S PARCEL NUMBER**

445-0170-039-13

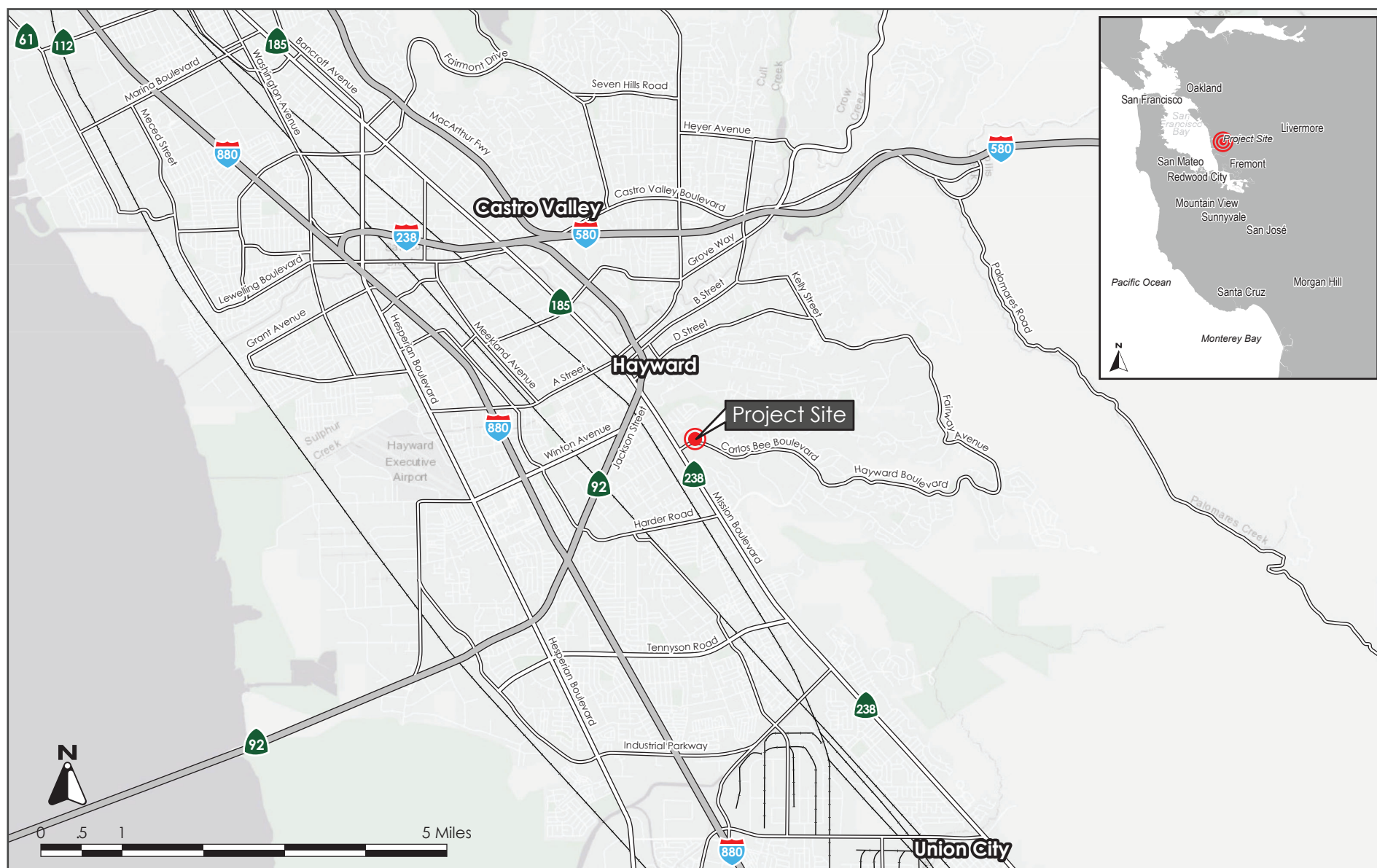
### **2.6              GENERAL PLAN DESIGNATION AND ZONING DISTRICT**

General Plan: Low Density Residential (LDR)  
Zoning:        Single-Family Residential (RSB6) with minimum 6,000 square foot lot District

### **2.7              PROJECT-RELATED APPROVALS, AGREEMENTS, AND PERMITS**

- Planned Development Rezoning
- Vesting Tentative Map for Condominium Purposes
- Site Plan Review
- Grading Permit
- Building Permit

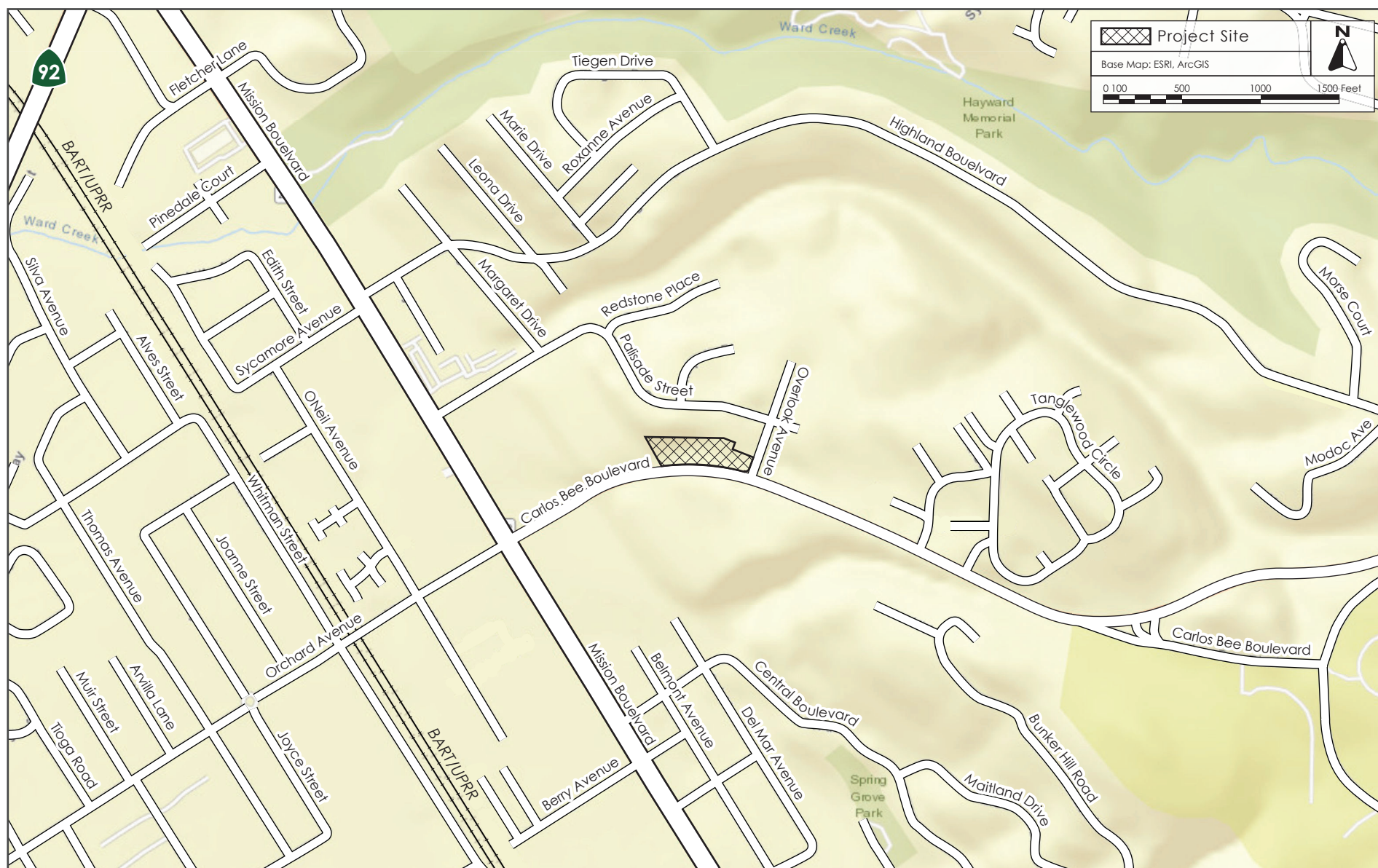




REGIONAL MAP

FIGURE 2.4-1

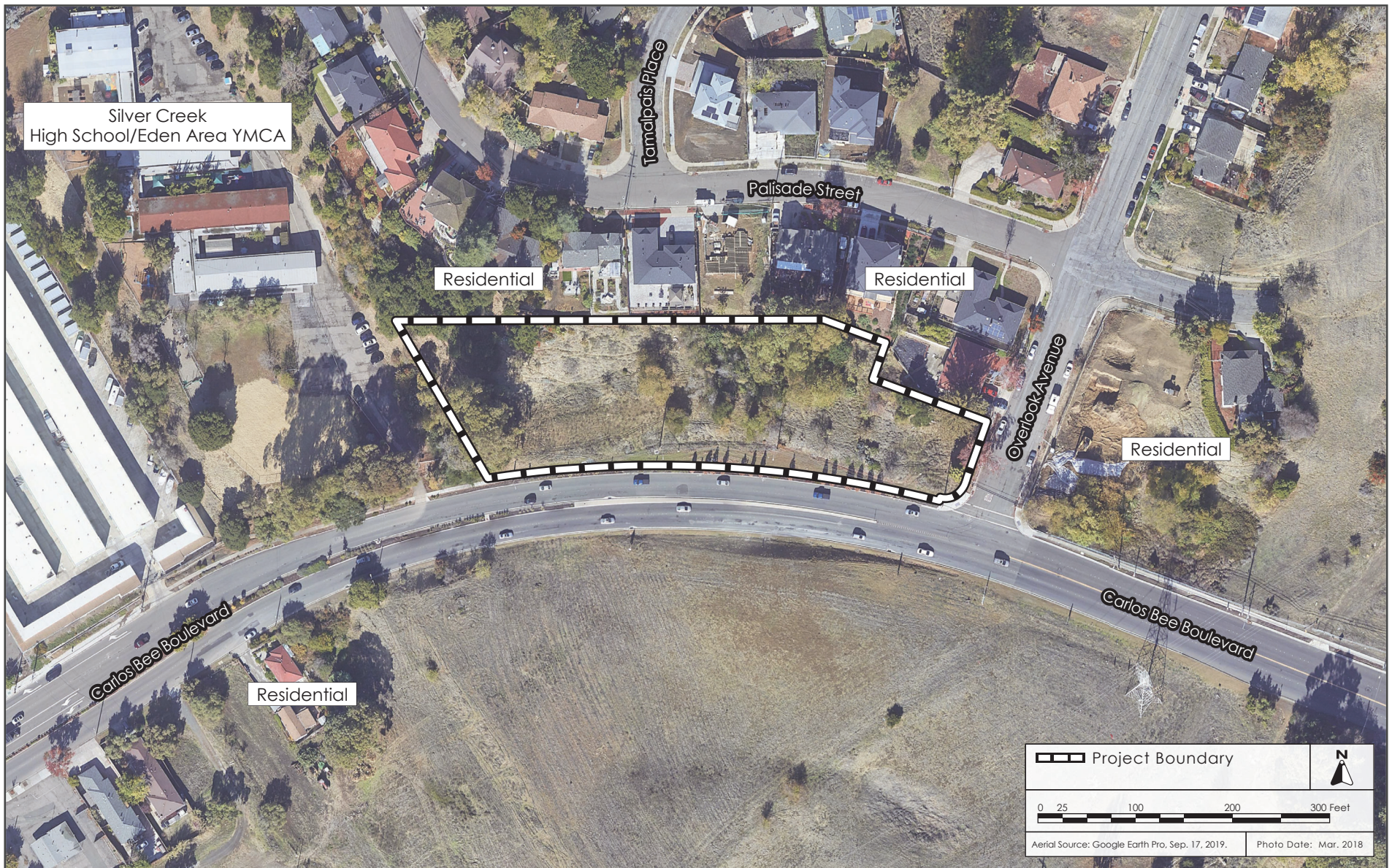




VICINITY MAP

FIGURE 2.4-2





AERIAL PHOTOGRAPH AND SURROUNDING LAND USES

FIGURE 2.4-3



## SECTION 3.0 PROJECT DESCRIPTION

---

### 3.1 EXISTING SITE

The approximately 1.63-acre project site consists of one parcel (APN 445-0170-039-13) that is located north of Carlos Bee Boulevard, east of Mission Boulevard, south of Palisade Street, and west of Overlook Avenue in the Hayward Hills. The site is currently undeveloped and consists of ruderal vegetation, open soil surfaces, mature shrubs and trees, and remnant building foundations. The site was previously developed with single-family residences, which were removed to accommodate the previously planned State Route 238 Corridor Bypass Freeway. The site slopes down at approximately 15 percent to the southwest. The Hayward Fault runs through the western portion of the site.

### 3.2 SURROUNDING USES

The project site is located in an urban area of Hayward surrounded by single-family residential uses to the north, east, and northwest, and Carlos Bee Boulevard and a vacant undeveloped lot to the south which is the site of a current application for an auto dealership. Silver Oak High School and the Eden Area YMCA are located approximately 250 feet west of the site. The properties bordering the site are designated *Low Density Residential* to the north and *Sustainable Mixed Use* to the east, west, and south in the City of Hayward 2040 General Plan.

### 3.3 PROPOSED DEVELOPMENT

The project proposes to construct a residential subdivision of nine single-family dwelling units. The development would be a mix of two- and three-story units with individual at-grade garages. Three of the units would be three-stories tall (Unit Type A), while six of the units would be two-stories tall (Unit Type B and C) and would include accessory dwelling units (ADUs).<sup>1</sup> The three-story units would have three bedrooms and four bathrooms and provide approximately 2,200 square feet of floor space. The two-story units would provide three bedrooms and two bathrooms in the main residence, and either one bedroom and bathroom (Unit Type B) or two bedrooms and one bathroom (Unit Type C) in the accessory dwelling units, for approximately 2,700 square feet of floor space. The accessory dwelling units would be located on the ground floor of Type B and C units and have separate entries from the main residences. The maximum height of the proposed homes would be 30 feet to the top of the roofline.

In total, the subdivision would provide 22,700 square feet of gross floor area and building footprints would occupy approximately 15 percent of the site. The proposed buildings would generally be setback 20 feet from the property lines. Approximately one-fourth of the western part of the site would be retained as open space due to its location within an earthquake fault zone.

The buildings would be designed in a contemporary style with pitched roofs and building pop-outs to break up the building form, particularly on the front and rear of the homes. The exterior building materials would include a mix of stucco siding and horizontal fiber cement siding, balconies with metal railings, vinyl windows, and doors with wood trim. Amenity space would be provided in the

---

<sup>1</sup> Accessory dwelling units are smaller, independent residential dwelling units located on the same lot as a stand-alone (i.e. detached) single-family home.

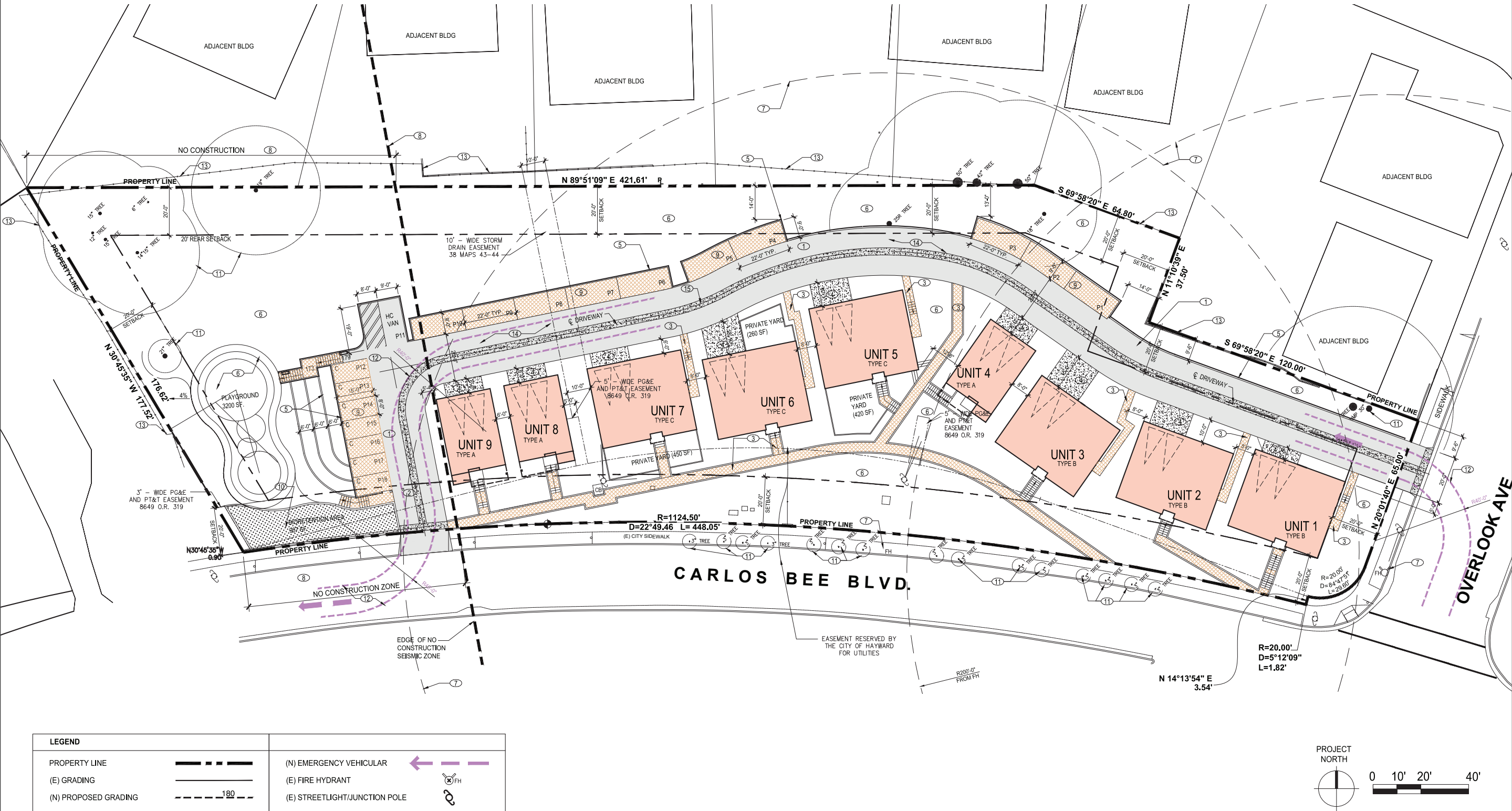


form of an approximately 3,200 square foot playground on the western portion of the site, and the yards fronting Carlos Bee Boulevard would have a decorative meandering pathway that would parallel the existing sidewalk. The proposed project's site plan is shown on the following page on Figures 3.2-1. Building elevations are shown on Figures 3.2-2 and 3.2-3.<sup>2</sup>

---

<sup>2</sup> It should be noted that Unit Types B and C have the same exterior elevations and are differentiated only by the number of bedrooms in the ADUs.



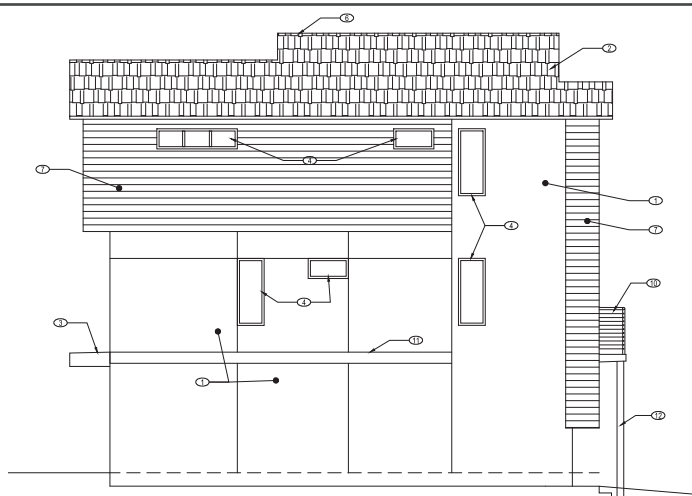


Source: Kodama Diseno Architects & Planners, 10/3/2019.

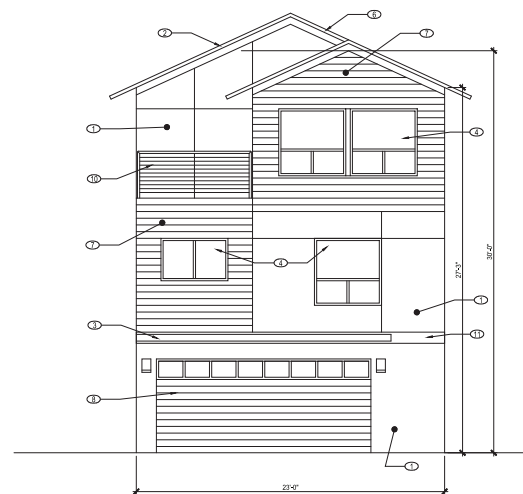
PROPOSED SITE PLAN

FIGURE 3.2-1

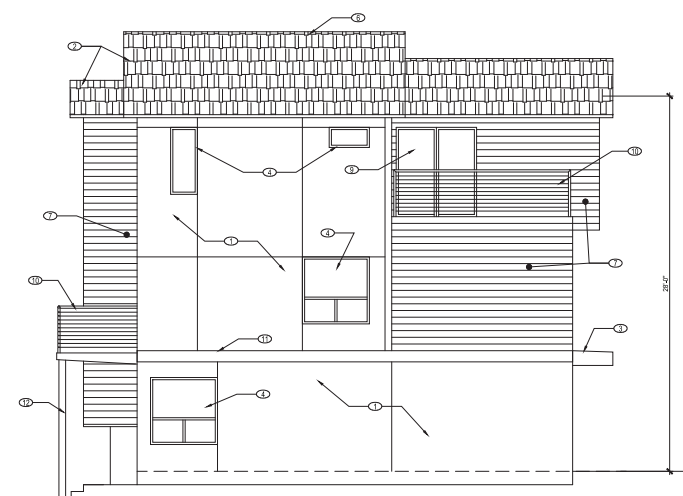




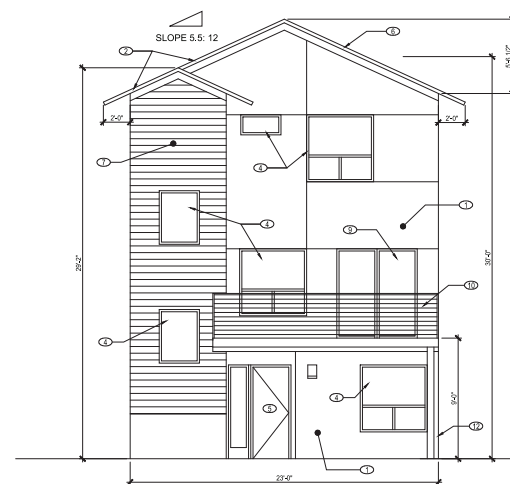
WEST ELEVATION (SIDE) - UNIT TYPE A



NORTH ELEVATION (REAR) - UNIT TYPE A



EAST ELEVATION (SIDE) - UNIT TYPE A



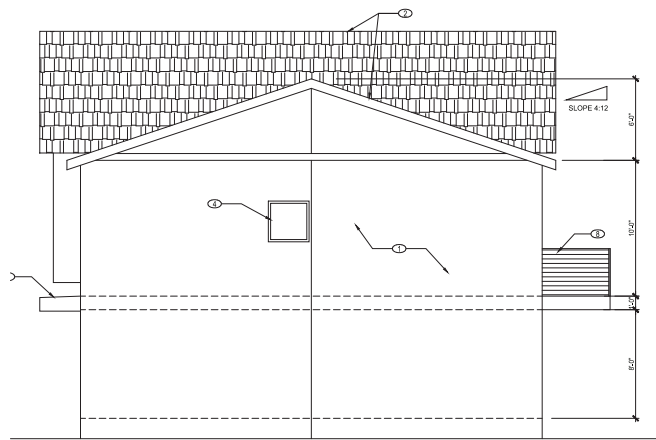
SOUTH ELEVATION (FRONT) - UNIT TYPE A

Source: Kodama Diseno Architects & Planners, 7/22/2019.

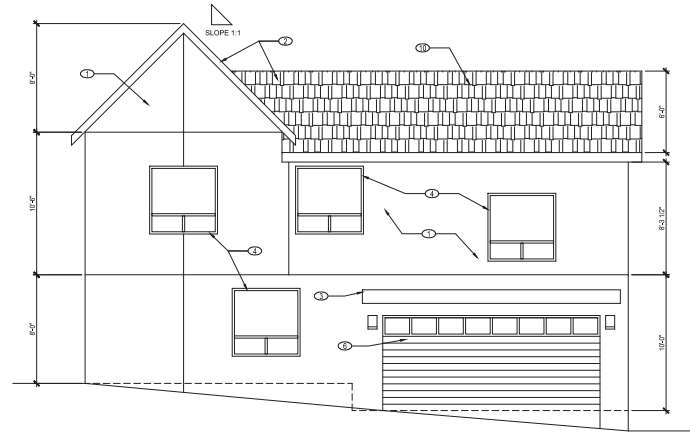
UNIT TYPE A BUILDING ELEVATIONS

FIGURE 3.2-2

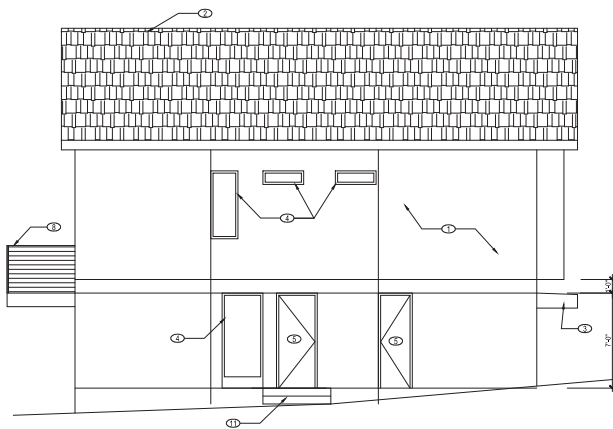




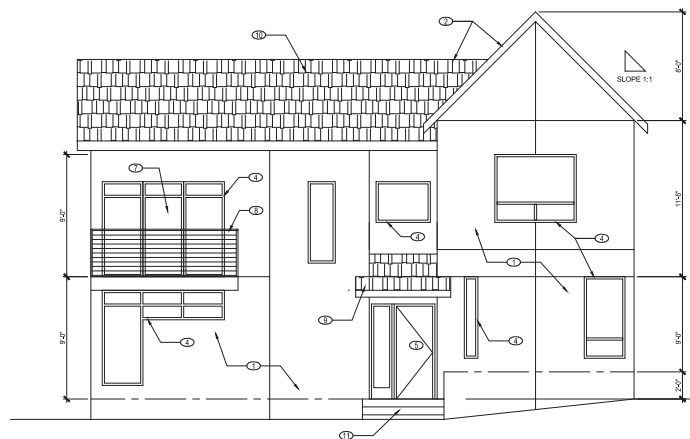
(N) WEST ELEVATION (SIDE) - UNIT TYPE B



(N) NORTH ELEVATION (REAR) - UNIT TYPE B



(N) EAST ELEVATION (SIDE) - UNIT TYPE B



(N) SOUTH ELEVATION (FRONT) - UNIT TYPE B

Source: Kodama Diseno Architects & Planners, 7/22/2019.

UNIT TYPE B & C BUILDING ELEVATIONS

FIGURE 3.2-3



### **3.3.1 Site Access and Parking**

Vehicular access to the project site would be provided via a two-way driveway on Overlook Avenue and an emergency vehicle access on Carlos Bee Boulevard. The roadway would run along the rear of the site and would provide access to alley-loaded individual garages. The project would provide 18 garage parking spaces (two car garages for each single-family unit) plus 18 guest surface parking spaces on the western portion of the site and along the northern side of the roadway. Pedestrian access would be provided via paved pathways connecting the existing sidewalks on Carlos Bee Boulevard and Overlook Avenue to the interior of the site.

### **3.3.2 Landscaping**

The project proposes new landscaping that would consist of primarily low to moderate water use trees, shrubs, and groundcover. A total of 84 trees on and adjacent to the site were surveyed as part of the project according to the Arborist Report prepared for the project (see Appendix B). Between 52 and 54 trees would be removed by the project (with 30-32 preserved depending on suitability and adjacency to construction), and 87 new trees would be planted on the site. Landscaped areas would be located along the site perimeter and intermittently throughout the site. Trees would be planted along the sidewalk on Carlos Bee Boulevard to provide visual screening of the residences.

### **3.3.3 Utilities**

The proposed residences would be required to connect to the City's water, sewer, and storm systems and other public utilities fronting the property. The project proposes an on-site water main with connections to existing six-inch water mains along Overlook Avenue and Carlos Bee Boulevard and on-site sanitary sewer main with connection to existing eight-inch sanitary sewer main along Carlos Bee Boulevard. Stormwater runoff would be directed downslope to the proposed biotreatment area at the southwest corner of the site where it would be treated in compliance with Alameda County Cleanwater Program requirements prior to entering the City's 15-inch storm drain line in Carlos Bee Boulevard.

There are two utility poles on-site. These poles are within an existing PG&E utility easement which passes through the site from east to west. A natural gas main runs through the site adjacent to Carlos Bee Boulevard. No trees would be planted within 10 feet of the gas main. Additionally, a storm drain line in a 10-foot wide storm drain easement runs through the site from north to south and conveys runoff from the properties just north of the site on Palisade Street to the City's storm drain Carlos Bee Boulevard. All utility services to the proposed residences will be underground as a standard condition of approval of the development.

### **3.3.4 Construction**

Construction of the project would last approximately eight months, beginning in 2020. The project would require grading, minor excavation, trenching, building construction, and paving. The project would disturb approximately 1.3 acres of land during construction. Soil would not be removed and/or added. Rather, the existing soil on-site would be distributed within the parcel.



The project would include a three-foot high retaining wall along the northern edge of the proposed internal roadway for slope stabilization. The existing fence and concrete wall at the northern property line would remain.

### **3.3.5 Green Building Measures**

The project would be built in accordance with the most recent California Green Building Standards (CALGreen) Code, as adopted by the City. The project would include photovoltaic panels on the rooftops of select residential units as a Planned Development District amenity and condition of approval.

### **3.3.6 General Plan and Zoning Designation**

The project site has a 2040 General Plan land use designation of *Low Density Residential*. This designation generally applies to suburban areas located throughout the Hayward Planning Area. Typical building types include detached single-family homes, second units, and ancillary structures. This designation allows residential densities between 4.3 and 8.7 dwelling units per net acre. The project proposes a residential density of 5.5 dwelling units per acre. No General Plan amendment is proposed.

The project site is zoned RSB6 (Single-Family Residential with minimum 6,000 square foot lot) District. This zoning designation supports the development of single-family homes on minimum 6,000 square foot lots and accompanying community services. The project proposes a Zone Change to Planned Development (PD) District to allow for detached single-family homes to be developed as condominiums on a common lot, thus eliminating the minimum lot and minimum setback requirements from property lines due to the steep slopes at the rear of the site and the difficulty in placing driveways along Carlos Bee Boulevard which is a high intensity vehicular roadway. The proposed PD District would not exceed the permitted density under the *Low Density Residential* General Plan designation.



## SECTION 4.0 ENVIRONMENTAL SETTING, CHECKLIST, AND IMPACT DISCUSSION

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This section presents the discussion of impacts related to the following environmental subjects in their respective subsections:

4.1	Aesthetics	4.12	Mineral Resources
4.2	Agriculture and Forestry Resources	4.13	Noise
4.3	Air Quality	4.14	Population and Housing
4.4	Biological Resources	4.15	Public Services
4.5	Cultural Resources	4.16	Recreation
4.6	Energy	4.17	Transportation
4.7	Geology and Soils	4.18	Tribal Cultural Resources
4.8	Greenhouse Gas Emissions	4.19	Utilities and Service Systems
4.9	Hazards and Hazardous Materials	4.20	Wildfire
4.10	Hydrology and Water Quality	4.21	Mandatory Findings of Significance
4.11	Land Use and Planning		

The discussion for each environmental subject includes the following subsections:

- **Environmental Setting** – This subsection 1) provides a brief overview of relevant plans, policies, and regulations that compose the regulatory framework for the project and 2) describes the existing, physical environmental conditions at the project site and in the surrounding area, as relevant.
- **Impact Discussion** – This subsection 1) includes the recommended checklist questions from Appendix G of the CEQA Guidelines to assess impacts and 2) discusses the project's impact on the environmental subject as related to the checklist questions. For significant impacts, feasible mitigation measures are identified. "Mitigation measures" are measures that will minimize, avoid, or eliminate a significant impact (CEQA Guidelines Section 15370). Each impact is numbered to correspond to the checklist question being answered. For example, Impact BIO-1 answers the first checklist question in the Biological Resources section. Mitigation measures are also numbered to correspond to the impact they address. For example, MM BIO-1.3 refers to the third mitigation measure for the first impact in the Biological Resources section.



## 4.1 AESTHETICS

### 4.1.1 Environmental Setting

#### 4.1.1.1 *Regulatory Framework*

##### **State**

##### Streets and Highway Code Sections 260 through 263

The California Scenic Highway Program (Streets and Highway Code, Sections 260 through 263) is managed by the California Department of Transportation (Caltrans). The program is intended to protect and enhance the natural scenic beauty of California highways and adjacent corridors through special conservation treatment. There are no state-designated scenic highways in Hayward. I-580, located just north of Hayward, is included in the California Scenic Highway Program as an eligible but not official designated State Scenic Highway.<sup>3</sup>

##### **Local**

##### City of Hayward General Plan

The Land Use and Community Character Element contains policies to reduce aesthetic impacts of new development in the City. The proposed project would be subject to conformance with applicable General Plan policies, including those listed below.

Policies	Description
Policy LU-1.2	The City shall maintain and implement commercial, residential, industrial, and hillside design guidelines to ensure that future development complies with General Plan goals and policies.
Policy LU-3.7	The City shall protect the pattern and character of the existing neighborhoods by requiring new infill developments to have complementary building forms and site features.
Policy LU-7.2	The City shall discourage the placement of homes and structures near ridgelines to maintain natural open space and preserve views. If ridgeline development cannot be avoided, the City shall require grading, building, and landscaping designs that mitigate visual impacts and blend the development with the natural features of the hillside.
Policy LU-7.3	The City shall require curvilinear street patterns in hillside areas to respect natural topography and minimize site grading.
Policy LU-7.4	The City shall encourage narrow streets in hillside areas. Streets should be designed with soft shoulders and drainage swales (rather than sidewalks with curbs and gutters) to maintain the rural character of hillside areas and minimize grading impacts. The City shall prohibit parking along narrow street shoulders to provide space for residents to walk and ride horses.
Policy LU-7.5	The City shall encourage the clustering of residential units on hillsides to preserve sensitive habitats and scenic resources as natural open space. Sensitive areas and scenic resources include woodlands, streams and riparian corridors, mature trees, ridgelines, and rock outcroppings.

<sup>3</sup> California Department of Transportation. California Scenic Highway Mapping System.  
<http://www.dot.ca.gov/design/lap/livability/scenic-highways/index.html>. Accessed August 16, 2019



Policy NR-8.1	The City shall regulate the design of streets, sidewalks, cluster home development, architecture, site design, grading, landscaping, utilities, and signage in hillside areas to protect aesthetics, natural topography, and views of surrounding open space through the continued Hillside Design and Urban/Wildland Interface Guidelines.
Policy NR-8.2	The City shall require low-impact site grading, soils repair, foundation design, and other construction methods to be used on new residential structures and roadways above 250 feet in elevation to protect aesthetics, natural topography, and views of hillsides and surrounding open space.
Policy NR-8.4	The City shall maintain and implement residential and non-residential design guidelines in order to protect existing views of the Bay shoreline.

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### City of Hayward Design Guidelines

The City of Hayward adopted Design Guidelines in 1993 to establish guidelines for site planning, circulation, architectural design, and landscape design for all development in the City; guidelines for specific land uses; and guidelines specifically for the Downtown area and hillside areas. The Hillside Design/Urban Wildland Fire Interface Guidelines promote quality design that enhances the aesthetic character of the hillside setting and preserve important environmental resources. The guidelines include recommended design standards for streets, sidewalks, cluster home development, architecture, site design, grading, landscaping, utilities, signage, and building construction strategies for fire construction.

#### **4.1.1.2      *Existing Conditions***

The project site is located on an undeveloped hillside covered by ruderal vegetation, open soil surfaces, and numerous mature trees and shrubs. Telephone poles and lines run east-west through the site. Views of the site are limited to the surrounding parcels and roadways.

Surrounding uses include single-family residences to the north and east, Silver Oak High School and residences to the west, and a vacant lot to the south. The surrounding neighborhoods consist of older one- and two-story homes with detached garages. Silver Oak High School is located approximately 250 feet west of the site. The high school consists of long, narrow, one- and two-story structures and is screened from the site by dense vegetation. The existing site and surrounding uses are shown in Photos 1 through 6 on the following pages.

The San Francisco Bay and the City of Hayward are visible from the project site. The project site is located approximately 2.4 miles south of I-580, the nearest eligible State Scenic Highway. County-designated scenic routes in Hayward include I-880 and SR 92<sup>4</sup>; the project site is located approximately 1.7 miles northeast and 0.6-mile east, respectively, of the nearest segments along these routes.

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<sup>4</sup> Alameda County. *Scenic Route Element of the General Plan*. Adopted May 1966, Amended May 1994.





**Photo 1:** View of the project site from the east along Carlos Bee Boulevard.



**Photo 2:** View of the project site from the west along Carlos Bee Boulevard.





**Photo 3:** View of the western portion of the project site and property lines of adjacent residences from the south.



**Photo 4:** View of the eastern portion of the project site and adjacent residences from the south.





**Photo 5:** View of Carlos Bee Boulevard and adjacent properties to the south of the project site.



**Photo 6:** View of the Carlos Bee Boulevard and Overlook Avenue intersection from the east of the project site.



#### 4.1.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

---

**Impact AES-1:** The project would not have a substantial adverse effect on a scenic vista.  
(Less than Significant Impact)

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According to the Hayward General Plan, there are no designated scenic vistas in the vicinity of the project and the project is not located within or visible from a designated scenic vista. The site is not prominently visible from the flatlands at the intersection of Carlos Bee Boulevard and Mission Boulevard and would not impact a view of the hillside. Intervening structures and trees would provide some visual screening from roadways at the base of the hillside. Therefore, the project would have a less than significant impact on scenic vistas. **(Less than Significant Impact)**

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**Impact AES-2:** The project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. **(Less than Significant Impact)**

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The project site is not located within a state scenic highway, nor are there views of a scenic highway in the area which would be obstructed by the project. There are no rock outcroppings within, or adjacent to, the project site that qualify as scenic resources. Of the 86 trees surveyed on and around the site, 52-54 would be removed and 32-34 would be retained. Tree removal is subject to Tree Removal Permits and mitigation of the loss of trees in accordance with the Hayward Municipal Code Chapter 10, Article 15, Tree Preservation Ordinance. For these reasons, the proposed project would not damage scenic resources. **(Less than Significant Impact)**



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**Impact AES-3:** The project, which is in an urbanized area, would not conflict with applicable zoning and other regulations governing scenic quality. **(Less than Significant Impact)**

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The proposed project would be subject to the Zone Change and Tentative Map approval process which evaluates architectural and site design and consistency with the City's General Plan and Hillside Design Guidelines among other City regulations and policies. During this process, modifications to the project's design can be made, as necessary, to reduce visual impacts, ensure compatibility with the surrounding neighborhood and hillside character, and ensure consistency with General Plan and Zoning Ordinance standards. Overall, the proposed site is an infill site and the proposed development is in line with the surrounding residential development. Based on the entitlement process and the proposed development type, the project would not conflict with applicable zoning and/or other regulations governing scenic quality. **(Less than Significant Impact)**

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**Impact AES-4:** The project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. **(Less than Significant Impact)**

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The project would result in a negligible increase in daytime glare from building windows. As the site is currently undeveloped, new nighttime lighting would be created from the illuminated building interiors; however, this increase in lighting would be minor. The nighttime light created by the project would be comparable in brightness to the ambient residential and street lighting in the surrounding area. For these reasons, the project would not adversely affect day or nighttime views in the area. **(Less than Significant Impact)**



## 4.2 AGRICULTURE AND FORESTRY RESOURCES

### 4.2.1 Environmental Setting

#### 4.2.1.1 *Regulatory Framework*

##### State

##### Farmland Mapping and Monitoring Program

The California Resources Agency's Farmland Mapping and Monitoring Program (FMMP) assesses the location, quality, and quantity of agricultural land and conversion of these lands over time. Agricultural land is rated according to soil quality and irrigation status. The best quality land is called Prime Farmland. In CEQA analyses, the FMMP classifications and published county maps are used, in part, to identify whether agricultural resources that could be affected are present on-site or in the project area.<sup>5</sup>

##### California Land Conservation Act

The California Land Conservation Act (Williamson Act) enables local governments to enter into contracts with private landowners to restrict parcels of land to agricultural or related open space uses. In return, landowners receive lower property tax assessments. In CEQA analyses, identification of properties that are under a Williamson Act contract is used to also identify sites that may contain agricultural resources or are zoned for agricultural uses.<sup>6</sup>

##### Forest Land, Timberland, and Timberland Production

The California Department of Forestry and Fire Protection (Cal Fire) identifies forest land, timberland, and lands zoned for timberland production that can (or do) support forestry resources.<sup>7</sup> Programs such as Cal Fire's Fire and Resource Assessment Program (FRAP) and are used to identify whether forest land, timberland, or timberland production areas that could be effected are located on or adjacent to a project site.<sup>8</sup>

#### 4.2.1.2 *Existing Conditions*

The project site is located in a suburban area of the City of Hayward. The site itself is undeveloped. According to the Alameda County Important Farmlands 2016 Map, the project site is designated as Urban and Built-up Land.<sup>9</sup>

<sup>5</sup> California Department of Conservation. "Farmland Mapping and Monitoring Program".

<http://www.conservation.ca.gov/dlrp/fmmp/Pages/Index.aspx>.

<sup>6</sup> California Department of Conservation. "Williamson Act". <http://www.conservation.ca.gov/dlrp/lca>.

<sup>7</sup> *Forest land* is land that can support 10 percent native tree cover and allows for management of one or more forest resources, including timber, fish, wildlife, and biodiversity (California Public Resources Code Section 12220(g)); *Timberland* is land not owned by the federal government or designated as experimental forest land that is available for, and capable of, growing a crop of trees used to produce lumber and other forest products, including Christmas trees (California Public Resources Code Section 4526); and *Timberland Production* is land devoted to and used for growing and harvesting timber and other compatible uses (Government Code Section 51104(g)).

<sup>8</sup> Cal Fire. "FRAP". <http://frap.fire.ca.gov/>

<sup>9</sup> California Department of Conservation, Farmland Mapping and Monitoring Program. *Alameda County Important Farmland 2016*. August 2018.



## 4.2.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<hr/> Would the project:				
1) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4) Result in a loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

---

**Impact AG-1:** The project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use. **(No Impact)**

---

The proposed project would develop a vacant site in an urban area of Hayward. There are no farmlands on or in the vicinity of the site. Therefore, the project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use. **(No Impact)**

---

**Impact AG-2:** The project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. **(No Impact)**

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The project site is not under Williamson Act contract and is zoned for residential use. Therefore, developing the site with nine residential units would not conflict with existing zoning for agricultural use, nor would it conflict with a Williamson Act contract. **(No Impact)**



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**Impact AG-3:** The project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. **(No Impact)**

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As mentioned previously, the site is located in an urban area that is zoned for residential uses. Developing the site for residential use is consistent with the intent of the current zoning and General Plan designation; no zoning conflicts or rezoning of forest land or timberland would result from implementation of the project. **(No Impact)**

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**Impact AG-4:** The project would not result in a loss of forest land or conversion of forest land to non-forest use. **(No Impact)**

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The project would remove trees from the site as detailed in Section 3.0 Project Description and under Impact AES-2 above, but the existing trees do not constitute forest land. No forest land or timberland would be impacted by the proposed development of the site. **(No Impact)**

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**Impact AG-5:** The project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use. **(No Impact)**

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The project would alter the existing environment to accommodate the development of the nine dwelling units; however, the changes would be localized at the project site and would not affect any farmland or forest land off-site, as none are present in the area. **(No Impact)**



### 4.3 AIR QUALITY

The following discussion is based, in part, on a construction air quality assessment prepared for the project by *Illingworth & Rodkin, Inc.* The report, dated September 11, 2019, is included in Appendix A of this Initial Study.

#### 4.3.1 Environmental Setting

##### 4.3.1.1 *Background Information*

#### **Criteria Pollutants**

Air quality in the Bay Area is assessed related to six common air pollutants (referred to as criteria pollutants), including ground-level ozone (O<sub>3</sub>), nitrogen oxides (NO<sub>x</sub>), particulate matter (PM), carbon monoxide (CO), sulfur oxides (SO<sub>x</sub>), and lead.<sup>10</sup> Criteria pollutants are regulated because they result in health effects. An overview of the sources of criteria pollutants and their associated health are summarized in Table 4.3-1. The most commonly regulated criteria pollutants in the Bay Area are discussed further below.

<b>Table 4.3-1: Health Effects of Air Pollutants</b>		
<b>Pollutants</b>	<b>Sources</b>	<b>Primary Effects</b>
Ozone (O <sub>3</sub> )	Atmospheric reaction of organic gases with nitrogen oxides in sunlight	<ul style="list-style-type: none"> <li>• Aggravation of respiratory and cardiovascular diseases</li> <li>• Irritation of eyes</li> <li>• Cardiopulmonary function impairment</li> </ul>
Nitrogen Dioxide (NO <sub>2</sub> )	Motor vehicle exhaust, high temperature stationary combustion, atmospheric reactions	<ul style="list-style-type: none"> <li>• Aggravation of respiratory illness</li> <li>• Reduced visibility</li> </ul>
Fine Particulate Matter (PM <sub>2.5</sub> ) and Coarse Particulate Matter (PM <sub>10</sub> )	Stationary combustion of solid fuels, construction activities, industrial processes, atmospheric chemical reactions	<ul style="list-style-type: none"> <li>• Reduced lung function, especially in children</li> <li>• Aggravation of respiratory and cardiorespiratory diseases</li> <li>• Increased cough and chest discomfort</li> <li>• Reduced visibility</li> </ul>
Toxic Air Contaminants (TACs)	Cars and trucks, especially diesel-fueled; industrial sources, such as chrome platers; dry cleaners and service stations; building materials and products	<ul style="list-style-type: none"> <li>• Cancer</li> <li>• Chronic eye, lung, or skin irritation</li> <li>• Neurological and reproductive disorders</li> </ul>

High O<sub>3</sub> levels are caused by the cumulative emissions of reactive organic gases (ROG) and NO<sub>x</sub>. These precursor pollutants react under certain meteorological conditions to form high O<sub>3</sub> levels. Controlling the emissions of these precursor pollutants is the focus of the Bay Area's attempts to

<sup>10</sup> The area has attained both state and federal ambient air quality standards for CO. The project does not include substantial new emissions of sulfur dioxide or lead. These criteria pollutants are not discussed further.



reduce O<sub>3</sub> levels. The highest O<sub>3</sub> levels in the Bay Area occur in the eastern and southern inland valleys that are downwind of air pollutant sources.

PM is a problematic air pollutant of the Bay Area. PM is assessed and measured in terms of respirable particulate matter or particles that have a diameter of 10 micrometers or less (PM<sub>10</sub>) and fine particulate matter where particles have a diameter of 2.5 micrometers or less (PM<sub>2.5</sub>). Elevated concentrations of PM<sub>10</sub> and PM<sub>2.5</sub> are the result of both region-wide emissions and localized emissions.

### **Toxic Air Contaminants**

TACs are a broad class of compounds known to have health effects. They include but are not limited to criteria pollutants. TACs are found in ambient air, especially in urban areas, and are caused by industry, agriculture, diesel fuel combustion, and commercial operations (e.g., dry cleaners). TACs are typically found in low concentrations, even near their source (e.g., diesel particulate matter [DPM] near a freeway).

Diesel exhaust is the predominant TAC in urban air and is estimated to represent about three-quarters of the cancer risk from TACs. Diesel exhaust is a complex mixture of gases, vapors, and fine particles. Medium- and heavy-duty diesel trucks represent the bulk of DPM emissions from California highways. The majority of DPM is small enough to be inhaled into the lungs. Most inhaled particles are subsequently exhaled, but some deposit on the lung surface or are deposited in the deepest regions of the lungs (most susceptible to injury).<sup>11</sup> Chemicals in diesel exhaust, such as benzene and formaldehyde, have been previously identified as TACs by the California Air Resources Board (CARB).

### **Sensitive Receptors**

Some groups of people are more affected by air pollution than others. CARB has identified the following persons who are most likely to be affected by air pollution: children under 16, the elderly over 65, athletes, and people with cardiovascular and chronic respiratory diseases. These groups are classified as sensitive receptors. Locations that may contain a high concentration of these sensitive population groups include residential areas, hospitals, daycare facilities, elder care facilities, and elementary schools.

The nearest sensitive receptors to the project site are the adjacent single-family residences to the north of the project site. In addition, there is an adjacent daycare (Eden Area YMCA) with children ages 0-5 and the Silver Oak High School to the northwest of the project site.

#### **4.3.1.2 Regulatory Framework**

##### **Federal and State**

##### Clean Air Act

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<sup>11</sup> California Air Resources Board. "Overview: Diesel Exhaust and Health." Accessed October 17, 2019. <https://www.arb.ca.gov/research/diesel/diesel-health.htm>.



At the federal level, the United States Environmental Protection Agency (EPA) is responsible for overseeing implementation of the Clean Air Act and its subsequent amendments. The federal Clean Air Act requires the EPA to set national ambient air quality standards for the six common criteria pollutants (discussed previously), including PM, O<sub>3</sub>, CO, SO<sub>x</sub>, NO<sub>x</sub>, and lead.

CARB is the state agency that regulates mobile sources throughout the state and oversees implementation of the state air quality laws and regulations, including the California Clean Air Act. The EPA and the CARB have adopted ambient air quality standards establishing permissible levels of these pollutants to protect public health and the climate. Violations of ambient air quality standards are based on air pollutant monitoring data and are determined for each air pollutant. Attainment status for a pollutant means that a given air district meets the standard set by the EPA and/or CARB.

### Risk Reduction Plan

To address the issue of diesel emissions in the state, CARB developed the Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles. In addition to requiring more stringent emission standards for new on-road and off-road mobile sources and stationary diesel-fueled engines to reduce particulate matter emissions by 90 percent, the plan involves application of emission control strategies to existing diesel vehicles and equipment to reduce DPM (in addition to other pollutants). Implementation of this plan, in conjunction with stringent federal and CARB-adopted emission limits for diesel fueled vehicles and equipment (including off-road equipment), will significantly reduce emissions of DPM and NO<sub>x</sub>.

## **Regional**

### 2017 Clean Air Plan

The Bay Area Air Quality Management District (BAAQMD) is the agency primarily responsible for assuring that the federal and state ambient air quality standards are maintained in the San Francisco Bay Area. Regional air quality management districts, such as BAAQMD, must prepare air quality plans specifying how state and federal air quality standards will be met. BAAQMD's most recently adopted plan is the Bay Area 2017 Clean Air Plan (2017 CAP). The 2017 CAP focuses on two related BAAQMD goals: protecting public health and protecting the climate. To protect public health, the 2017 CAP describes how BAAQMD will continue its progress toward attaining state and federal air quality standards and eliminating health risk disparities from exposure to air pollution among Bay Area communities. To protect the climate, the 2017 CAP includes control measures designed to reduce emissions of methane and other super-greenhouse gases (GHGs) that are potent climate pollutants in the near-term, and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.<sup>12</sup>

### CEQA Air Quality Guidelines

The BAAQMD CEQA Air Quality Guidelines are intended to serve as a guide for those who prepare or evaluate air quality impact analyses for projects and plans in the San Francisco Bay Area.

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<sup>12</sup> BAAQMD. *Final 2017 Clean Air Plan*. April 19, 2017. <http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans>.



Jurisdictions in the San Francisco Bay Area Air Basin utilize the thresholds and methodology for assessing air quality impacts developed by BAAQMD within their CEQA Air Quality Guidelines. The guidelines include information on legal requirements, BAAQMD rules, methods of analyzing impacts, and recommended mitigation measures.

## Local

### City of Hayward General Plan

The Natural Resources Element contains policies related to protecting air quality within the City. The proposed project would be subject to conformance with applicable General Plan policies, including those listed below.

Policies	Description
Policy NR-2.15	The City shall maintain and implement the General Plan as Hayward's community risk reduction strategy to reduce health risks associated with toxic air contaminants (TACs) and fine particulate matter (PM <sub>2.5</sub> ) in both existing and new development.
Policy NR-2.16	The City shall minimize exposure of sensitive receptors to toxic air contaminants (TAC), fine particulate matter (PM <sub>2.5</sub> ), and odors to the extent possible, and consider distance, orientation, and wind direction when siting sensitive land uses in proximity to TAC- and PM <sub>2.5</sub> -emitting sources and odor sources in order to minimize health risk.
Policy NR-2.17	The City shall coordinate with and support the efforts of the Bay Area Air Quality Management District, the California Air Resources Board, the U.S. Environmental Protection Agency, and other agencies as appropriate to implement source reduction measures and best management practices that address both existing and new sources of toxic air contaminants (TAC), fine particulate matter (PM <sub>2.5</sub> ), and odors.

#### **4.3.1.3      *Existing Conditions***

The Bay Area is considered a non-attainment area for ground-level O<sub>3</sub> and PM<sub>2.5</sub> under both the federal Clean Air Act and state Clean Air Act. The area is also considered nonattainment for PM<sub>10</sub> under the state act, but not the federal act. The area has attained both state and federal ambient air quality standards for CO. As part of an effort to attain and maintain ambient air quality standards for O<sub>3</sub> and PM<sub>10</sub>, BAAQMD has established thresholds of significance for these air pollutants and their precursors. These thresholds are for O<sub>3</sub> precursor pollutants (ROG and NO<sub>x</sub>), PM<sub>10</sub>, and PM<sub>2.5</sub>, and apply to both construction period and operational period impacts.



### 4.3.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### 4.3.2.1 *Thresholds of Significance*

As discussed in CEQA Guidelines Section 15064(b), the determination of whether a project may have a significant effect on the environment calls for judgment on the part of the lead agency and must be based to the extent possible on scientific and factual data. The City of Hayward has considered the air quality thresholds updated by BAAQMD in May 2017 and regards these thresholds to be based on the best information available for the San Francisco Bay Area Air Basin and conservative in terms of the assessment of health effects associated with TACs and PM<sub>2.5</sub>. The BAAQMD CEQA Air Quality thresholds used in this analysis are identified in Table 4.3-2.



Table 4.3-2: BAAQMD Air Quality Significance Thresholds			
Pollutant	Construction Thresholds	Operation Thresholds	
	Average Daily Emissions (pounds/day)	Annual Daily Emissions (pounds/year)	Annual Average Emissions (tons/year)
Criteria Air Pollutants			
ROG, NO <sub>x</sub>	54	54	10
PM <sub>10</sub>	82 (exhaust)	82	15
PM <sub>2.5</sub>	54 (exhaust)	54	10
CO	Not Applicable	9.0 ppm (eight-hour) or 20.0 ppm (one-hour)	
Fugitive Dust	Dust-Control Measures/Best Management Practices	Not Applicable	
Health Risks and Hazards for New Sources (within a 1,000-foot Zone of Influence)			
Health Hazard	Single Source	Combined Cumulative Sources	
Excess Cancer Risk	10 per one million	100 per one million	
Hazard Index	1.0	10.0	
Incremental Annual PM <sub>2.5</sub>	0.3 µg/m <sup>3</sup>	0.8 µg/m <sup>3</sup> (average)	
Notes: ROG = reactive organic gases, NO <sub>x</sub> = nitrogen oxides, PM <sub>10</sub> = course particulate matter with a diameter of 10 micrometers (µm) or less, and PM <sub>2.5</sub> = fine particulate matter with a diameter of 2.5 µm or less.			

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**Impact AIR-1:** The project would not conflict with or obstruct implementation of the applicable air quality plan. **(Less than Significant Impact)**

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The proposed project would not conflict with the implementation of the 2017 Clean Air Plan because the proposed nine unit development would be smaller than the BAAQMD CEQA Air Quality Guidelines Operational and Construction Criteria Pollutant Screening Size for the proposed land use (refer to discussion under Impact AIR-2). Because the project would not exceed the BAAQMD screening criteria, it would not result in the generation of operational or construction criteria air pollutants and/or precursors that exceed the thresholds shown in Table 4.3-2. Implementation of the project would not inhibit BAAQMD or partner agencies from continuing progress toward attaining state and federal air quality standards and eliminating health-risk disparities from exposure to air pollution among Bay Area communities, as described within the 2017 CAP. Therefore, the project would not conflict with or obstruct implementation of the 2017 CAP. **(Less than Significant Impact)**



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**Impact AIR-2:** The project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard. **(Less than Significant Impact)**

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### Operational Emissions

According to the BAAQMD thresholds, a project that generates more than 54 pounds per day of ROG (reactive organic gases), NO<sub>x</sub>, or PM<sub>2.5</sub>; or 82 pounds per day of PM<sub>10</sub> would be considered to have a significant impact on regional air quality. The BAAQMD developed screening criteria to provide lead agencies with an indication of whether a project could result in significant operational air quality impacts (e.g., daily or annual emissions above stated thresholds). Screening criteria are used to determine the extent of additional analysis required for a specific project. If a project is determined to be below the BAAQMD's screening criteria for a specific pollutant, then the project is said to have less than significant operational air quality impacts and no further analysis is required under CEQA

The proposed project would result in the development of nine single-family dwelling units and six accessory dwelling units on an undeveloped site. Operational emissions of the project would be generated by energy and water use on-site, solid waste disposal, and vehicular trips to and from the site. While emissions at the project site would be increased relative to its current undeveloped state, this increase would be considered less than significant because the size of the project is below BAAQMD screening levels for operational emissions for single-family residential land uses (325 dwelling units).<sup>13</sup> Projects that are smaller than the relevant screening level are considered to have a less than significant operational air quality impact due to criteria pollutant emissions. **(Less than Significant Impact)**

### Construction Emissions

The BAAQMD Guidelines also include screening criteria that provides a conservative indication of whether construction activities associated with a project could result in a potentially significant air quality impact from emissions of criteria air pollutants and their precursors. For construction impacts from criteria pollutants at single-family land uses, the screening size is 114 dwelling units. The project proposes a total of nine single-family units and six accessory dwelling units, which is below the screening criteria for the proposed land use. Therefore, the project would have a less than significant air quality impact due to criteria air pollutants and precursors released during on-site construction activities. **(Less than Significant Impact)**

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**Impact AIR-3:** The project would not expose sensitive receptors to substantial pollutant concentrations. **(Less than Significant Impact)**

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<sup>13</sup> Bay Area Air Quality Management District. *CEQA Air Quality Guidelines*. Table 3-1, Operational-Related Criteria Air Pollutant and Precursor Screening Level Sizes. Updated May 2011.



## Construction Dust Emissions

The project would construct nine single-family dwelling units and six accessory dwelling units over a period of eight months. Construction would also include a private interior roadway, walkways, surface parking spaces, and a 3,200-square foot playground in addition to site work. Construction activities, particularly during site preparation and grading, would temporarily generate fugitive dust in the form of PM<sub>10</sub> and PM<sub>2.5</sub>. Sources of fugitive dust would include disturbed soils at the construction site and trucks carrying uncovered loads of soils. Unless properly controlled, vehicles leaving the site would deposit mud on local streets, which could be an additional source of airborne dust after it dries. The BAAQMD CEQA Air Quality Guidelines consider these impacts to be less than significant if best management practices are implemented to reduce these emissions.

**Standard Measures:** The following standard measures reflect BAAQMD best management practices and would be implemented by the project to reduce potential impacts from fugitive dust.

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five (5) minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

With implementation of the BAAQMD-recommended standard measures as conditions of approval for the proposed project, it would not result in a significant air quality impact due to construction dust emissions. **(Less than Significant Impact)**

## Construction TAC and PM<sub>2.5</sub> Health Risks

Construction equipment and associated heavy-duty truck traffic generates diesel exhaust, which is a known TAC. Construction exhaust emissions can pose health risks for sensitive receptors in the project area, such as the adjacent residents. The primary community risk impact issue associated with



construction emissions are cancer risk and exposure to PM<sub>2.5</sub>. A health risk assessment of the project construction activities was conducted that evaluated potential health effects to nearby sensitive receptors from construction emissions of DPM and PM<sub>2.5</sub>. This assessment included dispersion modeling to predict the offsite and onsite concentrations resulting from project construction, so that lifetime cancer risks and non-cancer health effects could be evaluated.

Construction period emissions were computed using the California Emissions Estimator Model (CalEEMod) Version 2016.3.2. CalEEMod provided annual emissions for construction of the project and emission estimates for both on-site and off-site construction activities. On-site activities primarily consisted of construction equipment emissions, while off-site activity includes worker, hauling, and vendor traffic. The land uses input into CalEEMod to represent the construction build-out scenario included: nine dwelling units and 23,139 square feet entered as “Single Family Housing” and 18 spaces and 3,143-square feet entered as “Parking Lot” on a 0.6-acre construction site. In addition, six one-way cement truck trips during construction and 12 one-way cement truck trips during paving were entered into the model. A trip length of one mile was used to represent vehicle travel (haul trips, vendor trucks, and worker trips) while at or near the construction site. For modeling purposes, it was assumed that these emissions from on-road vehicles would occur at the construction site.

Construction TAC emissions were computed as 0.0136 tons (27 pounds) of annual PM<sub>10</sub> emissions (assumed to be DPM) and 0.001 tons of fugitive PM<sub>2.5</sub> emissions. After total emissions were computed, the U.S. EPA AERMOD dispersion model was used to predict concentrations of DPM and PM<sub>2.5</sub> at existing sensitive receptors (residences) in the vicinity of the project construction area. The maximum-modeled DPM and PM<sub>2.5</sub> concentrations were found to occur on the first floor of the adjacent residence to the northeast of the project site. Using the maximum annual modeled DPM concentrations, the maximum increased cancer risk at the location of the maximally exposed individual (MEI) was calculated; residential receptors were conservatively assumed to be infants.

The results of the assessment indicate that the maximum increased residential cancer risks would be 3.9 in one million for an infant exposure and 0.1 in one million for an adult exposure. The maximum residential cancer risk would not exceed the BAAQMD significance threshold of 10 in one million. The maximum modeled annual PM<sub>2.5</sub> concentration was 0.03 µg/m<sup>3</sup>; this would not exceed the BAAQMD significance threshold of 0.3 µg/m<sup>3</sup>. The maximum modeled annual residential DPM concentration (i.e. from construction exhaust) was 0.0221 µg/m<sup>3</sup>; the maximum Hazard Index (HI)<sup>14</sup> based on this DPM concentration is 0.004, which falls below the BAAQMD significance criterion of a HI greater than 1.0. Therefore, construction of the project would not result in significant health risk impacts to sensitive receptors in the area. **(Less than Significant Impact)**

### Cumulative Community Health Risks

Community health risk assessments typically look at all substantial sources of TACs located within 1,000 feet of the project site and at new TAC sources that would be introduced by the project. These sources included highways, busy surface streets, and stationary sources identified by BAAQMD. Existing substantial mobile sources of TACs in the area (roadways with average daily traffic of over

<sup>14</sup> Acute and chronic exposure to non-carcinogens is expressed as a hazard index (HI), which is the ratio of expected exposure levels to an acceptable reference exposure level. Source: BAAQMD. *CEQA Air Quality Guidelines*. May 2017.



10,000 trips) include State Route 238 (Mission Boulevard) and Carlos Bee Boulevard. One stationary source of TACs was identified within the 1,000-foot influence area using the BAAQMD's stationary source map. The project would not introduce any new TAC sources, such as substantial truck traffic or generators powered by diesel engines.

The combined emissions from existing mobile and stationary sources of TACs and construction exhaust emissions at the MEI were calculated and compared to BAAQMD cumulative source thresholds. The results of the analysis are shown in Table 4.3-3, below.

<b>Table 4.3-3: Cumulative Construction Risk Assessment</b>			
<b>Source</b>	<b>Maximum Cancer Risk (per million)</b>	<b>Maximum Annual PM<sub>2.5</sub> Concentration (µg/m<sup>3</sup>)</b>	<b>Maximum Hazard Index</b>
Unmitigated Project Construction	3.9 (infant)	0.03	<0.01
S.R. 238 (Mission Boulevard) – Link 447 (20ft elevation) at 1,000 feet east	3.8	0.03	<0.01
Carlos Bee Boulevard (east-west) at 125 feet south ADT - 20,000	5.8	0.16	<0.03
Plant #16449 (Generator) at 1,000 feet	0.1	<0.01	<0.01
<b>Cumulative Total</b>	13.6	<0.23	<0.06
<b>BAAQMD Threshold – Cumulative Sources</b>	<b>&gt;100</b>	<b>&gt;0.8</b>	<b>&gt;10.0</b>
<b>Significant?</b>	<b>No</b>	<b>No</b>	<b>No</b>

As shown in the table, the emissions from construction of the project and emissions from nearby stationary or mobile sources of TACs would not exceed BAAQMD cumulative source health risk thresholds. Therefore, construction of the proposed project, when considered in combination with nearby emission sources, would not create a substantial health risk at the maximally exposed individual. **(Less than Significant Impact)**

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**Impact AIR-4:** The project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. **(No Impact)**

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The project would generate localized emissions of diesel exhaust during construction equipment operation and truck activity. These emissions may be noticeable by adjacent residences; however, the odors would be localized and temporary and are not likely to affect a substantial number of people. The proposed residences would not be a source of odor emissions during operation. Therefore, the proposed project would result in a less than significant odor impact. **(No Impact)**



## 4.4 BIOLOGICAL RESOURCES

The following discussion is based, in part, on an arborist report prepared for the project by *HortScience*. The report, dated July 2019, is included in Appendix B of this Initial Study.

### 4.4.1 Environmental Setting

#### 4.4.1.1 *Regulatory Framework*

##### **Federal and State**

##### Endangered Species Act

Individual plant and animal species listed as rare, threatened, or endangered under state and federal Endangered Species Acts are considered special-status species. Federal and state endangered species legislation has provided the United States Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) with a mechanism for conserving and protecting plant and animal species of limited distribution and/or low or declining populations. Permits may be required from both the USFWS and CDFW if activities associated with a proposed project would result in the take of a species listed as threatened or endangered. To “take” a listed species, as defined by the State of California, is “to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill” these species. Take is more broadly defined by the federal Endangered Species Act to include harm of a listed species.

In addition to species listed under state and federal Endangered Species Acts, Sections 15380(b) and (c) of the CEQA Guidelines provide that all potential rare or sensitive species, or habitats capable of supporting rare species, must be considered as part of the environmental review process. These may include plant species listed by the California Native Plant Society and CDFW-listed Species of Special Concern.

##### Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA) prohibits killing, capture, possession, or trade of migratory birds except in accordance with regulations prescribed by the Secretary of the Interior. Hunting and poaching are also prohibited. The taking and killing of birds resulting from an activity is not prohibited by the MBTA when the underlying purpose of that activity is not to take birds (i.e. incidental take).<sup>15</sup> Nesting birds are considered special-status species and are protected by the USFWS. The CDFW also protects migratory and nesting birds under California Fish and Game Code Sections 3503, 3503.5, and 3800. The CDFW defines taking as causing abandonment and/or loss of reproductive efforts through disturbance.

##### Sensitive Habitat Regulations

Wetland and riparian habitats are considered sensitive habitats under CEQA. They are also afforded protection under applicable federal, state, and local regulations, and are generally subject to regulation by the United States Army Corps of Engineers (USACE), Regional Water Quality Control

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<sup>15</sup> United States Department of the Interior. “Memorandum M-37050. The Migratory Bird Treaty Act Does Not Prohibit Incidental Take.” Accessed August 22, 2019. <https://www.doi.gov/sites/doi.gov/files/uploads/m-37050.pdf>.



Board (RWQCB), CDFW, and/or the USFWS under provisions of the federal Clean Water Act (e.g., Sections 303, 304, 404) and State of California Porter-Cologne Water Quality Control Act.

### Fish and Game Code Section 1602

Streambeds and banks, as well as associated riparian habitat, are regulated by the CDFW per Section 1602 of the Fish and Game Code. Work within the bed or banks of a stream or the adjacent riparian habitat requires a Streambed Alteration Agreement from the CDFW.

## **Local**

### City of Hayward General Plan

The City of Hayward General Plan contains policies related to protecting biological resources within the City. The proposed project would be subject to conformance with applicable General Plan policies, including those listed below.

Policies	Description
Policy LU-7.5	The City shall encourage the clustering of residential units on hillsides to preserve sensitive habitats and scenic resources as natural open space. Sensitive areas and scenic resources include woodlands, streams and riparian corridors, mature trees, ridgelines, and rock outcroppings.
Policy NR-1.1	The City shall limit or avoid new development that encroaches into important native wildlife habitats; limits the range of listed or protected species; or creates barriers that cut off access to food, water, or shelter of listed or protected species.
Policy NR-1.2	The City shall protect sensitive biological resources, including State and Federally designated sensitive, rare, threatened, and endangered plant, fish, and wildlife species and their habitats from urban development and incompatible land uses.
Policy NR-1.7	The City shall encourage protection of mature, native tree species to the maximum extent practicable, to support the local ecosystem, provide shade, create windbreaks, and enhance the aesthetics of new and existing development.
Policy NR-4.12	The City shall encourage the planting of native and diverse tree species to reduce heat island effect, reduce energy consumption, and contribute to carbon mitigation.
Policy HQL-8.3	The City shall require the retention of trees of significance (such as heritage trees) by promoting stewardship and ensuring that project design provides for the retention of these trees wherever possible. Where tree removal cannot be avoided, the City shall require tree replacement or suitable mitigation.

### City of Hayward Tree Preservation Ordinance

The City of Hayward Tree Preservation Ordinance provides for the protection and preservation of significant trees by designating what types of trees located on what types of development or properties are “protected” and would require a permit before removal or pruning. Protected trees include: (1) all required trees on any developed property; (2) memorial trees; (3) trees planted as “replacement trees” as part of a development or tree removal project; (4) trees eight inches in diameter or greater than 54 inches above the ground; or (5) certain native species that are four inches in diameter or greater. Per HMC 10-15.20, all removed or disfigured trees shall also require replacement with like-size, like-kind trees or an equal value tree or trees. The value of the trees is



determined using the latest edition of the “Guide for Plant Appraisal” by the International Society of Arboriculture, and valuation shall be used to determine the number and size of replacement trees required.

#### 4.4.1.2 Existing Conditions

The project site is located in a developed urban area of the City of Hayward. The site itself is undeveloped but was previously developed for residential use in the past. Land cover on the site consists of ruderal vegetation, mature shrubs and trees, and open soil surfaces. Telecommunications utility lines traverse the site from east to west across its southern portion.

#### Special Status Species

The majority of special status animal species occurring in the Bay Area use habitats that are not present on the project site, such as salt marsh, freshwater marsh, serpentine grassland habitats, and riparian corridors. The project site is located approximately 0.2-mile south of the nearest waterway, a tributary of Ward Creek. Since the project site is located in an urbanized area and the land cover consists primarily of ruderal vegetation, special status plant and animal species are unlikely to occur. There is potential for nesting birds to be located in trees on or in the vicinity of the project site.

#### Trees

The project site contains a total of 84 trees. Table 4.4-1 below describes the trees on the project site.

<b>Table 4.4-1: Existing Trees On-Site</b>					
Tree Species		Total	Condition		
Common Name	Scientific Name		Poor	Fair	Good
Italian cypress	<i>Cupressus sempervirens</i>	3	-	3	-
Loquat	<i>Eriobotrya japonica</i>	4	1	3	-
Blue gum	<i>Eucalyptus globulus</i>	9	4	5	-
Monterey cypress	<i>Hesperocyparis macrocarpa</i>	1	-	-	1
Toyon	<i>Heteromeles arbutifolia</i>	1	1	-	-
Hollywood juniper	<i>Juniperus chinensis</i> 'Kaizuka'	1	-	1	-
Sweetgum	<i>Liquidambar styraciflua</i>	1	-	1	-
Italian stone pine	<i>Pinus pinea</i>	1	-	1	-
Monterey pine	<i>Pinus radiata</i>	1	-	1	-
Apricot	<i>Prunus armeniaca</i>	1	1	-	-
Plum	<i>Prunus domestica</i>	3	3	-	-
Almond	<i>Prunus dulcis</i>	8	8	-	-
Coast live oak	<i>Quercus agrifolia</i>	10	-	4	6
English oak	<i>Quercus rubra</i>	15	1	1	13
Yellow willow	<i>Salix lasiandra</i>	1	-	1	-
Arroyo willow	<i>Salix lasiolepis</i>	22	22	-	-
Australian bush cherry	<i>Syzygium paniculatum</i>	1	-	1	-
Mexican fan palm	<i>Washingtonia robusta</i>	1	-	-	1
<b>Total</b>		<b>84</b>	<b>41</b>	<b>22</b>	<b>21</b>

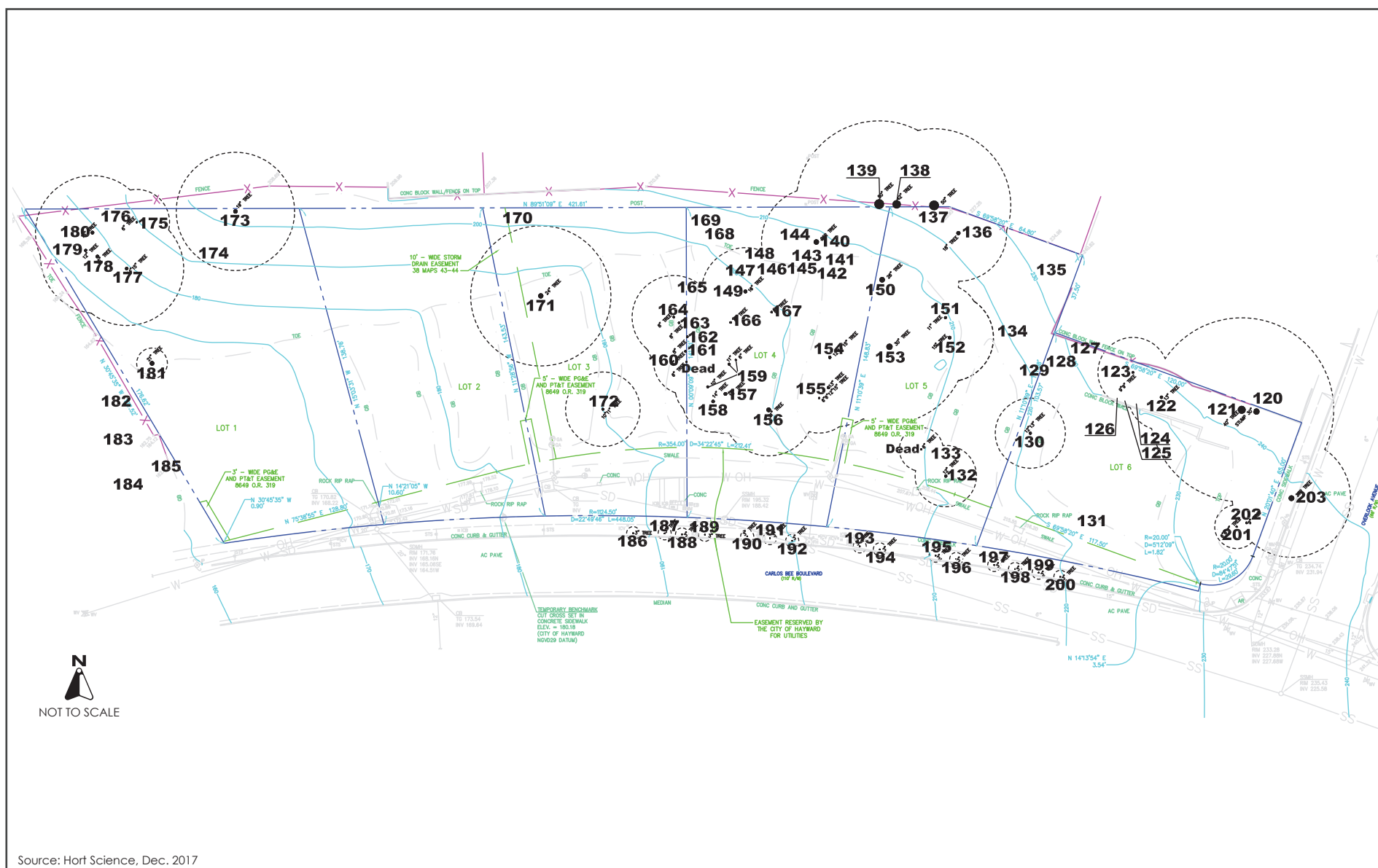


The City of Hayward protects trees that have a minimum trunk diameter of eight inches or more (measured 54 inches above the ground), street trees, memorial trees, trees that were planted as replacements for protected trees, and trees of certain species.<sup>16</sup> Based on this definition, 56 trees are protected, four of which are off-site and 16 of which are street trees. The location of trees at the project site is shown on Figure 4.4-1 on the following page.

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<sup>16</sup> The following tree species with a trunk diameter of four inches or more are protected under the City of Hayward Tree Preservation Ordinance: Big Leaf Maple, California Buckeye, Madrone, Western Dogwood, California Sycamore, Coast Live Oak, Canyon Live Oak, Blue Oak, Oregon White Oak, California Black Oak, Valley Oak, Interior Live Oak, and California Bay.





## TREE INVENTORY MAP

FIGURE 4.4-1



#### 4.4.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or United States Fish and Wildlife Service (USFWS)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Impact BIO-1:** The project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS. **(Less than Significant Impact with Mitigation Incorporated)**

#### **Special Status Species and Sensitive Habitats**

The project site is located in an urban area and is surrounded by development on the north, east, and west sides. Carlos Bee Boulevard and a vacant lot are located south of the site. The project site lacks



suitable habitat for designated special status species, as the land cover is predominantly ruderal vegetation and trees that commonly occur in urban environments. Development of the project site would not result in impacts to special status species or sensitive habitats. **(No Impact)**

### **Nesting Birds**

The proposed project would remove up to 52 trees from the site and make improvements in the vicinity of numerous mature trees. If tree-nesting raptors or migratory birds were to nest on or adjacent to the site, construction activities could result in the abandonment of active nests or direct mortality to these birds. Nesting birds, including raptors, are protected by the California Fish and Game Code 3503, which reads, “It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto.” Construction disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings, or could otherwise lead to nest abandonment. Nest abandonment and/or loss of reproductive effort caused by disturbance are considered “take” by the CDFW and, therefore, would constitute a significant impact.

### **Mitigation Measure**

The following mitigation measure would avoid possible impacts to nesting birds during construction:

**MM BIO-1:** If removal of the trees would take place between January and September, a pre-construction survey for nesting raptors or other migratory birds will be conducted by a qualified ornithologist to identify active nests that may be disturbed during project implementation. Between January and April (inclusive) pre-construction surveys will be conducted no more than 14 days prior to the initiation of construction activities or tree relocation or removal. Between May and August (inclusive), pre-construction surveys will be conducted no more than thirty days prior to the initiation of these activities. The surveying ornithologist shall inspect all trees in and immediately adjacent to the construction area to be disturbed by these activities, and the ornithologist shall, in consultation with the CDFW, designate a construction-free buffer zone (typically 250 feet) around any occupied nests until the end of the nesting activity.

Implementation of MM BIO-1 would reduce potential impacts to migratory nesting birds to a less than significant level. **(Less than Significant Impact with Mitigation Incorporated)**

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**Impact BIO-2:** The project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS. **(No Impact)**

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As mentioned, the project site is located approximately 0.2-mile south of the nearest riparian habitat. Existing housing developments separate the site from nearby habitat. The riparian habitat would be unaffected by development proposed by the project. Therefore, the project would not adversely affect riparian habitat or sensitive natural communities. **(No Impact)**



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**Impact BIO-3:** The project would not have a substantial adverse effect on state or federally protected wetlands through direct removal, filling, hydrological interruption, or other means. **(No Impact)**

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The proposed project is not located in the vicinity of any federally protected wetlands. Therefore, implementation of the project would not result in an impact to wetlands. **(No Impact)**

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**Impact BIO-4:** The project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. **(Less than Significant Impact)**

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The project site is located in an urban environment and is removed from any riparian corridors or other wildlife corridors that allow fish or other wildlife to carry out natural migratory patterns. The project would not impede the use of native wildlife nursery sites because there are none on or in the vicinity of the site. Therefore, native resident or migratory fish or wildlife species would not be impacted by the project, either directly or indirectly through removal of land used for migratory purposes. **(Less than Significant Impact)**

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**Impact BIO-5:** The project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. **(Less than Significant Impact with Mitigation Incorporated)**

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The arborist report, dated July 2019, recommends trees for removal if they are located within the construction zone of the project or if they are unsuitable for preservation due to their condition. The proposed project would remove a total of 52 trees from the site, including 29 protected trees. It should be noted that the four protected off-site trees (#182 through #185 on Figure 4.4-1) are recommended for preservation but are located within zero to 15 feet of excavation required for the proposed bioswale. If the bioswale remains in its proposed location, impacts would likely be beyond the tolerance of Trees #182 and #185 and they would also require removal.

Removal of protected trees from the site would constitute a significant impact. Additionally, the project would retain numerous trees on-site; construction activities could damage the roots of these trees or otherwise inhibit natural growth patterns.

**Mitigation Measures:** Implementation of the following mitigation measures would reduce impacts to protected trees to a less than significant level.

**MM BIO-5.1:** All protected trees removed from the site shall obtain a Tree Removal Permit per the City of Hayward Tree Preservation Ordinance (Municipal Code Chapter 10, Article 15). The removed trees would be required to be replaced at the quantities and species set forth in the Tree Preservation Ordinance. All removed trees would require replacement with like-size, like-kind trees or an equal value tree or trees as determined by the City's Landscape Architect.



The project shall adhere to the conditions of approval described in the City's Tree Preservation Ordinance for the removal, replacement or maintenance of protected trees. Final landscape plans shall be reviewed and approved by the City's Landscape Architect prior to issuance of any grading, trenching, or building permits. Final landscape plans shall clearly identify all "protected trees", as defined in the Tree Preservation Ordinance, and all trees to be removed from the project site and the size, location, type, value of trees and specific the species of all replacement trees.

**MM BIO-5.2:**

The project applicant shall implement all tree protection measures as described below:

*Design Recommendations*

1. Any changes to the plans affecting the trees shall be reviewed by the Project Arborist with regard to tree impacts. These include, but are not limited to, site plans, improvement plans, utility and drainage plans, grading plans, landscape and irrigation plans, and demolition plans.
2. A Tree Protection Zone (TPZ) shall be established around each tree to be preserved. No grading, excavation, construction or storage of materials shall occur within this zone. Underground services, including utilities, sub-drains, water or sewer shall be routed around the TPZ.
  - a. A fence shall be placed to encircle the group of Italian stone pine and blue gums #136-140 (refer to Figure 4.4-1);
  - b. No fencing is required for trees #173-180;
  - c. Off-site oak #185 will require additional fencing at the line of grading. Additionally, within the dripline no self-propelled equipment shall be used.
  - d. Any other measures as required by the Landscape Architect.
3. Irrigation systems must be designed so that no trenching severs roots larger than one inch in diameter will occur within the TPZ.
4. Tree Preservation Guidelines prepared by the Project Arborist, which include specifications for tree protection during demolition and construction, shall be included on all plans.
5. Any herbicides placed under paving materials must be safe for use around trees and labeled for that use.
6. The soil shall be not be limed within 50 feet of any tree. Lime is toxic to tree roots.
7. Ensure adequate but not excessive water is supplied to trees; in most cases, occasional irrigation will be required. Avoid directing runoff towards trees.

*Pre-Construction Treatments and Recommendations*

1. The demolition and construction superintendents shall meet with the Project Arborist before beginning work to review all work procedures, access routes, storage areas, and tree protection measures.
2. Prune trees to be preserved to clean the crown of dead branches one inch and larger in diameter, raise canopies as needed for construction



activities. All pruning shall be done by a State of California Licensed Tree Contractor (C/61/D49). All pruning shall be done by Certified Arborist or Certified Tree Worker in accordance with the Best Management Practices for Pruning (International Society of Arboriculture, 2002) and adhere to the most recent editions of the American National Standard for Tree Care Operations (Z133.1) and Pruning (A300). The Project Arborist will provide pruning specifications prior to site demolition.

3. Structures and underground features to be removed within the TPZ shall use equipment that will minimize damage to trees above and below ground, and operate from outside the TPZ. The Project Arborist shall be on-site during all operations within the TPZ to monitor demolition activity.
4. All tree work shall comply with the Migratory Bird Treaty Act as well as California Fish and Wildlife Code 3503-3513 to not disturb nesting birds, consistent with MM BIO-1. To the extent feasible tree pruning and removal should be scheduled outside of the breeding season. Breeding bird surveys shall be conducted prior to tree work. Qualified biologists shall be involved in establishing work buffers for active nests.

*Recommendations for Tree Protection during Construction*

1. Any approved grading, construction, demolition or other work within the TPZ shall be monitored by the Project Arborist.
2. All contractors shall conduct operations in a manner that will prevent damage to trees to be preserved.
3. Tree protection devices are to remain until all site work has been completed within the work area. Fences or other protection devices may not be relocated or removed without permission of the Project Arborist.
4. Construction trailers, traffic, and storage areas shall remain outside the TPZ at all times.
5. Any root pruning required for construction purposes shall receive the prior approval of, and be supervised by, the Project Arborist.
6. If roots two inches and greater in diameter are encountered during site work and must be cut to complete the construction, the Project Arborist shall be consulted to evaluate effects on the health and stability of the tree and recommend treatment.
7. Spoils from trenching, footing, utility or other excavation shall not be placed within the TPZ, neither temporarily nor permanently.
8. All grading within the dripline of trees shall be done using the smallest equipment possible. The equipment shall operate perpendicular to the tree and operate from outside the TPZ. Any modifications shall be approved and monitored by the Project Arborist.
9. All trees shall be irrigated on a schedule to be determined by the Project Arborist (every three to six weeks is typical). Each irrigation shall wet the soil within the TPZ to a depth of 30 inches.



10. If injury should occur to any tree during construction, it should be evaluated as soon as possible by the Project Arborist so that appropriate treatments can be applied.
11. No excess soil, chemicals, debris, equipment or other materials shall be dumped or stored within the TPZ.
12. Any additional tree pruning needed for clearance during construction shall be performed by a Certified Arborist and not by construction personnel.
13. Trees that accumulate a sufficient quantity of dust on their leaves, limbs and trunk as judged by the Project Arborist shall be spray-washed at the direction of the Project Arborist.

#### *Maintenance of Relocated Trees*

1. Irrigate. Until roots develop into the surrounding soil, the tree is dependent on water contained in the root ball itself. Plants should be irrigated before the root ball becomes dry, but not so frequently that it remains wet. Irrigation frequencies may range from every few days in hot, dry weather to every few weeks in cool weather. A soil probe should be used to check soil moisture and water applied as needed.
2. Prune. Trees should be pruned following transplanting to remove broken or damaged branches. If bark has been damaged, cut off any torn bark or wood with a knife. Do not shape the wound or apply wound paint.
3. Fertilize. Fertilizer should be applied if soil tests reveal deficiencies. Fall or late winter are the best times to apply fertilizer.
4. Monitor for pests and diseases. Transplanted trees are under stress until new roots are established in the landscape, and they are more susceptible to attack by parasites. Borers and canker disease are the most common problems. Inspect transplants monthly to assess any developing problems and determine appropriate treatments.
5. Inspect anchor stakes or guys. Every three months check that the plant is not being damaged by hardware.
6. Enlarge basin, replenish mulch. At the beginning of the second year, enlarge the watering basin by 50 percent and replenish wood chip mulch in basin.

#### *Maintenance of Impacted Trees*

Preserved trees will experience a physical environment different from that pre-development. As a result, tree health and structural stability shall be monitored. Occasional pruning, fertilization, mulch, pest management, replanting and irrigation may be required. In addition, provisions for monitoring both tree health and structural stability following construction must be made a priority. As trees age, the likelihood of failure of branches or entire trees increases; therefore, annual inspection for hazard potential is recommended.



With implementation of the mitigation measures described above, the project would not conflict with any local policies or ordinances protecting biological resources. **(Less than Significant Impact with Mitigation Incorporated)**

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**Impact BIO-6:** The project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. **(No Impact)**

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The project site is not subject to a Habitat Conservation Plan or Natural Community Conservation Plan. **(No Impact)**



## 4.5 CULTURAL RESOURCES

### 4.5.1 Environmental Setting

#### 4.5.1.1 *Regulatory Framework*

##### **Federal and State**

##### National Historic Preservation Act

Federal protection is legislated by the National Historic Preservation Act of 1966 (NHPA) and the Archaeological Resource Protection Act of 1979. These laws maintain processes for determination of the effects on historical properties eligible for listing in the National Register of Historic Places (NRHP). Section 106 of the NHPA and related regulations (36 Code of Federal Regulations [CFR] Part 800) constitute the primary federal regulatory framework guiding cultural resources investigations and require consideration of effects on properties that are listed or eligible for listing in the NRHP. Impacts to properties listed in the NRHP must be evaluated under CEQA.

##### California Register of Historical Resources

The California Register of Historical Resources (CRHR) is administered by the State Office of Historic Preservation and encourages protection of resources of architectural, historical, archeological, and cultural significance. The CRHR identifies historic resources for state and local planning purposes and affords protections under CEQA. Under Public Resources Code Section 5024.1(c), a resource may be eligible for listing in the CRHR if it meets any of the NRHP criteria.<sup>17</sup>

Historical resources eligible for listing in the CRHR must meet the significance criteria described previously and retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance. A resource that has lost its historic character or appearance may still have sufficient integrity for the CRHR if it maintains the potential to yield significant scientific or historical information or specific data.

The concept of integrity is essential to identifying the important physical characteristics of historical resources and, therefore, in evaluating adverse changes to them. Integrity is defined as “the authenticity of a historical resource’s physical identity evidenced by the survival of characteristics that existed during the resource’s period of significance.” The processes of determining integrity are similar for both the CRHR and NRHP and use the same seven variables or aspects to define integrity that are used to evaluate a resource’s eligibility for listing. These seven characteristics include 1) location, 2) design, 3) setting, 4) materials, 5) workmanship, 6) feeling, and 7) association.

##### California Native American Historical, Cultural, and Sacred Sites Act

The California Native American Historical, Cultural, and Sacred Sites Act applies to both state and private lands. The act requires that upon discovery of human remains, construction or excavation activity must cease and the county coroner be notified.

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<sup>17</sup> California Office of Historic Preservation. “CEQA Guidelines Section 15064.5(a)(3) and California Office of Historic Preservation Technical Assistance Series #6.” March 14, 2006.



### Public Resources Code Sections 5097 and 5097.98

Section 15064.5 of the CEQA Guidelines specifies procedures to be used in the event of an unexpected discovery of Native American human remains on non-federal land. These procedures are outlined in Public Resources Code Sections 5097 and 5097.98. These codes protect such remains from disturbance, vandalism, and inadvertent destruction, establish procedures to be implemented if Native American skeletal remains are discovered during construction of a project, and establish the Native American Heritage Commission (NAHC) as the authority to resolve disputes regarding disposition of such remains.

Pursuant to Public Resources Code Section 5097.98, in the event of human remains discovery, no further disturbance is allowed until the county coroner has made the necessary findings regarding the origin and disposition of the remains. If the remains are of a Native American, the county coroner must notify the NAHC. The NAHC then notifies those persons most likely to be related to the Native American remains. The code section also stipulates the procedures that the descendants may follow for treating or disposing of the remains and associated grave goods.

### **Local**

#### City of Hayward General Plan

The City of Hayward General Plan contains policies related to cultural resources. The proposed project would be subject to conformance with applicable General Plan policies, including those listed below.

Policies	Description
Policy NR-7.1	The City shall prohibit any new public or private development that damages or destroys a historically- or prehistorically-significant fossil, ruin, or monument, or any object of antiquity.
Policy LU-8.3	The City shall maintain and implement its Historic Preservation Ordinance to safeguard the heritage of the City and to preserve historic resources.

#### City of Hayward Historic Preservation Ordinance

The Historic Preservation Ordinance provides for the identification, protection, enhancement, perpetuation and use of historical resources, including buildings, structures, signs, objects, features, sites, historic and prehistoric archaeological sites, places, districts, designed landscapes, cultural landscapes and areas within the City that reflect special elements of the City's architectural, artistic cultural, engineering, aesthetic, historical, political, social and other heritage. The Historic Preservation Ordinance sets forth requirements for designation and protection of historic resources. The Ordinance also sets forth conditions of approval for development projects located within archaeologically sensitive areas and/or within or adjacent to known archaeological sites.

#### **4.5.1.2 Existing Conditions**

##### **Prehistoric Resources**

The aboriginal inhabitants of southern Alameda County belonged to a Native American group known as the "Costanoan," derived from the Spanish word *Costanos* ("coast people" or "coastal



dwellers”) who occupied the central California coast as far east as the Diablo Range. The descendants of these Native Americans now prefer to be called Ohlone. The City of Hayward is situated within the territory of the Chochenyo tribelet of the Ohlone. Historic accounts of the distribution of the tribelets and villages in the 1770s-1790s suggest that the Native Americans may have had a major village site along San Lorenzo Creek, approximately 1.2 miles north of the project site. The City of Hayward does not identify archaeologically sensitive areas in its General Plan EIR; however, the project site itself is not considered to have high archaeological sensitivity due to (1) the site’s distance from San Lorenzo Creek and other waterways in the City; (2) the site’s prior disturbance and; (3) the site’s location in a hillside area where archaeological resources are unlikely to be deposited.

## Historic Resources

The City of Hayward had its origins in the 1850s, during the Gold Rush, and was incorporated in 1876. The City’s historic retail core remains evident through historic commercial and mixed-use buildings along B Street between Mission and Foothill Boulevards. The City’s official list of Historically or Architecturally Significant Buildings contains 20 structures that have been officially designated by the City. Mark’s Historic Rehabilitation District is the only historic district officially designated by the City. The project site is not located within this district. There are no structures on the project site that could be considered historic, nor are there recognized historic structures in the immediate vicinity of the site.<sup>18</sup>

### 4.5.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2) Cause a substantial adverse change in the significance of an archaeological resource as pursuant to CEQA Guidelines Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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**Impact CUL-1:** The project would not cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5. (**No Impact**)

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The project site is an undeveloped hillside surrounded by development to the north, east, and west, and Carlos Bee Boulevard to the south. The site was previously developed with homes but there are

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<sup>18</sup> City of Hayward. *Public Review Draft Background Report*. Table 1-2: Officially Designated Architecturally and Historically Significant Buildings. November 2013.



no structures left on site, aside from remnant building foundations. There are no historic structures or resources located in the site vicinity. Therefore, implementation of the project would not result in an impact to historic resources on or off the site. **(No Impact)**

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**Impact CUL-2:** The project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5. **(Less than Significant Impact with Mitigation Incorporated)**

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As mentioned, the project site is not located in an archaeologically sensitive area or adjacent to any recognized archaeological sites. While the project site is not known to contain an archaeological site or buried deposits, construction operations could result in the inadvertent exposure of buried prehistoric or historic archaeological materials, as well as yet unknown tribal cultural resources that could be eligible for inclusion on the California Register and/or meet the definition of a unique archaeological resource as defined in Section 21083.2 of the Public Resources Code. The project would include the following mitigation measures to reduce potential impacts to archaeological resources on-site.

**Mitigation Measures:** Implementation of the following mitigation measures would ensure that potential impacts to archaeological resources remain at a less than significant level.

**MM CUL-1.1:** *Undiscovered Archaeological Resources.* If evidence of an archaeological site or other suspected cultural resource as defined by CEQA Guidelines Section 15064.5, including darkened soil representing past human activity (“midden”), that could conceal material remains (e.g., worked stone, worked bone, fired clay vessels, faunal bone, hearths, storage pits, or burials) is discovered during construction related earth-moving activities, all ground-disturbing activity within 100 feet of the resources shall be halted and the City Planning Manager shall be notified. The project sponsor shall hire a qualified archaeologist to conduct a field investigation. The City’s Planning Manager shall consult with the archaeologist to assess the significance of the find. Impacts to any significant resources shall be mitigated to a less-than-significant level through data recovery or other methods determined adequate by a qualified archaeologist and that are consistent with the Secretary of the Interior’s Standards for Archaeological documentation. Any identified cultural resources shall be recorded on the appropriate DPR 523 (A-J) form and filed with the NWIC.

**MM CUL-1.2:** *Human Remains.* If human remains are discovered at any project construction site during any phase of construction, all ground-disturbing activity within 100 feet of the resources shall be halted and the City’s Planning Manager and the Alameda County coroner shall be notified immediately, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California’s Health and Safety Code. If the remains are determined by the County coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains.



The project sponsor shall also retain a professional archaeologist with Native American burial experience to conduct a field investigation of the specific site and consult with the Most Likely Descendant, if any, identified by the NAHC. As necessary, the archaeologist may provide professional assistance to the Most Likely Descendant, including the excavation and removal of the human remains. The City of Hayward shall be responsible for approval of recommended mitigation as it deems appropriate, taking account of the provisions of State law, as set forth in CEQA Guidelines section 15064.5(e) and Public Resources Code section 5097.98. The project sponsor shall implement approved mitigation, to be verified by the City of Hayward, before the resumption of ground-disturbing activities within 100 feet of where the remains were discovered.

With the implementation of the above Mitigation Measures CUL-1.1 and -1.2, impacts to buried cultural resources would be less than significant. **(Less than Significant Impact with Mitigation Incorporated)**

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**Impact CUL-3:** The project would not disturb any human remains, including those interred outside of dedicated cemeteries. **(Less than Significant Impact with Mitigation Incorporated)**

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The proposed project would address the potential disturbance of human remains by implementing Mitigation Measure CUL-1.2, as described above. Therefore, human remains would not be significantly impacted by the project. **(Less than Significant Impact with Mitigation Incorporated)**



## 4.6 ENERGY

### 4.6.1 Environmental Setting

#### 4.6.1.1 *Regulatory Framework*

##### **Federal and State**

##### Energy Star and Fuel Efficiency

At the federal level, energy standards set by the EPA apply to numerous consumer products and appliances (e.g., the EnergyStar™ program). The EPA also sets fuel efficiency standards for automobiles and other modes of transportation.

##### Renewables Portfolio Standard Program

In 2002, California established its Renewables Portfolio Standard Program, with the goal of increasing the percentage of renewable energy in the state's electricity mix to 20 percent of retail sales by 2010. In 2008, Executive Order S-14-08 was signed into law, requiring retail sellers of electricity serve 33 percent of their load with renewable energy by 2020. In October 2015, Governor Brown signed SB 350 to codify California's climate and clean energy goals. A key provision of SB 350 requires retail sellers and publicly owned utilities to procure 50 percent of their electricity from renewable sources by 2030. SB 100, passed in 2018, requires 100 percent of electricity in California to be provided by 100 percent renewable and carbon-free sources by 2045.

##### California Building Standards Code

The Energy Efficiency Standards for Residential and Nonresidential Buildings, as specified in Title 24, Part 6 of the California Code of Regulations (Title 24), was established in 1978 in response to a legislative mandate to reduce California's energy consumption. Title 24 is updated approximately every three years, and the 2016 Title 24 updates went into effect on January 1, 2017.<sup>19</sup> The 2019 Title 24 updates will go into effect on January 1, 2020. Compliance with Title 24 is mandatory at the time new building permits are issued by city and county governments.<sup>20</sup>

##### California Green Building Standards Code

CALGreen establishes mandatory green building standards for buildings in California. CALGreen was developed to reduce GHG emissions from buildings, promote environmentally responsible and healthier places to live and work, reduce energy and water consumption, and respond to state environmental directives. The most recent update to CALGreen went in to effect on January 1, 2017, and covers five categories: planning and design, energy efficiency, water efficiency and conservation, material and resource efficiency, and indoor environmental quality. The 2019 update to CALGreen goes into effect on January 1, 2020, and covers the same topics.

<sup>19</sup> California Building Standards Commission. "Welcome to the California Building Standards Commission." Accessed October 17, 2019. <http://www.bsc.ca.gov/>.

<sup>20</sup> California Energy Commission (CEC). "2016 Building Energy Efficiency Standards." Accessed October 17, 2019. <http://www.energy.ca.gov/title24/2016standards/index.html>.



### Advanced Clean Cars Program

CARB adopted the Advanced Clean Cars program in 2012 in coordination with the EPA and National Highway Traffic Safety Administration. The program combines the control of smog-causing pollutants and GHG emissions into a single coordinated set of requirements for vehicle model years 2015 through 2025. The program promotes development of environmentally superior passenger cars and other vehicles, as well as saving the consumer money through fuel savings.<sup>21</sup>

### **Local**

#### City of Hayward General Plan

The General Plan contains policies related to energy resources. The proposed project would be subject to conformance with applicable General Plan policies, including those listed below.

Policies	Description
Policy NR-4.1	The City shall promote the efficient use of energy in the design, construction, maintenance, and operation of public and private facilities, infrastructure, and equipment.
Policy NR-4.3	The City shall encourage construction and building development practices that maximize the use of renewable resources and minimize the use of non-renewable resources throughout the life-cycle of a structure.
Policy NR-4.11	The City shall require newly constructed or renovated public and private buildings and structures to meet energy efficiency design and operations standards with the intent of meeting or exceeding the State's zero net energy goals by 2020.
Policy NR-4.12	The City shall encourage the planting of native and diverse tree species to reduce heat island effect, reduce energy consumption, and contribute to carbon mitigation.
Policy LU-1.8	The City shall maintain and implement green building and landscaping requirements for private- and public-sector development to: <ul style="list-style-type: none"> <li>• Reduce the use of energy, water, and natural resources.</li> <li>• Minimize the long-term maintenance and utility expenses of infrastructure, buildings, and properties.</li> <li>• Create healthy indoor environments to promote the health and productivity of residents, workers, and visitors.</li> <li>• Encourage the use of durable, sustainably sourced, and/or recycled building materials.</li> <li>• Reduce landfill waste by promoting practices that reduce, reuse, and recycle solid waste.</li> </ul>
NR-6.10	The City shall support efforts by the regional water provider to increase water recycling by residents, businesses, non-profits, industries, and developers, including identifying methods for water recycling and rainwater catchment for indoor and landscape uses in new development.

#### City of Hayward Climate Action Plan

Hayward's Climate Action Plan (CAP) was adopted by the City Council on July 2014 as part of the 2040 General Plan. The 2014 CAP was designed to reduce communitywide emissions 20 percent

<sup>21</sup> California Air Resources Board. "The Advanced Clean Cars Program." Accessed October 17, 2019. <https://www.arb.ca.gov/msprog/acc/acc.htm>.



below 2005 levels by the year 2020, 62.7 percent below 2005 levels by the year 2040, and 82.5 percent below 2005 levels by 2050. The CAP includes an implementation program with several energy-related policies that parallel General Plan policies.

#### **4.6.1.2 Existing Conditions**

Total energy usage in California was approximately 7,881 trillion British thermal units (Btu) in the year 2017, the most recent year for which this data was available.<sup>22</sup> Out of the 50 states, California is ranked second in total energy consumption and 48<sup>th</sup> in energy consumption per capita. The breakdown by sector was approximately 18 percent (1,416 trillion Btu) for residential uses, 19 percent (1,473 trillion Btu) for commercial uses, 23 percent (1,818 trillion Btu) for industrial uses, and 40 percent (3,175 trillion Btu) for transportation.<sup>23</sup> This energy is primarily supplied in the form of natural gas, petroleum, nuclear electric power, and hydroelectric power.

#### **Electricity**

Electricity in Alameda County in 2018 was consumed primarily by the commercial sector (71 percent) followed by the residential sector consuming 29 percent. In 2018, a total of approximately 10,344 GWh of electricity was consumed in Alameda County.<sup>24</sup>

East Bay Community Energy (EBCE) is the electricity provider for the City of Hayward. EBCE sources the electricity and the Pacific Gas and Electric Company (PG&E) delivers it to customers over their existing utility lines. EBCE customers are automatically enrolled in Brilliant 100, which provides electricity from 100 percent carbon-free sources (hydropower).<sup>25</sup> Customers also have the option to enroll in Renewable 100, which sources energy from 100 percent renewable sources (small hydroelectric, solar, and wind), and Bright Choice, which is at least 38 percent renewable and an additional 47 percent carbon-free.

#### **Natural Gas**

PG&E provides natural gas services within Hayward. In 2017, approximately 1.4 percent of California's natural gas supply came from in-state production, while the remaining supply was imported from other western states and Canada.<sup>26</sup> In 2016, residential and commercial customers in California used 29 percent of the state's natural gas, power plants used 32 percent, and the industrial sector used 37 percent. Transportation accounted for one percent of natural gas use in California.

<sup>22</sup> United States Energy Information Administration. "State Profile and Energy Estimates, 2017." Accessed August 1, 2019. <https://www.eia.gov/state/?sid=CA#tabs-2>.

<sup>23</sup> United States Energy Information Administration. *State Profile and Energy Estimates, 2017*. Accessed August 1, 2019. <https://www.eia.gov/state/?sid=CA#tabs-2>.

<sup>24</sup> California Energy Commission. Energy Consumption Data Management System. "Electricity Consumption by County." Accessed August 22, 2019. <http://ecdms.energy.ca.gov/electbycounty.aspx>.

<sup>25</sup> East Bay Community Energy. "Power Mix". <https://ebce.org/power-mix/> Accessed August 22, 2019.

<sup>26</sup> California Gas and Electric Utilities. 2018 *California Gas Report*. Accessed August 22, 2019. [https://www.socalgas.com/regulatory/documents/cgr/2018\\_California\\_Gas\\_Report.pdf](https://www.socalgas.com/regulatory/documents/cgr/2018_California_Gas_Report.pdf).



#### 4.6.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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**Impact EN-1:** The project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation.  
**(Less than Significant Impact)**

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The proposed project would be constructed in accordance with the latest California Green Building Standards Code (CALGreen) and the 2019 Title 24 Building Energy Efficiency Standards. CALGreen establishes voluntary and mandatory measures for residential developments which reduce water use and waste generation, and conserve energy through building design and site planning. Further, the project would include solar panels on all structures as a Planned Development amenity. Adherence to CALGreen and the installation of solar photovoltaic panels on all structures would ensure that the project includes measures to reduce energy use and increase the operational efficiency of the proposed single-family homes. The 2019 Title 24 Building Energy Efficiency Standards sets forth the latest energy and water efficiency requirements for new residential developments. The proposed project would incorporate measures into its final design that would meet the requirements of Title 24, subject to verification by the City at the time of permit issuance, thereby ensuring the proposed buildings are energy efficient.

Construction of the proposed project is estimated to take eight months. Energy would be required during the construction period related to the transportation of building materials, preparation of the project site (i.e., grading), fuel use for worker travel and construction equipment, and actual construction of the proposed buildings. Construction processes are already designed to be efficient to reduce excess monetary costs and opportunities for increased energy conservation during construction are limited. Construction would be limited to the hours allowed by the Municipal Code for construction activities. The project does not require demolition nor major excavation, activities which would substantially increase the energy expended to construct the project. In addition, the project is an infill development and would make use of underutilized land in an already developed area of the City. Existing utilities are available to serve the project and excessive energy would not be spent establishing new connections or extending existing lines. Therefore, the proposed project would not result in wasteful or inefficient energy use, either during construction or operation. **(Less than Significant Impact)**



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**Impact EN-2:** The project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. **(Less than Significant Impact)**

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As discussed in *Section 4.3, Air Quality*, the proposed project is below the screening size for operational pollutants according to BAAQMD Guidelines and would not be required to adhere to the 2017 Clean Air Plan project-specific control measures related to energy efficiency. However, the City of Hayward General Plan and Climate Action Plan are applicable to the proposed development, as both documents contain numerous goals, policies, and actions related to increasing energy efficiency and renewable energy production in the City.

The project would meet the latest building energy efficiency standards, increase the number of trees on-site, include solar panels on building rooftops, and result in land use densification on an infill site within the City. These facets of the project would result in reduced energy demand and increased renewable energy generation, in alignment with General Plan and Climate Action Plan energy policies. Overall, the project would not conflict with or obstruct the implementation of General Plan and Climate Action Plan policies related to renewable energy and/or energy efficiency. Therefore, the impact would be less than significant. **(Less than Significant Impact)**



## 4.7 GEOLOGY AND SOILS

The following discussion is based, in part, on a Fault Rupture Hazard Evaluation prepared by *Earth Focus Geological Services, Inc.*, a geologic peer review prepared by Louis A. Richardson, P.G., C.E.G., and a geotechnical investigation prepared by *Alan Kropp & Associates, Inc.* The reports are included in Appendix C1, C2, and C3, respectively, of this Initial Study.

### 4.7.1 Environmental Setting

#### 4.7.1.1 *Regulatory Framework*

##### **State**

##### Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act was passed following the 1971 San Fernando earthquake. The act regulates development in California near known active faults due to hazards associated with surface fault ruptures. Alquist-Priolo maps are distributed to affected cities, counties, and state agencies for their use in planning and controlling new construction. Areas within an Alquist-Priolo Earthquake Fault Zone require special studies to evaluate the potential for surface rupture to ensure that no structures intended for human occupancy are constructed across an active fault.

##### Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act (SHMA) was passed in 1990 following the 1989 Loma Prieta earthquake. The SHMA directs the California Geological Survey (CGS) to identify and map areas prone to liquefaction, earthquake-induced landslides, and amplified ground shaking. CGS has completed seismic hazard mapping for the portions of California most susceptible to liquefaction, landslides, and ground shaking, including the central San Francisco Bay Area. The SHMA requires that agencies only approve projects in seismic hazard zones following site-specific geotechnical investigations to determine if the seismic hazard is present and identify measures to reduce earthquake-related hazards.

##### California Building Standards Code

The California Building Standards Code (CBC) contains the regulations that govern the construction of buildings in California and prescribes standards for constructing safe buildings. The CBC contains provisions for earthquake safety based on factors including occupancy type, soil and rock profile, ground strength, and distance to seismic sources. The CBC requires that a site-specific geotechnical investigation report be prepared for most development projects to evaluate seismic and geologic conditions such as surface fault ruptures, ground shaking, liquefaction, differential settlement, lateral spreading, expansive soils, and slope stability. The CBC is updated every three years; the current version is the 2016 CBC. The CBC is in the process of being updated and the 2019 CBC will take effect on January 1, 2020.



### California Division of Occupational Safety and Health Regulations

Excavation, shoring, and trenching activities during construction are subject to occupational safety standards for stabilization by the California Department of Industrial Relations, Division of Occupational Safety and Health (Cal/OSHA) under Title 8 of the California Code of Regulations and Excavation Rules. These regulations minimize the potential for instability and collapse that could injure construction workers on the site.

### Public Resources Code Section 5097.5

Paleontological resources are the fossilized remains of organisms from prehistoric environments found in geologic strata. They range from mammoth and dinosaur bones to impressions of ancient animals and plants, trace remains, and microfossils. These are valued for the information they yield about the history of the earth and its past ecological settings. California Public Resources Code Section 5097.5 specifies that unauthorized removal of a paleontological resource is a misdemeanor. Under the CEQA Guidelines, a project would have a significant impact on paleontological resources if it would disturb or destroy a unique paleontological resource or site or unique geologic feature.

## **Local**

### City of Hayward General Plan

The City of Hayward General Plan contains policies related to geology and soils. The proposed project would be subject to conformance with applicable General Plan policies, including those listed below.

Policies	Description
Policy HAZ-2.1	The City shall enforce the seismic safety provisions of the Building Code and Alquist-Priolo Special Studies Zone Act to minimize earthquake-related hazards in new construction, particularly as they relate to high occupancy structures or buildings taller than 50 feet in height.
Policy LU-7.1	The City shall prohibit the construction of buildings on unstable and steep slopes (slopes greater than 25 percent).
Policy LU-7.2	The City shall discourage the placement of homes and structures near ridgelines to maintain natural open space and preserve views. If ridgeline development cannot be avoided, the City shall require grading, building, and landscaping designs that mitigate visual impacts and blend the development with the natural features of the hillside.
Policy LU-7.3	The City shall require curvilinear street patterns in hillside areas to respect natural topography and minimize site grading.
Policy LU-7.4	The City shall encourage narrow streets in hillside areas. Streets should be designed with soft shoulders and drainage swales (rather than sidewalks with curbs and gutters) to maintain the rural character of hillside areas and minimize grading impacts. The City shall prohibit parking along narrow street shoulders to provide space for residents to walk and ride horses.
Policy LU-7.5	The City shall encourage the clustering of residential units on hillsides to preserve sensitive habitats and scenic resources as natural open space. Sensitive areas and scenic resources include woodlands, streams and riparian corridors, mature trees, ridgelines, and rock outcroppings.



Policy LU-7.6	The City shall require new hillside developments to provide public trail access (as appropriate) to adjacent greenways, open space corridors, and regional parks.
Policy NR-7.2	The City shall develop or ensure compliance with protocols that protect or mitigate impacts to paleontological resources, including requiring grading and construction projects to cease activity when a paleontological resource is discovered so it can be safely removed.

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#### **4.7.1.2      *Existing Conditions***

##### **Regional Geology**

The City of Hayward is located within the San Francisco Bay portion of the Coast Ranges geomorphic province of California, a region characterized by northwest-trending ridges and intervening valleys influenced by the strike of the San Andreas and related faults. The project site is located on the west flank of the East Bay Hills which are underlain by a variety of sedimentary, igneous, and metamorphic bedrock types that range from Jurassic to Miocene in age. The geologic structure of the area has been severely complicated by faulting related to the active Hayward fault zone.

##### **Seismicity and Seismic Hazards**

###### Seismicity

The San Francisco Bay Area is one of the most seismically active areas in the United States. While seismologists cannot predict earthquake events, the United States Geological Survey's Working Group on California Earthquake Probabilities estimates there is a 62 percent chance of at least one magnitude 6.7 earthquake occurring in the Bay Area region between 2002 and 2032. There is a 27 percent chance that this predicted earthquake will occur on the Hayward-Rodgers Creek fault zone.

The western portion of the project site is within the Earthquake Fault Zone for the Hayward Fault. The Hayward Fault is divided into two segments based on seismicity. The southern Hayward fault, which is identified as the segment extending from near Warm Springs to near Montclair, has a fault length of approximately 33 miles, and is capable of producing a magnitude 6.9 earthquake. The northern Hayward fault, which is identified as the segment from near Montclair to San Pablo Bay, has a fault length of approximately 22 miles, and is capable of producing a magnitude 6.7 earthquake. The project site is closest to the southern Hayward fault segment. The nearest trace of the Hayward fault zone as shown on the latest official map by the State of California is approximately 300 feet to the west of the west property boundary. There are other prominent faults mapped in the vicinity of the site, such as the northwest-trending East and West Chabot faults located more than 2,000 feet to the east, although these faults are not seismically active.

A review of historical aerial photographs indicates the presence of a prominent linear scarp<sup>27</sup> that forms a well-defined break in the topography separating the valley plain from the hills within the site vicinity. This scarp has been mapped as the main trace of the Hayward fault zone located approximately 300 feet west of the west property boundary. A secondary trace of the Hayward fault

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<sup>27</sup> A scarp is a topographic expression of faulting attributed to the displacement of land surface by movement along faults.



zone is visible in aerial photographs as a less prominent, linear scarp near the west property boundary. These two subparallel faults defined an elongated terrace along the otherwise steep hillsides in the area. The project site is located along the upslope side of this terrace. With the exception of the linear scarp near the west property boundary, no obvious lineaments, springs, abrupt vegetation changes, or any other geomorphic anomalies were observed that could be attributed to active faulting from the Hayward fault zone.

### Liquefaction

Soil liquefaction is a condition where saturated granular soils near the ground surface undergo a substantial loss of strength during seismic events. Loose, water-saturated soils are transformed from a solid to a liquid state during ground shaking. Liquefaction can result in significant deformations and ground rupture or sand boils. Soils most susceptible to liquefaction are loose, uniformly graded, saturated, fine-grained sands that lie close to the ground surface.

The project site is not located within an Earthquake Zone of Required Investigation for liquefaction hazards and would not be subject to liquefaction.<sup>28</sup>

### Lateral Spreading

Lateral spreading is a type of ground failure related to liquefaction. It consists of the horizontal displacement of flat-lying alluvial material toward an open face, such as the steep bank of a stream channel.

There are no stream channels on or adjacent to the site and the project site is not subject to liquefaction; therefore, the project site would not be subject to lateral spreading.

### Landslides

The project site is not located within an Earthquake Zone of Required Investigation for landslide hazards and would not be subject to landslides.<sup>29</sup>

### **Site Conditions**

The project site is located on gentle to moderate slopes in the East Bay Hills of Hayward. The site has an elevation of approximately 170 feet to 240 feet above mean sea level.<sup>30</sup> The ground surface slopes downward to the southwest. The site also contains a continuous slope to the north which leads up to the neighboring residential lots above. The site is occupied by ruderal vegetation, shrubs and mature trees. There are terraced building pads on-site from the homes which formerly occupied the site. Remnant building foundations and retaining walls also remain at the intersection of Carlos Bee Boulevard and Overlook Avenue.

<sup>28</sup> California Geological Survey. "Earthquake Zones of Required Investigation". <https://maps.conservation.ca.gov/cgs/EQZApp/app/> Accessed August 23, 2019.

<sup>29</sup> Ibid.

<sup>30</sup> Alan Kropp & Associates, Inc. *Geotechnical Investigation – Carlos Bee Condominiums – Hayward, California*. March 15, 2019.



## Soil

A total of four borings were drilled during the geotechnical investigation of the site. The borings were drilled to depths ranging from approximately 16.5 feet to approximately 26.5 feet below existing grade. Soil samples were taken from the site and subjected to laboratory testing and soil engineering analyses to characterize the on-site soil conditions.

The subsurface soil conditions generally consist of stiff to very stiff, fat clay (with various amounts of sand and gravel) with high to critical plasticity to depths of about 19 feet. Below the clay and gravel soils, sandstone and claystone bedrock were encountered to the maximum depths explored. The soils on-site are considered to have moderate to high expansion potential.

## Groundwater

Free groundwater was encountered at a depth of approximately 11.5 feet below grade.<sup>31</sup> According to the Phase I Environmental Site Assessment prepared for the site, groundwater under the site flows in a southwest to northwest direction.<sup>32</sup> Groundwater levels will likely fluctuate due to variations in rainfall, temperature, and irrigation practices.

### 4.7.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<hr/> Would the project:				
1) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
– Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault (refer to Division of Mines and Geology Special Publication 42)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
– Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
– Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
– Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<sup>31</sup> Allan Kropp & Associates, Inc. *Geotechnical Investigation – Carlos Bee Condominiums – Hayward, California*. March 15, 2019.

<sup>32</sup> Harris and Lee Environmental Sciences, LLC. *Phase I Environmental Site Assessment*. November 4, 2017.



	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
3) Be located on a geologic unit or soil that is unstable, or that will become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Be located on expansive soil, as defined in the current California Building Code, creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact GEO-1:** The project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; strong seismic ground shaking; seismic-related ground failure, including liquefaction; or landslides.  
(Less than Significant Impact)

## Fault Rupture

Per *California Building Industry Association v. Bay Area Air Quality Management District*, 62 Cal. 4th 369 (*BIA v. BAAQMD*), effects of the environment on the project are not considered CEQA impacts. The following discussion is included for informational purposes only because the City of Hayward has policies that address existing geology and soils conditions affecting a proposed project. General Plan Policy HAZ-2.1 requires the City to minimize earthquake-related hazards in new development in accordance with the Building Code and the Alquist-Priolo Special Studies Zone Act.

As described above, the western portion of the project site is located within the Earthquake Fault Zone for the Hayward Fault. The Fault Rupture Hazard Evaluation completed a 175-foot long, 16.5-foot deep exploratory trench excavation on the project site within the fault zone to examine the site for evidence of active faulting. No signs of active faulting of the Hayward fault were identified within the exploration limits of the trench; however, the depth of the bedrock below the ground surface, the thickness of overlying materials, and the rising groundwater condition in the west portion of the exploratory trench made it unsafe to explore the underlying bedrock in this area of the site. The potential for active faulting to affect this area of the site was, therefore, unable to be determined. Using data gathered from prior geotechnical studies of the area, existing knowledge of the Hayward



Fault, and data from the exploratory excavation, it was determined that a No Residential Construction Zone shall be established within the west portion of the site under the Alquist-Priolo Earthquake Fault Zone Act of 1972. Figure 4.7-1 illustrates the location of the exploratory trench and the No Residential Construction Zone.<sup>33</sup> The most recent plans for the project, dated October 3, 2019, reflect the No Residential Construction Zone and show no homes are planned within this zone. Nonetheless, significant seismic shaking would occur, including potential loss, injury, or death, if any of the proposed dwelling units (or portions thereof) were placed in an area of the project site which is exposed to active fault movements of the Hayward Fault.

### **Project Condition of Approval:**

The proposed project shall implement the following condition of approval to ensure no adverse effects result from locating the project in the vicinity of the Fault Zone of the Hayward Fault:

- During construction, the project geologic team shall observe excavations and exposures for the existence or nonexistence of active faulting and verify that the locations of specific building sites are in conformance with their recommendations. A confirming letter shall be submitted to the Public Works Department prior to the issuance of any certificates of occupancy.

By adhering to the condition of approval described above and constructing the project in accordance with the California Building Code, the proposed project would not expose future residents to adverse effects related to rupture of the Hayward Fault. The proposed project would not increase the risk of fault rupture or otherwise cause direct or indirect adverse effects related to fault rupture. **(Less than Significant Impact)**

### **Seismic Shaking, Liquefaction, and Landslides**

#### **Seismic Shaking**

The project would conform to the standard engineering and building practices and techniques specified in the California Building Code (CBC). The CBC has adopted provisions for incorporation of strong ground shaking into the design of all structures. The buildings would meet the requirements of appropriate Building and Fire Codes, as adopted by the City of Hayward. The proposed residences would also be designed and constructed in accordance with the recommendations of a geotechnical report prepared for the site (refer to Appendix C3), which identifies specific design features related to geologic and seismic conditions.. Therefore, the project would not cause substantial adverse effects related to seismic ground shaking. **(Less than Significant Impact)**

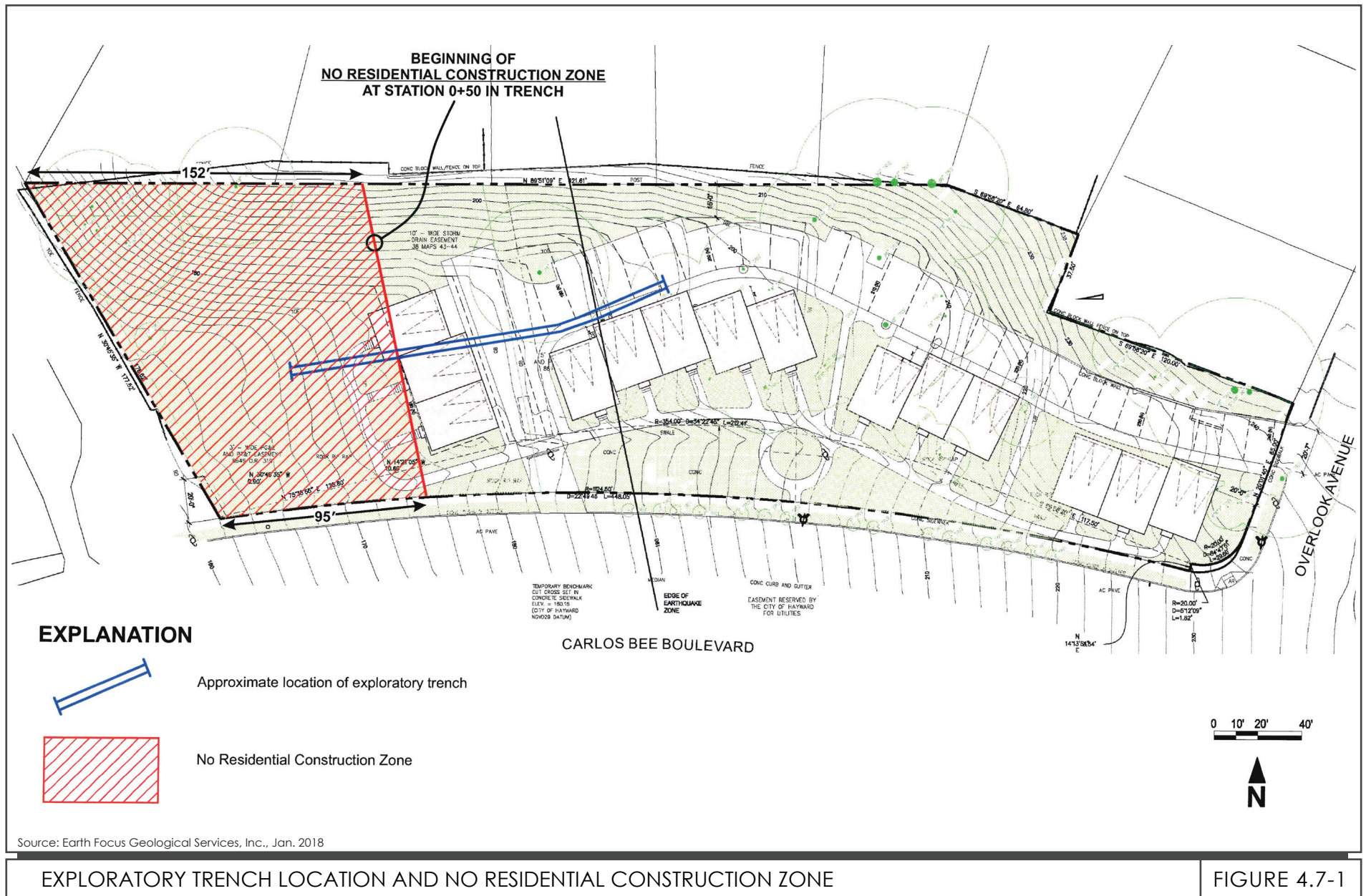
#### **Liquefaction**

The project site is not located in a liquefaction hazard zone. Thus, there would be no impact due to liquefaction. **(No Impact)**

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<sup>33</sup> It should be noted that Figure 4.7-1 references a site plan which is no longer current. The current site plan has been adjusted to account for the results of the Fault Rupture Hazard Evaluation and the established No Residential Construction Zone.







## Landslides

As described, the project site is not located in an identified landslide hazard zone. The probability that landslides will occur is low, and proper maintenance of drainage measures at the site would further reduce any risk. The project would not create or exacerbate landslide hazards. Thus, no substantial adverse effects would occur due to landslides. **(Less than Significant Impact)**

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**Impact GEO-2:** The project would not result in substantial erosion or the loss of topsoil. **(Less than Significant Impact)**

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The proposed project is located on approximately 15 percent slopes and would involve minor grading and excavation. During construction, open soil surfaces would be exposed to wind and water erosion. Soil loss from the site could lead to building instability and potential impacts on the City's stormdrain system. However, as discussed in Section 4.10, Hydrology and Water Quality, the project would be required to control erosion and sedimentation using Best Management Practices (BMPs) as required under the City's Municipal Regional Stormwater National Pollutant Discharge Elimination System (NPDES) permit. Stormwater runoff during construction would be minimized and managed as required by the Construction General Permit. The project would be required to provide an erosion or sediment plan as part of the process to obtain grading permits, as stipulated by in Chapter 10, Article 8 of the Hayward Municipal Code. For these reasons, the project would not result in substantial erosion or the loss of topsoil during construction and post-construction periods. **(Less than Significant Impact)**

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**Impact GEO-3:** The project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. **(Less than Significant Impact)**

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As mentioned, the project site is not located within liquefaction or landslide hazard zones. The geotechnical investigation of the site did not report any unusual geologic conditions that could lead to structural instability or otherwise cause substantial hazards. The project would conform to the recommendations of the geotechnical investigation pertaining to site clearing and preparation, building foundations, slope stability, excavations, fill and compaction, and surface drainage. Conformance to the recommendations in the geotechnical investigation and the California Building Code would ensure the project does not risk exacerbating any geologic or soil conditions at the site. **(Less than Significant Impact)**

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**Impact GEO-4:** The project would not be located on expansive soil, as defined in the current California Building Code, creating substantial direct or indirect risks to life or property. **(Less than Significant Impact)**

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The geotechnical investigation noted that the soils underlying the site have a moderate to high expansion potential. The geotechnical investigation includes recommendations to mitigate the effects of expansive soil if encountered during construction. Additionally, it is recommended that the



proposed buildings be supported on mat slab foundations that extend at least 12 inches below the lowest adjacent grade to account for the abundant expansive soils on-site and potential soil movement during the lifetime of the project. Adherence to the recommendations of the geotechnical investigation would reduce the risks associated with expansive soils to a less than significant level. **(Less than Significant Impact)**

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**Impact GEO-5:** The project would not have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water. **(No Impact)**

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The City's sanitary sewer system is available to serve the proposed project and implementation of the project would not involve the use of alternative wastewater disposal systems. **(No Impact)**

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**Impact GEO-6:** The project would not directly or indirectly destroy a unique paleontological resource or site or unique geological feature. **(Less than Significant Impact with Mitigation Incorporated)**

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The proposed project would excavate to an estimated depth of four feet. Paleontological resources are typically not found within strata at this depth. However, there is still the possibility that construction activities unearth previously undiscovered paleontological resources. Disturbance of these resources during construction would constitute a significant impact.

**Mitigation Measure:** The project would implement the following mitigation measure to account for the accidental discovery of paleontological resources during project construction:

**MM GEO-6:** *Unique Paleontological and/or Geologic Features and Reporting.* Should a unique paleontological resource or site or unique geological feature be identified at the project site during any phase of construction, all ground disturbing activities within 25 feet shall cease and the City's Planning Manager notified immediately. A qualified paleontologist shall evaluate the find and prescribe mitigation measures to reduce impacts to a less than significant level. Work may proceed on other parts of the project site while mitigation for paleontological resources or geologic features is implemented. Upon completion of the paleontological assessment, a report shall be submitted to the City and, if paleontological materials are recovered, a paleontological repository, such as the University of California Museum of Paleontology shall also be submitted to the City.

Adherence to the mitigation measure described above would reduce potentially significant impacts to paleontological resources. **(Less than Significant with Mitigation Incorporated)**



## 4.8 GREENHOUSE GAS EMISSIONS

### 4.8.1 Environmental Setting

#### 4.8.1.1 *Regulatory Framework*

##### **State**

##### Global Warming Solutions Act

Under the California Global Warming Solution Act, also known as Assembly Bill (AB) 32, the California Air Resources Board (CARB) established a statewide GHG emissions cap for 2020, adopted mandatory reporting rules for significant sources of GHG, and adopted a comprehensive plan, known as the Climate Change Scoping Plan, identifying how emission reductions would be achieved from significant GHG sources.

In 2016, Senate Bill (SB) 32 was signed into law, amending the California Global Warming Solution Act. SB 32, and accompanying Executive Order B-30-15, require CARB to ensure that statewide GHG emissions are reduced to 40 percent below the 1990 level by 2030. CARB updated its Climate Change Scoping Plan in December of 2017 to express the 2030 statewide target in terms of million metric tons of carbon dioxide equivalent (MMTCO<sub>2e</sub>). Based on the emissions reductions directed by SB 32, the annual 2030 statewide target emissions level for California is 260 MMTCO<sub>2e</sub>.

##### Senate Bill 375

SB 375, known as the Sustainable Communities Strategy and Climate Protection Act, was signed into law in September 2008. SB 375 builds upon AB 32 by requiring CARB to develop regional GHG reduction targets for automobile and light truck sectors for 2020 and 2035, as compared to 2005 emissions levels. The per-capita GHG emissions reduction targets for passenger vehicles in the San Francisco Bay Area include a seven percent reduction by 2020 and a 15 percent reduction by 2035.

Consistent with the requirements of SB 375, the Metropolitan Transportation Commission partnered with the Association of Bay Area Governments, BAAQMD, and Bay Conservation and Development Commission to prepare the region's Sustainable Communities Strategy (SCS) as part of the Regional Transportation Plan process. The SCS is referred to as Plan Bay Area. Plan Bay Area establishes a course for reducing per-capita GHG emissions through the promotion of compact, high-density, mixed-use neighborhoods near transit, particularly within identified Priority Development Areas (PDAs). The project site is located just outside of the Mission Boulevard Corridor PDA.<sup>34</sup>

##### Advanced Clean Cars Program

CARB adopted the Advanced Clean Cars program in 2012 in coordination with the EPA and National Highway Traffic Safety Administration. The program combines the control of smog-causing (criteria) pollutants and GHG emissions into a single coordinated set of requirements for

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<sup>34</sup> Association of Bay Area Governments. "PDA – Priority Development Areas." <https://abag.ca.gov/our-work/land-use/pda-priority-development-areas>. Accessed September 27, 2019.



model years 2015 through 2025. The program promotes development of environmentally superior passenger cars and other vehicles, as well as saving the consumer money through fuel savings.<sup>35</sup>

## **Regional**

### Bay Area 2017 Clean Air Plan

Regional air quality management districts, such as BAAQMD, must prepare air quality plans specifying how state and federal air quality standards would be met. BAAQMD's most recently adopted plan is the Bay Area 2017 Clean Air Plan (2017 CAP). The 2017 CAP focuses on two related BAAQMD goals: protecting public health and protecting the climate. To protect the climate, the 2017 CAP includes control measures designed to reduce emissions of methane and other super-GHGs that are potent climate pollutants in the near-term, and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.

### CEQA Air Quality Guidelines

The BAAQMD CEQA Air Quality Guidelines are intended to serve as a guide for those who prepare or evaluate air quality impact analyses for projects and plans in the San Francisco Bay Area. The City of Hayward and other jurisdictions in the San Francisco Bay Area Air Basin utilize the thresholds and methodology for assessing GHG impacts developed by BAAQMD within the CEQA Air Quality Guidelines. The guidelines include information on legal requirements, BAAQMD rules, methods of analyzing impacts, and recommended mitigation measures.

## **Local**

### City of Hayward General Plan

The City of Hayward General Plan contains policies related to reducing GHG emissions. The proposed project would be subject to conformance with applicable General Plan policies, including those listed below.

Policies	Description
Policy NR-4.3	The City shall encourage construction and building development practices that maximize the use of renewable resources and minimize the use of non-renewable resources throughout the life-cycle of a structure.
Policy NR-2.4	The City shall work with the community to reduce community-based GHG emissions by 20 percent below 2005 baseline levels by 2020, and strive to reduce community emissions by 61.7 percent and 82.5 percent by 2040 and 2050.
Policy NR-2.6	The City shall reduce potential greenhouse gas emissions by discouraging new development that is primarily dependent on the private automobile; promoting infill development and/or new development that is compact, mixed use, pedestrian friendly, and transit oriented; promoting energy-efficient building design and site planning; and improving the regional jobs/housing balance ratio.

<sup>35</sup> CARB. "The Advanced Clean Cars Program". Accessed January 29, 2019.

<https://www.arb.ca.gov/msprog/acc/acc.htm>.



- Policy NR-2.7 The City shall coordinate with the Bay Area Air Quality Management District to ensure projects incorporate feasible mitigation measures to reduce greenhouse gas emissions and air pollution if not already provided for through project design.

### City of Hayward Climate Action Plan

Hayward's Climate Action Plan (CAP) was adopted by the City Council on July 2014 as part of the 2040 General Plan. The 2014 CAP was designed to reduce communitywide emissions 20 percent below 2005 levels by the year 2020, 62.7 percent below 2005 levels by the year 2040, and 82.5 percent below 2005 levels by 2050.

The CAP includes nine GHG reduction strategies that apply to all sectors. Within these strategies, there are approximately 40 specific communitywide actions and 20 specific municipal actions that implement the strategies. Full implementation of all quantitative actions according to the implementation plan in the CAP would result in meeting the City's GHG reduction targets through 2020, 2040, and 2050.

#### **4.8.1.2 Existing Conditions**

Total GHG emissions in Hayward were approximately 1,183,279 metric tons of CO<sub>2</sub> equivalent in 2005. Total GHG emissions decreased in certain sectors in Hayward by 2010; residential and commercial sectors each decreased by three percent, while transportation GHG emissions from on-road sources decreased by eight percent. Waste-related GHG emissions declined by approximately 54 percent between 2005 and 2010.<sup>36</sup> The primary source of GHG emissions in Hayward is the transportation sector, comprising about 62 percent of all GHG emissions in the City. Residential and commercial building energy consumption comprises nearly 34 percent of local emissions.

The project site is undeveloped and does not contribute to the City's GHG emissions portfolio.

#### **4.8.2 Impact Discussion**

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Generate greenhouse gas (GHG) emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<sup>36</sup> City of Hayward. *Hayward 2040 General Plan Draft Environmental Impact Report*. January 2014.



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**Impact GHG-1:** The project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. **(Less than Significant Impact)**

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### Construction Emissions

GHG emissions would occur during grading of the site and construction of the project, including emissions associated with equipment, vehicles, and manufacturing materials used to construct the project. The project site is an infill site located within an urbanized area in close proximity to construction material suppliers and equipment. This infill location and proximity to supplies would help to minimize GHG emissions generated from transport of construction materials and waste associated with the project. There is no reliable method to estimate construction-related emissions associated with the manufacturing of project materials.

Neither the City of Hayward nor BAAQMD have quantified thresholds for construction-related GHG emissions. Because project construction will be a temporary condition (approximately eight months) and would not result in a permanent increase in local or regional emissions that would interfere with implementation of AB 32 or SB 32, the increase in emissions would be less than significant. **(Less than Significant Impact)**

### Operational Emissions

The proposed project includes construction of nine single-family dwellings and six ADUs on a 1.6-acre site. In total, the proposed buildings would occupy approximately 10,476 square feet of the site (15 percent), with the remaining area occupied by a private roadway, guest parking area, playground, and landscaping. BAAQMD has developed screening criteria to provide a conservative indication of whether a project would result in a potentially significant operational-related GHG emissions impact. Projects that fall below the applicable screening criteria for the proposed land use would be considered to have a less than significant operational GHG impact and would not require a site-specific GHG analysis.

The screening size for the “single-family” land use type is 56 dwelling units. The screening criteria is based on GHG reduction targets through the year 2020, per AB 32. More stringent targets have since been adopted, per SB 32, which mandate a 40 percent reduction in GHG emissions from 1990 levels by the year 2030. The proposed project would not be constructed and operational prior to 2020; therefore, its GHG impacts were assessed relative to the 2030 target. To reflect this new target, the screening levels were reduced by 40 percent to be 34 dwelling units. As the project proposes a total of nine single-family units and six ADUs, it would remain below the BAAQMD screening criteria (as modified to reflect reduction targets through 2030). Therefore, the proposed project would have a less than significant operational GHG impact. **(Less than Significant Impact)**

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**Impact GHG-2:** The project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs. **(Less than Significant Impact)**

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The proposed project would not result in an operational GHG emissions impact, as discussed above. The project is consistent with the site's General Plan land use designation of *Low Density Residential*. The City of Hayward's 2040 CAP determined that consistency with the implementation program of the 2040 CAP would reduce communitywide GHG emissions to meet the City's targets through 2020, 2040, and 2050. The project would not deviate from the land use assumptions used to make this conclusion; thus, the project would not result in GHG emissions beyond what was forecasted in the most recent inventory. The nature of the project as an infill development in proximity to commercial development and transit options along Mission Boulevard and the inclusion of various amenities would reduce the project's vehicle miles traveled (VMT) and associated automobile emissions. The project would be required to incorporate energy-efficient and sustainable building features into its design, per the 2019 CALGreen Code and Title 24, and would provide solar panels on select units of the subdivision as a Planned Development amenity. Compliance with the latest energy efficiency standards would reduce energy waste and GHG emissions resulting from energy expenditures. For these reasons, the proposed project would not conflict with General Plan policies related to GHG emission reductions or with the implementation program of the 2040 CAP. **(Less than Significant Impact)**



## 4.9 HAZARDS AND HAZARDOUS MATERIALS

The following discussion is based, in part, on a Phase I Environmental Site Assessment prepared by *Harris and Lee Environmental Sciences, LLC* in November 2017. The Phase I ESA is included in Appendix D of this Initial Study.

### 4.9.1 Environmental Setting

#### 4.9.1.1 *Regulatory Framework*

##### **Federal and State**

##### Hazardous Materials Overview

The storage, use, generation, transport, and disposal of hazardous materials and waste are highly regulated under federal and state laws. Federal regulations and policies related to development include the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, and the Resource Conservation and Recovery Act (RCRA). In California, the EPA has granted most enforcement authority over federal hazardous materials regulations to the California Environmental Protection Agency (CalEPA). In turn, local agencies have been granted responsibility for implementation and enforcement of many hazardous materials regulations under the Certified Unified Program Agency (CUPA) program.

Worker health and safety and public safety are key issues when dealing with hazardous materials. Proper handling and disposal of hazardous material is vital if it is disturbed during project construction. The California Department of Industrial Relations, Division of Occupational Safety and Health (Cal/OSHA) enforces state worker health and safety regulations related to construction activities. Regulations include exposure limits, requirements for protective clothing, and training requirements to prevent exposure to hazardous materials. Cal/OSHA also enforces occupational health and safety regulations specific to lead and asbestos investigations and abatement.

##### Cortese List

Section 65962.5 of the Government Code requires CalEPA to develop and update a list of hazardous waste and substances sites, known as the Cortese List. The Cortese List is used by state and local agencies and developers to comply with CEQA requirements. The Cortese List includes hazardous substance release sites identified by the Department of Toxic Substances Control (DTSC), State Water Resources Control Board (SWRCB), and Alameda County. The project site is not on the Cortese List.<sup>37</sup>

##### California Accidental Release Prevention Program

The California Accidental Release Prevention (CalARP) Program aims to prevent accidental releases of regulated hazardous materials that represent a potential hazard beyond the boundaries of property. Facilities that are required to participate in the CalARP program use or store specified quantities of toxic and flammable substances (hazardous materials) that can have off-site consequences if

<sup>37</sup> CalEPA. "Cortese List Data Resources". Accessed August 23, 2019. <https://calepa.ca.gov/sitecleanup/corteselist>.



accidentally released. The County of Alameda Department of Environmental Health reviews CalARP risk management plans as the CUPA.

#### Asbestos-Containing Materials and Lead-Based Paint

Friable asbestos is any asbestos containing material (ACM) that, when dry, can easily be crumbled or pulverized to a powder by hand, allowing the asbestos particles to become airborne. Common examples of products that have been found to contain friable asbestos include acoustical ceilings, plaster, wallboard, and thermal insulation for water heaters and pipes. Common examples of non-friable ACMs are asphalt roofing shingles, vinyl floor tiles, and transite siding made with cement. The EPA phased out use of friable asbestos products between 1973 and 1978. National Emission Standards for Hazardous Air Pollutants (NESHAP) guidelines require that potentially friable ACMs be removed prior to building demolition or remodeling that may disturb the ACMs.

The U.S. Consumer Product Safety Commission banned the use of lead-based paint in 1978. Removal of older structures with lead-based paint is subject to requirements outlined by Cal/OSHA Lead in Construction Standard, Title 8, California Code of Regulations 1532.1 during demolition activities. Requirements include employee training, employee air monitoring, and dust control. If lead-based paint is peeling, flaking, or blistered, it is required to be removed prior to demolition.

#### Federal Aviation Regulations, Part 77

Federal Aviation Regulations, Part 77, “Objects Affecting Navigable Airspace” (FAR Part 77) sets standards and review requirements for protecting the airspace for safe aircraft operations. The FAR Part 77 restricts the height of structures, and sets standards for minimization of potential hazards like reflective surfaces, flashing lights, and electronic interference, that could potentially interfere with aircraft operations. Building height limitations are intended to keep flight paths clear of structures that could interfere with takeoff and landing movements.

### **Local**

#### City of Hayward General Plan

The Safety Element, Natural Resources Element and Hazards Element of the City’s General Plan contains policies, recommendations, and actions to avoid or mitigate hazards and hazardous material impacts resulting from development within the City. The proposed project would be subject to conformance with applicable General Plan policies, including those listed below.

Policies	Description
Goal HAZ-1	Promote a disaster-resilient region by reducing hazard risks through regional coordination and mitigation planning.
Goal HAZ-5	Protect life and minimize potential property damage from urban wildfire hazards in hillside areas.
Policy NR-6.15	The City shall encourage private property owners to plant native or drought-tolerant vegetation in order to preserve the visual character of the area and reduce the need for toxic sprays and groundwater supplements.



- Policy HAZ-6.1 The City shall maintain its status as a Certified Unified Program Agency and implement the City's Unified Hazardous Materials and Hazardous Waste Management Program, which includes:
- Hazardous Materials Release Response Plans and Inventories (Hazardous Materials Business Plans - HMBP);
  - California Accidental Release Prevention (CalARP) Program;
  - Underground Storage Tank (UST) Program;
  - Above-ground Petroleum Storage Act (APSA) Program, including Spill Prevention, Control, and Countermeasure (SPCC) Plans;
  - Hazardous Waste Generator Program;
  - On-site Hazardous Waste Treatment (Tiered Permit) Program; and
  - California Fire Code Hazardous Material Management Plans (HMMP) and Hazardous Materials Inventory Statements (HMIS).
- Policy HAZ-6.2 The City shall require site investigations to determine the presence of hazardous materials and/or waste contamination before discretionary project approvals are issued by the City. The City shall require appropriate measures to be taken to protect the health and safety of site users and the greater Hayward community.
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### Association of Bay Area Governments Multi-Jurisdictional Local Hazard Mitigation Plan for the San Francisco Bay Area

The City of Hayward has adopted the Association of Bay Area Governments (ABAG) Multi-Jurisdictional Local Hazard Mitigation Plan as the City's Local Hazard Mitigation Plan. The Plan identifies natural hazards facing the community and the region, assesses the community's and region's vulnerability to these hazards, and identifies specific preventative actions that can be taken to reduce the risk from the hazards.

### City of Hayward Hillside Design and Urban/Wildland Interface Guidelines

The City has adopted guidelines for development proposed in hillside areas and in the Urban/Wildland Interface. The purpose of the Urban/Wildland Interface Guidelines is to mitigate through proper planning, design, and management the high fire danger associated with development located in an Urban/Wildland Interface Zone. Guidelines address building construction standards for fire protection, fuel modification and management at the urban/wildland interface, and fire-resistant landscaping.

#### **4.9.1.2      *Existing Conditions***

##### **Background**

Hazardous materials encompass a wide range of substances, some of which are naturally-occurring and some of which are man-made. Examples include motor oil and fuel, metals (e.g., lead, mercury, arsenic), asbestos, pesticides, herbicides, and chemical compounds used in manufacturing and other activities. A substance may be considered hazardous if, due to its chemical and/or physical properties, it poses a substantial hazard when it is improperly treated, stored, transported, disposed of, or released into the atmosphere in the event of an accident. Determining if such substances are present on or near project sites is important because exposure to hazardous materials above regulatory thresholds can result in adverse health effects on humans, as well as harm to plant and wildlife ecology.



## Historical Use of the Site

The project site was undeveloped as far back as 1939. From the 1960s until approximately 2010 there were multiple dwellings located on eastern and western sides of the project site. From 2012 to the present there have been no structures on-site and the site has been vacant land covered in native grasses and trees.

## On-Site Environmental Conditions

The project site was historically used for residential purposes. An environmental records search revealed that the site is listed on the HAZNET database for the handling and disposal of ‘asbestos-containing waste’. This record is most likely related to an upgrade or remodel of one of the dwellings that was formerly located on the project site and is not of adverse environmental significance to the project site. There are no recognized environmental conditions, controlled recognized environmental conditions, or vapor encroachment conditions on the project site.

## Off-Site Environmental Conditions

Within the standard American Society for Testing and Materials (ASTM) search distance of one mile, there are no listed sites which present a hazardous materials concern to the project site. This is due to either the status of the listed site, the distance from the project site, and/or the location relative to site topography and groundwater flow direction.

## Wildland Fire Hazards

The project site is not located within an identified Very High Fire Hazard Severity Zone in a State Responsibility Area (SRA) or a Local Responsibility (LRA).<sup>38,39</sup> The project site is, however, located within an identified high fire hazard area and an Urban/Wildland Interface in the City’s General Plan EIR.<sup>40</sup>

## Airport Hazards

The project site is located approximately 2.5 miles east of the nearest airport, Hayward Executive Airport. Hayward Executive Airport is a general aviation airport serving local private pilots and houses over 400 aircraft including business jets.<sup>41</sup> The project site is located outside of the Airport Influence Area (AIA) for Hayward Executive Airport.<sup>42</sup>

<sup>38</sup> CAL FIRE. *Alameda County Fire Hazard Safety Zone Map – State Responsibility Area*. November 2007.

<sup>39</sup> CAL FIRE. *Alameda County Fire Hazard Safety Zone Map – Local Responsibility Area*. September 2008.

<sup>40</sup> City of Hayward. *Hayward 2040 General Plan Background Report*. Figures 5-3 and 5-4. November 2013.

<sup>41</sup> City of Hayward. “Hayward Executive Airport”. 2016. Accessed August 27, 2019. Available at:

<https://www.hayward-ca.gov/airport>

<sup>42</sup> Alameda County Airport Land Use Commission. *Hayward Executive Airport Land Use Compatibility Plan*. August 2012.



#### 4.9.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<hr/> Would the project:				
1) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, will it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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**Impact HAZ-1:** The project would not create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials. **(Less than Significant Impact)**

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Future residential development at the project site would likely include the on-site use and storage of cleaning supplies and maintenance chemicals in small quantities. The small quantities of cleaning supplies and maintenance chemicals used on-site would not create a significant hazard to adjacent land uses. **(Less than Significant Impact)**



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**Impact HAZ-2:** The project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. **(Less than Significant Impact)**

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The Phase I ESA did not identify any environmental conditions at the project site that warrant additional study, remedial action, or special treatment during construction or operation of the project. The project does not involve demolition of structures which could contain asbestos or lead-based paints. The site was not formerly used for hazardous materials storage and there are no off-site releases of hazardous materials into soil or groundwater which could be exacerbated by the project. Therefore, the project would not create a significant hazard to the public or the environment through the release of hazardous materials. **(Less than Significant Impact)**

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**Impact HAZ-3:** The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. **(Less than Significant Impact)**

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The project site is located approximately 250 feet east of Silver Oak High School. There are no other schools within ¼-mile of the project site. The proposed project is a residential development which would not emit hazardous emissions or use hazardous materials. As mentioned, operation of the project would likely involve the storage, use, and disposal of cleaning supplies and maintenance chemicals in small quantities typical in a residence. The presence and use of these chemicals on-site would not pose a hazardous materials risk to adjacent uses. Therefore, nearby schools would not be impacted by hazardous materials released during operation of the proposed project. **(Less than Significant Impact)**

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**Impact HAZ-4:** The project would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment. **(No Impact)**

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The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and would not create a significant hazard to the public or the environment. **(No Impact)**

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**Impact HAZ-5:** The project is not located within an airport land use plan and would not result in a safety hazard or excessive noise for people residing or working in the project area. **(No Impact)**

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As mentioned, the project site is located outside of the AIA for Hayward Executive Airport. The proposed residential project would not result in a safety hazard or excessive noise for people residing in the project area. **(No Impact)**



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**Impact HAZ-6:** The project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. **(Less than Significant Impact)**

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The proposed project would comply with the California Building Code and Fire Code. The project includes an emergency access road which would be accessible from Carlos Bee Boulevard and Overlook Avenue. The project would not prevent access to surrounding neighborhoods, either during construction or operation. Therefore, the project would not interfere with the City of Hayward Comprehensive Emergency Management Plan. **(Less than Significant Impact)**

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**Impact HAZ-7:** The project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. **(Less than Significant Impact)**

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The project site is located in a high fire hazard zone and Urban/Wildland Interface as delineated by the City of Hayward in its General Plan.<sup>43</sup> The project would require appropriate fire safe design measures be incorporated into the project design to avoid contributing to wildland fire hazards in the surrounding neighborhoods. The project would adhere to the City's Hillside Design and Urban/Wildland Interface Guidelines, which requires structures in this area to meet or exceed the minimum California Fire Safe Guidelines and include sprinkler systems, double-paned windows, decks made from non-combustible materials, fire-resistant planting, and other fire safe design elements. The proposed project would also be required to establish a fuel management program that focuses on homeowner education, shaded fuel breaks, and fuel management zones. Adherence to the City's Hillside Design and Urban/Wildland Interface Guidelines, and continued implementation of the mitigation strategies outlined in the 2016 Local Hazard Mitigation Plan, would ensure that the proposed project does not expose people or structures to significant impacts related to wildland fires. **(Less than Significant Impact)**

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<sup>43</sup> City of Hayward. *Hayward 2040 General Plan Background Report*. Figures 5-3 and 5-4. November 2013.



## **4.10 HYDROLOGY AND WATER QUALITY**

### **4.10.1 Environmental Setting**

#### **4.10.1.1 *Regulatory Framework***

##### **Water Quality Overview**

The federal Clean Water Act and California's Porter-Cologne Water Quality Control Act are the primary laws related to water quality in California. Regulations set forth by the U.S. Environmental Protection Agency (EPA) and the State Water Resources Control Board (SWRCB) have been developed to fulfill the requirements of this legislation. EPA regulations include the National Pollutant Discharge Elimination System (NPDES) permit program, which controls sources that discharge pollutants into the waters of the United States (e.g., streams, lakes, bays, etc.). These regulations are implemented at the regional level by the Regional Water Quality Control Boards (RWQCBs). The project site is within the jurisdiction of the San Francisco Bay RWQCB.

##### **Federal**

###### **National Flood Insurance Program**

The Federal Emergency Management Agency (FEMA) established the National Flood Insurance Program (NFIP) in order to reduce impacts of flooding on private and public properties. The program provides subsidized flood insurance to communities that comply with FEMA regulations protecting development in floodplains. As part of the program, FEMA publishes Flood Insurance Rate Maps (FIRM) that identify Special Flood Hazard Areas (SFHA). An SFHA is an area that would be inundated by the one-percent annual chance flood, which is also referred to as the base flood or 100-year flood.

##### **State**

###### **Statewide Construction General Permit**

The SWRCB has implemented a NPDES General Construction Permit for the State of California (Construction General Permit). For projects disturbing one acre or more of soil, a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) must be prepared by a qualified professional prior to commencement of construction. The Construction General Permit includes requirements for training, inspections, record keeping, and for projects of certain risk levels, monitoring. The general purpose of the requirements is to minimize the discharge of pollutants and to protect beneficial uses and receiving waters from the adverse effects of construction-related storm water discharges.

##### **Regional**

###### **San Francisco Bay Basin Plan**

The San Francisco Bay RWQCB regulates water quality in accordance with the Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan). The Basin Plan lists the beneficial uses that the San Francisco Bay RWQCB has identified for local aquifers, streams, marshes, rivers, and the San Francisco Bay, as well as the water quality objectives and criteria that must be met to protect



these uses. The San Francisco Bay RWQCB implements the Basin Plan by issuing and enforcing waste discharge requirements, including permits for nonpoint sources such as the urban runoff discharged by a City's stormwater drainage system. The Basin Plan also describes watershed management programs and water quality attainment strategies.

### Municipal Regional Stormwater NPDES Permit/Provision C.3

The San Francisco Bay RWQCB has issued a Municipal Regional Stormwater NPDES Permit<sup>44</sup> (MRP) to regulate stormwater discharges from municipalities and local agencies in Alameda, Contra Costa, San Mateo, and Santa Clara counties, and the cities of Fairfield, Suisun City, and Vallejo. Under Provision C.3 of the MRP, new and redevelopment projects that create or replace 10,000 square feet or more of impervious surface area are required to implement site design, source control, and Low Impact Development (LID)-based stormwater treatment controls to treat post-construction stormwater runoff. LID-based treatment controls are intended to maintain or restore the site's natural hydrologic functions, maximizing opportunities for infiltration and evapotranspiration, and using stormwater as a resource (e.g. rainwater harvesting for non-potable uses). The MRP also requires that stormwater treatment measures are properly installed, operated and maintained.

In addition to water quality controls, the MRP requires all new and redevelopment projects that create or replace one acre or more of impervious surface to manage development-related increases in peak runoff flow, volume, and duration, where such hydromodification is likely to cause increased erosion, silt pollutant generation or other impacts to beneficial uses of local rivers, streams, and creeks. Projects may be deemed exempt from the permit requirements if they do not meet the size threshold, drain into tidally influenced areas or directly into the Bay, drain into hardened channels, or are infill projects in subwatersheds or catchment areas that are greater than or equal to 65 percent impervious. The project would not create or replace more than one acre of impervious surfaces; therefore, it would not meet the size threshold for hydromodification requirements.

## **Local**

### City of Hayward General Plan

The General Plan includes the following policies which pertain to hydrology and water quality and are applicable to the proposed project:

Policies	Description
Policy NR-6.4	The City shall minimize grading and, where appropriate, consider requiring on-site retention and settling basins.
Policy NR-6.5	The City shall concentrate new urban development in areas that are the least susceptible to soil erosion into water bodies in order to reduce water pollution.
Policy NR-6.6	The City shall promote stormwater management techniques that minimize surface water runoff and impervious ground surfaces in public and private developments, including requiring the use of Low-Impact Development (LID) techniques to best manage stormwater through conservation, onsite filtration, and water recycling.

<sup>44</sup> MRP Number CAS612008



Policy NR-6.15 The City shall encourage private property owners to plant native or drought-tolerant vegetation in order to preserve the visual character of the area and reduce the need for toxic sprays and groundwater supplements.

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### City of Hayward Municipal Code

City of Hayward Municipal Code Chapter 9, Article 4, implements building standards to comply with the Cobey-Alquist Flood Plain Management Act (Water Code sections 8400 set seq.) and National Flood Insurance Program established pursuant to Federal law (42 U.S.C. section 4001 et seq.).

City of Hayward Municipal Code Chapter 10, Article 8, requires a permit for grading or clearing activities. Applicants must submit a description of the grading or clearing activities to take place, a site map or grading plan, an erosion or sediment plan, a work schedule, and other applicable materials.

City of Hayward Municipal Code, Chapter 11, Article 5, protects water quality by eliminating non-stormwater discharges, controlling illicit discharges, minimizing industrial and commercial pollutants, reducing municipal pollutants, improving construction site controls, and improving erosion control.

### City of Hayward Floodplain Management Ordinance

The City Flood Plain Management Ordinance is intended to establish regulations consistent with Federal and State requirements and set development standards and restrictions for publicly and privately-owned land within flood-prone, mudslide, or flood-related erosion areas. The Ordinance requires the City to participate in the NFIP.

The City Engineer, acting as the Flood Plain Administrator for the City of Hayward, is responsible for making determinations in accordance with the Flood Plain Management Ordinance. Responsibilities include ensuring that development applications comply with ordinance requirements, that required State and Federal permits have been obtained, that a proposed development site is reasonably safe from flooding, that the proposed development does not adversely affect area carrying capacity, and that building permits for flood control projects meet requirements.

#### **4.10.1.2      *Existing Conditions***

#### **Hydrology and Water Quality**

The water quality of streams, creeks, ponds, and other surface water bodies can be greatly affected by pollution carried in contaminated surface runoff. Pollutants from unidentified sources, known as non-point source pollutants, are washed from streets, construction sites, parking lots, and other exposed surfaces into storm drains. Urban stormwater runoff often contains contaminants such as oil and grease, plant and animal debris (e.g., leaves, dust, animal feces, etc.), pesticides, litter, and heavy metals. In sufficient concentration, these pollutants have been found to adversely affect the aquatic habitats to which they drain. Currently, none of the tributaries which pass through Hayward are listed as impaired on the Clean Water Act Section 303(d) list of threatened and impaired waters.



The project site is located within the Old Alameda Creek watershed.<sup>45</sup> The Old Alameda Creek watershed drains approximately 22 square miles and is part of the larger Alameda Creek watershed. The watershed drains a portion of the East Bay Hills in Hayward, then spreads through urban flatlands before flowing to San Francisco Bay. Ward Creek and Zeile Creek drain the hills surrounding California State University East Bay, connect to a series of engineered channels and culverts in the lower watershed, and eventually join Old Alameda Creek. Ward Creek is located approximately 0.2-mile north of the project site. Stormwater runoff from the buildings, hardscape, and local streets in the project area is collected and conveyed to Old Alameda Creek via the City's stormwater drainage system.

## **Groundwater**

The City of Hayward is situated over portions of two medium priority groundwater basins: the East Bay Plain Subbasin and the Niles Cones Subbasin. These two subbasins are part of the larger Santa Clara Valley Groundwater Basin. The Niles Cone Subbasin corresponds with southern portions of Hayward, and is bisected by the Hayward fault. The Hayward Fault is relatively impermeable and impedes groundwater flow, as demonstrated by the varying groundwater levels on either side. The City does not rely on groundwater for regular water supply but maintains groundwater wells that are critical to the City's ability to provide water service during an earthquake or other water supply emergency.

The City of Hayward operates as the Groundwater Sustainability Agency (GSA) under the 2014 Sustainable Groundwater Management Act (SGMA) for the portion of the East Bay Plain Basin which is within City limits. The Alameda County Water District (ACWD) operates as the GSA for the Niles Cone Subbasin. The project site is located just outside of the bounds of the East Bay Plain subbasin.<sup>46</sup>

Groundwater at the site was encountered at depths of 11.5 feet bgs and flows in a southwest to northwest direction. The site does not contain any recharge ponds or production wells.

## **Storm Drainage System**

The City of Hayward owns and maintains the municipal storm drainage system serving the project area. The project site is undeveloped and consists of 100 percent pervious surfaces. There are two storm drain inlets located adjacent to the sidewalk at the southern portion of the site. The majority of stormwater naturally infiltrates into the soil or is captured by the storm drain inlets and conveyed to the City's drainage system via a 15-inch storm drain line in Carlos Bee Boulevard.

## **Flooding**

The project site is not located within a 100-year flood hazard area. According to the FEMA FIRM, the project site is located in Zone X which is an area with 0.2 percent annual chance of flood; areas

<sup>45</sup> Alameda Flood Control and Water Conservation District. "Interactive Map: Alameda County Watersheds". <https://acffloodcontrol.org/resources/explore-watersheds/> Accessed August 28, 2019.

<sup>46</sup> California Department of Water Resources. "SGMA Portal – City of Hayward GSA". <https://sgma.water.ca.gov/portal/gsa/print/200#intro> Accessed August 28, 2019.



with one percent chance of annual flood with average depths of less than one foot or with drainage areas less than one square mile; and areas protected by levees from one percent annual flood.<sup>47</sup>

## Other Inundation Hazards

### Dam Failure

The Association of Bay Area Governments (ABAG) compiles the dam failure inundation hazard maps submitted to the State Office of Emergency Services by dam owners throughout the Bay Area. The City of Hayward also maintains dam inundation maps of its dam facilities. The Hayward Dam Inundation Area map shows that the project site is not located within a dam failure inundation zone.<sup>48</sup>

### Sea Level Rise

The project site is located on an elevated hillside in the northeastern part of the City. The project site is not located within a shoreline area vulnerable to projected sea level rise due to global climate change.

### Earthquake-Induced Waves and Mudflow Hazards

The site is not located near a large body of water, near the ocean, or in a landslide hazard zone, and therefore, is not subject to inundation by seiche, tsunami, or mudflow.

## 4.10.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
– result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<sup>47</sup> Federal Emergency Management Agency. *Flood Insurance Rate Map 06001C0287G*. August 3, 2009.

<sup>48</sup> City of Hayward. *General Plan Background Report*. Figure 9-5 Hayward Dam Inundation Areas. January 2013.



	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
– substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
– create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
– impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<hr/>				
<b>Impact HYD-1:</b> The project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. ( <b>Less than Significant Impact</b> )				
<hr/>				

### Construction Water Quality Impacts

Construction activities, such as grading and hauling of materials, have the potential to result in temporary impacts to surface water quality in adjacent waterways. When disturbance to the soil occurs, sediments may be dislodged and discharged into the storm drainage system after surface runoff flows across the site. The proposed project would disturb approximately 1.3 acres of soil on the site, which exceeds the one-acre threshold requiring compliance with the Construction General Permit. As discussed above in Section 4.10.1.1 Regulatory Framework, the Construction General Permit requires the filing of an NOI and a SWPPP with the SWRCB. Compliance with this mandatory regulation would ensure that the discharge of pollutants to nearby receiving water bodies is minimized and construction-related water quality impacts are reduced. The SWPPP would include Best Management Practices to reduce erosions potential and sedimentation, as detailed below.

### Standard Measures

The following standard measures (based on the RWQCB BMPs) will be included in the SWPPP prepared for the project and would reduce identified construction-related water quality impacts to a less than significant level.

- Burlap bags filled with drain rock shall be installed around storm drains to route sediment and other debris away from the drains.
- Earthmoving or other dust-producing activities shall be suspended during periods of high winds.



- All exposed or disturbed soil surfaces shall be watered at least twice daily to control dust as necessary.
- Stockpiles of soil or other materials that can be blown by the wind shall be watered or covered.
- All trucks hauling soil, sand, and other loose materials shall be required to cover all trucks or maintain at least two feet of freeboard.
- All paved access roads, parking areas, staging areas and residential streets adjacent to the construction sites shall be swept daily (with water sweepers).
- Vegetation in disturbed areas shall be replanted as quickly as possible.
- All unpaved entrances to the site shall be filled with rock to knock mud from truck tires prior to entering City streets. A tire wash system may also be employed at the request of the City.

Implementation of the construction BMPs outlined above, along with compliance with the Construction General Permit, would ensure that the project does not result in construction-related water quality impacts. **(Less than Significant Impact)**

### **Operational Water Quality Impacts**

The proposed project would increase impervious surfaces on-site by 23,945 square feet. The project would add more than 10,000 square feet of impervious surfaces and would be required to comply with Provision C.3 of the MRP. The project would treat stormwater runoff at the site using LID methods. Stormwater runoff from the site would be treated for pollutants in a bioretention pond located at the southwestern corner of the site. The bioretention pond would be numerically sized to treat the amount of stormwater resulting from the increased impervious surfaces on-site. This would allow for natural infiltration of stormwater and reduce the amount of surface runoff and pollutants released into the City's drainage system. Therefore, the project would not result in an operational water quality impact. **(Less than Significant Impact)**

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**Impact HYD-2:** The project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. **(Less than Significant Impact)**

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The proposed project would connect to the City's municipal water system and would not directly extract groundwater. As mentioned, the groundwater level underlying the site is approximately 11.5 bgs. Substantial excavation is not proposed by the project and the depth of trenching required for utility connections would likely not encounter groundwater. The project would not require any dewatering of subsurface groundwater.

The proposed nine-unit development would result in a minor increase in water demand in the City; however, this increase was accounted for in the City's General Plan and related utility planning documents, could be met by existing service providers, and would not substantially decrease groundwater supplies. Overall, the project would not interfere with efforts to sustainably manage the



East Bay Plain subbasin or any other groundwater basin which the City relies upon for water supply. Thus, the impact would be less than significant. **(Less than Significant Impact)**

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**Impact HYD-3:** The project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or impede or redirect flood flows. **(Less than Significant Impact)**

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The proposed project would slightly alter the existing drainage pattern of the site by adding impervious surfaces and directing runoff towards a bioretention pond on the downslope side of the site. The project would not alter the course of a stream or river or impede or redirect flood flows. Impervious surfaces on the project site would increase from zero to 23,945 square feet and a greater volume of stormwater runoff would be generated on-site. The increased volume of runoff would be managed in accordance with the Provision C.3 of the MRP, which would reduce the amount of runoff and pollutants leaving the site and entering the City's drainage system. The storm drain system in the surrounding streets has sufficient capacity to accommodate the increase in runoff resulting from the project. Additionally, as described in Section 4.7 Geology and Soils, the project would be required to prepare an erosion or sediment control plan prior to issuance of grading permits pursuant to City of Hayward Municipal Code Chapter 10, Article 8. For the reasons described above, the proposed project would not result in a significant drainage impact. **(Less than Significant Impact)**

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**Impact HYD-4:** The project would not risk release of pollutants due to project inundation in flood hazard, tsunami, or seiche zones. **(No Impact)**

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The project site is not located within an area exposed to flood hazards. The site is approximately 170 to 240 feet above sea level and is not at risk of inundation or subsequent pollutant release. **(No Impact)**

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**Impact HYD-5:** The project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. **(No Impact)**

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The project site is located outside of the boundaries of the groundwater basin (East Bay Plain subbasin) that the local GSA (City of Hayward) is responsible for managing. The City and the East Bay Municipal Utilities District are in the process of jointly preparing a Groundwater Sustainability Plan for the ongoing management of the entire East Bay Plain subbasin. The proposed project would not conflict with future implementation of this plan, as the site does not contain any emergency wells operated by the City and is outside of the jurisdiction of the GSA. **(No Impact)**



## 4.11 LAND USE AND PLANNING

### 4.11.1 Environmental Setting

#### 4.11.1.1 *Regulatory Framework*

##### **Local**

##### City of Hayward General Plan

The General Plan contains numerous policies which were intended to reduce or mitigate environmental effects associated with build-out of the General Plan. Policies which are applicable to the proposed project are discussed in their respective resource sections throughout this Initial Study.

##### City of Hayward Zoning Ordinance

The City's Zoning Ordinance is intended to promote the public health, safety, general welfare and preserve and enhance the aesthetic quality of the City by providing regulations to ensure an appropriate mix of land uses in an orderly manner. The City has set forth allowable land uses and development standards in the Zoning Ordinance in order to:

- a. Retain and enhance established residential neighborhoods, commercial and industrial districts, regional-serving uses, and recreational amenities.
- b. Allow for the infill and reuse areas at their prevailing scale and character.
- c. Accommodate expansion of development into vacant and underutilized lands within environmental and infrastructure constraints.
- d. Maintain and enhance significant environmental resources.
- e. Provide a diversity of areas characterized by differing land use activity, scale and intensity.
- f. Establish Hayward as a unique and distinctive place in the heart of the San Francisco Bay Area with a high quality of life in an attractive, secure environment for the City's residents and businesses.

##### Hayward Executive Airport Comprehensive Land Use Plan

The Airport Land Use Commission (ALUC) for Alameda County adopted the Comprehensive Land Use Plan (CLUP) for the Hayward Executive Airport in August 2012. The CLUP is a guiding document which promotes compatibility between Hayward Executive Airport and its environs. The CLUP establishes an Airport Influence Area (AIA) in which current or future airport-related noise, overflight, safety, and/or airspace protection factors may significantly affect land uses or necessitate restrictions within that area. Projects within the AIA would require referral to the ALUC for review prior to project approval.

#### 4.11.1.2 *Existing Conditions*

The project site is designated in the General Plan as *Low Density Residential*. This designation generally applies to suburban areas located throughout the Hayward Planning Area. Typical building types include single-family homes, second units, and ancillary structures. This designation allow residential densities between 4.3 and 8.7 dwelling units per net acre.



The project site is zoned RS (Single-Family Residential). This zoning designation is intended to be used only for single-family homes and accompanying community services as allowed by the City's zoning code.

#### 4.11.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

---

**Impact LU-1:** The project would not physically divide an established community. **(No Impact)**

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The project proposes to develop a vacant site with nine single-family dwelling units and six ADUs in an urban area of Hayward. There are existing single-family neighborhoods to the north and east of the site, a vacant lot to the south, and a school and commercial uses to the west. The project does not propose the construction of infrastructure such as highways, freeways, or major arterial streets which could divide the area. As proposed, development would be confined to the project site and residents of the surrounding neighborhoods would retain access to local roadways in the vicinity of the site. Therefore, the project would not result in a significant land use impact by physically dividing an established community. **(No Impact)**

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**Impact LU-2:** The project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. **(Less than Significant Impact)**

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#### **General Plan and Zoning**

The project proposes a residential density of 5.5 dwelling units per acre; this is within the allowable densities under a General Plan designation of *Low Density Residential* (4.3-8.7 du/ac). The proposed nine-unit development would not require a General Plan Amendment and would be consistent with its land use designation. The project would be consistent with General Plan policies adopted to avoid or mitigate environmental effects, as is discussed in the respective resource sections throughout this Initial Study.

The project site is zoned RSB6 (Single-Family Residential). This zoning designation is intended to be used only for single-family homes and accompanying community services as allowed by the City's zoning code. The proposed project includes a Zone Change from RSB6 District to PD



(Planned Development) District to allow for a clustered, small lot residential development within the allowable density range set by the *Low Density Residential* General Plan land use designation. Pursuant to the Hayward Municipal Code Section 10-1.2505, the PD District designation is intended to facilitate development of land in an innovative fashion to allow for flexibility in site design and encourage development that is sensitive to environmental and site-specific considerations. The applicant is seeking deviations from the minimum lot size in order to cluster the development on the least sloped portion of the site that is outside of the identified “No Residential Construction Zone.” The PD District would make minor modifications to development standards allowed under existing zoning but would not exceed the permitted density under the *Low Density Residential* General Plan designation. Upon approval of the proposed rezone, the project would not be in conflict with the Zoning Ordinance. **(Less than Significant Impact)**

### **Hayward Executive Airport Comprehensive Land Use Plan**

The project site is located approximately 2.5 miles east of the Hayward Executive Airport and is outside of the AIA established in the CLUP. Therefore, the project would not conflict with any policies set forth in the CLUP to reduce or avoid environmental impacts. **(No Impact)**



## 4.12 MINERAL RESOURCES

### 4.12.1 Environmental Setting

#### 4.12.1.1 *Regulatory Framework*

##### **Surface Mining and Reclamation Act**

The Surface Mining and Reclamation Act (SMARA) was enacted by the California Legislature in 1975 to address the need for a continuing supply of mineral resources, and to prevent or minimize the negative impacts of surface mining to public health, property and the environment. As mandated under SMARA, the State Geologist has designated mineral land classifications in order to help identify and protect mineral resources in areas within the state subject to urban expansion or other irreversible land uses which would preclude mineral extraction. SMARA also allowed the State Mining and Geology Board, after receiving classification information from the State Geologist, to designate lands containing mineral deposits of regional or statewide significance.

##### **City of Hayward General Plan**

The City of Hayward General Plan includes policies applicable to all development projects in Hayward. The proposed project would be subject to conformance with the following General Plan policies, including the ones listed below.

Policies	Description
Policy NR-5.1	The City shall protect mineral resources in undeveloped areas that have been classified by the State Mining and Geology Board as having statewide or regional significance for possible future extraction by limiting new residential or urban uses that would be incompatible with mining and mineral extraction operations.

#### 4.12.1.2 *Existing Conditions*

The U.S. Geological Survey has identified eleven past, present, or prospective mining sites within the City of Hayward. The only State-designated mineral resource of regional significance in Hayward is the La Vista Quarry. The project site is not located within the La Vista Quarry, which is approximately 600 feet southwest of the site. The vacant lot to the south of the project site is identified in the General Plan Background Report as containing a portion of a prospective stone extraction mine.<sup>49</sup>

<sup>49</sup> City of Hayward. *General Plan Background Report*. Figure 7-8. February 2013.



#### 4.12.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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**Impact MIN-1:** The project would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state. **(No Impact)**

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The project site does not contain any known mineral resources of value. The development of the site with a residential subdivision would not result in any impact to mineral resources. **(No Impact)**

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**Impact MIN-2:** The project would not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. **(No Impact)**

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As described previously, the vacant land to the south of the site is identified in the City's General Plan as a prospective stone extraction site. The proposed project would not result in the loss of this potential mineral resource recovery site. **(No Impact)**



## 4.13 NOISE

### 4.13.1 Environmental Setting

#### 4.13.1.1 *Background*

Noise may be defined as unwanted sound. Acceptable levels of noise vary from land use to land use. In any one location, the noise level will vary over time, from the lowest background or ambient noise level to temporary increases caused by traffic or other sources. State and federal standards have been established as guidelines for determining the compatibility of a particular use with its noise environment.

There are several methods of characterizing sound. The most common in California is the A-weighted sound level or dBA.<sup>50</sup> This scale gives greater weight to the frequencies of sound to which the human ear is most sensitive. Because sound levels can vary markedly over a short period of time, different types of noise descriptors are used to account for this variability. Typical noise descriptors include maximum noise level ( $L_{max}$ ), the energy-equivalent noise level ( $L_{eq}$ ), and the day-night average noise level ( $L_{dn}$ ). The  $L_{dn}$  noise descriptor is commonly used in establishing noise exposure guidelines for specific land uses. For the energy-equivalent sound/noise descriptor called  $L_{eq}$  the most common averaging period is hourly, but  $L_{eq}$  can describe any series of noise events of arbitrary duration.

Although the A-weighted noise level may adequately indicate the level of environmental noise at any instant in time, community noise levels vary continuously. Most environmental noise includes a conglomeration of noise from distant sources which create a relatively steady background noise in which no particular source is identifiable.

Since the sensitivity to noise increases during the evening hours, 24-hour descriptors have been developed that incorporate artificial noise penalties added to quiet-time noise events. The Day/Night Average Sound Level,  $L_{dn}$  (sometimes also referred to as DNL), is the average A-weighted noise level during a 24-hour day, obtained after the addition of 10 dB to noise levels measured in the nighttime between 10:00 p.m. and 7:00 a.m. The Community Noise Equivalent Level (CNEL) is a 24-hour A-weighted noise level from midnight to midnight after the addition of five dBA to sound levels occurring in the evening from 7:00 p.m. to 10:00 p.m. and after the addition of 10 dBA to sound levels occurring in the night between 10:00 p.m. and 7:00 a.m.

### **Construction Noise**

Construction is a temporary source of noise impacting residences and businesses located near construction sites. Construction noise can be significant for short periods of time at any particular location and generates the highest noise levels during grading and excavation, with lower noise levels occurring during building construction. Large pieces of earth-moving equipment, such as graders, scrapers, and bulldozers, generate maximum noise levels of 90 to 95 dBA  $L_{max}$  at a distance of 50 feet. Typical hourly average construction-generated noise levels are approximately 81 to 88 dBA  $L_{eq}$  measured at a distance of 50 feet from the site during busy construction periods. Construction

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<sup>50</sup> The sound pressure level in decibels as measured on a sound level meter using the A-weighting filter network. All sound levels in this discussion are A-weighted, unless otherwise stated.



generated noise levels drop off at a rate of about six dBA per doubling of distance between the source and receptor. Shielding by buildings or terrain often result in lower construction noise levels at distant receptors.

#### **4.13.1.2      *Regulatory Framework***

##### **Local**

##### City of Hayward General Plan

The General Plan includes policies with the purpose of avoiding or mitigating impacts resulting from planned development projects within the City. The following policies are specific to noise and vibration and are applicable to the proposed project.

Policies	Description
Policy HAZ-8.1	The City shall strive to locate noise sensitive uses, (e.g., residences, schools, hospitals, libraries, religious institutions, and convalescent homes) away from major sources of noise.
Policy HAZ-8.4	The City shall consider the visual impact of noise mitigation measures and shall require solutions that do not conflict with urban design goals and standards.
Policy HAZ-8.5	<p>The City shall require the design of new residential development to comply with the following noise standards:</p> <ul style="list-style-type: none"> <li>• The maximum acceptable interior noise level for all new residential units (single-family, duplex, mobile home, multi-family, and mixed-use units) shall be an Ldn of 45 dB with windows closed.</li> <li>• The maximum acceptable exterior noise level for the primary open space area of a detached single-family home, duplex or mobile home, which is typically the backyard or a fenced side yard, shall be an Ldn of 60 dB. This standard shall be measured at the approximate center of the primary open space area. This standard does not apply to secondary open space areas, such as front yards, balconies, stoops, and porches.</li> </ul>
Policy HAZ-8.20	The City may require development projects subject to discretionary approval to assess potential construction noise impacts on nearby sensitive uses and to minimize impacts on those uses, to the extent feasible.
Policy HAZ-8.21	The City shall limit the hours of construction and maintenance activities to the less sensitive hours of the day (7:00am to 7:00pm Monday through Saturday and 10:00am to 6:00 pm on Sundays and holidays).
Policy HAZ-8.22	The City shall require a vibration impact assessment for proposed projects in which heavy-duty construction equipment would be used (e.g. pile driving, bulldozing) within 200 feet of an existing structure or sensitive receptor. If applicable, the City shall require all feasible mitigation measures to be implemented to ensure that no damage or disturbance to structures or sensitive receptors would occur.

##### City of Hayward Municipal Code

Hayward Municipal Code, Chapter 4, Article 1 (Public Nuisances) contains the City's Noise Regulations (as amended by Ordinance 11-03, adopted March 22, 2011). The Regulations are



applicable to all noise sources in the city limits, with the exception of Hayward Executive Airport, which is regulated separately under the City's Airport Noise Ordinance (addressed separately in this section below); and from animals, which are administered under the City's Animal Control Ordinance. The Regulations establish quantitative noise limits based on measured dBA for activities occurring on residential, commercial and industrial, and public property; noise from vehicles; construction, alteration of structures and landscaping activities. The Regulations also establish a separate and independent qualitative method of determining "unreasonable noise" emanating from private property. Categorical Exemptions to the Regulations are specified for certain activities or source categories, including Alarms and Warning Devices, Emergency Response Activities, Special Events, Generators Required for Medical Purposes and Power Outages, and so forth. In some cases, a permit from the City is required to qualify for an exemption.

#### 4.13.1.3 *Existing Conditions*

The project site is located in a predominantly residential area of the City. The noise environment at the project site results primarily from vehicular traffic along Mission Boulevard, approximately 730 feet west of the site. Traffic along Carlos Bee Boulevard and intermittent airplane flyovers from Hayward Executive Airport also contribute to noise levels at the site. The project site is located approximately 2,000 feet from the nearest rail line. The General Plan Draft EIR found that the 60 dBA CNEL railroad noise contour extends approximately 950 to 1,120 feet from the centerline of the rail line; therefore, the project site is not exposed to substantial noise from the rail line.

Traffic noise levels along Mission Boulevard from Harder Road to Carlos Bee Boulevard were modeled as 72 dBA CNEL at 50 feet from the roadway centerline.<sup>51</sup> The project site is located approximately 800 feet from the centerline of Mission Boulevard. Traffic noise modeling was based on existing average daily traffic (ADT) volumes and speeds indicated by the General Plan traffic study. Long-term measurements were also taken throughout the City as a part of the General Plan Background Report; the closest long-term measurement (LT 3) was located at Bunker Hill Boulevard, approximately 0.4-mile east of the project site. Ambient noise levels at this location were measured as approximately 62 CNEL.

#### 4.13.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in:				
1) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<sup>51</sup> City of Hayward. *Public Review Draft Background Report*. Table 9-11: Summary of Modeled Existing Traffic Noise Levels. November 2013.



	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in:				
3) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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**Impact NOI-1:** The project would not result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. **(Less than Significant Impact with Mitigation Incorporated)**

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### Construction Noise

Construction of the proposed project would take approximately eight months to complete. The project would increase the temporary noise levels in the area due to construction activities such as grading, paving, and trenching for utility connections. The significance of noise impacts during construction depends on the noise generated by various pieces of construction equipment, the timing and duration of noise generating activities, and the distance between construction noise sources and noise sensitive receptors.

Construction activities generate considerable amounts of noise when heavy equipment is used. Typical hourly average construction generated noise levels are about 75 dBA to 80 dBA measured at a distance of 100 feet from the source during busy construction periods (e.g., earth moving equipment, impact tools, etc.). Construction generated noise levels drop off at a rate of about six dBA per doubling of distance between the source and receptor.

The construction of the proposed project would temporarily increase noise levels in the immediate vicinity of the project site and would be audible at the nearby residences. Construction of the project would be limited to between the hours of 10:00 a.m. and 6:00 p.m. on Sundays and holidays, and 7:00 a.m. and 7:00 p.m. on other days, as set forth in General Plan Policy HAZ-8.21. The City of Hayward Municipal Code (Chapter 4, Section 4-1.03.4) sets additional requirements for construction noise, which are stated below:

- No individual device or piece of equipment shall produce a noise level exceeding eighty-three (83) dBA at a distance of twenty-five (25) feet from the source. If the device or equipment is housed within a structure on the property, the measurement shall be made outside the structure at a distance as close as possible to twenty-five (25) feet from the equipment.



- The noise level at any point outside of the property plane shall not exceed eighty-six (86) dBA.
- During all other times, the decibel levels set forth in Section 4-1.03.1 shall control.

While the construction equipment and activities anticipated for the proposed project are not expected to generate noise in exceedance of Municipal Code requirements, sensitive receptors in the vicinity could still be exposed to excessive noise levels. If project construction were to expose nearby sensitive receptors to noise levels in excess of City standards, this would constitute a significant impact. To ensure the proposed project would not result in construction noise impacts at adjacent residences the following mitigation measures shall be implemented.

### **Mitigation Measures:**

The following measures will be implemented by the project, in addition to Municipal Code limits on hours of construction, to ensure impacts from construction noise are reduced to a less than significant level:

**MM NOI-1.1:** The applicant shall develop a construction noise plan, including, but not limited to the following available controls:

- In accordance with the Municipal Code, utilize the best commercially-reasonable available noise suppression devices and techniques during construction activities to reduce noise levels from individual devices or pieces of equipment to 83 dBA or less at a distance of 25 feet and 86 dBA at the property plane.
- Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
- Unnecessary idling of internal combustion engines shall be strictly prohibited.
- Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors as feasible. If they must be located near receptors, adequate muffling (with enclosures where feasible and appropriate) shall be used reduce noise levels at the adjacent sensitive receptors. Any enclosure openings or venting shall face away from sensitive receptors.
- Utilize "quiet" air compressors and other stationary noise sources where technology exists.
- Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
- Locate temporary material stockpiles, as well as maintenance/equipment staging and parking areas, as far as feasible from residential receptors.



- Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site.
- Notify in writing all adjacent business, residences, and other noise-sensitive land uses of the construction schedule.
- Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include in it the notice sent to neighbors regarding the construction schedule.

The construction noise control plan will be implemented during all phases of construction activity to reduce the noise exposure of neighboring properties. With implementation of the above-listed noise control measures and compliance with limitations on hours and construction equipment noise level emissions set forth in the Municipal Code, the project would have a less than significant construction-noise impact. **(Less than Significant Impact with Mitigation Incorporated)**

### Operational Noise

Operational noise generated by the project would be primarily attributed to mechanical equipment in the proposed buildings (ventilation systems, air conditioning, fans, etc.) and the increase in traffic from additional vehicle trips to and from the site.

A noise increase is considered substantial if it increases the ambient noise level by three dB or more in sensitive noise areas. A three dB increase is equivalent to a doubling of traffic on local roadways. The proposed project would generate an additional 103 net new daily trips on local roadways, based on the estimated population increase created by the project and Institute of Traffic Engineers (ITE) trip generation rates (refer to Section 4.17, Transportation).<sup>52</sup> This increase in traffic would not result in a doubling of traffic on Carlos Bee Boulevard and other neighboring streets; existing average daily trip (ADT) volumes on Carlos Bee Boulevard at Mission Boulevard are estimated at 16,100. Traffic noise from the project would not result in a substantial increase in ambient noise levels.

The proposed project's mechanical equipment will be designed to meet the City's 60 dBA  $L_{eq}$  noise levels at adjacent residential property lines. For this reason, and those discussed above, the proposed project would not result in a significant operational noise impact. **(Less than Significant Impact)**

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**Impact NOI-2:** The project would not result in generation of excessive groundborne vibration or groundborne noise levels. **(Less than Significant Impact)**

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Construction activities of the proposed project would not involve demolition, impact pile driving, bulldozing, or other heavy-duty activities that typically generate the greatest vibrational frequency. In

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<sup>52</sup> Institute of Transportation Engineers. *Trip Generation Manual 10<sup>th</sup> Edition – Volume 2: Data – Residential (Land Uses 200-299). Single-Family Detached Housing*. September 2017.



addition, the project would not include excavation aside from the minor trenching required to establish utility connections. Due to the scale of the construction activities proposed by the project, and their duration, the project would not result in excessive groundborne vibration or groundborne noise levels. **(Less than Significant Impact)**

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**Impact NOI-3:** The project would not be located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport. The project would not expose people residing or working in the project area to excessive noise levels. **(No Impact)**

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The project site is located approximately 2.5 miles east of the Hayward Executive Airport and is outside of the AIA and 55 CNEL noise contours established in the CLUP.<sup>53</sup> The project would not expose people residing or working in the project area to excessive noise levels due to airport activities. **(No Impact)**

#### **4.13.3      Non-CEQA Effects**

Per *California Building Industry Association v. Bay Area Air Quality Management District*, 62 Cal. 4th 369 (*BIA v. BAAQMD*), effects of the environment on the project are not considered CEQA impacts. The following discussion is included for informational purposes only because the City of Hayward has policies that address existing noise conditions affecting a proposed project.

The Noise Element of the General Plan establishes 60 dBA CNEL as the maximum suggested exterior noise level for land uses that include single-family residences. Based on the General Plan long-term noise measurements, exterior noise levels at the project site would be approximately 62 dBA CNEL. Assuming typical construction methods, interior noise levels are approximately 15 dBA lower than exterior levels within residential units with the windows partially open and approximately 20 to 25 decibels lower than exterior noise levels with the windows closed. The City has established an interior noise standard of 45 dBA DNL for residential uses. Future project residences would be exposed to noise levels which would exceed the acceptable interior noise standard with windows partially open but would meet the interior noise standard with windows closed. As a condition of approval, the project would be required to include mechanical ventilation to allow windows to be kept closed to ensure interior noise levels in the proposed residences would be maintained at or below 45 dBA DNL, consistent with the City's General Plan.

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<sup>53</sup> Alameda County. *Hayward Executive Airport - Airport Land Use Compatibility Plan*. Figure 3.3 HWD Noise Compatibility Zones. August 2012.



## 4.14 POPULATION AND HOUSING

### 4.14.1 Environmental Setting

#### 4.14.1.1 *Regulatory Framework*

Policies	Description
Policy LU-1.1	The City shall support efforts to improve the jobs-housing balance of Hayward and other communities throughout the region to reduce automobile use, regional and local traffic congestion, and pollution.

#### 4.14.1.2 *Existing Conditions*

According to California Department of Finance data, the City of Hayward had a population of approximately 159,433 residents as of January 1, 2019.<sup>54</sup> ABAG projects the City's population to be 178,270 in 2040.<sup>55</sup>

The jobs/housing balance is the relationship between the number of housing units required as a result of local jobs and the number of residential units available in the City. This relationship is quantified by the jobs/employed resident ratio. When the ratio reaches 1.0, a balance is struck between the supply of local housing and local jobs. The jobs/employed resident ratio is determined by dividing the number of local jobs by the number of employed residents that can be housed in local housing. With about 65,741 jobs and 61,718 employed residents in 2010, Hayward had a jobs/housing balance of 1.07.<sup>56</sup> This means that there were 1.07 jobs for every employed resident in the City.

### 4.14.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<sup>54</sup> State of California, Department of Finance, E-1 Population Estimates for Cities, Counties and the State with Annual Percent Change—January 1, 2018 and 2019. May 2019.

<sup>55</sup> ABAG. "Projections 2040 – Forecasts for Population, Household and Employment for the Nine County San Francisco Bay Area Region." <http://projections.planbayarea.org/> Accessed September 9, 2019.

<sup>56</sup> City of Hayward. *Public Review Draft Background Report*. Table 3-1. November 2013.



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**Impact POP-1:** The project would not induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure). **(Less than Significant Impact)**

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The project proposes a development of nine single-family dwelling units on an existing vacant site. Of the nine dwelling units, six would include ADUs, as discussed in Section 3.0, Project Description. The increase in housing facilitated by the project would result in a net increase in the local population of approximately 39 residents.<sup>57</sup> This minor increase in population associated with the project was assumed as part of the General Plan buildout, and would not induce substantial population growth in the City of Hayward.

The proposed project would not include any infrastructure or utility systems beyond what is necessary to serve the project, nor would the project remove any existing constraints on growth. The project would, therefore, have a less than significant population impact. **(Less than Significant Impact)**

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**Impact POP-2:** The project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. **(No Impact)**

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The project site is currently undeveloped. Implementation of the project, therefore, would not displace people or existing housing. **(No Impact)**

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<sup>57</sup> Based on the latest Department of Finance data, the average number of residents per household in Hayward is 3.29 (State of California, Department of Finance. *Report E-5 Population and Housing Estimates for Cities, Counties, and the State*. Table 2: City/County Population and Housing Estimates. January 1, 2019). The average number of residents per accessory dwelling unit is 1.5. 3.29 residents per household x nine (9) net new units = 30 residents. 1.5 residents per accessory dwelling unit x six (6) accessory dwelling units = nine residents. Thirty single-family residents + nine accessory dwelling unit residents = 39 total net new residents.



## 4.15 PUBLIC SERVICES

### 4.15.1 Environmental Setting

#### 4.15.1.1 *Regulatory Framework*

##### **State**

##### Government Code Section 66477

The Quimby Act (included within Government Code Section 66477) requires local governments to set aside parkland and open space for recreational purposes. It provides provisions for the dedication of parkland and/or payment of fees in lieu of parkland dedication to help mitigate the impacts from new residential developments. The Quimby Act authorizes local governments to establish ordinances requiring developers of new residential subdivisions to dedicate parks, pay a fee in lieu of parkland dedication, or perform a combination of the two.

##### Government Code Section 65995 through 65998

California Government Code Section 65996 specifies that an acceptable method of offsetting a project's effect on the adequacy of school facilities is the payment of a school impact fee prior to the issuance of a building permit. Government Code Sections 65995 through 65998 set forth provisions for the payment of school impact fees by new development by "mitigating impacts on school facilities that occur (as a result of the planning, use, or development of real property" (Section 65996[a]). The legislation states that the payment of school impact fees "are hereby deemed to provide full and complete school facilities mitigation" under CEQA (Section 65996[b]).

Developers are required to pay a school impact fee to the school district to offset the increased demands on school facilities caused by the proposed residential development project. The school district is responsible for implementing the specific methods for mitigating school impacts under the Government Code.

##### **Local**

##### City of Hayward General Plan

The City's General Plan contain policies, recommendations, and actions to protect and enhance existing and future open space areas within the City. The proposed project would be subject to conformance with applicable General Plan policies, including those listed below.

Policy	Description
Policy LU-1.3	The City shall direct local population and employment growth toward infill development sites within the City, especially the catalyst and opportunity sites identified in the Economic Development Strategic Plan.
Policy LU-3.1	The City shall promote efforts to make neighborhoods more complete by encouraging the development of a mix of complementary uses and amenities that meet the daily needs of residents. Such uses and amenities may include parks, community centers, religious institutions, daycare centers, libraries, schools, community gardens, and neighborhood commercial and mixed-use developments.



Policy LU-9.1	The City shall require new hillside developments to provide public trail access (as appropriate) to adjacent greenways, open space corridors, and regional parks.
Policy LU-9.2	The City shall coordinate with school districts, park districts, utility providers, and other government agencies that are exempt from local land use controls to encourage facility designs that are compatible in scale, mass, and character with the neighborhood, district, or corridor in which they are located.
Policy LU-7.6	The City shall require new hillside developments to provide public trail access (as appropriate) to adjacent greenways, open space corridors, and regional parks.
Policy HQL-10.2	<p>The City shall seek to increase the number of parks throughout the City by working with HARD to achieve and maintain the following park standards per 1,000 Hayward residents:</p> <ul style="list-style-type: none"> <li>• Two acres of local parks,</li> <li>• Two acres of school parks,</li> <li>• Three acres of regional parks,</li> <li>• One mile of trails and linear parks, and</li> <li>• Five acres of parks district-wide.</li> </ul>
Policy HQL-10.12	The City shall maintain park dedication requirements and in-lieu fees for new residential development at the maximum allowed under State law.

#### **4.15.1.2      *Existing Conditions***

##### **Fire Service**

The City of Hayward Fire Department (HFD) provides fire, paramedic advanced life support (ALS)/emergency medical (EMS), and emergency services to all areas within the City limits, and to the Fairview Fire Protection District (FFPD) on a contract basis. The closest station to the project site is Station 1, located at 22700 Main Street, approximately one mile northwest of the site.

##### **Police Protection Service**

Police protection services for the project site are provided by the City of Hayward Police Department (HPD), which is headquartered at 300 West Winton Avenue, approximately 1.4 miles west of the site. The Hayward Police Department employs over 190 sworn officers in a staff of approximately 300.

##### **Schools**

The project site is located within the Hayward Unified School District (HUSD). HUSD operates 22 elementary, five middle, and four high schools within the Hayward Planning Area. Students in the project area would attend Stonebrae Elementary School (approximately 2.9-mile east of the site), Bret Harte Middle School (approximately 0.6-mile northwest of the site), and Hayward High School (approximately 0.6-mile north of the site).<sup>58</sup> Additionally, Silver Oak High School, a charter school, is located approximately 250 feet west of the site. The General Plan Background Report (City of Hayward, 2013) found that the only overcrowded schools in the HUSD were Burbank Elementary School and Cherryland Elementary School.

<sup>58</sup> Hayward Unified School District. “Enrollment – School Boundary Map”. <https://www.husd.us/enroll>. Accessed November 8, 2019.



**Parks**

The Hayward Area Recreation and Park District (HARD) and the East Bay Regional Park District (EBRPD) provide parks and recreation services in the City. HARD operates 57 parks within the City and provides 159.85 acres of local parkland, 36.71 acres of school parks, 91.74 acres of community parkland, 271.29 acres of districtwide parkland, 1,627 acres of regional parkland, and 145.7 acres of open space, trails, and linear parkland. According to the 2019 Draft Recreation and Parks Master Plan, HARD does not meet current standards for local parks, school parks, and district parks (current standards are established by General Plan Policy HQL-10.2, as shown above); however, HARD exceeds the standard for regional parkland.

The nearest public park to the project site is Spring Grove Park, located approximately 0.3-mile south of the site. Other nearby parks include Memorial Park, approximately 0.4-mile northwest of the site, Berry Park, approximately 0.6-mile southwest of the site, and Orange Park, approximately 0.8-mile southwest of the site.

**Libraries**

The City of Hayward library system includes the Main Library at 835 C Street (approximately 0.9 miles northwest of the site) and Weekes Branch Library at 27300 Patrick Avenue (approximately two miles south of the site).

The City's General Plan does not identify a service ratio goal, or other performance standard for library services.

**Community Centers**

There are currently 11 community centers in the City of Hayward. The nearest community center to the project site is the Hayward Plunge indoor pool facility, approximately 0.4-mile northwest of the site.



#### 4.15.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
1) Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5) Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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**Impact PS-1:** The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection services. **(Less than Significant Impact)**

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The proposed project would be located in an urban area that is already served by the HFD. The project would incrementally increase the demand for fire protection services within the HFD's jurisdiction; however, this increase in demand would not require the construction of new facilities or expansion of existing facilities. The proposed project is estimated to increase the local population by 39 residents, which is not a sufficient increase in population to justify new fire stations, personnel, or equipment. The proposed development would be built to applicable Fire Code standards when construction permits are issued and would include features that would reduce potential fire hazards, including smoke detectors and sprinklers. Further, the development will be consistent with the Hillside Design/Urban Wildland Fire Interface Guidelines as outlined in Section 4.9.2 Hazards and Hazardous Materials, above. Emergency vehicles would be able to access the project site from driveways on Carlos Bee Boulevard and Overlook Avenue. Therefore, the proposed project would result in a less than significant impact on fire protection services. **(Less than Significant Impact)**

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**Impact PS-2:** The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection services. **(Less than Significant Impact)**

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The proposed residential development would increase the population of Hayward by approximately 39 residents, thus incrementally increasing the demand for police services. The project site is, however, located within an urban area that is already served by the HPD. The project would be constructed in conformance with current codes and would not require new or physically altered police facilities. Therefore, the proposed project would result in a less than significant impact on police protection services. **(Less than Significant Impact)**

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**Impact PS-3:** The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for schools. **(Less than Significant Impact)**

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The proposed project would add nine single-family dwelling units and six ADUs and consequently increase the potential number of school-aged children in the area. According to a Demographic Report on Student Population Projections estimated between the Fall of 2015 to 2021 for Hayward Unified School District, single-family detached homes yield approximately 0.143 elementary school students, 0.033 middle school students, and 0.050 high school students.<sup>59</sup> Using the student yield rates mentioned, the proposed nine single-family homes and six ADUs would yield approximately three elementary school students, one middle school student, and one high school student.

The new students generated by the proposed project would not place a significant burden on existing school facilities or require the construction of new facilities. The project would contribute minimally to the demand placed on the schools' infrastructure, staffing and resources. Under Section 65996 of the State Government Code, payment of school impact fees established by SB 50 is deemed to constitute full and complete mitigation for school impacts from development. Developer(s) of new housing units would be required to pay these school impact fees at the time of building permit issuance. The school district is responsible for implementing the specific methods for mitigating school impacts under the Government Code. Fulfillment of this requirement would mitigate the development of residential uses' impacts to schools to a less than significant level. **(Less Than Significant Impact)**

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**Impact PS-4:** The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for parks. **(Less than Significant Impact)**

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The City of Hayward provides and maintains parkland and open space within the City for residents and visitors to enjoy. The project is estimated to increase the local population by 39 residents. The

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<sup>59</sup> Davis Demographics. *Newark Unified School District – Student Population Projections by Residence - School Year 2016/2017 Report*. August 2017.



project residents would be served by existing parks in the project area and other open space and recreational facilities in the region, including Memorial Park and Berry Park.

It is not anticipated that the project's incremental demand for park and recreational facilities in the area would result in the substantial, physical deterioration of existing park and recreational facilities or require the expansion or construction of new facilities. The developer will be required to pay applicable park in-lieu fees; these fees would be used by the City to acquire and/or develop new parkland and/or amenities, thereby mitigating the impacts from the proposed residential development. **(Less Than Significant Impact)**

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<b>Impact PS-5:</b>	The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for other public facilities. <b>(Less than Significant Impact)</b>
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Community centers, libraries and other public facilities in the City of Hayward could be used by future residents of the proposed project. While use of nearby community centers would likely increase, implementation of the project would not result in degradation of the existing community centers and/or libraries to the point of disrepair. The proposed project would not require the construction or expansion of community center facilities, libraries or other public facilities to accommodate the increase in local population generated by the proposed project. **(Less than Significant Impact)**



## 4.16 RECREATION

### 4.16.1 Environmental Setting

#### 4.16.1.1 *Regulatory Framework*

##### **Local**

##### City of Hayward General Plan

The City of Hayward General Plan contains policies pertaining to recreational resources. The following General Plan recreation policies are applicable to the proposed project.

Policy	Description
Policy HQL-10.2	<p>The City shall seek to increase the number of parks throughout the City by working with HARD to achieve and maintain the following park standards per 1,000 Hayward residents:</p> <ul style="list-style-type: none"> <li>• Two acres of local parks,</li> <li>• Two acres of school parks,</li> <li>• Three acres of regional parks,</li> <li>• One mile of trails and linear parks, and</li> <li>• Five acres of parks district-wide.</li> </ul>
Policy HQL-10.12	The City shall maintain park dedication requirements and in-lieu fees for new residential development at the maximum allowed under State law.

##### Hayward Area Recreation and Park District Parks Master Plan

The Hayward Area Recreation and Park District (HARD) is in the process of updating its Parks and Recreation Master Plan; the current plan was prepared in 2006. The Master Plan will provide guidance for both short and long-range planning for HARD by integrating community input and recreation planning standards. The public draft Master Plan was released in May 2019. The Draft Master Plan includes Level of Service (LOS) standards for various recreational amenities, including, but not limited to, athletic fields, playgrounds, and dog parks.

#### 4.16.1.2 *Existing Conditions*

HARD and EBRPD provide parks and recreation services in the City. HARD operates 57 parks within the City and provides 159.85 acres of local parkland, 36.71 acres of school parks, 91.74 acres of community parkland, 271.29 acres of districtwide parkland, 1,627 acres of regional parkland, and 145.7 acres of open space, trails, and linear parkland. Within the City of Hayward, there are currently (2018) 0.8 acres of local parkland per 1,000 residents, which is just below HARD's minimum standard for local parks (1.0 acres per 1,000 residents).

In its Parks and Recreation Master Plan, HARD evaluated existing outdoor and indoor recreational amenities and compared them to the LOS standards established therein. Table 4.16-1 below shows the existing conditions of recreational facilities in the City relative to the LOS standards.



<b>Table 4.16-1: Recreational Level of Service</b>			
<b>Recreational Amenities</b>	<b>Total Inventory</b>	<b>Current Level of Service (per person)</b>	<b>Recommended Level of Service (per person)</b>
Diamond Athletic Fields	38 fields	1 field per 7,691	1 field per 7,500
Rectangle Athletic Fields	26 fields	1 field per 11,241	1 field per 10,000
Disc Golf Course (18 hole)	-	N/A	1 course per 100,000
Playground	76 sites	1 site per 3,856	1 site per 4,000
Dog Park	5 sites	1 site per 58,453	1 site per 50,000
Tennis Court	31 courts	1 court per 9,428	1 court per 12,000
Outdoor Basketball Court	65	1 court per 4,496	1 court per 5,000
Group Picnic Areas	24 sites	1 site per 12,178	1 site per 10,000
18-Hole Golf Course	1.5 courses	1 course per 194,843	1 course per 250,000
Swim Centers	4 pools	1 pool per 73,066	1 pool per 50,000
Skate Park	8 sites	1 site per 36,533	1 site per 50,000
Recreation and Community Centers	160,844 square feet	0.55 square feet	1 square foot

**\*Source:** Hayward Area Recreation and Park District. *Draft Recreation and Parks Master Plan*. May 2019.

As shown in the table above, the City of Hayward requires additional recreational facilities to meet LOS standards established by HARD.

The project site is currently undeveloped and does not provide any recreational opportunities. The closest recreational facility to the project site is Spring Grove Park, located approximately 0.3-mile south of the site. In general, the infill site would be well served by recreational amenities.



#### 4.16.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
1) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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**Impact REC-1:** The project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. **(Less than Significant Impact)**

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As mentioned in Section 4.14 Population and Housing, the proposed project would increase the population by approximately 39 persons. Residents of the proposed development would likely utilize the on-site playground as well as nearby neighborhood and regional parks to fulfill their recreational needs. It is not anticipated that the project's incremental demand for park and recreational facilities in the area would result in the substantial physical deterioration of existing recreational facilities. The developer will be required to pay applicable park in-lieu fees; pursuant to HMC Section 10-16.30, collected fees shall be committed by the City Council for a specific park or recreational project to serve residents of the development. Thus, the project's impact on recreational facilities is considered less than significant. **(Less than Significant Impact)**

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**Impact REC-2:** The project would not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. **(Less than Significant Impact)**

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The proposed project does not include any recreational facilities aside from an approximately 3,200-square foot playground at the western edge of the site. The effect of the proposed playground on the environment is considered as a component of the project throughout this Initial Study. The project would be well served by recreational facilities in the area, including Spring Grove Park, Memorial Park, and the Plunge community center, and would not require the construction or expansion of recreational facilities which could adversely affect the environment. **(Less than Significant Impact)**



## 4.17 TRANSPORTATION

### 4.17.1 Environmental Setting

#### 4.17.1.1 *Regulatory Framework*

##### **State**

##### Regional Transportation Planning

The Metropolitan Transportation Commission (MTC) is the transportation planning, coordinating, and financing agency for the nine-county San Francisco Bay Area, including Alameda County. MTC is charged with regularly updating the Regional Transportation Plan, a comprehensive blueprint for the development of mass transit, highway, airport, seaport, railroad, bicycle, and pedestrian facilities in the region. MTC and ABAG adopted Plan Bay Area 2040 in July 2017, which includes the region's Sustainable Communities Strategy (integrating transportation, land use, and housing to meet GHG reduction targets set by CARB) and Regional Transportation Plan (including a regional transportation investment strategy for revenues from federal, state, regional and local sources over the next 24 years).

##### Senate Bill 743

Senate Bill 743 (SB 743), which became effective September 2013, initiated reforms to the CEQA Guidelines to establish new criteria for determining the significance of transportation impacts that “promote the reduction of GHG emissions, the development of multimodal transportation networks, and a diversity of land uses.” Specifically, SB 743 directs the Governor’s Office of Planning and Research (OPR) to update the CEQA Guidelines to replace automobile delay—as described solely by level of service (LOS) or similar measures of vehicular capacity or traffic congestion—with vehicle miles traveled (VMT) as the recommended metric for determining the significance of transportation impacts. OPR has approved the CEQA Guidelines implementing SB 743. Beginning on July 1, 2020, the provisions of SB 743 will apply statewide.

SB 743 did not authorize OPR to set specific VMT impact thresholds, but it did direct OPR to develop guidelines for jurisdictions to utilize. CEQA Guidelines Section 15064.3(b)(1) describes factors that might indicate whether a development project’s VMT may be significant, or not.

At the time of preparation of this Initial Study, the City of Hayward has not adopted a VMT policy setting specific VMT impact thresholds.

##### Congestion Management Program

The Alameda County Transportation Commission (ACTC) prepares the Congestion Management Program (CMP), a plan mandated by California law to describe the strategies to address congestion problems on the Metropolitan Transportation System (MTS) and CMP network, which includes State highways and principal arterials. The CMP uses level of service standards as a means to measure congestion and has established LOS standards to determine how local governments meet the objectives of the CMP. MTS and CMP roadways in Hayward include I-880, SR 238 (Mission Boulevard), SR 238 (Foothill Boulevard), SR 185 (Mission Boulevard), SR 92 (Jackson Street),



Hesperian Boulevard, A Street, Tennyson Road, SR 92, Winton Avenue-D Street, B Street, Harder Road, Industrial Parkway, and Whipple Road.

## Local

### City of Hayward General Plan

The Mobility Element of the City's General Plan contain policies, recommendations, and actions to improve traffic and circulation throughout City. All future development allowed by the project would be subject to conformance with applicable General Plan policies, including those listed below.

Policy	Description
Policy M-1.1	The City shall provide a safe and efficient transportation system for the movement of people, goods, and services through, and within Hayward.
Policy M-4.5	The City shall develop a roadway system that is redundant (i.e., includes multiple alternative routes) to the extent feasible to ensure mobility in the event of emergencies.
Policy M-4.7	The City shall continue to evaluate circulation patterns and implement appropriate traffic-calming measures to prevent speeding in neighborhoods.

### Hayward Bicycle Master Plan

The 2007 Hayward Bicycle Master Plan sets the goals and objectives for providing the opportunity to travel by bicycle as an alternative mode of transportation and recreation for physical, environmental, and social benefits. When the Master Plan was prepared, existing bikeways network totaled about 61 miles, including almost seven miles of Class I bike paths, 22 miles of Class II bike routes, and 32 miles of Class III bike routes. An additional 6.87 miles of bikeways are proposed in the Master Plan. The City is in the process of updating its Master Plan; the Bicycle and Pedestrian Master Plan is expected to be finalized in the first quarter of 2020.

#### **4.17.1.2      *Existing Conditions***

### **Roadway Network**

#### Regional Accesss

*State Route 92 (SR 92)* is an east-west highway between Half Moon Bay and downtown Hayward. The project site is accessible from SR 92 via Mission Boulevard.

#### Local Access

*Carlos Bee Boulevard* is an east-west, four-lane minor arterial with a portion divided by a median from Mission Boulevard for 1,000 feet east, providing access to California State University at East Bay and residential subdivisions in the Hayward Hills from Mission Boulevard. The posted speed limit along Carlos Bee Boulevard is 35 miles per hour. Sidewalks and parking are only provided along the north side of the street.



*Mission Boulevard* is a north-south major regional arterial with abutting commercial and institutional uses. It has four travel lanes, two in each direction, and unmarked on-street parking on both sides. There is a raised median south of Jackson Street-Foothill Boulevard and only a center line divider north of Jackson Street-Foothill Boulevard. The posted speed limit is 35 miles per hour. On-street parking is permitted on intermittent sections of Mission Boulevard, with future peak hour parking restrictions to be implemented. Sidewalks are provided along both sides of Mission Boulevard. Mission Boulevard is part of the Alameda County CMP network.

*Overlook Avenue* is an approximately 600-foot long local street which provides access to Palisade Street and neighborhoods to the north of the project site. Overlook Avenue is a two-way, undivided road which dead-ends just north of Palisade Street. Sidewalks are provided all along the west side of the street and intermittently along the east side.

### **Existing Traffic Volumes**

The daily traffic volume along selected roadway segments in Hayward was collected as part of the 2014 General Plan Update. According to the General Plan Background Report, ADT volume at the Mission Boulevard and Carlos Bee Boulevard intersection is 16,100 vehicle trips.<sup>60</sup> The intersection of Mission Boulevard and Carlos Bee Boulevard was operating at an acceptable LOS D for both AM and PM Peak Hours at the time of evaluation for the General Plan Update.

### **Existing Pedestrian and Bicycle Facilities**

Pedestrian facilities include sidewalks, crosswalks, and pedestrian signals. An approximately 10-foot wide sidewalk is provided on the north side of Carlos Bee Boulevard, which extends in both directions and connects to sidewalks along Mission Boulevard.

Bicycle facilities include paths (Class I), lanes (Class II), and routes (Class III). Bicycle paths are paved trails that are separate from roadways. Bicycle lanes are lanes on roadways designated for bicycle use by striping, pavement legends, and signs. Bicycle routes are roadways designated for bicycle use by signs only. Carlos Bee Boulevard provides a designated Class III bicycle route. Mission Boulevard provides a Class I bicycle path.

### **Transit Services**

The closest bus stops are located along Mission Boulevard (approximately 800 feet west of the site) at Mission Boulevard/Carlos Bee Boulevard and Mission Boulevard/Orchard Avenue, and are served by AC transit routes 99 and 801. Route 99 provides service between the Fremont Bay Area Rapid Transit (BART) station and the Hayward BART station via Mission Boulevard; service is also provided to the South Hayward and Union City BART stations along this route. Route 801 provides service between the 12<sup>th</sup> Street BART station in Oakland to the Fremont BART station. The closest BART station to the project site is the Downtown Hayward BART station, located approximately one mile northwest of the site.

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<sup>60</sup> City of Hayward, *Public Review Draft Background Report*. Figure 2-2: Study Road Segment Locations with Average Daily Traffic Volumes. November 2013.



#### 4.17.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle lanes and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) For a land use project, conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Impact TRN-1:** The project would not conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle lanes and pedestrian facilities. **(Less than Significant Impact)**

The City of Hayward does not currently have an adopted vehicle miles traveled (VMT) policy. The City's adopted transportation policy utilizes level of service (LOS) as the metric by which the City determines the functionality of the roadway system and the effect of new development on the roadway network. The following discussion of LOS is provided as it pertains to consistency with the City's adopted transportation policy.

#### Local Intersections

The Congestion Management Program requires a traffic impact analysis when a project would result in 100 or more peak hour trips. The project's trip generation estimates are based on trip generation rates obtained from the *Institute of Transportation Engineers' (ITE's) Trip Generation Manual, Tenth Edition, 2017*. The trip generation rates are shown in Table 4.17-1, below.

Table 4.17-1: Project Trip Generation Estimates							
Land Use	Daily Trips	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Single-Family Detached Housing*	103	2	6	8	7	4	11
* The average ITE daily trip rate is 2.65 daily trips per resident for a single-family use. AM Peak Hour is 0.21 trips per resident (with 30 percent entering/70 percent exiting) and PM Peak Hour is 0.28 trips per dwelling unit (with 66 percent entering/34 percent exiting).							



Based on the ITE Trip Generation Manual, the proposed project (including the six ADUs) would generate 103 net new trips. Of the 103 trips, eight would occur in the AM Peak Hour and 11 would occur in the PM Peak Hour. The new trips associated with the proposed project are well below the CMP threshold of 100 peak hour trips; therefore, the project would result in a less than significant impact on the LOS of local intersections. **(Less than Significant Impact)**

### **Transit, Pedestrian, and Bicycle Facilities**

The nine single-family units and six ADUs would introduce approximately 39 new residents to the area. New residents at the site can reasonably be anticipated to utilize transit opportunities in the surrounding areas. The nearest bus stops are located approximately 800 feet west of the site along Mission Boulevard and provide connections to several BART stations in the area. The minor increase in use of these transit service would not conflict with any plans or policies related to their operation, expansion, or performance.

The project site is served by a Class III bicycle route on Carlos Bee Boulevard and a Class I bicycle path on Mission Boulevard. The project would not interfere with bicycle transportation planning efforts or otherwise inhibit the City from meeting its multimodal transportation goals related to the provision of bicycle facilities.

Pedestrian facilities are limited to sidewalks on the north side of Carlos Bee Boulevard and on both sides of Mission Boulevard. The project would retain the existing sidewalk on Carlos Bee Boulevard and would provide pedestrian pathways connecting the interior of the site to the sidewalk. Construction of the project could temporarily obstruct pedestrian access to nearby residences on Overlook Avenue and further up Carlos Bee Boulevard; however, this would be a temporary condition and would not permanently interfere with pedestrian circulation in the area. For this reason, and those discussed above, the project would not conflict with a policy, program or ordinance addressing the circulation system. **(Less than Significant Impact)**

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**Impact TRN-2:** The project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). **(No Impact)**

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This question pertains specifically to VMT as the means of analyzing transportation impacts of a project. Per CEQA Guidelines Section 15064.3(c), agencies can wait as late as July 1, 2020 to adopt a VMT policy. The City of Hayward has not yet adopted a VMT policy. Therefore, the project is not in conflict with any adopted VMT policy. **(No Impact)**

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**Impact TRN-3:** The project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). **(Less than Significant Impact)**

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The project proposes a private interior roadway which would provide access to the garages of the proposed dwelling units, as well as to the guest parking areas. There would be a two-way driveway from Overlook Avenue and an Emergency Vehicle Access (EVA) to Carlos Bee Boulevard. Due to safety concerns about speeding and curves along Carlos Bee Boulevard, vehicles from the project site



would not be able to access the EVA and would enter and exit the project site from Overlook Avenue. The project would provide a total of 36 vehicle parking spaces; 18 spaces would be contained within garages in the dwelling units and the remaining 18 spaces would be provided as surface parking spaces along the driveway and at the western edge of the site.

The City has evaluated the proposed project and determined that it would not increase on-site hazards due to the design of the proposed development, including driveway access and width, parking areas, and pedestrian connections. Thus, the impact would be less than significant. **(Less than Significant Impact)**

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**Impact TRN-4:** The project would not result in inadequate emergency access. **(Less than Significant Impact)**

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Emergency access to the site would be provided by the proposed driveways on Carlos Bee Boulevard and Overlook Avenue. The driveways are sized to provide adequate turning radii for emergency vehicles. Therefore, the project would not result in inadequate emergency access. **(Less than Significant Impact)**



## 4.18 TRIBAL CULTURAL RESOURCES

### 4.18.1 Environmental Setting

#### 4.18.1.1 *Regulatory Framework*

##### State

##### Assembly Bill 52

Assembly Bill (AB) 52, effective July of 2015, established a new category of resources for consideration by public agencies when approving discretionary projects under CEQA, called Tribal Cultural Resources (TCRs). AB 52 requires lead agencies to provide notice of projects to tribes that are traditionally and culturally affiliated with the geographic area if they have requested to be notified. Where a project may have a significant impact on a tribal cultural resource, consultation is required until the parties agree to measures to mitigate or avoid a significant effect on a tribal cultural resource or when it is concluded that mutual agreement cannot be reached.

Under AB 52, TCRs are defined as follows:

- Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are also either:
  - Included or determined to be eligible for inclusion in the California Register of Historic Resources<sup>61</sup>
  - Included in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)
- A resource determined by the lead agency to be a TCR.

#### 4.18.1.2 *Existing Conditions*

The project site is currently undeveloped and consists of ruderal vegetation, mature trees and shrubs, and remnant building foundations. The project site was previously developed with single-family homes. As discussed in Section 4.5, Cultural Resources, the site is not considered archaeologically sensitive due to its distance from waterways, prior disturbance, and existing grade.

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<sup>61</sup> See Public Resources Code section 5024.1. The State Historical Resources Commission oversees the administration of the CRHR and is a nine-member state review board that is appointed by the Governor, with responsibilities for the identification, registration, and preservation of California's cultural heritage. The CRHR “shall include historical resources determined by the commission, according adopted procedures, to be significant and to meet the criteria in subdivision (c) (Public Resources Code, Section 5024.1 (a)(b)).



#### 4.18.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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**Impact TCR-1:** The project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k). **(Less than Significant Impact with Mitigation Incorporated)**

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The project site is not known to contain significant tribal cultural resources. Implementation of the proposed project is not expected to uncover previously unknown tribal cultural resources; however, this remains a possibility, particularly during grading and trenching for utilities. The proposed project includes mitigation measures (MM CUL-1.1 and -1.2) which set forth an appropriate process to be followed in the event of accidental discovery of cultural resources. Project mitigation measures would require construction activities to pause if a prehistoric cultural resource is unearthed and allow for examination of the resource by a qualified archaeologist. Additionally, if human remains are discovered and determined to be Native American, the NAHC will be notified and measures will be taken to ensure the remains are treated appropriately. The process detailed in these mitigation measures would ensure that the proposed project does not cause a substantial adverse change in the significance of a tribal cultural resource that is listed, or eligible for listing, in state or local registers. **(Less than Significant Impact with Mitigation Incorporated)**



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**Impact TCR-2:** The project would not cause a substantial adverse change in the significance of a tribal cultural resource that is determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. **(Less than Significant Impact)**

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AB 52 requires lead agencies to conduct formal consultations with California Native American tribes during the CEQA process to identify tribal cultural resources that may be subject to significant impacts by a project. Where a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document must discuss the impact and whether feasible alternatives or mitigation measures could avoid or substantially lessen the impact. This consultation requirement applies only if the tribes have sent written requests for notification of projects to the lead agency.

A tribe requested notification on March 2, 2016 for all projects located within the City of Hayward, pursuant to Public Resource Code Section 231080.3.1(b). Tribal notification was commenced on July 13, 2018 for the proposed project (see Appendix E); no comments or further requests for consultation were received during the minimum 30-day period following notification. As described under Impact TCR-1, mitigation measures would be implemented by the project to reduce impacts to as-yet undiscovered resources at the site. Therefore, the proposed project would result in a less than significant impact to any tribal cultural resources determined to be significant by the City. **(Less than Significant Impact)**



## 4.19 UTILITIES AND SERVICE SYSTEMS

### 4.19.1 Environmental Setting

#### 4.19.1.1 *Regulatory Framework*

##### **State**

##### State Water Code

Pursuant to the State Water Code, water suppliers providing water for municipal purposes to more than 3,000 customers or supplying more than 3,000 acre-feet (approximately 980 million gallons) of water annually must prepare and adopt an urban water management plan (UWMP) and update it every five years. As part of a UWMP, water agencies are required to evaluate and describe their water resource supplies and projected needs over a 20-year planning horizon, water conservation, water service reliability, water recycling, opportunities for water transfers, and contingency plans for drought events. The City of Hayward adopted its most recent UWMP in June 2016.

##### Assembly Bill 939

The California Integrated Waste Management Act of 1989, or AB 939, established the Integrated Waste Management Board, required the implementation of integrated waste management plans, and mandated that local jurisdictions divert at least 50 percent of solid waste generated (from 1990 levels), beginning January 1, 2000, and divert at least 75 percent by 2010. Projects that would have an adverse effect on waste diversion goals are required to include waste diversion mitigation measures.

##### Assembly Bill 341

AB 341 sets forth the requirements of the statewide mandatory commercial recycling program in the Public Resources Code. Businesses that generate four or more cubic yards of garbage per week and multi-family dwellings with five or more units in California are required to recycle. AB 341 sets a statewide goal for 75 percent disposal reduction by the year 2020.

##### Senate Bill 1383

SB 1383 establishes targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025. The bill grants CalRecycle the regulatory authority required to achieve the organic waste disposal reduction targets and establishes an additional target that at least 20 percent of currently disposed edible food is recovered for human consumption by 2025.

##### California Green Building Standards Code

In January 2010, the State of California adopted the California Green Building Standards Code, establishing mandatory green building standards for all buildings in California. The code covers five categories: planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and indoor environmental quality. These standards include



mandatory sets of measures, as well as more rigorous voluntary guidelines, for new construction projects to achieve specific green building performance levels.

## Local

### City of Hayward General Plan

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from planned development projects with the City. The following policies are specific to utilities and service systems and are applicable to the proposed project.

Policies	Description
Policy PFS-1.2	The City shall annually review and update the Capital Improvement Program to ensure adequate and timely provision of public facility and municipal utility provisions.
Policy PFS-1.4	The City shall, through a combination of improvement fees and other funding mechanisms, ensure that new development pays its fair share of providing new public facilities and services and/or the costs of expanding/upgrading existing facilities and services impacted by new development (e.g., water, wastewater, stormwater drainage).
Policy PFS-4.6	The City shall strive to adopt innovative and efficient wastewater treatment technologies that are environmentally-sound.
Policy NR-6.9	The City shall require water customers to actively conserve water year-round, and especially during drought years.
Policy NR-6.10	The City shall support efforts by the regional water provider to increase water recycling by residents, businesses, non-profits, industries, and developers, including identifying methods for water recycling and rainwater catchment for indoor and landscape uses in new development.
Policy NR-6.15	The City shall encourage private property owners to plant native or drought-tolerant vegetation in order to preserve the visual character of the area and reduce the need for toxic sprays and groundwater supplements.
Policy PFS-4.9	The City shall ensure the provision of adequate wastewater service to all new development, before new developments are approved, and support the extension of wastewater service to existing developed areas where this service is lacking.
Policy PFS-7.2	The City shall monitor its solid waste and recycling services franchisee to ensure that services provided are adequate to meet the needs of the community and to meet the provisions of the City's Franchise Agreement.
Policy PFS-7.4	The City shall comply with State goals regarding diversion from landfill, and strive to comply with the provisions approved by the Alameda County Waste Management Authority.
Policy PFS-7.12	The City shall require demolition, remodeling and major new development projects to salvage or recycle asphalt and concrete and all other non-hazardous construction and demolition materials to the maximum extent practicable.



#### **4.19.1.2      *Existing Conditions***

##### **Water**

Water service to the project site is provided by the City of Hayward. The City receives water through two aqueducts along Mission Boulevard and Hesperian Boulevard that have a total capacity of 32 million gallons per day (mgd). The aqueducts deliver potable water through a pressurized distribution system with over 360 miles of pipelines, 14 water storage reservoirs, seven pump stations, transmission system pressure regulating valves, numerous zonal pressure reducing valves, and two booster pump stations.

The water supplied to Hayward is predominantly from the Sierra Nevada, delivered through the Hetch-Hetchy aqueducts, but also includes treated water produced by the SFPUC from its local watershed and facilities in Alameda County.

There are existing six-inch water mains in Overlook Avenue and Carlos Bee Boulevard available to serve the project.

##### **Wastewater/Sanitary Sewer System**

The City of Hayward owns and operates the wastewater collection and treatment system that serves almost all of the residential, commercial, and industrial users within the incorporated City limits, and limited portions of the adjacent unincorporated areas of Alameda County by contract. The City's wastewater collection system is comprised of about 350 miles of sewer mains, nine sewage lift stations, and 2.5 miles of force mains. The City maintains a maintenance and replacement program to minimize sanitary sewer overflows and ensure capacity is available to meet demand. The City of Hayward Water Pollution Control Facility (WPCF) treats municipal wastewater and conveys it to the East Bay Dischargers Authority disposal facility. The East Bay Dischargers Authority disposes of the treated wastewater in San Francisco Bay.

The City of Hayward 2015 Urban Water Management Plan estimates that Hayward collected and treated 10.1 mgd of wastewater in 2015.<sup>62</sup> The Hayward WPCF is permitted to provide treatment for up to 18.5 million gallons per day (mgd), which is anticipated to be reached by 2035. Based on these values, the City has approximately 8.4 mgd of excess treatment capacity remaining at the WPCF.

There is an existing eight-inch sanitary sewer main along Carlos Bee Boulevard available to serve the project.

##### **Storm Drainage**

The project site is located within the Old Alameda Creek watershed.<sup>63</sup> Stormwater runoff from the buildings, hardscape, and local streets in the project area is collected and conveyed to Old Alameda Creek via the City's stormwater drainage system.

<sup>62</sup> City of Hayward Urban Water Management Plan. *Table 6-3: Wastewater Treatment and Discharge within Service Area in 2015*. June 2016.

<sup>63</sup> Alameda Flood Control and Water Conservation District. "Interactive Map: Alameda County Watersheds". <https://acffloodcontrol.org/resources/explore-watersheds/> Accessed August 28, 2019.



The City of Hayward owns and maintains the municipal storm drainage system serving the project area. The project site is undeveloped and consists of 100 percent pervious surfaces. There are two storm drain inlets located adjacent to the sidewalk at the southern portion of the site. The majority of stormwater naturally infiltrates into the soil or is captured by the storm drain inlets and conveyed to the City's drainage system via a 15-inch storm drain line in Carlos Bee Boulevard. There is also an existing storm drain line in a 10-foot wide easement which conveys runoff from the properties to the north of the site.

## Solid Waste

The City of Hayward Department of Public Works, Utilities and Environmental Services Division, provides weekly garbage collection and disposal services through a Franchise Agreement with Waste Management, Inc. (WMI), a private company. WMI subcontracts with a local non-profit, Tri-CED Community Recycling, for residential collection of recyclables.

Altamont Landfill is the designated disposal site in the City's Franchise Agreement with Waste Management, Inc. (WMI). In 2001 Altamont Landfill received County approval to increase capacity, adding 25 years to the life of the landfill and extending the expected closure date to the year 2040.

Hayward has exceeded the State population and employee per capita solid waste diversion targets of 50 percent established by Senate Bill (SB) 1016. Additionally, the City has recorded diversion rates of 67 to 71 percent for each of the past four years in an effort to achieve the countywide goal of diverting 75 percent of all generated waste from landfills. When the Hayward City Council approved the current Franchise Agreement with Waste Management of Alameda County in January 2015, the City set a goal of reaching 80 percent diversion by 2018.<sup>64</sup>

### 4.19.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<sup>64</sup> City of Hayward. "Solid Waste Diversion Rate". <https://www.hayward-ca.gov/content/solid-waste-diversion-rate>. Accessed September 13, 2019.



	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
3) Result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5) Be noncompliant with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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**Impact UTL-1:** The project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects. **(Less than Significant Impact)**

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The proposed project would utilize existing water infrastructure, dispose of wastewater at the WPCF, convey stormwater via the City's existing drainage system, and connect to existing utility lines in the vicinity of the site for electricity, natural gas, and telecommunication services.

### Water Facilities

The potable and irrigation water demands of the project would be met by existing service providers (City of Hayward), as is discussed under Impact UTL-2, below. Existing water lines in the adjacent streets would serve the proposed project. The project would not require the construction or expansion of water delivery systems or the expansion of the boundaries of the City's service area. Therefore, the project would not result in significant environmental effects related to the relocation or construction of new or expanded water facilities. **(Less than Significant Impact)**

### Sanitary Sewer and Wastewater Treatment

The proposed project would connect to the City's existing sanitary sewer system. The project would comply with all applicable Public Works requirements to ensure sanitary sewer and water mains would have capacity for water and sewer service required by the proposed project. Existing sanitary sewer lines in adjacent streets would be used to serve the proposed project. The project proposes a six-inch sewer line in the proposed interior driveway which would connect to existing sewer mains in Carlos Bee Boulevard. New sewer lines and lateral connections would be established during grading and would result in minimal environmental effects. **(Less than Significant Impact)**



## Storm Drainage

Development of the site would occur in compliance with the MRP and Hayward Municipal Code requirements, which would remove pollutants and reduce the rate and volume of runoff from the project site to levels that are at or below existing conditions. Development of the project would result in an increase in stormwater runoff; however, as discussed in Section 4.10, Hydrology and Water Quality, the project would implement LID-based treatments of stormwater and would not exceed the capacity of the existing storm drainage system serving the site. No new stormwater treatment or disposal facilities would need to be constructed to accommodate the proposed project. **(Less than Significant Impact)**

## Electric Power, Natural Gas and Telecommunications

Existing utility lines would be utilized by the project for electric power and natural gas services. Connecting to the City's energy and communications grid would require trenching on the site, which would not require substantial excavation and is unlikely to result in unanticipated impacts. The project would be required to detail the exact locations for all utility connections and utility plans would be subject to design review by the City. Therefore, the proposed project would not result in significant impacts from construction or relocation of new or expanded utilities. **(Less than Significant Impact)**

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**Impact UTL-2:** The project would not have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years. **(Less than Significant Impact)**

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As it exists, the project site is undeveloped and creates no water demand. The proposed project would develop the 1.6-acre site with nine single-family dwelling units, six of which would include ADUs. The project would increase the local population by 39 residents. Based on water usage rates of approximately 89 gallons per capita per day (GPCD) set forth in the 2015 UWMP, the proposed project would have a water demand of 3,471 gallons per day.<sup>65</sup> Although the project would increase water demand at the site and in the City as a whole, the project is consistent with its General Plan designation and expected population increases in the City through 2040. The project water demand has been accounted for in the 2015 UWMP, which is based on the City's General Plan. The 2015 UWMP found that the City of Hayward can adequately meet expected increases in demand through 2040 with existing entitlements during normal, dry and multiple dry years, provided water shortage contingency actions are implemented during any future drought years. Therefore, the project would have adequately water supply during normal, dry and multiple dry years. **(Less than Significant Impact)**

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**Impact UTL-3:** The project would not result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. **(Less than Significant Impact)**

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<sup>65</sup> City of Hayward. *2015 Urban Water Management Plan*. Page 5-7. June 2016.



The proposed project would result in an increase in wastewater generation of approximately 2,950 gallons per day.<sup>66</sup> Wastewater flows from the proposed project would be conveyed by a new six-inch sewer line in the project driveway to the six-inch sewer line in Carlos Bee Boulevard. The Hayward WPCF currently treats 10.1 mgd of wastewater and is permitted to provide treatment for up to 18.5 mgd, which is anticipated to be reached by 2035. The City has approximately 8.4 mgd of excess treatment capacity remaining at the WPCF and the project would only use a fraction of existing capacity. Therefore, the Hayward WPCF has adequate capacity to serve the wastewater treatment demands of the proposed project. **(Less than Significant Impact)**

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**Impact UTL-4:** The project would not generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. **(Less than Significant Impact)**

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According to the CalEEMod solid waste generation rates of 0.42 metric tons per resident per year for single-family land uses, the proposed project would generate approximately 16.38 tons of solid waste per year.<sup>67</sup> CalRecycle reported in 2015 that the Hayward's contribution to solid waste landfilled at Altamont Landfill was 100,123 tons in 2015.<sup>68</sup> Assuming this rate has remained relatively constant, the proposed project would generate less than one-tenth of one percent of the total solid waste in Hayward. Waste generated by the project would be disposed of at Altamont Landfill, which has an expected closure date of 2040. Therefore, the project would not dispose of waste at a landfill that is approaching capacity.

Implementation of General Plan Policies, including Policy PFS-7.12, PFS-7.4, and PFS-7.2, and the City's Construction and Demolition Debris Recycling Ordinance, would ensure that the proposed project is compliant with federal, state, and local solid waste reduction goals. For this reason, and those mentioned above, the project would not generate solid waste in excess of the capacity of local infrastructure or impair the attainment of solid waste reduction goals. **(Less than Significant Impact)**

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**Impact UTL-5:** The project would not be noncompliant with federal, state, and local management and reduction statutes and regulations related to solid waste. **(Less than Significant Impact)**

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Implementation of General Plan policies and the City's Construction and Demolition Debris Recycling Ordinance would ensure that the project meets federal, state, and local solid waste management statutes and regulations. Thus, the impact would be less than significant. **(Less than Significant Impact)**

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<sup>66</sup> Based on the standard wastewater generation rate of 85 percent of total water use.

<sup>67</sup> CalEEMod. *Appendix D – Default Data Tables – Table 10.1 Solid Waste Disposal Rates*. September 2016.

<sup>68</sup> City of Hayward. *Ersted Residential Project Draft Initial Study*. August 2018.



## 4.20 WILDFIRE

### 4.20.1 Environmental Setting

#### 4.20.1.1 *Regulatory Framework*

##### **State**

##### Fire Hazard Severity Zones

CAL FIRE is required by law to map areas of significant fire hazards based on fuels, terrain, weather, and other relevant factors. Referred to as Fire Hazard Severity Zones (FHSZs), these maps influence how people construct buildings and protect property to reduce risk associated with wildland fires. FHSZs are divided into areas where the state has financial responsibility for wildland fire protection, known as state responsibility areas (SRAs), and areas where local governments have financial responsibility for wildland fire protection, known as local responsibility areas (LRAs). Homeowners living in an SRA are responsible for ensuring that their property is in compliance with California's building and fire codes. Only lands zoned for very high fire hazard are identified within LRAs.

##### California Fire Code Chapter 47

Chapter 47 of the California Fire Code sets requirements for wildland-urban interface fire areas that increase the ability of buildings to resist the intrusion of flame or burning embers being projected by a vegetation fire, in addition to systematically reducing conflagration losses through the use of performance and prescriptive requirements.

##### California Public Resources Code Section 4442 through 4431

The California Public Resources Code includes fire safety regulations that restrict the use of equipment that may produce a spark, flame, or fire; require the use of spark arrestors on construction equipment that uses an internal combustion engine; specify requirements for the safe use of gasoline-powered tools on forest-covered land, brush-covered land, or grass-covered land; and specify fire suppression equipment that must be provided onsite for various types of work in fire-prone areas. These regulations include the following:

- Earthmoving and portable equipment with internal combustion engines would be equipped with a spark arrestor to reduce the potential for igniting a wildland fire (Public Resources Code Section 4442);
- Appropriate fire suppression equipment would be maintained during the highest fire danger period, from April 1 to December 1 (Public Resources Code Section 4428);
- On days when a burning permit is required, flammable materials would be removed to a distance of 10 feet from any equipment that could produce a spark, fire, or flame, and the construction contractor would maintain appropriate fire suppression equipment (Public Resources Code Section 4427); and
- On days when a burning permit is required, portable tools powered by gasoline-fueled internal combustion engines would not be used within 25 feet of any flammable materials (Public Resources Code Section 4431).



## Local

### City of Hayward General Plan

The Safety Element, Natural Resources Element and Hazards Element of the City's General Plan contains policies, recommendations, and actions to avoid or mitigate wildfire hazards within the City. The proposed project would be subject to conformance with applicable General Plan policies, including those listed below.

Policies	Description
Goal HAZ-1	Promote a disaster-resilient region by reducing hazard risks through regional coordination and mitigation planning.
Goal HAZ-5	Protect life and minimize potential property damage from urban wildfire hazards in hillside areas.

### City of Hayward Hillside Design and Urban/Wildland Interface Guidelines

The City has adopted guidelines for development proposed in hillside areas and in the Urban/Wildland Interface. The purpose of the Urban/Wildland Interface Guidelines is to mitigate through proper planning, design, and management the high fire danger associated with development located in an Urban/Wildland Interface (U/WI) Zone. Guidelines address building construction standards for fire protection, fuel modification and management at the urban/wildland interface, and fire-resistant landscaping.

#### **4.20.1.2      *Existing Conditions***

The proposed project is located in an urban area of Hayward which has not been designated as a Very High Fire Hazard Zone on CalFire maps.<sup>69,70</sup> The project site is, however, located within an identified high fire hazard area and a U/WI Zone in the City's General Plan EIR.<sup>71</sup> The project site is undeveloped and consists of ruderal vegetation and mature trees and shrubs. The site is surrounded by residential development to the north and east, an undeveloped field to the south, and mixed commercial and institutional uses to the west.

#### **4.20.2      Impact Discussion**

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
1) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<sup>69</sup> CAL FIRE. *Alameda County Fire Hazard Safety Zone Map – State Responsibility Area*. November 2007.

<sup>70</sup> CAL FIRE. *Alameda County Fire Hazard Safety Zone Map – Local Responsibility Area*. September 2008.

<sup>71</sup> City of Hayward. *Hayward 2040 General Plan Background Report*. Figures 5-3 and 5-4. November 2013.



	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
2) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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**Impact WF-1:** The project would not substantially impair an adopted emergency response plan or emergency evacuation plan. **(Less than Significant Impact)**

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The project is an infill development in an urban area of Hayward. The project would not obstruct roadways, remove emergency access routes or remove emergency response facilities. Therefore, the project would not interfere with the City of Hayward Comprehensive Emergency Management Plan. **(Less than Significant Impact)**

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**Impact WF-2:** The project would not, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. **(Less than Significant Impact)**

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While the project site is located in a WUI and high fire hazard zone identified by the City, the project would be built in accordance with the City's Hillside Design and Urban/Wildland Interface Guidelines. The project would require appropriate fire safe design measures be incorporated into the project design to avoid contributing to wildland fire hazards in the surrounding neighborhoods. The project would be required to meet or exceed the minimum California Fire Safe Guidelines and include sprinkler systems, double-paned windows, decks made from non-combustible materials, fire-resistant planting, and other fire safe design elements. The proposed project would also be required to establish a fuel management program that focuses on homeowner education, shaded fuel breaks, and fuel management zones. Adherence to the City's Urban/Wildland Interface Guidelines would ensure the project does not exacerbate wildfire risk. **(Less than Significant Impact)**



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**Impact WF-3:** The project would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. **(Less than Significant Impact)**

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The proposed project would be designed in a fire safe manner in accordance with the City's Hillside Design and Urban/Wildland Interface Guidelines. The project would not install infrastructure that could exacerbate fire risk or result in temporary or ongoing impacts to the environment. **(Less than Significant Impact)**

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**Impact WF-4:** The project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. **(Less than Significant Impact)**

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The proposed project would be located in a high fire hazard zone and could be vulnerable to fire hazard risks; however, adherence to the City's Hillside Design and Urban/Wildland Interface Guidelines, and continued implementation of the mitigation strategies outlined in the 2016 Local Hazard Mitigation Plan, would reduce the project's exposure to fire hazards and secondary impacts from fire. This conclusion is consistent with the City's General Plan DEIR, which found that implementation of General Plan policies and enforcement of fire prevention codes would reduce potential wildfire risks resulting from General Plan buildout. **(Less than Significant Impact)**



## 4.21 MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
1) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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**Impact MFS-1:** The project does not have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. **(Less than Significant Impact with Mitigation Incorporated)**

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As discussed in the individual sections, the proposed project would not degrade the quality of the environment with the implementation of identified standard measures and mitigation measures. The project includes mitigation measures to avoid or reduce biological resources, cultural resources, geology and soils, and noise impacts to a less than significant level.

As discussed in Section 4.4 Biological Resources, the project may impact nesting birds protected under the Migratory Bird Treaty Act and therefore requires implementation of mitigation measures MM BIO-1. Additionally, the project would remove a significant number of protected trees and complete construction in the vicinity of several mature trees. Mitigation measures MM BIO-5.1 and -5.2 would reduce impacts to protected and preserved trees and ensure all removed trees are replace in accordance with the City of Hayward Municipal Code.



There are no historic buildings on-site or in the immediate project vicinity as discussed in Section 4.5 Cultural Resources. However, the project requires implementation of appropriate mitigation measures if project construction encounters unknown buried archaeological resources.

As discussed in Section 4.13 Noise, project construction may result in significant noise impacts to nearby sensitive receptors. Implementation of NOI-1.1, which would require the applicant to prepare and implement a noise control plan, would reduce potential construction noise related impacts to a less than significant level. **(Less than Significant Impact with Mitigation Incorporated)**

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**Impact MFS-2:** The project does not have impacts that are individually limited, but cumulatively considerable. **(Less than Significant Impact)**

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Under Section 15065(a)(3) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has potential environmental effects “that are individually limited, but cumulatively considerable.” As defined in Section 15065(a)(3) of the CEQA Guidelines, cumulatively considerable means “that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.” In addition, under Section 15152(f) of the CEQA Guidelines, where a lead agency has determined that a cumulative effect has been adequately addressed in a prior EIR, the effect is not treated as significant for purposes of later environmental review and need not be discussed in detail.

Because criteria air pollutant and GHG emissions would contribute to regional and global emissions of such pollutants, the identified thresholds developed by BAAQMD and used by the City of Hayward were developed such that a project-level impact would also be a cumulatively considerable impact. The project would not result in a significant emissions of criteria air pollutants or GHG emissions and, therefore, would not make a substantial contribution to cumulative air quality or GHG emissions impacts.

With the implementation of mitigation measures, standard measures, and adherence to General Plan policies and the Municipal Code, residential development on the site would not result in significant geology and soils or hydrology and water quality impacts and would not contribute to cumulative impacts to these resources as they are specific to the site and immediate surroundings. Also, the project would not impact agricultural and forest resources or mineral resources and, therefore, the project would not contribute to a significant cumulative impact on these resources.

The project would generate noise during construction and operation. Typically, a three dBA noise increase would be perceivable by sensitive receptors. In order for traffic noise to increase by three dBA, traffic volumes would need to double along a local roadway. The proposed project and cumulative growth in the area would not double existing daily traffic volumes along Carlos Bee Boulevard or Mission Boulevard. The project would result in a minor increase in traffic noise which would not be cumulatively considerable.

The project site is not located adjacent to any approved or under construction developments; however, the approximately 30-acre vacant parcel to the east of the site (APN 445-0180-001-00) is the subject of a Master Plan for 500 townhomes and 125 units of student housing currently being



evaluated by the City. The Master Plan project would be required to address project-level air quality, biological resources, GHG emissions, noise, traffic, and hazardous materials impacts as a component of its environmental review and mitigate any identified significant impacts accordingly. Additionally, approximately five acres of a vacant site west of the project site (APN 445-0200-012-01) is undergoing review for a proposed car dealership. Similarly, the project would be subject to project-level environmental analysis and would be required to incorporate mitigation measures to reduce project-level impacts. Therefore, the proposed project would not result in significant environmental impacts when considered cumulatively with any nearby projects. **(Less than Significant Impact)**

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**Impact MFS-3:** The project does not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly. **(Less than Significant Impact)**

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Consistent with Section 15065(a)(4) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has the potential to cause substantial adverse effects on human beings, either directly or indirectly. Under this standard, a change to the physical environment that might otherwise be minor must be treated as significant if people would be significantly affected. This factor relates to adverse changes to the environment of human beings generally, and not to effects on particular individuals. While changes to the environment that could indirectly affect human beings would be represented by all of the designated CEQA issue areas, those that could directly affect human beings include construction TACs, wildfire hazards, and noise. However, implementation of mitigation measures and General Plan policies would reduce these impacts to a less than significant level. No other direct or indirect adverse effects on human beings have been identified. **(Less than Significant Impact)**



## SECTION 5.0 REFERENCES

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The analysis in this Initial Study is based on the professional judgement and expertise of the environmental specialists preparing this document, based upon review of the site, surrounding conditions, site plans, and the following references:

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## SECTION 6.0 LEAD AGENCY AND CONSULTANTS

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### 6.1 LEAD AGENCY

City of Hayward  
 Development Services Department  
 Leigha Schmidt, AICP, Senior Planner  
 777 B Street, Hayward, CA 94541

### 6.2 CONSULTANTS

#### **David J. Powers & Associates, Inc.**

Environmental Consultants and Planners  
 Akoni Danielsen, Principal Project Manager  
 Daniel DeBrito, Associate Project Manager  
 Zach Dill, Graphic Artist

#### **Illingworth & Rodkin, Inc.**

*Air Quality and Noise Consultants*  
 James Reyff, Principal  
 Casey Divine, Staff Consultant

#### **HortScience/Bartlett Consulting**

*Consulting Arborists*  
 Darya Barar, Consulting Urban Forester

#### **Alan Kropp & Associates, Inc.**

*Geotechnical Consultants*  
 M. Jeroen van den Berg, C.E., Senior Engineer

#### **Earth Focus Geological Services, Inc.**

*Geological Consultants*  
 Patrick L. Drumm, PG, CEG, CHG, Senior Engineering Geologist

#### **Harris and Lee Environmental Sciences, LLC.**

*Hazardous Materials Consultants*  
 Robert Harris, Senior Scientist  
 Walter Beach, Partner



**Mitigation Monitoring and Reporting Program**

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**Carlos Bee Boulevard Residential Project**

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**December 2019**



# P R E F A C E

Section 21081.6 of the California Environmental Quality Act (CEQA) requires a Lead Agency to adopt a Mitigation Monitoring and Reporting Program whenever it approves a project for which measures have been required to mitigate or avoid significant effects on the environment. The purpose of the monitoring and reporting program is to ensure compliance with the mitigation measures during project implementation.

On \_\_\_\_\_, the City Council adopted the Mitigated Negative Declaration for the Carlos Bee Residential project (Application No. 201802159). The Initial Study concluded that the implementation of the project could result in significant impacts on the environment and mitigation measures will be incorporated into the proposed project at the time of future development. This Mitigation Monitoring and Reporting Program addresses those measures in terms of how and when they will be implemented.

This document does *not* discuss those subjects for which the Initial Study concluded that the impacts from implementation of the project would be less than significant.



**MITIGATION MONITORING AND REPORTING PROGRAM**  
**Carlos Bee Boulevard Residential Project**

<b>Mitigation and/or Avoidance Measure(s)</b>	<b>Timeframe and Responsibility for Implementation</b>	<b>Method of Compliance</b>	<b>Oversight of Implementation</b>
<p><b>MM BIO-1:</b> If removal of the trees would take place between January and September, a pre-construction survey for nesting raptors or other migratory birds will be conducted by a qualified ornithologist to identify active nests that may be disturbed during project implementation. Between January and April (inclusive) pre-construction surveys will be conducted no more than 14 days prior to the initiation of construction activities or tree relocation or removal. Between May and August (inclusive), pre-construction surveys will be conducted no more than thirty days prior to the initiation of these activities. The surveying ornithologist shall inspect all trees in and immediately adjacent to the construction area to be disturbed by these activities, and the ornithologist shall, in consultation with the CDFW, designate a construction-free buffer zone (typically 250 feet) around any occupied nests until the end of the nesting activity.</p>	<p>Between January and April, pre-construction surveys shall be conducted no more than 14 days prior to the initiation of construction activities or tree relocation or removal. Between May and August, pre-construction surveys shall be conducted no more than thirty days prior to the initiation of construction activities or tree relocation or removal. If occupied nests are found, the construction-free buffer zone shall</p>	<p>The results of the pre-construction surveys shall be reviewed by the Landscape Architect prior to tree removal and/or initiation of construction activities.</p>	<p>City of Hayward Landscape Architect, Planning Division</p>



**MITIGATION MONITORING AND REPORTING PROGRAM**  
**Carlos Bee Boulevard Residential Project**

Mitigation and/or Avoidance Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	remain until the end of nesting activity.		
<p><b>MM BIO-5.1:</b> All protected trees removed from the site shall obtain a Tree Removal Permit per the City of Hayward Tree Preservation Ordinance (Municipal Code Chapter 10, Article 15). The removed trees would be required to be replaced at the quantities and species set forth in the Tree Preservation Ordinance. All removed trees would require replacement with like-size, like-kind trees or an equal value tree or trees as determined by the City’s Landscape Architect. The project shall adhere to the conditions of approval described in the City’s Tree Preservation Ordinance for the removal, replacement or maintenance of protected trees. Final landscape plans shall be reviewed and approved by the City’s Landscape Architect prior to issuance of any grading, trenching, or building permits. Final landscape plans shall clearly identify all “protected trees”, as defined in the Tree Preservation Ordinance, and all trees to be removed from the project site and the size, location, type, value of trees and specific the species of all replacement trees.</p>	<p>Prior to removal of any trees and/or issuance of any grading, trenching, or building permits.</p>	<p>The project applicant shall obtain a Tree Removal Permit for the removal of protected trees. Final landscape plans shall be reviewed and approved by the City’s Landscape Architect.</p>	<p>City of Hayward Landscape Architect, Planning Division</p>



**MITIGATION MONITORING AND REPORTING PROGRAM**  
**Carlos Bee Boulevard Residential Project**

Mitigation and/or Avoidance Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
<p><b>MM BIO-5.2:</b> The project applicant shall implement all tree protection measures as described below:</p> <p><i>Design Recommendations</i></p> <ol style="list-style-type: none"> <li>1. Any changes to the plans affecting the trees shall be reviewed by the Project Arborist with regard to tree impacts. These include, but are not limited to, site plans, improvement plans, utility and drainage plans, grading plans, landscape and irrigation plans, and demolition plans.</li> <li>2. A Tree Protection Zone (TPZ) shall be established around each tree to be preserved. No grading, excavation, construction or storage of materials shall occur within this zone. Underground services, including utilities, sub-drains, water or sewer shall be routed around the TPZ. <ol style="list-style-type: none"> <li>a. A fence shall be placed to encircle the group of Italian stone pine and blue gums #136-140 (refer to Figure 4.4-1);</li> <li>b. No fencing is required for trees #173-180;</li> <li>c. Off-site oak #185 will require additional fencing at the line of grading. Additionally, within the dripline no self-propelled equipment shall be used.</li> <li>d. Any other measures as required by the Landscape Architect.</li> </ol> </li> </ol>	<p>During all stages of construction.</p>	<p>All tree protection measures shall be printed on all construction documents, contracts, and project plans. An arborist shall be retained by the project applicant to ensure tree protection measures are implemented properly during construction which shall be inspected by the City's Landscape Architect and Public Works – Engineering Inspectors</p>	<p>City of Hayward Landscape Architect, Planning Division and Public Works - Engineering</p>



**MITIGATION MONITORING AND REPORTING PROGRAM**  
**Carlos Bee Boulevard Residential Project**

<b>Mitigation and/or Avoidance Measure(s)</b>	<b>Timeframe and Responsibility for Implementation</b>	<b>Method of Compliance</b>	<b>Oversight of Implementation</b>
<p>3. Irrigation systems must be designed so that no trenching severs roots larger than one inch in diameter will occur within the TPZ.</p> <p>4. Tree Preservation Guidelines prepared by the Project Arborist, which include specifications for tree protection during demolition and construction, shall be included on all plans.</p> <p>5. Any herbicides placed under paving materials must be safe for use around trees and labeled for that use.</p> <p>6. The soil shall be not be limed within 50 feet of any tree. Lime is toxic to tree roots.</p> <p>7. Ensure adequate but not excessive water is supplied to trees; in most cases, occasional irrigation will be required. Avoid directing runoff towards trees.</p> <p><i>Pre-Construction Treatments and Recommendations</i></p> <p>1. The demolition and construction superintendents shall meet with the Project Arborist before beginning work to review all work procedures, access routes, storage areas, and tree protection measures.</p> <p>2. Prune trees to be preserved to clean the crown of dead branches one inch and larger in diameter, raise canopies as needed for construction activities. All pruning shall be done by a State of California</p>			



**MITIGATION MONITORING AND REPORTING PROGRAM**  
**Carlos Bee Boulevard Residential Project**

<b>Mitigation and/or Avoidance Measure(s)</b>	<b>Timeframe and Responsibility for Implementation</b>	<b>Method of Compliance</b>	<b>Oversight of Implementation</b>
<p>Licensed Tree Contractor (C/61/D49). All pruning shall be done by Certified Arborist or Certified Tree Worker in accordance with the Best Management Practices for Pruning (International Society of Arboriculture, 2002) and adhere to the most recent editions of the American National Standard for Tree Care Operations (Z133.1) and Pruning (A300). The Project Arborist will provide pruning specifications prior to site demolition.</p> <p>3. Structures and underground features to be removed within the TPZ shall use equipment that will minimize damage to trees above and below ground, and operate from outside the TPZ. The Project Arborist shall be on-site during all operations within the TPZ to monitor demolition activity.</p> <p>4. All tree work shall comply with the Migratory Bird Treaty Act as well as California Fish and Wildlife Code 3503-3513 to not disturb nesting birds, consistent with MM BIO-1 above. To the extent feasible tree pruning and removal should be scheduled outside of the breeding season. Breeding bird surveys shall be conducted prior to tree work. Qualified biologists shall be involved in establishing work buffers for active nests.</p>			



**MITIGATION MONITORING AND REPORTING PROGRAM**  
**Carlos Bee Boulevard Residential Project**

<b>Mitigation and/or Avoidance Measure(s)</b>	<b>Timeframe and Responsibility for Implementation</b>	<b>Method of Compliance</b>	<b>Oversight of Implementation</b>
<p><i>Recommendations for Tree Protection during Construction</i></p> <ol style="list-style-type: none"> <li>1. Any approved grading, construction, demolition or other work within the TPZ shall be monitored by the Project Arborist.</li> <li>2. All contractors shall conduct operations in a manner that will prevent damage to trees to be preserved.</li> <li>3. Tree protection devices are to remain until all site work has been completed within the work area. Fences or other protection devices may not be relocated or removed without permission of the Project Arborist.</li> <li>4. Construction trailers, traffic, and storage areas shall remain outside the TPZ at all times.</li> <li>5. Any root pruning required for construction purposes shall receive the prior approval of, and be supervised by, the Project Arborist.</li> <li>6. If roots two inches and greater in diameter are encountered during site work and must be cut to complete the construction, the Project Arborist shall be consulted to evaluate effects on the health and stability of the tree and recommend treatment.</li> <li>7. Spoils from trenching, footing, utility or other excavation shall not be placed within the TPZ, neither temporarily nor permanently.</li> </ol>			



**MITIGATION MONITORING AND REPORTING PROGRAM**  
**Carlos Bee Boulevard Residential Project**

<b>Mitigation and/or Avoidance Measure(s)</b>	<b>Timeframe and Responsibility for Implementation</b>	<b>Method of Compliance</b>	<b>Oversight of Implementation</b>
<p>8. All grading within the dripline of trees shall be done using the smallest equipment possible. The equipment shall operate perpendicular to the tree and operate from outside the TPZ. Any modifications shall be approved and monitored by the Project Arborist.</p> <p>9. All trees shall be irrigated on a schedule to be determined by the Project Arborist (every three to six weeks is typical). Each irrigation shall wet the soil within the TPZ to a depth of 30 inches.</p> <p>10. If injury should occur to any tree during construction, it should be evaluated as soon as possible by the Project Arborist so that appropriate treatments can be applied.</p> <p>11. No excess soil, chemicals, debris, equipment or other materials shall be dumped or stored within the TPZ.</p> <p>12. Any additional tree pruning needed for clearance during construction shall be performed by a Certified Arborist and not by construction personnel.</p> <p>13. Trees that accumulate a sufficient quantity of dust on their leaves, limbs and trunk as judged by the Project Arborist shall be spray-washed at the direction of the Project Arborist.</p>			



**MITIGATION MONITORING AND REPORTING PROGRAM**  
**Carlos Bee Boulevard Residential Project**

Mitigation and/or Avoidance Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
<p><i>Maintenance of Relocated Trees</i></p> <ol style="list-style-type: none"> <li>1. Irrigate. Until roots develop into the surrounding soil, the tree is dependent on water contained in the root ball itself. Plants should be irrigated before the root ball becomes dry, but not so frequently that it remains wet. Irrigation frequencies may range from every few days in hot, dry weather to every few weeks in cool weather. A soil probe should be used to check soil moisture and water applied as needed.</li> <li>2. Prune. Trees should be pruned following transplanting to remove broken or damaged branches. If bark has been damaged, cut off any torn bark or wood with a knife. Do not shape the wound or apply wound paint.</li> <li>3. Fertilize. Fertilizer should be applied if soil tests reveal deficiencies. Fall or late winter are the best times to apply fertilizer.</li> <li>4. Monitor for pests and diseases. Transplanted trees are under stress until new roots are established in the landscape, and they are more susceptible to attack by parasites. Borers and canker disease are the most common problems. Inspect transplants monthly to assess any developing problems and determine appropriate treatments.</li> </ol>			



**MITIGATION MONITORING AND REPORTING PROGRAM**  
**Carlos Bee Boulevard Residential Project**

Mitigation and/or Avoidance Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
<p>5. Inspect anchor stakes or guys. Every three months check that the plant is not being damaged by hardware.</p> <p>6. Enlarge basin, replenish mulch. At the beginning of the second year, enlarge the watering basin by 50 percent and replenish wood chip mulch in basin.</p> <p><i>Maintenance of Impacted Trees</i>  Preserved trees will experience a physical environment different from that pre-development. As a result, tree health and structural stability shall be monitored. Occasional pruning, fertilization, mulch, pest management, replanting and irrigation may be required. In addition, provisions for monitoring both tree health and structural stability following construction must be made a priority. As trees age, the likelihood of failure of branches or entire trees increases; therefore, annual inspection for hazard potential is recommended.</p>			
<b>Cultural Resources</b>			
<b>MM CUL-1.1:</b> <i>Undiscovered Archaeological Resources.</i> If evidence of an archaeological site or other suspected cultural resource as defined by CEQA Guideline Section 15064.5, including darkened soil representing past human activity	During all phases of construction.	All measures shall be printed on all construction documents, contracts, and project plans and shall be reviewed by the Director of Development	Director of Development Services or her designee in the Planning Division



**MITIGATION MONITORING AND REPORTING PROGRAM**  
**Carlos Bee Boulevard Residential Project**

<b>Mitigation and/or Avoidance Measure(s)</b>	<b>Timeframe and Responsibility for Implementation</b>	<b>Method of Compliance</b>	<b>Oversight of Implementation</b>
<p>(“midden”), that could conceal material remains (e.g., worked stone, worked bone, fired clay vessels, faunal bone, hearths, storage pits, or burials) is discovered during construction related earth-moving activities, all ground-disturbing activity within 100 feet of the resources shall be halted and the City Planning Manager shall be notified. The project sponsor shall hire a qualified archaeologist to conduct a field investigation. The City Planning Manager shall consult with the archaeologist to assess the significance of the find. Impacts to any significant resources shall be mitigated to a less-than-significant level through data recovery or other methods determined adequate by a qualified archaeologist and that are consistent with the Secretary of the Interior’s Standards for Archaeological documentation. Any identified cultural resources shall be recorded on the appropriate DPR 523 (A-J) form and filed with the NWIC.</p>		<p>Services or her designee prior to the issuance of permits. In the event of a discovery during construction, a report documenting implementation of MM CUL-1.1 shall be submitted to the City by a qualified archaeologist as appropriate.</p>	



**MITIGATION MONITORING AND REPORTING PROGRAM**  
**Carlos Bee Boulevard Residential Project**

Mitigation and/or Avoidance Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
<p><b>MM CUL-1.2:</b> <i>Human Remains.</i> If human remains are discovered at any project construction site during any phase of construction, all ground-disturbing activity within 100 feet of the resources shall be halted and the City Planning Manager and the Alameda County coroner shall be notified immediately, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California's Health and Safety Code. If the remains are determined by the County coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. The project sponsor shall also retain a professional archaeologist with Native American burial experience to conduct a field investigation of the specific site and consult with the Most Likely Descendant, if any, identified by the NAHC. As necessary, the archaeologist may provide professional assistance to the Most Likely Descendant, including the excavation and removal of the human remains. The City of Hayward shall be responsible for approval of recommended mitigation as it deems appropriate, taking account of the provisions of State law, as set forth in CEQA Guidelines section 15064.5(e) and Public Resources</p>	<p>During all phases of construction.</p>	<p>All measures shall be printed on all construction documents, contracts, and project plans and shall be reviewed by the Director of Development Services or her designee prior to the issuance of permits. In the event of a discovery during construction, a report documenting implementation of MM CUL-1.2 shall be submitted to the City by a qualified archaeologist as appropriate.</p>	<p>Director of Development Services or her designee in the Planning Division</p>



**MITIGATION MONITORING AND REPORTING PROGRAM**  
**Carlos Bee Boulevard Residential Project**

Mitigation and/or Avoidance Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
Code section 5097.98. The project sponsor shall implement approved mitigation, to be verified by the City of Hayward, before the resumption of ground-disturbing activities within 100 feet of where the remains were discovered.			
<b>Geology and Soils</b>			
<b>MM GEO – 6:</b> <i>Unique Paleontological and/or Geologic Features and Reporting.</i> Should a unique paleontological resource or site or unique geological feature be identified at the project site during any phase of construction, all ground disturbing activities within 25 feet shall cease and the City’s Planning Manager notified immediately. A qualified paleontologist shall evaluate the find and prescribe mitigation measures to reduce impacts to a less than significant level. Work may proceed on other parts of the project site while mitigation for paleontological resources or geologic features is implemented. Upon completion of the paleontological assessment, a report shall be submitted to the City and, if paleontological materials are recovered, a paleontological repository, such as the University of California Museum of Paleontology shall also be submitted to the City.	During all phases of construction.	All measures shall be printed on all construction documents, contracts, and project plans and shall be reviewed by the Director of Development Services or her designee prior to the issuance of permits. In the event of a discovery during construction, a report documenting implementation of MM GEO-6 shall be submitted to the City by a qualified paleontologist as appropriate.	Director of Development Services or her designee in the Planning Division



**MITIGATION MONITORING AND REPORTING PROGRAM**  
**Carlos Bee Boulevard Residential Project**

Mitigation and/or Avoidance Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
<b>Noise</b>			
<p><b>MM NOI-1.1:</b> The applicant shall develop a construction noise plan, including, but not limited to the following available controls:</p> <ul style="list-style-type: none"> <li>• In accordance with the Municipal Code, utilize the best commercially-reasonable available noise suppression devices and techniques during construction activities to reduce noise levels from individual devices or pieces of equipment to 83 dBA or less at a distance of 25 feet and 86 dBA at the property plane.</li> <li>• Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.</li> <li>• Unnecessary idling of internal combustion engines shall be strictly prohibited.</li> <li>• Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors as feasible. If they must be located near receptors,</li> </ul>	<p>The construction noise plan shall be prepared prior to grading permit issuance, and the project applicant and contractors shall be responsible for implementing the mitigation measures during all phases of construction.</p>	<p>All measures shall be printed on all construction documents, contracts, and project plans and shall be reviewed by the Director of Development or her designee Services prior to the issuance of grading and building permits. Operational conditions shall be inspected and verified by Public Works – Engineering inspectors.</p>	<p>Director of Development Services or her designee; and Public Works – Engineering</p>



**MITIGATION MONITORING AND REPORTING PROGRAM**  
**Carlos Bee Boulevard Residential Project**

<b>Mitigation and/or Avoidance Measure(s)</b>	<b>Timeframe and Responsibility for Implementation</b>	<b>Method of Compliance</b>	<b>Oversight of Implementation</b>
<p>adequate muffling (with enclosures where feasible and appropriate) shall be used reduce noise levels at the adjacent sensitive receptors. Any enclosure openings or venting shall face away from sensitive receptors.</p> <ul style="list-style-type: none"> <li>• Utilize "quiet" air compressors and other stationary noise sources where technology exists.</li> <li>• Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.</li> <li>• Locate temporary material stockpiles, as well as maintenance/equipment staging and parking areas, as far as feasible from residential receptors.</li> <li>• Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site.</li> </ul>			



**MITIGATION MONITORING AND REPORTING PROGRAM**  
**Carlos Bee Boulevard Residential Project**

<b>Mitigation and/or Avoidance Measure(s)</b>	<b>Timeframe and Responsibility for Implementation</b>	<b>Method of Compliance</b>	<b>Oversight of Implementation</b>
<ul style="list-style-type: none"> <li>• Notify in writing all adjacent business, residences, and other noise-sensitive land uses of the construction schedule.</li> <li>• Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include in it the notice sent to neighbors regarding the construction schedule.</li> </ul>			

Source: *Carlos Bee Boulevard Residential Project Initial Study*. November 2019.



December 20, 2019

To: Leigha Schmidt  
Senior Planner  
Development Services Dept.  
City of Hayward

Dear Leigha,

First off, let me apologize if my comments have a negative tone. I have lived in Hayward for ten years now and I have witnessed multiple cases of poor traffic planning associated with various traffic improvements just within a mile or two of my home. It appears to me that the traffic planners in Hayward lack either the skill, the focus or the effort to arrive at good planning prior to the rollout of new road projects. As just one example, when Mission Blvd. was repaved and median planter strips were added to remove the left turn on to Palisade St. for traffic traveling south on Mission, traffic up Palisade St. (and Highland) had to make a left turn at Highland Ave. The left turn light at the intersection was timed to allow only three to five cars to pass at any one cycle. This, of course, caused major congestion on Mission as cars, at peak hours, became backed up beyond the left turn lane and into the left lane of the main highway. It also took forever to make that turn. If the problem had been corrected quickly it would have been a minor inconvenience. It took several months, however, for the issue to be corrected even though it was a nightly occurrence.

My comments on the Carlos Bee Project concern the problems that are sure to happen when all the traffic from the development is required to enter and exit on to Overlook Ave. You are aware that four new residences have been added in the last year to Palisade St in the first block below Overlook. Also, a new project (single family or multi-family?) is under construction on the corner of Overlook and Palisade. Finally, you are also aware of the Parcel 6 development that intends to add 600 new units just at the end of Overlook and Palisade. That project's plans, at this point, call for a new intersection on to Carlos Bee approximately 100 yards above the current intersection at Overlook and Carlos Bee. It also plans access routes directly on to Overlook and on to Palisade. The sum of the traffic from all this added development will unquestionably create an extremely dangerous situation at the intersection of Overlook and Carlos Bee, and NO changes or improvements to deal with that problem have been included in any of the proposed plans!!

What are the issues? If you stand at that intersection and look East on Carlos Bee, you will notice that the view of oncoming traffic is very limited due to the slope of the road at that point. You will also notice the downhill slope increases from about that point all the way to Mission. The posted speed limit on most of Carlos Bee is 35mph and it is reduced to 30mph just in that area to try to address the danger created by cars exiting Overlook on to Carlos Bee. Now, my unscientific observation from using that intersection almost daily is that cars almost always do not observe the speed limits. The faster the drivers in fact travel, the more dangerous the intersection becomes.

When you look at the eastbound uphill traffic on Carlos Bee you see there is no left turn lane at Overlook. This means, of course, that cars having to wait for clearance to turn, block one of the two lanes headed uphill. For the reason I just mentioned above, the ability for those cars to see oncoming traffic is not good. At peak hours, in dark months especially, that turn gets very risky and encourages



drivers to enter Outlook at higher speeds than are safe. At least one deer has died in a collision at that spot just because of those conditions. Will a pet, a child, a senior, a bicyclist be the next casualty?

Now, a fact that is easy to overlook (pun intended) is that conditions are risky, at best, for one car to negotiate that access point. If you suppose that several, or many, cars are lined up to enter or exit Carlos Bee at a given time you can imagine how much greater the risk becomes. If you imagine a traffic light at the main entrance to Parcel 6 turning green for the downhill traffic on Carlos Bee you understand the impossible danger created by drivers racing to beat the oncoming pack of speeding cars either to enter Overlook or to enter Carlos Bee. The oncoming drivers, again, have limited vision of what they are approaching. I'm not a betting man, or a traffic planner, but I think I would place good money on the likelihood of serious accidents occurring at that intersection weekly, if not daily if no changes are made to the current plan.

So, what makes more sense? At the very least, some traffic controls at Overlook, another light, a left-turn lane on Carlos Bee seem an absolute necessity. Just in terms of the Carlos Bee Project, it would seem to make sense to create a main access point somewhere mid-point of the frontage on Carlos Bee instead of the access to Overlook. At least a stop sign and a left-turn lane should be figured in to that access point. The visibility would be considerably better for all drivers at that point, and the new trips created by the project would not add to the portending situation at the Overlook intersection.

My personal stake in these planning issues is that I am very afraid we will see significant increase in traffic on Palisade St by drivers who do not live in the existing residential neighborhood. Without going into detail, suffice it to say that increasing the number of drivers that speed up and down Palisade as a bypass route will cause great danger to residents, pets and wildlife. Palisade is steep and winding and has no traffic controls from Overlook to Mission. It does have two feeder streets without stop signs and a school in that stretch. Our neighborhood which has been relatively unchanged for fifty years is suddenly getting swamped with new housing projects. It would be completely disrespectful and unfair to us current residents to destroy the relative calm of our residential streets by turning them into secondary thoroughfares for the newcomers. Create more housing, fine, but do the planning necessary to blend with the existing and not degrade it.

Sincerely,

Dan Fernandez



**From:** Tuan Nguyen  
**Sent:** Monday, January 6, 2020 2:31 PM  
**To:** Leigha Schmidt <Leigha.Schmidt@hayward-ca.gov>; List-Mayor-Council <List-Mayor-Council@hayward-ca.gov>; Sara Buizer <Sara.Buizer@hayward-ca.gov>  
**Cc:** Linda Nguyen  
**Subject:** 25036-25096 Carlos Bee Blvd Residential Projection (Application No. 201802159)

**CAUTION:** This is an external email. Do not click on links or open attachments unless you know the content is safe.

Tuan Nguyen  
1105 Palisade Street  
Hayward, CA 94542

Leigha Schmidt, City Councils and Planning Commission  
City Hall  
777 B Street  
Hayward, CA 94541

Attention: 25036-25096 Carlos Bee Blvd Residential Projection (Application No. 201802159)

January 6, 2020

My name is Tuan Nguyen, my wife Linda Nguyen and I live on 1105 Palisade Street, Hayward CA 94542. I have examined the plans and we know the site well. We wish to object strongly to the zoning change from Single Family Residential (RS) to Planned Development District (PD) in the location 25036-25096 Carlos Bee Blvd Residential Projection (Application No. 201802159).

This property should remain as Single Family Residential (RS) zoning. The change in zoning and development of this project will disturb the landscape which will potentially risk a landslide. Per Zohreh Gharaati, the need for a retaining wall is not required with the new proposal of 9 houses (6 x 2 stories single family home and 3 x 3 stories single family home). As soon as the developer excavated the land, the land above grade will be disturbed and shifted downward. Without a retaining wall, this will shift the land above which is our properties and our neighbors, potentially causing a landslide and damaging our properties, possibly kill us in our sleep.

I understand that there's a housing shortage, that's why the City and Councils approved the Parcel Group 6: Carlos Bee Quarry development. We object to have these properties to build ADU in the back. Rohreh Gharaati stated that the addition ADU units are on the lower level to make it friendly for the use of the families. However, we believed that these ADU will be used for leasing properties, this is unacceptable. This type of property are not the typical property of this neighborhood, this neighborhood are single family two stories type of house with no ADU. This will cause a huge problem for the neighborhood with the shortage of street parking. The tenants from City View apartments are already parking in our neighborhoods, adding more home and ADU will cause a major street parking problems, not including future 500 townhomes/multi-family units and 500 student beds residents from the Parcel Group 6 development.



We love Hayward and support the Mayor, City Councils, and Planning Commissions with all the development projects to make City of Hayward beautiful, but we bought this property with these parcels behind our house are Single Family Residential (RS). We bought our house at a high value due to the city view and changing this property to Development District (PD) and allowing the owner Zohreh Gharaati to develop 3-stories house will obstruct our city view and privacy. This will depreciate the value of our property and neighbor property significantly. We're losing property value in our neighborhood with this project and lining the developer pocket that may not even live in City of Hayward.

I urged the Planning Commissions and City Councils to object this development and keep the parcel as is, Single Family Residential (RS) homes. From 6 single family residential homes to 9 single family residential homes will not make a dent in the housing shortage.

Thank you,  
Tuan Nguyen & Linda Nguyen





**MINUTES OF THE REGULAR MEETING OF THE  
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Council Chambers  
Thursday, January 9, 2020, 7:00 p.m.  
777 B Street, Hayward, CA 94541**

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**MEETING**

A regular meeting of the Hayward Planning Commission was called to order at 7:00 p.m. by Chair Bonilla.

Commissioner Goldstein arrived at 7:05 p.m.

**CALL TO ORDER Pledge of Allegiance**

Commissioner Faria led in the Pledge of Allegiance.

**ROLL CALL**

Present: COMMISSIONERS: Stevens, Andrews, Faria, Patton, Roche, Goldstein  
CHAIRPERSON: Bonilla  
Absent: COMMISSIONER:

Staff Members Present: Brick, Buizer, Chan

General Public Present: 12

**PUBLIC COMMENT:**

There were none.

**PUBLIC HEARINGS:** For agenda item No. 1, the Planning Commission may make a recommendation to the City Council.

1. Proposed Residential Development Consisting of Nine Detached Single-Family Homes with Six Accessory Dwelling Units on a Single Parcel Located at 25036-25096 Carlos Bee Boulevard (Assessor Parcel Number 445-0170-039-013) Requiring Approval of Zone Change and Tentative Tract map (8473) and adoption of a Mitigated Negative Declaration with Mitigation Monitoring and Report Program Application No. 201802159

Planner Manager Buizer provided a synopsis of the staff report and PowerPoint presentation.

Ms. Zohreh Gharaati, owner applicant, spoke about the proposed project and how it will add to the community. Ms. Gharaati said that they listened to the Planning Commission's suggestions and have made changes to the project. Ms. Gharaati said currently this is an





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empty lot, homeless people have camped there, there is rubbish and rodents and that she has cleaned up the area several times.

Ms. Joanne Wong, project architect, spoke about moving the project forward and how they have done several redesigns. Ms. Wong said they are willing to continue working with City staff on this project.

Commissioner Goldstein commented about a letter that has concerns that the proposed project would block their view. Mr. Goldstein said in viewing different iterations, there will be minimal impact to existing residents' views. Mr. Goldstein noted that there is not an ordinance that protects residents' views.

Planning Manager Buizer stated that there should not be traffic impacts as there has not been a lot of development in that area as the land was previously owned by Caltrans.

Commission Roche asked about the neighbor's concerns about slope stability and how the retaining walls would impact the area. Senior Civil Engineer Baquilar said that once all the plans have been submitted for building and grading permits, staff will be conduct a thorough review to ensure that all requirements for design, building, grading, construction and safety are met. Mr. Baquilar said there are earthquake setbacks and staff will make sure that the setback requirements are met. Planning Manager Buizer said the trees to be removed are part of the development footprint and the meandering path will be a usable pedestrian path that will offer access to the park that will be built at the western end of the property.

Commissioner Faria thanked the community for offering their concerns and thanked the developer and architect to listening to the community. Planning Manager Buizer said the California Energy Code requires the developer to prewire the units for vehicle charging stations. Ms. Faria would like parking accommodations in the Covenants, Conditions and Restrictions (CC&Rs) for the accessory dwelling (ADU) units.

Planning Manager Buizer responded to Commissioner Patton that this project was deemed complete prior to the effective date of the new State legislation that became effective on January 1, 2020. Ms. Wong responded to Mr. Patton regarding the placement of the front doors that the developer was encouraged to have a design element along Carlos Bee Boulevard which includes the placement of the front door away from Carlos Bee. Ms. Wong said the design intent was to make sure the placement of front doors, windows and garage doors were all cohesive.

In response to Commissioner Andrews's questions about neighborhood outreach, Ms. Gharaati said that she attempted to meet with the neighbors but did not receive a response.





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Ms. Andrews expressed continued concerned about the traffic impacts from Overlook Avenue. Planning Manager Buizer said the appropriate time to look at the potential traffic impacts for the area will be during the environmental analysis for future projects as development in Parcel Group 6 will incorporate this proposed project as part of a collective analysis.

Ms. Wong responded to Commissioner Stevens that pathways can be added for the ADUs that orient towards the Carlos Bee Boulevard sidewalk for access to the university. Ms. Wong said the developer was also thinking about the ADUs being utilized for aging in place residents.

Planning Manager Buizer responded to Chair Bonilla that staff will continue to work with AC Transit and the university to have shuttle service and bus stops. Ms. Buizer said as the development of Parcel 6 moves along, there will be more residents that equates to mass for the public transit agency to consider providing more public transit access for residents. Chair Bonilla echoed traffic impact concerns.

Chair Bonilla opened the public hearing at 7:36 p.m.

Mr. Paul Hancock, Hayward resident, has concerns that the construction will impact the neighborhood below and can jeopardize the stability of the slope. Mr. Hancock said that existing residents have made improvements to their properties to avoid impact from the slope. Planning Manager Buizer said that all plans are public record and Mr. Hancock is welcome to review the plans in the Planning Department. Ms. Buizer noted that the proposed development is on the flattest part of the property as the developer is not building on the steepest part of the project site.

Mr. Tuan Nguyen, Hayward resident, has the same concerns as Mr. Hancock about how the project will impact their homes and would like the developer to build retaining walls to protect the existing neighborhood. Mr. Nguyen said there are existing traffic impacts and parking issues. He spoke about an existing apartment development whose residents are already are parking in their area.

Ms. Sara Hancock, Hayward resident, echoed the frustration of Mr. Nguyen and spoke against the project. Ms. Hancock is pleased about the reduction in the number units and spoke about existing parking impacts from both existing apartment residents and college students.

Chair Bonilla closed the public hearing at 7:47 p.m.

Commissioner Faria said that the eighteen parking spaces is significant and goes towards





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meeting the needs of the residents and asked about the view impact to the existing residents. Planning Manager Buizer provided visuals of the plan for the Commission that shows that the proposed development poses minimal view impact as there is grade differential between the proposed project and existing homes above. Ms. Buizer said the developer did their best to not impact existing residents.

Commissioner Patton thanked the applicant for listening to the Commission and commended them for the positive design changes to reduce density and developing a design compatible with the surrounding neighborhood. Mr. Patton noted that the City does not have a view protection ordinance and from the project plans the view impact will be minimal. He said infill process is challenging and difficult and that even with the ADUs the parking is adequate and is more than has been seen in other projects. Mr. Patton supports the project.

Commissioner Andrews thanked the developer for having a work session which provided the opportunity for the community to come out and share their concerns. Ms. Andrews has concerns about potential traffic impacts as more developments are built in this area and trusts that staff will be reviewing all future projects and will look at the overall traffic impacts to the area. Ms. Andrews said the City is in desperate need for housing and agrees with her fellow Commissioners that the parking is more than adequate. Ms. Andrews said the applicant listened to the Commission's recommendations and encouraged the applicant to continue outreach to the neighborhood and educate them on the safety of the design.

Commissioner Stevens said this is a great project and a successful design of a geographically constrained site. The applicant confirmed that there was a geotechnical study conducted. Mr. Stevens encouraged the applicant to work with and educate the neighbors on the project's details on the design and safety factors specifically for the slope and retaining wall and the overall project.

Commissioner Roche appreciated the work of staff and the applicant for reducing the density and encouraged the applicant to continue her community outreach efforts to educate them on the design and regarding the stability of the slope. Ms. Roche likes the amount of parking and suggested residents contact staff about a residential parking permit program for Overlook Avenue since their parking is being impacted by Cal State students parking there all day. Ms. Roche agreed with Commissioner Stevens suggestion for a pathway to Carlos Bee Boulevard from the ADUs.

Commissioner Goldstein thanked staff and the applicant for the collaborative effort on the proposed project. Mr. Goldstein hopes that the fact that a geotechnical study has been conducted and a geologist will be continuing to survey the project during the grading and development phases will ease the neighbors' concerns. Mr. Goldstein said the grade difference between existing homes and the proposed project will result in minimal view





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impact. Mr. Goldstein encouraged residents to work with their employers to be able to work from home.

Chair Bonilla appreciates the collaborative effort between staff and the developer which has resulted in the reduction in units, inclusion of ADUs and a nice design that fits in with the surrounding neighborhood. Mr. Bonilla said as Caltrans properties are developed that there be a continued effort to look at the developments as a whole in order to mitigate potential traffic impacts.

Commissioner Patton made a motion, seconded by Commissioner Goldstein, to approve the staff recommendation. The motion passed with the following vote:

AYES:	Commissioners Stevens, Andrews, Faria, Patton, Roche, Goldstein Chair Bonilla
NOES:	None
ABSENT:	None
ABSTAIN:	None

## **APPROVAL OF MINUTES**

### **2. Minutes of the Planning Commission Meeting of December 12, 2019.**

Commissioner Roche made a motion, seconded by Commissioner Andrews, to approve the Planning Commission Meeting Minutes of December 12, 2019. The motion passed with the following votes:

The motion passed with the following vote:

AYES:	Commissioners, Andrews, Faria, Patton, Roche, Goldstein Chair Bonilla
NOES:	None
ABSENT:	None
ABSTAIN:	Stevens

## **COMMISSION REPORTS**

### ***Oral Report on Planning and Zoning Matters:***

Planning Manager Buizer requested the Commission provide responses to attend future trainings.





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***Commissioners' Announcements, Referrals:***

Commissioner Patton requested staff provide new legislative updates to the Commission.

Commissioner Andrews announced an item regarding incentivizing housing is on the City Council Work Session agenda for next Tuesday, January 14, 2020.

**ADJOURNMENT**

Chair Bonilla adjourned the meeting at 8:10 p.m.

**APPROVED:**

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Julie Roche, Secretary  
Planning Commission

**ATTEST:**

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Denise Chan, Senior Secretary  
Office of the City Clerk





# CITY OF HAYWARD

Hayward City Hall  
777 B Street  
Hayward, CA 94541  
[www.Hayward-CA.gov](http://www.Hayward-CA.gov)

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**File #:** PH 20-007

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**DATE:** February 4, 2020

**TO:** Mayor and City Council

**FROM:** City Manager

**SUBJECT**

Local Minimum Wage Ordinance: Introduce an Ordinance to Add Article 15 to Chapter 6 of the Hayward Municipal Code Establishing a Local Minimum Wage for Employees Working for Any Employers within the City of Hayward

**RECOMMENDATION**

That the Council introduces an Ordinance to add Chapter 6 “Minimum Wage Ordinance” to the City of Hayward Municipal Code adopting an increase of the minimum wage for employees working within the City of Hayward to fifteen dollars (\$15.00) per hour by 2021 for large businesses and 2022 for small businesses and finding that the proposed Ordinance is not a project under CEQA and, in any event, exempt under Section 15061 of the CEQA guidelines.

**SUMMARY**

On April 4, 2016, the State of California adopted legislation that will raise California’s minimum wage to \$15.00 per hour by 2022 for large businesses and 2023 for small businesses. As of January 1, 2020, the minimum wage is \$12.00 for small businesses and \$13.00 an hour for large businesses. As part of a City Council referral, Council directed staff to consider establishing a local minimum wage for employers that maintain a business in the City or perform any work/service within the City limits. At the October 15, 2019 work session, the City Council directed staff to develop a local minimum wage ordinance that accelerates the minimum wage to \$15 per hour in Hayward faster than the increases to the State of California’s minimum wage and to seek business and community input on timing and the potential phasing of a local minimum wage increase.

Based on the community and business input, staff has proposed a minimum wage ordinance that accelerates the minimum wage for large businesses to \$15 per hour by January 2021 and for small businesses by January 2022. Based on the community and business input, Council may want to consider several policy alternatives: 1) since the State law is so close to reaching \$15.00 an hour and due to the estimated cost impact on Hayward businesses, the City should not move forward with a local minimum wage and simply follow State law; 2) Consider OECD definition of small business (or other definitions), which would be 100 employees or less, versus the current State Minimum Wage Law, which defines a



small business as 25 employees or less; and/or 3) Consider exemptions for businesses that receive funding from the State and/or have their funding tied to the State Minimum Wage law.

## **ATTACHMENTS**

Attachment I	Staff Report
Attachment II	Proposed Ordinance
Attachment III	Resident Demographics
Attachment IV	Business and Employee Demographics
Attachment V	Employee Income Comparison
Attachment VI	Employer Cost Comparison
Attachment VII	Economic Impact Analysis
Attachment VIII	Inventory of Bay Area Cities
Attachment IX	Engagement and Outreach Summary
Attachment X	Emails Received





**DATE:** February 4, 2020

**TO:** City Council

**FROM:** City Manager

**SUBJECT:** Local Minimum Wage Ordinance: Introduce an Ordinance to Add Article 15 to Chapter 6 of the Hayward Municipal Code Establishing a Local Minimum Wage for Employees Working for Any Employers within the City of Hayward

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## BACKGROUND

On April 4, 2016, the State of California adopted legislation that will raise California's minimum wage to \$15.00 per hour by 2022 for large businesses and 2023 for small businesses. Future wage increase will be tied to inflation reflecting increases in the Consumer Price Index, up to 3.5% per year. As of January 1, 2020, the minimum wage is \$12.00 for small businesses and \$13.00 an hour for large businesses.

State of California Minimum Wage		
Effective Date	Small Businesses – 25 or fewer employees	Large Businesses – 26 or more employees
January 1, 2020	\$12.00	\$13.00
January 1, 2021	\$13.00	\$14.00
January 1, 2022	\$14.00	\$15.00
January 1, 2023	\$15.00	\$15.00
January 1, 2024	\$15.00 + CPI	\$15.00 + CPI

As part of a City Council referral, Council directed staff to consider establishing a local minimum wage for employers that maintain a business in the City or perform any work/service within the City limits. At the October 15, 2019 work session, staff presented an informational report related to the minimum wage, and the City Council provided the following policy direction:

- Develop a minimum wage ordinance that accelerates the local minimum wage to \$15.00 per hour in Hayward faster than the State of California's minimum wage; and
- Explore exceptions and exemptions in the local minimum wage ordinance; and
- Seek business and community input on timing and the potential phasing of a local minimum wage increase.

City staff conducted a robust outreach program over the past four months to business owners, community organizations, and residents about the proposed increase to the local minimum wage. Staff has prepared the draft ordinance after considering feedback received.

### Public Engagement and Outreach

Over the past four months, City staff have conducted extensive outreach to business owners, community groups, and residents about the proposed increase to the local minimum wage in Hayward. Communication activities included: mailing flyers and emailing all business located in Hayward (approximately 11,000 businesses) inviting businesses to attend roundtable meetings and/or submit email feedback; distribution of press releases and social media information about the issue and upcoming meetings; nine stakeholder meetings; two citywide business roundtable meetings; and one citywide community meeting (Attachment IX – Engagement and Outreach Schedule).



Staff met with the following key stakeholder groups:

1. United Merchants Association
2. Hayward Business Association
3. Latino Business Roundtable
4. Hayward Chamber of Commerce Government Relations Council
5. Downtown Hayward Improvement Association Board
6. Hayward Chamber of Commerce Board
7. Hayward Non-profit Alliance
8. Cal State University East Bay
9. Hayward Area Recreation District

In addition, staff took additional efforts to identify the 50 oldest businesses in Hayward and conducted personal direct telephone calls to each owner to inform them of upcoming meetings, solicit comments, and answer questions.

The City established a dedicated web page for the minimum wage initiative, which included a subpage of frequently asked questions, and a dedicated email address to solicit minimum wage community feedback: [minimum.wage@hayward-ca.gov](mailto:minimum.wage@hayward-ca.gov). All emails received can be found as Attachment X.

Staff also reached out to the Hayward Unified School District and Chabot College and sent information about the options being considered. Each of these organizations responded that they did not need to meet as the ordinance did not apply to their organization.

At each of the meetings, staff provided background information and outlined two proposed options for accelerating the minimum wage in Hayward. Option 1 proposed to reach the \$15.00 an hour rate for small and large businesses one year prior to the State regulations with an initial \$1.00 increase occurring July 1, 2020, and a subsequent increase occurring January 1, 2021. Option 2 proposed to also reach \$15.00 an hour for small and large businesses one year prior to the State regulations but would have a \$2.00 increase occurring for both types of businesses on January 1, 2021 with no initial mid-year adjustment. The definition of small and large businesses would match that of the State with small businesses having 25 or fewer employees. No other exemptions or exceptions were proposed.

#### **Feedback Received from Outreach Efforts:**

Approximately 110 total attendees participated in all the stakeholder outreach meetings. The most common feedback themes are areas follows:

1. Since the State law is so close to reaching \$15.00 an hour, the City should not move forward with a local minimum wage. Stay the course and follow the current State law.
2. If a proposal was to move forward, participants recommended to not have the July 1, 2020 increase, and continue with the January 1, 2021, \$2.00 an hour increase. Businesses have already set prices, negotiated with suppliers, etc. for 2020. In



addition, a mid-year increase causes issues with employee yearly evaluations, calculated pay-roll deductions, and other personnel items.

3. The proposed exemption of the small businesses having an additional year, similar to the State law, was supported by a majority of participants. Two participants whose businesses received funding from the State requested additional exemptions as their funding is tied to the State minimum wage rates. If a local minimum wage is enacted, their funding does not increase and they would be required to either lay off staff or shut down.
4. Many of the businesses had concerns regarding wage compaction for longtime and up-line employees. As the starting pay increases for new employees, businesses have to increase pay for long term employees and up-line employees to keep them at the same pay differentials. These increases can have a negative impact on businesses. Participants included that it could increase turnover if existing employees feel they are being undervalued by not getting paid much more than new hires. Other participants indicated it would hurt their business' bottom-line and force them to cut hours, employees or close.
5. Employers indicated that an increase of a dollar in hourly wage rates cost the business more than a dollar. As discussed below and detailed in Attachment VI, employers pay State and Federal payroll taxes that based on a percentage of an employee's income, not a flat rate.

#### Demographic, Business, and Employee Data:

As part of the outreach efforts, several participants asked for the City to analyze the impacts of wage increases on businesses, actual pay increases for employees, and other data points. As found in Attachment III and IV, staff evaluated resident, business, and employee demographic data which includes: ethnic diversity, income data, poverty data, number of businesses in Hayward and the number of employees at those companies, total number of full time positions at Hayward businesses, number of employees that both work and live in Hayward, percentage of employees that are paid minimum wage, age demographics of minimum wage employees, and average employee counts for those industries that are more likely to have minimum wage employees.

Attachment V provides an Employee Income Comparisons with actual paycheck deductions comparing the change in net pay changes as the hourly pay rate increases at the minimum wage. As the payrate increases, required deduction percentages for both State and Federal taxes, as well as Social Security, Medicare and State Disability Insurance increases as well. The analysis found that an employee being paid \$12.00 an hour brings home a net pay of \$10.02 an hour while an employee making \$13.00 an hour brings home a new pay of \$10.83 an hour.

Finally, Attachment VI presents an Employer Cost Comparison providing data on the additional required costs employers are required to pay to the State and Federal government. These payroll taxes are based on a percentage of an employee's income, not a flat rate. As hourly rates increase, the employer is required to increase the taxes paid out. On average, a \$1.00 increase in employee's wages costs an employer \$1.77 or more depending on the industry.



## **DISCUSSION**

Based on the direction at the October 15, 2019 City Council Work Session and input from stakeholders, staff has proposed the following key parameters in the draft ordinance (Attachment II):

### Covered Employees

The minimum wage requirement set forth in the draft ordinance applies to adult and minor employees who work two or more hours per week within the City's geographic boundaries.

### Amount and Timeframe

The first local wage increase for Hayward would take place January 1, 2021 to allow for public outreach/notification and to provide businesses lead time to prepare business plans and budgets to adapt to the wage increase. The first increase would be \$2.00 an hour for both small and large businesses. Small businesses would be paying \$14.00 an hour and large employers would pay \$15.00 an hour.

In January 1, 2022, small employers would have an additional \$1.00 an hour increase to bring the pay to \$15.00 an hour. Large employers would hold at \$15.00 an hour. In January 2023, both small and large businesses would hold at the \$15.00 an hour rate, which is consistent with State Minimum Wage law. In January 2024 and moving forward, State Minimum Wage law will govern if any CPI increases to the minimum wage are required.

### Definition of Small vs. Large Business

The proposed ordinance defines a small business as those businesses with 25 or fewer employees. Large businesses have 26 or more employees. This definition is consistent with current State Minimum Wage Law.

Note that the definition of a small business varies among different business programs. The Affordable Care Act defines a small business as 50 employees or less. The Organization for Economic Cooperation and Development (OECD.org) defines small businesses as 100 employees or less. OECD is an international organization, in which the United States is a member, that works to build better policies to foster prosperity for all defines. The U.S. Small Business Administration (sba.gov) defines a small business as 500 employees or less.

The City could consider using a different definition of small business instead of the State regulation until the full acceleration under State law is achieved. However, this could result in some minor additional costs to the City if any enforcement efforts are needed as the City's ordinance would be different from the State's.

### Noticing

The proposed ordinance includes various provisions regarding notification to employees and businesses, implementation procedures, and enforcement mechanisms. Pending City Council adoption of this ordinance, staff would conduct extensive outreach this summer and fall to notify employees and businesses of the higher minimum wage requirement beginning January 1, 2021.



### Enforcement

The proposed ordinance includes fines if a business is not compliant with the adopted local minimum wage law. The fines are based on the number of employees affected and the time that the business was out of compliance. The State of California passed Assembly Bill 970 in 2015, which authorizes the Labor Commissioner and the Department of Industrial Regulations to investigate and enforce local minimum wage laws in addition to the State law. This bill was adopted by the state to encourage smaller cities to adopt minimum wage laws but to alleviate them of the burden of enforcement of the local law. Under this bill, the City will waive its rights to collect any fines or fees that result from the enforcement.

Other local jurisdictions contacted have found that the amount of staff time and dollars required to enforce the local minimum wage usually exceeds the fines collected from small businesses. Allowing the State Labor Commissioner to enforce the ordinance will be the most cost-effective means. Employees who believe that they have been paid incorrectly will continue to file claims through the Department of Industrial Regulations as they currently do and would do once again in 2023 when the State minimum wage law goes back into effect in Hayward. Staff recommends that enforcement of the local minimum wage ordinance be handled by the State Labor Commissioner if adopted.

### Exemptions

The draft ordinance includes an exemption for Federal, State, and County agencies, including school districts. The City cannot impose a minimum wage on these government entities. Each has their own jurisdiction and is not subject to the City's oversight when it relates to their government function. Government agencies can subject themselves to the City's ordinance on a voluntary basis.

## **ECONOMIC IMPACT**

Attachment VII provides an analysis of the estimated additional income that will be generated for those residents that work in Hayward in minimum wage positions. The analysis also estimates the additional costs to businesses associated with accommodating the wage increase for all minimum wage jobs. In general, Hayward residents that hold minimum wage positions will see an estimated total of \$23,836,476 in new income as the pay rate increases from \$12.00 to \$15.00 an hour. Hayward businesses will see an estimated cost increase of \$170,587,123 as the minimum wage rate increases from \$12.00 to \$15.00 an hour. This significant difference is because while there are an estimated 23,814 minimum wage jobs offered in the City, only approximately 5,116 are held by Hayward residents.

## **FISCAL IMPACT**

A fiscal impact to the City with a local minimum wage will be the need to dedicate staff and fiscal resources towards the ongoing implementation of the ordinance. Should Council decide to create a minimum wage that differs from that of the State, the costs associated with notifications that must be made to businesses for each wage rate adjustment that differs from state law is currently estimated at approximately \$17,000 each year. If the Council is to adopt



an ordinance that aligns the local minimum wage with the state law at \$15.00 per hour, then the cost of the additional notifications will no longer be incurred after 2023. Annual notification costs will be incurred by the City indefinitely for as long as the City's minimum wage would differ from that of the State.

If the City Council chooses to handle enforcement of the ordinance or contract the service to another agency, rather than allowing the State to enforce, there would be additional costs associated with the enforcement that would impact the city. Typical enforcement includes community outreach, compliance review, and managing a complaint process. Although the City does not have an estimated cost for this work, other jurisdictions that staff spoke with currently budget between \$30,000 - \$50,000 per year for this service. If these duties were to be handled solely by city staff, it is estimated that .25 - .5 FTE would be necessary to meet the demand. The total time required of staff could fluctuate as enforcement would be complaint based. There would be minimal to no additional cost to the City if the City allows the Labor Commissioner and the Department of Industrial Regulations to handle all investigations and enforcement.

## **STRATEGIC INITIATIVES**

This agenda item does not directly relate to the Council's Strategic Initiatives.

## **NEXT STEPS**

If the ordinance is adopted, the ordinance will go into effect 30 days after a second reading with the first minimum wage increase beginning January 1, 2021. After adoption of the ordinance, notification and outreach efforts will begin this spring and summer. No later than October 1, 2020, per the ordinance, official notices would be made available to all businesses via the City website. All businesses would receive at least three mailed and emailed notifications prior to the increase taking affect on January 1, 2021.

*Prepared by:* Catherine Ralston, Economic Development Specialist

*Recommended by:* Paul Nguyen, Economic Development Manager  
Jennifer Ott, Deputy City Manager

*Approved by:*



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Kelly McAdoo, City Manager



ORDINANCE No. 20-

ORDINANCE OF THE CITY OF HAYWARD, CALIFORNIA ADDING ARTICLE 15  
TO CHAPTER 6 OF THE HAYWARD MUNICIPAL CODE RELATING TO  
PAYMENT OF MINIMUM WAGES BY EMPLOYERS

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

Section 1. Article 15 is hereby added to Chapter 6 of the Hayward Municipal Code to read as follows:

SEC. 6-15.00 Title.

This Article shall be known as the “Minimum Wage Ordinance.”

SEC. 6-15.10 Authority.

This Article is adopted pursuant to the powers vested in the City of Hayward under the laws and Constitution of the State of California including but not limited to the police powers vested in the city pursuant to Article XI, Section 7 of the California Constitution and Cal. Labor Code § 1205(b) and the Charter of the City of Hayward.

SEC. 6-15.11 Definitions.

The following terms shall have the following meanings:

“City” means the city of Hayward or any third-party service provider to the extent designated by the city of Hayward to perform various investigative, enforcement and informal resolution functions pursuant to this chapter.

“Employee” means any person who:

- (1) In a calendar week performs at least two hours of work for an employer within the geographic boundaries of the city; and
- (2) Qualifies as an employee entitled to payment of a minimum wage from any employer under the California minimum wage law, as provided under Cal. Labor Code § 1197 and wage orders published by the California Industrial Welfare Commission, or is a participant in a Welfare-to-Work Program.



“Employer” means any person receiving or holding a business tax certificate under Article 1, Chapter 8 of this Code, or any person, including corporate officers or executives, as defined in Cal. Labor Code § 18, who directly or indirectly through any other person, including through the services of a temporary employment agency, staffing agency, subcontractor or similar entity, employs or exercises control over the wages, hours or working conditions of any employee.

“Minimum wage” shall have the meaning set forth in Section 6-15.12.

“Large Business” means a business with 26 or more full or part-time employees.

“Small Business” means a business with 25 or fewer full or part-time employees.

“Welfare-to-Work Program” means the CalWORKS Program, County Adult Assistance Program (CAAP) that includes the Personal Assisted Employment Services (PAES) Program, and General Assistance Program, and any successor programs that are substantially similar to them.

SEC. 6-15.12 Minimum Wage.

(a) Employers shall pay employees no less than the minimum wage set forth in this section for each hour worked within the geographic boundaries of the city.

(b) Beginning on January 1, 2021, the minimum wage shall be an hourly rate of \$14.00 for small businesses. On January 1, 2022, the minimum wage shall increase to an hourly rate of \$15.00 for small businesses. To prevent inflation from eroding its value, beginning on January 1, 2024, and each January 1<sup>st</sup> thereafter, the minimum wage shall increase by an amount corresponding to the increase in the state minimum wage, if any, to account for the increase in the cost of living.

(c) Beginning on January 1, 2021 the minimum wage shall be an hourly rate of \$15.00 for large businesses. To prevent inflation from eroding its value, beginning on January 1, 2024, and each January 1<sup>st</sup> thereafter, the minimum wage shall increase by an amount corresponding to the increase, if any, in the cost of living, not to exceed five percent.

(d) A violation for unlawfully failing to pay the minimum wage shall be deemed to continue from the date immediately following the date that the wages were due and



payable as provided in Cal. Labor Code Part 1 (commencing with Section 200) of Division 2, to the date immediately preceding the date the wages are paid in full.

SEC. 6-15.13 Exemptions.

The requirements of this article shall not apply to the following employees:

(a) State, federal and county agencies, including school districts, shall not be required to pay the local minimum wage when the work performed is related to their governmental function. However, for work that is not related to their governmental function, including but not limited to booster or gift shops, non-K-12 cafeterias, on-site concessions, and similar operations, minimum wage shall be required to be paid. Minimum wage shall also be required to be paid by lessees or renters of facilities or space from an exempt organization.

(b) Employees who are standing by or on-call according to the criteria established by the Fair Labor Standards Act, 29 U.S.C. Section 201. This exemption shall apply only during the time when the employee is actually standing by or on-call.

(c) Any organization claiming "auxiliary organization" status under California Education Code Sec. 89901 or Sec. 72670 (c) shall not be required to pay minimum wage. The organization, upon request of the City shall provide documentary proof of its auxiliary organization status.

SEC. 6-15.14 Waiver Through Collective Bargaining.

To the extent required by federal law, all or any portion of the applicable requirements of this article may be waived in a bona fide collective bargaining agreement; provided, that such waiver is explicitly set forth in such agreement in clear and unambiguous terms.

SEC. 6-15.15 Notice, Posting and Payroll Records.

(a) By October 1st or as soon as practicable thereafter of each year, the city shall publish and make available to employers a bulletin announcing the adjusted minimum wage rate for the upcoming year, which shall take effect on January 1st. In conjunction with



this bulletin, the city shall by October 1st, or as soon as practicable thereafter of each year, publish and make available to employers, in the top three languages spoken in the city based on the latest available census information for the city, a notice suitable for posting by employers in the workplace informing employees of the current minimum wage rate and of their rights under this article.

(b) Every employer shall post in a conspicuous place at any workplace or job site where any employee works the notice published each year by the city informing employees of the current minimum wage rate and of their rights under this article. Every employer shall post such notices in the top three languages spoken in the city based on the latest available census information for the city at the workplace or job site. Every employer shall also provide each employee at the time of hire with the employer's name, address, and telephone number in writing.

(c) Employers shall retain payroll records pertaining to employees for a period of four years, and shall allow the city access to such records, with appropriate notice and at a mutually agreeable time, to monitor compliance with the requirements of this article. Where an employer does not maintain or retain adequate records documenting wages paid or does not allow the city reasonable access to such records, the employee's account of how much he or she was paid shall be presumed to be accurate, absent clear and convincing evidence otherwise. Failure to maintain such records or to allow the city reasonable access shall render the employer subject to administrative citation, pursuant to Section 6-15.18.

(d) If a violation of this article has been finally determined, the city shall require the employer to post public notice of the employer's failure to comply in a form determined by the city. Failure to post such notice shall render the employer subject to administrative citation, pursuant to Section 6-15.18.

SEC. 6-15.16 Retaliation Prohibited.

(a) It is unlawful for an employer or any other party to discriminate in any manner or take adverse action against any person in retaliation for exercising rights protected under this article. Rights protected under this article include, but are not limited to: the right to file a complaint or inform any person about any party's alleged noncompliance with this article; and the right to inform any person of his or her potential rights under



this article and to assist him or her in asserting such rights. Protections of this article shall apply to any person who mistakenly, but in good faith, alleges noncompliance with this article.

(b) Taking adverse action against a person within 90 days of the person's exercise of rights protected under this article shall raise a rebuttable presumption of having done so in retaliation for the exercise of such rights.

SEC. 6-15.17 Implementation.

(a) Guidelines. The city shall be authorized to coordinate implementation and enforcement of this article and may promulgate appropriate guidelines or rules for such purposes. Any guidelines or rules promulgated by the city shall have the force and effect of law and may be relied on by employers, employees and other parties to determine their rights and responsibilities under this article. Any guidelines or rules may establish procedures for ensuring fair, efficient and cost effective implementation of this article, including supplementary procedures for helping to inform employees of their rights under this article, for monitoring employer compliance with this article, and for providing administrative hearings to determine whether an employer or other person has violated the requirements of this article.

(b) Reporting Violations. An employee or any other person may report to the city in writing any suspected violation of this article. The city shall encourage reporting pursuant to this subsection by keeping confidential, to the maximum extent permitted by applicable laws, the name and other identifying information of the employee or person reporting the violation. Provided, however, that with the authorization of such person, the city may disclose his or her name and identifying information as necessary to enforce this article or other employee protection laws. In order to further encourage reporting by employees, if the city notifies an employer that the city is investigating a complaint, the city shall require the employer to post or otherwise notify its employees that the city is conducting an investigation, using a form provided by the city.

(c) Investigation. The city shall be responsible for investigating any possible violations of this article by an employer or other person. The city shall have the authority to inspect workplaces, interview persons and request the city attorney to subpoena books,



papers, records, or other items relevant to the enforcement of this article.

Notwithstanding the foregoing, the City may refer a complaint to the State Labor Commissioner for investigation and enforcement.

(d) Informal Resolution. The city shall make every effort to resolve complaints informally, in a timely manner, and shall take no more than one year to resolve any matter, before initiating an enforcement action. The failure of the city to meet these timelines within one year shall not be grounds for closure or dismissal of the complaint.

#### 6-15.18 Enforcement.

(a) Where prompt compliance is not forthcoming, the city shall take any appropriate enforcement action to secure compliance. To secure compliance, the city may use the following enforcement measures:

(1) The city may issue a Notice of Violation requiring prompt correction of the violation.

(2) The city may issue an administrative citation with a fine of not more than \$50.00 for each day or portion thereof and for each employee or person as to whom the violation occurred or continued.

(3) The city may initiate a civil action for injunctive relief and damages and civil penalties in a court of competent jurisdiction.

(4) The City may refer the matter to the State Labor Commissioner for enforcement action.

(b) Any person aggrieved by a violation of this article, any entity a member of which is aggrieved by a violation of this article or any other person or entity acting on behalf of the public as provided for under applicable state law may bring a civil action in a court of competent jurisdiction against the employer or other person violating this article and, upon prevailing, shall be awarded reasonable attorneys' fees and costs and shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, the payment of any back wages unlawfully withheld, the payment of an additional sum as a civil penalty in the amount of \$50.00 to each employee or person whose rights under this article were violated for each day that the violation occurred or continued, reinstatement in employment and/or



injunctive relief; provided, however, that any person or entity enforcing this article on behalf of the public as provided for under applicable state law shall, upon prevailing, be entitled only to equitable, injunctive or restitutionary relief to employees, and reasonable attorneys' fees and costs.

(c) This section shall not be construed to limit an employee's right to bring legal action for a violation of any other laws concerning wages, hours or other standards or rights, nor shall exhaustion of remedies under this article be a prerequisite to the assertion of any right.

(d) Except where prohibited by state or federal law, the city and any of its departments may revoke or suspend any registration certificates, permits or licenses held or requested by the employer until such time as the violation is remedied.

(e) Relief. The remedies for violation of this article include, but are not limited to:

(1) Reinstatement, and the payment of back wages unlawfully withheld, and the payment of an additional sum as a civil penalty in the amount of \$50.00 to each employee or person whose rights under this article were violated for each day or portion thereof that the violation occurred or continued, and fines imposed pursuant to other provisions of this code or state law.

(2) Interest on all due and unpaid wages at the rate of interest specified in Cal. Civ. Code § 3289(b), which shall accrue from the date that the wages were due and payable as provided in Cal. Labor Code Part 1 (commencing with Section 200) of Division 2, to the date the wages are paid in full.

(3) Reimbursement of the city's administrative costs of enforcement and reasonable attorney's fees.

(f) Posted Notice. If a repeated violation of this article has been finally determined, the city may require the employer to post public notice of the employer's failure to comply in a form determined by the city.

#### SEC. 6-15.19 Relationship to Other Requirements.

This article provides for payment of a local minimum wage and shall not be construed to preempt or otherwise limit or affect the applicability of any other law, regulation, requirement, policy or standard that provides for payment of higher or supplemental wages or benefits, or that extends other protections.



SEC. 6-15.20 Application of Minimum Wage to Welfare-to-Work Programs.

The minimum wage established under this article shall apply to the Welfare-to-Work Programs under which persons must perform work in exchange for receipt of benefits. Participants in Welfare-to-Work Programs within the city shall not, during a given benefits period, be required to work more than a number of hours equal to the value of all cash benefits received during that period divided by the minimum wage.

SEC. 6-15.21 Fees.

Nothing herein shall preclude the city council from imposing a cost recovery fee on all employers to pay the cost of administering this article.

Section 2. California Environmental Quality Act (CEQA). The City Council independently finds and determines that this action is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines, as an activity that is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The general exemption applies in this instance because it can be seen with certainty that there is no possibility that the proposed amendments could have a significant effect on the environment, and thus are not subject to CEQA. Thus, it can be seen with certainty that the proposed project would not have a significant effect on the environment.

Section 3. If any section, subsection, paragraph or sentence of this Ordinance, or any part thereof, is for any reason found to be unconstitutional, invalid or beyond the authority of the City of Hayward by a court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance.

Section 4. Pursuant to Section 620 of the Charter of the City of Hayward, this Ordinance shall become effective thirty (30) days from the date of its adoption by the City Council.



INTRODUCED at a regular meeting of the City Council of the City of Hayward, held  
the \_\_\_\_ day of \_\_\_\_\_, 2020, by Council Member \_\_\_\_\_.

ADOPTED at a regular meeting of the City Council of the City of Hayward  
held the \_\_\_\_ day of \_\_\_\_\_, 2020, by the following votes of members of said City  
Council.

AYES: COUNCIL MEMBERS:  
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBER

APPROVED: \_\_\_\_\_  
Mayor of the City of Hayward

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward



### City of Hayward Resident Demographic Data

**Number of Residents:** 159,620 (July 2019 Census Estimate)

**Median Age:** 34.9

**Education Attainment:** 82% have a High School Diploma  
27% have a bachelor's degree or higher

**Number of Households:** 47,768

**Ethnic Diversity:**

Ethnicity	Percentage of Households	Number of Households
Hispanic or Latino	40.4%	19,298
Asian	25.8%	12,324
White	17.1%	8,168
Black or African American	9.74%	4,652
Two or More Races	4.26%	2,034
Native Hawaiian or Other Pacific Islander	2.23%	1,065
American Indian & Alaska Native	.3%	143
Other	.11%	52

**Median Household Income for Hayward:**

- \$80,093 (compared to CA Median Household Income of \$71,805)

**Income Levels (Hayward Household Income):**

Yearly Income	Monthly Income	Percentage of Households	Number of Households
Less than \$10,000	Less than \$833	3%	1,433
\$10,000 - \$14,999	\$833 - \$1,249	2.3%	1,098
\$15,000 - \$24,999	\$1,250 - \$2,083	5.2%	2,483
\$25,000 - \$34,999	\$2,084 - \$2,916	4.6%	2,197
\$35,000 - \$49,999	\$2,917 - \$4,166	9.4%	4,490
\$50,000 - \$74,999	\$4,167 - \$6,249	17.8%	8,502
\$75,000 - \$99,999	\$6,250 - \$8,333	14.2%	6,783
\$100,000 - \$149,000	\$8,334 - \$12,416	23.3%	11,129
\$150,000 - \$200,000	\$12,416 - \$16,666	11.4%	5,445
More than \$200,000	More than \$16,667	8.9%	4,251



**City of Hayward Resident Demographic Data**

**Poverty Percentage:**

- 10.5% (5,015) of the households are considered to live at or below the poverty line. (Earning \$24,999 or Less per year).

**Full Time Minimum Wage Salary (\$11 - \$12/hr):**

- \$22,880 – \$24,960 annually
- \$1,906 - \$2,080 monthly

**Poverty by Ethnicity:**

- The largest ethnic group in poverty is the Hispanic population (33.5% of those in poverty are Hispanic, approximately 1,680 households) closely followed by the white population (32% of those in poverty are white, 1,604 households).



### City of Hayward Business and Employee Demographic Data

Category	Statistic
Number of Businesses in the City of Hayward (Business License Data)	10,978
Number of Employees employed by those businesses:	79,470 full and part time employees
Number of Residents who both live and work in the City of Hayward (2017 Census Data)	17,055 employees (10.8% of Hayward's population). All other jobs filled by those that commute into the City of Hayward
Percentage of Workers making Minimum Wage (CA average):	30%
Estimated number of jobs in City of Hayward paying minimum wage:	Approximately 23,841 jobs (79,470 jobs x 30%)
Estimated number of minimum wage jobs held by Hayward residents	Approximately 5,116 jobs (17,055 x 30%)

### California Demographics on Minimum Wage Employees

(Data is not available at the local level)

Age of Employee	Percentage of Minimum Wage Employees
Under 20	9%
20 – 29	36%
30 – 39	17%
40 -49	14%
50 or Older	24%

### Number of Businesses in the City of Hayward and Full Time Employee Counts\*

Full Time Employee Range Per Business	Number of Businesses with Employee Range	Number of employees employed by Businesses
More than 500 Employees	1	570
499 – 400 Employees	2	938
399 – 300 Employees	5	1,880
299 – 200 Employees	19	4,612
199 – 100 Employees	55	7,174
99 – 50 Employees	111	7,645
49 – 26 Employees	224	8,251
25 – 2 Employees	4,222	26,041
1 or fewer employees	6,339	6,339
<b>Totals</b>	<b>10,978 Businesses</b>	<b>63,450 Full Time Employees</b>

\*The City of Hayward collects full-time employee data from businesses as part of the business license process.



## City of Hayward Business and Employee Demographic Data

Employee Data by Business Type  
(Selected Industries)

Business Type	# of Businesses	Total Employees	Avg. # of Employees per Business	# of Businesses with 26 or More Employees
Sales and Service	1,596	5,752	4	43
Wholesale	473	7,071	15	18
Retail	438	3,538	8	26
Restaurant	362	4,628	13	36
Auto Related	207	1,879	4	12
Manufacturing	194	6,647	34	53
Food Sales	188	3,360	18	34
Barber/Beauty	170	391	2	0
Warehouse	169	2,048	12	25
Building Materials	39	624	16	6
Bar	13	81	6	0



### Employee Income Comparisons

The table below provides a comparison of weekly gross pay, mandatory deductions, and net pay that would impact an employee dependent on the hourly pay rate. As shown in the table below, an employee working 20 hours a week that receives a \$1.00 increase from \$12.00 to \$13.00 an hour (8.3% pay increase) will bring home an additional \$32.00 (7.9% increase) every two weeks for 40 hours of work, while an employee that works full time at 40 hours a week will bring home \$60.96 (7.8%) every two weeks. An employee working fulltime and earning more gross pay, brings home a slightly smaller percentage of the pay.

At the full-time employment rate, an employee making \$12.00 an hour will bring home 80% of their gross pay, while an employee making \$15.00 an hour will bring home 79% of their gross pay.

Pay Rate	Hours per week	Gross Pay Bi - Weekly	Federal Tax Rate	Federal Tax Deduction	Social Security Deduction	Medicare	CA Tax Rate	CA Tax Deduction	State Disability Insurance	Total Deduction	Bi - Weekly Net Pay
<b>\$12.00</b>	20	\$480.00	6.95%	\$33.38	\$29.76	\$6.96	.71%	\$3.42	\$4.80	\$78.32	\$401.68
<b>\$13.00</b>	20	\$520.00	7.19%	\$37.40	\$32.24	\$7.54	.79%	\$4.10	\$5.20	\$86.48	\$433.52
<b>\$15.00</b>	20	\$600.00	7.83%	\$47.00	\$37.20	\$8.70	.98%	\$5.86	\$6.00	\$104.76	\$495.24
<b>\$12.00</b>	40	\$960.00	9.40%	\$90.20	\$59.52	\$13.92	1.46%	\$14.04	\$9.60	\$187.28	\$772.72
<b>\$13.00</b>	40	\$1,040.00	9.58%	\$99.67	\$64.48	\$15.08	1.60%	\$16.69	\$10.40	\$206.32	\$833.68
<b>\$15.00</b>	40	\$1,200.00	9.92%	\$119.00	\$74.40	\$17.40	2.05%	\$24.60	\$12.00	\$247.40	\$952.60

The table below is a comparison of monthly and yearly gross and net pay by hourly pay rate.

Pay Rate	Hours per week	Monthly Gross	Monthly Net	Yearly Gross	Yearly Net
<b>\$12.00</b>	20	\$1,040.00	\$870.31	\$12,480.00	\$10,443.68
<b>\$13.00</b>	20	\$1,126.00	\$939.29	\$13,520.00	\$11,271.52
<b>\$15.00</b>	20	\$1,300.00	\$1,073.02	\$15,600.00	\$12,876.24
<b>\$12.00</b>	40	\$2,080.00	\$1,674.23	\$24,960.00	\$20,090.72
<b>\$13.00</b>	40	\$2,253.33	\$1,806.31	\$27,040.00	\$21,675.68
<b>\$15.00</b>	40	\$2,600.00	\$2,063.97	\$31,200.00	\$24,776.60



### Employer Cost Comparison

A common theme raised during public outreach was that a one dollar increase in the hourly rate equates to more than a dollar in cost on a business's cost structure. There are multiple State and Federal taxes and fees employers must pay, which are based upon the amount of an employee's wages. These include:

- **Federal Unemployment (FUTA):** The Department of Labor oversees state programs that provide unemployment benefits to workers who become unemployed because of an incident out of their control. FUTA is 3% on the first \$7,000 of an employee's wages.
- **California Unemployment (SUTA):** A state-sponsored insurance program, provides benefits to unemployed workers, the disabled, and those on paid family leave. Range is 1.5 – 8.2 % on the first \$7,000 depending on various factors. 4% used in calculations below.
- **California Employment Training Tax (ETT):** Provides funds to train employees in targeted industries. Employers must pay 0.1% on the first \$7,000.
- **Social Security (SS):** is a federal insurance program that provides benefits to retired employees and the disabled. Employers must pay 6.2 % of taxable wages on the first 132,900.
- **Medicare (MED):** is a federal system of health insurance for people over 65 and younger people with disabilities. Employers must pay 1.45 % on all of an employee's wages.

Pay Rate	Hours per Week	Gross Pay	FUTA	SUTA	ETT	SS	Med	Gross Pay + Required Taxes	Actual Cost per hour
\$12.00	40	\$480.00	\$14.40	\$19.20	\$0.48	\$29.76	\$6.96	\$550.80	\$13.77
\$13.00	40	\$520.00	\$15.60	\$20.80	\$0.52	\$32.24	\$7.54	\$596.70	\$14.92
\$15.00	40	\$600.00	\$18.00	\$24.00	\$0.60	\$37.20	\$8.70	\$688.50	\$17.21



### Employer Cost Comparison

The table below provides an overview of a typical small to medium size restaurant with an average employee count of 13 full time employees and the costs associated with the increase in minimum wage from \$12.00 per hour to \$15.00 per hour. There is a 25% cost increase associated with the \$3.00 an hour increase in gross pay to the employee.

Gross Pay Rate	Gross Pay + Required Taxes	Employees Count	Hours per Week	Total Weekly Cost	Total Yearly Cost	% increase
<b>\$12.00</b>	\$13.77	13	40	\$7160.40	\$373,340.80	
<b>\$15.00</b>	\$17.21	13	40	\$8,949.20	\$465,358.40	25%

The table below provides two calculations for a business that has to pay \$15.00 but is looking to hold costs of employees at the \$12.00 rate due to not being able to increase prices for customers. If the business is holding labor costs at a constant, then the business must either reduce the number of full-time employees that they have from 13 to 10 or reduce the number of hours the 13 employees have from 40 to 32.

Yearly Cost	Weekly Cost	Gross Pay + Required Taxes/hr	Weekly Cost/Pay = Available Hours	Hours per Employee/Week	Number of Employees
\$372,340.80	\$7,160.40	\$17.21	416 hours	40 hours	10 Employees
\$372,340.80	\$7,160.40	\$17.21	416 hours	32 hours	13 employees

In the scenario where the employer reduces the number of available hours, employees earning \$15.00 per hour would see their paycheck reduced from \$952.60 to \$786.69. This new amount is a small increase over the paycheck amount of \$772.72 they were previously bringing home when they were paid \$12.00 an hour at 40 hours per week.



### Economic Impact Analysis

The following provides information on the estimated economic impact on Hayward businesses and employees associated with an increase in minimum wage from \$12 to \$15. This analysis is based on the following assumptions established in the previous attachments:

- Estimated number of minimum wage jobs offered by Hayward businesses: 23,841
- Estimated number of Hayward minimum wage jobs held by Hayward residents: 5,116
- Total number of hours associated with locally held minimum wage jobs: 10,641,280
- Total number of hours associated with all minimum wage jobs in Hayward: 49,589,280

The table below estimates the net labor costs for all minimum wage jobs offered in Hayward.

#### Estimated Total Cost of all Minimum Wage Jobs in Hayward

Gross Pay Rate	Weighted Pay Rate	Total Hours	Total Net Cost
\$12.00	\$13.77	49,589,280	\$682,844,386
\$15.00	\$17.21	49,589,280	\$853,431,509
		<b>Net pay increase</b>	<b>\$170,587,123</b>

The table below estimates the total amount of new income that Hayward residents that work locally would bring home annually with the increase of the minimum wage from the current \$12.00 to \$15.00 an hour. The Net pay rate refers to the actual take home wages received by the employee after all required deductions are made.

#### Estimated Net Pay Increase for Hayward Resident Held Minimum Wage Jobs

Gross Pay Rate	Net Pay Rate	Total Hours (Annual)	Total Net Pay
\$12.00	\$9.66	10,641,280	\$102,794,765
\$15.00	\$11.90	10,641,280	\$126,631,232
		<b>Net pay increase</b>	<b>\$23,836,467</b>

The table below estimates the total cost to Hayward business for minimum wage jobs held by Hayward residents as the wage increase from \$12.00 an hour to \$15.00 an hour. The weighted pay rate refers to the total labor costs paid by an employer, which includes the hourly rate plus the required State and Federal payroll taxes.

#### Projected Total Labor Cost Associated with Minimum Wage Increases for Locally Held Jobs

Gross Pay Rate	Weighted Pay Rate	Total Hours (Annual)	Total Net Cost
\$12.00	\$13.77	10,641,280	\$146,530,426
\$15.00	\$17.21	10,641,280	\$183,136,429
		<b>Net cost increase</b>	<b>\$26,606,003</b>



## Inventory of Bay Area Cities Minimum Wage

Bay Area Cities Minimum Wage Increase Schedule						
Locality	2019 Rate	Date of Increase	2020 Rate	Date of Increase	2021 Rate	Date of Increase
California – 25 employees or less	\$11.00	1/1/2019	\$12.00	1/1/2020	\$13.00	1/1/2021
California – 26 employees or more	\$12.00	1/1/2019	\$13.00	1/1/2020	\$14.00	1/1/2021
Alameda	\$13.50	7/1/2019	\$15.00	7/1/2020	\$15.00	7/1/2021
Berkeley	\$15.59	7/1/2019	\$15.59 + CPI	7/1/2020	+ CPI	7/1/2021
Cupertino	\$15.00	1/1/2019	15.35	1/1/2020	+ CPI	1/1/2021
El Cerrito	\$15.00	1/1/2019	\$15.37	1/1/2020	+ CPI	1/1/2021
Emeryville	\$16.30	7/1/2019	\$16.30 + CPI	7/1/2020	+ CPI	7/1/2021
Fremont	\$13.50	7/1/2019	\$15.00	7/1/2020	\$15.00 + CPI	7/1/2021
Milpitas	\$15.00	7/1/2019	\$15.00 + CPI	7/1/2020	+ CPI	7/1/2021
Oakland	\$13.80	1/1/2019	\$14.14	1/1/2020		
Richmond	\$15.00	1/1/2019	\$15.00	1/1/2020		
San Francisco	\$15.59	7/1/2019	\$15.59 + CPI	7/1/2020	+ CPI	7/1/2021
San Jose	\$15.00	1/1/2019	\$15.25	1/1/2020	+ CPI	1/1/2021
San Leandro	\$14.00	7/1/2019	\$15.00	7/1/2020		
San Mateo	\$15.00	1/1/2019	\$15.38	1/1/2020	+ CPI	1/1/2021
Sunnyvale	\$15.65	1/1/2019	\$16.05	1/1/2020	+ CPI	1/1/2021
Union City	\$11.00	1/1/2019	\$12.00	1/1/2020	\$13.00	1/1/2021



## Engagement and Outreach Summary

Date of Meeting	Organization	Number of Attendees
October 16, 2019	United Merchants Association	6
October 16, 2019	Hayward Business Association	5
October 25, 2019	Latino Business Roundtable	20
November 1, 2019	Chamber Government Relations Council	18
November 7, 2019	Downtown Hayward Improvement Area Board	18
November 12, 2019	Community Wide Meeting	3
November 20, 2019	Business Community Meeting	7
November 21, 2019	Hayward Chamber of Commerce Board Meeting	10
November 21, 2019	Hayward Non-Profit Alliance	8
November 21, 2019	California State University East Bay	2
December 3, 2019	Hayward Area Recreation District (HARD)	2
December 11, 2019	Business Community Meeting	8

## Summary of Comments Received During Meetings:

- Makes no sense to do this since State already has regulations in place
- Waste of time for city staff
- Bad for youth employment – businesses will stop employing youth as the wages increase
- Mid-year adjustments make no sense
- Business will lay-off workers to make up the difference in costs to the business
- Businesses already pay what they need to pay in order to attract workers
- Staff was asked to clarify what was meant by the different kinds of industries regarding exemptions. Staff explained other cities defined businesses as, for example, a restaurant vs. a non-profit
- Small business owner said he didn't want to have to pay minimum wage, noting \$15 was not enough anyway, but will have to pay \$15 whether he wants to or not in the long run
- Small business owner said they were already paying over \$15 and still could not find workers.
- Housing costs are the problem
- New businesses will have trouble opening if they need to start with wages already at \$15/hour.
- Even if minimum wage is raised to \$15, one business owner said they cannot compete with companies like Amazon that start employees at \$18/hour
- Having to pay \$15/hour in addition to tips and commissions will have an impact. One business owner noted she already has employees who make over \$60,000 a year because of tips and commissions so she shouldn't have to pay \$15/hour, too.
- Small business owner (private, education) noted when wages go up, costs will have to go up, so customers (families) end up paying the price
- Interested if there are any grants or subsidies that will be offered to help small businesses



**Engagement and Outreach Summary**

- Chamber member asked what the percentage of Hayward residents currently receive minimum wage? Staff replied that we know how many residents receive minimum wage, and how many businesses pay minimum wage, but we don't know how many Hayward residents receiving minimum wage also work in Hayward. Chamber member suggested Council explore if raising the minimum wage would help more residents than it would hurt Hayward businesses.
- Business owner said raising minimum wage \$1 would cost him \$40,000 more a year
- There is no reason to rush this. We have been planning for the State's increase.
- Business in 2019 has been slow for most of B Street.
- Businesses will begin cutting back staff hours to make ends meet, especially if business is slow. Can't pay retail staff to stand around.
- Hayward is not Emeryville or other cities with vibrant active downtowns with day and night traffic. Our socioeconomics are different.
- Hayward should stay the course with the State schedule
- Understands that the push looks noble
- This can strangle the ember of the downtown that is just starting to burn brightly.
- The six-month approach with an increase in July 2020 and January 2021 actually makes it harder for businesses to adapt.
- It is costly and time consuming to have payroll systems changed twice
- If this is approved, recommend just going with the two dollars increase in January 2021
- Why and where is this coming from?
- Businesses will reduce hours for staff, may cut staff hours, store hours
- \$15 is coming no matter what.
- If a business can't pay that then they should not be in business.
- Prices for food goes up as food gets higher quality anyway – organic and non-antibiotic. These are the foods people want and will pay for
- Businesses have to pay \$15 or more now to attract and retain workers anyway
- Cost of losing and training new employees outweighs the cost of increase wages now
- The increase should happen, but not overnight
- Give businesses time to get ready



**Public Comment Emails Received**

Below are the emails that were received at [minimum.wage@hayward-ca.gov](mailto:minimum.wage@hayward-ca.gov). Per the request of businesses and respondents, the comments have been edited to remove any reference to personal or business names to remain anonymous.

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I am glad I was able to attend the round table meeting a few weeks ago. We have been in Hayward for over 35 years at the (Business Name) Inn of Hayward. Understand the housing cost have rise in the bay area especially, If we can put some rent control on housing I think we would not have as much of a struggle . Living cost are too high.

We feel that the state hikes in pay rates are fine. Keep in mind we soon will be seeing a soft set back or recession. If so we want to be sure to keep businesses open, Ideally when we drive the city like to see businesses not vacancies. Many businesses in Oakland area are struggling from high pay rates.

I think we should obtain a census on how many people are earning less than minimum wage. With the report then we can see which direction we need go into.

I think its important to have employment as well as employees!

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## Public Comment Emails Received

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I wanted to provide you with some information on minimum wage, including my original minimum wage email to City Council, which is below. I understand that City Council has made up their minds to increase minimum wage, regardless of staff report. Sadly, it is my belief that their decision will destroy (Business Name), which reminds me of the famed economist Ludwig von Mises who said it best when he mused about politicians and the economy in his 1962 masterpiece, *The Ultimate Foundation of Economic Science*: “No politician is any longer interested in the question whether a measure is fit to produce the ends aimed at. What alone counts for him is whether the majority of the voters favor or reject it.”

The following links are a series of referenced articles demonstrating the real economic consequences and impacts of increasing minimum wage. My letter to City Council below goes deeper into the real impact minimum wage has had on (Business Name).

### **California's Shopping Businesses and Restaurants Continue to Struggle (October 2019)**

Local economies in California's major metro areas have been faltering, according to Yelp data. California's shopping and restaurant businesses have been hit the hardest, with restaurants in the top five major metro areas declining in range from 2.6%-9.3%. <https://blog.yelp.com/2019/10/californias-urban-centers-are-stagnating-according-to-yelps-economic-average>

### **Bay Area Restaurants Closing (November 2019)**

<https://sf.eater.com/2017/9/22/16352884/restaurants-bars-closed-san-francisco-bay-area>  
<https://sf.eater.com/closings>

### **NYC has lost 4,000 jobs in the restaurant sector alone in the last year (August 2019) (cont.)**

<https://fee.org/articles/nyc-has-lost-4-000-jobs-in-the-restaurant-sector-alone-in-the-last-year/>

### **The fight for \$15 minimum wage is hurting the restaurant industry (May 2019)**

<https://www.fool.com/investing/2019/05/22/the-fight-for-15-minimum-wage-is-hurting-the-resta.aspx>

### **Who Benefits from a Higher Minimum Wage? Texas A&M University (November 2018)**

An increase in the minimum wage can raise prices in a way that works against the poor, which contributes to higher prices for those goods and services produced with minimum wage labor. Those higher prices cost low-income households relatively more than high-income households, particularly since most minimum wage workers are employed in food service and a relatively higher share of low income households' budgets goes to the purchase of food products. The effect of these price increases on the poor is important because wages increase from an increase in the minimum wage accrue mostly to households that are not poor. The poor are then disproportionately taxed on their increase as seen in the next article

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## Public Comment Emails Received

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from the Brookings Institute. <https://econofact.org/who-benefits-from-a-higher-minimum-wage>

**What happens to an employee's taxes when states raise minimum wage (2015)**

In the attached article from Brookings Institute, Tax Policy Center. In CA the \$15 minimum for a single mom and two kids had an \$850/month increase in earning, but after a decrease in SNAP benefits and increase in taxes the net benefit was only \$378/month. Minus the 38% increase in prices to pay for minimum wage and 10% sales tax, there is virtually no net gain in spending power. The winner is the government with \$154 SNAP savings and \$318 net tax increase, eating up 55% of her minimum wage boost. At BBB the increase from \$9-\$12/hr cost \$380,000/year. So 55% of the \$380,000.00 or \$209,000.00 that the government forces me to create from thin air goes back to the government. <https://www.taxpolicycenter.org/taxvox/what-happens-taxes-and-transfers-when-states-raise-minimum-wage>

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Dear Council Members,

I understand that some City Council members would like to increase minimum wage in Hayward. To those that do, I am disappointed that as a City Council member you not only believe in the myth of minimum wage, but find it necessary to increase it in Hayward when in 26 months it will be law in CA.

I would like to share my first hand experience with increasing minimum wage at (Business Name) going from \$9 (2014) to \$12 (2019). I can tell you based on (Business Name) structure and type of restaurant, "full service" dining, we will either transition to "fast casual" dining, eliminating (31) of our highest paid (tipped) employees, or close our doors and reopen as a different business concept before minimum wage hits \$15. Like other restaurants in (cont.) Berkeley, Emeryville, Oakland, SF and NY:

Emeryville Restaurants Closing and Not Returning

<https://evilleeye.com/news-commentary/council-considers-minimum-wage-pause-after-mills-study-reveals-struggling-local-emeryville-restaurants/>

Oakland Restaurants Closing

<https://www.epionline.org/oped/oakland-minimum-wage-hike-burdens-businesses-hurts-employees/>

Berkeley Restaurants Closing

<https://www.berkeleyside.com/2018/10/12/15-minimum-wage-berkeley-restaurants>

SF Restaurants Closing

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## Public Comment Emails Received

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<https://www.epionline.org/oped/the-minimum-wage-eats-restaurants/>

NY Restaurants Closing

<https://hotair.com/archives/jazz-shaw/2019/09/30/nyc-restaurant-industry-jobs-evaporate-15-hr-wage-sets/>

<https://nypost.com/2019/09/29/15-minimum-wage-hike-is-hitting-hurting-nyc-restaurants/>

The last three years have been the most difficult out of the 26 years I've owned (Business Name). As Jerry Brown said, "Morally and socially and politically minimum wage makes sense, but economically, it may not make sense". Then he signed it into law. I hope that Council Members can demonstrate, where Jerry Brown could not, how raising minimum wage economically makes sense. <https://www.sacbee.com/news/politics-government/capitol-alert/article69842317.html>

Could you imagine if I could create a law, which took YOUR paycheck and transferred it to someone else? What's worse is you are targeting the individual who is least capable of paying. If 70% of all small businesses fail in 10 years, what makes you think I am the one best suited to pay this cost? Could you also imagine if after 10 years 70% of all government employees lost their jobs and pensions, like small business employers? Well, that's the reality, because every day that I come to work, the greater the likelihood that I'm going to fail. Increasing minimum wage only accelerates that end.

Increasing minimum wage from \$9 (2014) to \$12 (2019) has wrecked (Business Name). Our payroll increased \$380k/year. That's \$380,000.00 per year! The price of a hamburger increased from \$12 to \$17, a salad from \$11.75 to \$15, a pint of beer increased from \$6.75 to \$8.75, we terminated (2) management positions totaling \$120k/year, cut staff from 86 to 79, from December - March we now seasonally lay off an additional 15 employees, or 350 hours per pay period. Tipped employees now make more than Managers, so now there is no longer a path for advancement. The only path is to leave (Business Name) and find a better (cont.) paying job. The small business wage hierarchy has been ruined. No longer can I reward great employees with a raise because the government now requires me to give a raise to others, regardless of performance, which promotes complacency and mediocrity.

Ironically, when you consider how the minimum wage increase is divvied up you know that Jerry Brown was right; increased payroll tax, income tax, social security, unemployment insurance, reduction in hours, increase in prices (because a hamburger is now \$17 not \$12), and the increase in sales tax on the increase (\$0.50), you are in essence causing the minimum wage earner to pay for their own wage increase. This is why Jerry Brown said it didn't make economic sense. If you want to raise the standard of living, which is the true measure of a living wage, don't make them pay for it. I guarantee that a minimum wage household will see nearly zero increase in spending power after inflation caused by rising prices and taxes.

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**Public Comment Emails Received**

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If the government was so concerned about a living wage, then why do they take half of the employee's wage increase? In the attached article from Brookings Institute, Tax Policy Center. In CA the \$15 minimum for a single mom and two kids had an \$850/month increase in earning, but after a decrease in SNAP benefits and increase in taxes the net benefit was only \$378/month. Minus the 38% increase in prices and 10% sales tax, there is virtually no net gain in spending power. The winner is the government with \$154 SNAP savings and \$318 net tax increase, eating up 55% of her minimum wage boost. So 55% of the \$380,000.00 or \$209,000.00 that the government forces me to create from thin air goes back to the government. <https://www.taxpolicycenter.org/taxvox/what-happens-taxes-and-transfers-when-states-raise-minimum-wage>

Unions lobbied the hardest for \$15, and in fact spent over \$70 million to raise the minimum wage for small businesses. Just think, my labor competitor was able to buy a law, which is destroying me and enriching their employees and the government. How? Because union wages are tied to minimum wage, and an increase in minimum wage allows unions to give raises and circumvent collective bargaining. In California alone 223,000 union employees will receive a direct pay increase at the expense of small business employers. <https://www.forbes.com/sites/edrensi/2017/01/19/why-it-is-that-unions-fund-the-fight-for-15/#2c300a2850ce>

You might say that destroying me is overly dramatic, but I again would invite you to stand in my shoes and under threat of law be forced to create \$380,000.00 of profit a year and give half to the government and half to someone else. Or, you can read the Harvard Study, Survival of the fittest: *The Impact of the Minimum Wage on Firm Exit*. It's conclusion? Every \$1 rise in minimum wage leads to a 14% increase in the likelihood of failure for restaurants with a Yelp rating of 3.5 stars. (Business Name) has 3.5 stars, and we are in that fight. [https://www.hbs.edu/faculty/Publication%20Files/17-088\\_9f5c63e3-fcb7-4144-b9cf-74bf594cc308.pdf](https://www.hbs.edu/faculty/Publication%20Files/17-088_9f5c63e3-fcb7-4144-b9cf-74bf594cc308.pdf)  
(cont.)

The minimum wage law is a fraud. It provides no increase in spending power or quality of life, nor does it provide a living wage when 55% is taken by the government and the rest is consumed by inflation and increased prices. But the even bigger fraud is how the law indentures small business employers to pay this debt for life. At some point we just walk away.

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**Public Comment Emails Received**

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Hayward doesn't need another reason to not open a businesses nor lose an existing one. This is another job killer for the Hayward businesses. All you have to do is look at SF, Seattle and LA that have done this, you know have more restaurants and retail centers closing than opening. Companies like Amazon, Apple, etc., don't care they can afford it. What this is going to do is kill the small shops, I thought that is what we all wanted was small local businesses that keep the money in our communities? These closings of retail and restaurants started two years ago, what could be the reason for it? Let's think what happened two years ago? Well, local governments decided to increase the minimum wage as a major part of it. Below is the best explanation of this economics 101 lesson, since the leaders at the City of Hayward seemed to have missed that college course.

To start, Jed explained, opening a restaurant in San Francisco is in and of itself challenging.

"If you're opening a restaurant, you have an average of 22 permits you have to file and pay for," she said. "Then once you get your doors open, the cost of labor and healthcare have really dampened the sustainability of restaurants in the city."

Over the past five years, minimum wage has gone up \$1.00 every year. Jed explained that when an employer adds in benefits it comes out to roughly an additional \$1.30. For Jed, who has 90 employees, that has translated to an additional \$30,000 a month increase to her bottom line of labor.

"So for each year of dollar increase, \$30,000 increase, cumulative \$60,000 increase, cumulative \$120,000 increase," she said, "And you start to do the math, if you're not bringing in more income, you're at a net zero gain."

Hayward like a lot of cities in the Bay Area are more concerned with handing out other peoples money then streamlining government services so the cost of business actually goes down and companies can provide better raises and benifets for people that help to make there business successful.

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**Public Comment Emails Received**

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(Business Name) has been serving the Developmentally Disabled as a community based behavior management program in Hayward since March, 2005. We are licensed thru the Community Care Licensing of Department of Developmental Services, State of California and vendorized by the local Regional Center, Regional Center of the East Bay.

Because of the nature of our clients; we are required to have a 3:1 ratio of client to staff. This means that we have a very large amount of employees for a relatively small business.

We are asking that the City Council exempt healthcare programs and businesses that are funded by the State of California. Department of Developmental Services.

The reason is fundamental; we are 100% funded by the State with no ability to raise our rates OR EVEN CUT OUR EXPENSES. Since we are required by law to have the client/staff (cont.) ratios, we cannot cut employees due to our health and safety requirements. We are not like a restaurant, or another business in Hayward that can increase revenue.

Additionally, the State of California will reimburse for the State mandated Minimum Wage but not for the local Minimum Wage increases. So when a local ordinance goes into affect ahead of the State of California, that potential revenue is lost forever and can never be recaptured.

I have also attached historical data which shows since 2002 the increases that have been given to Day Program operators in California. Not a pretty picture and further shows why every increased cost is a huge burden to programs like Mission Hope.

No ability to raise our rates and a permanent penalty barring reimbursed from the State of California creates an unfair situation. We respectfully request that the City Council exempt programs/businesses funded by the Department of Developmental Services from the pending Local Minimum Wage ordinance.

Lastly, we would welcome the opportunity to have staff or City Council members visit (Business Name) to see the work that we do and the special people that we serve. It will be an enriching experience for all parties to visit our clients.

Please keep up posted on meeting dates as they approach, we want to participate in this process.

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**Public Comment Emails Received**

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My wife and I both have businesses in the City of Hayward. We started my wife's business back in 1985 and over the years hired many employees. A \$15 per hour minimum wage for all employees might sound good to lawmakers but not for business owners for the following reasons. From an experienced employees' stand point the market will pay for what the employees' bring to the table. The minimum wage helps employees without any experience to enter the workforce. Raising the wage to \$15 per hour will reduce or maybe eliminate hiring anyone without experience. We as an organization would rather pay an experienced person more than the minimum wage than hire and train someone for the \$15 minimum wage. The \$15 hour person would cost us at least \$40 per hour. This is the cost of an experienced person's wages of \$25 to train the inexperienced person plus the \$15 for the inexperienced person not counting taxes, benefits, loss of business and productivity while the new person is coming up to speed. By passing this law you would be actually lowering the higher wage earner rate by allowing less employees to be hired therefore increase the supply and reducing the demand

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**Public Comment Emails Received**

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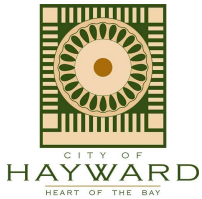
As discussed at one of the recent townhalls, I'd like to provide some feedback re: the city's minimum wage proposal. As was promised, please keep this feedback anonymous as it is shared further.

*Our general feedback re: the two alternatives that the city is evaluating is that the State of California has already weighed in on the minimum wage situation several years ago after considerable research and analysis. For each municipality in the Bay Area to then devise their own actions does not seem like valuable activity for each city.*

*That said, we have a much more strenuous objection though to Alternative One being considered. In our opinion, for the city to take a position like this with ~6 months' notice is unconscionable. Businesses should be planning with at least a one-year time horizon (cont.) and to institute this change with so little notice drastically impacts our ability to react. Our business, for example, had already communicated a fiscal 2020 price increase to our customers based on what we understood to be our upcoming labor cost increases, only to later find out that the city was investigating this action. To now implement a statutory change to our labor rates is unfair and leaves us with very little ability to go back to our customers so soon after we already communicated a price increase. Thank you for your consideration.*

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**File #:** LB 20-003

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**DATE:** February 4, 2020

**TO:** Mayor and City Council

**FROM:** City Manager

**SUBJECT**

City of Hayward Homelessness Update: Accepting Information on the 2019 Homeless Population Point in Time Count; Adopting a Resolution Endorsing the EveryOne Home Strategic Plan; Receiving an Update on the Hayward Navigation Center; and Adopting a Resolution Authorizing the City Manager to Accept and Appropriate a Donation of \$83,000 from the Hayward Rotary Club

**RECOMMENDATION**

That the City Council:

- Accepts information on the results of the 2019 Homeless Population Point in Time Counts for Alameda County and Hayward (Attachments II and III, respectively);
- Adopts a Resolution endorsing the EveryOne Home Strategic Plan (Attachment IV);
- Receives an update on the Hayward Navigation Center; and
- Adopts a Resolution authorizing the City Manager to accept and appropriate an \$83,000 donation from the Hayward Rotary Club (Attachment V).

**SUMMARY**

The 2019 Point-in-Time Count (PIT Count) contains data that is an essential tool to understanding the scope, trends, and causes of homelessness in the Hayward community and throughout the region. The data is the result of a coordinated regional effort that includes every jurisdiction in Alameda County. This report summarizes the findings of the 2019 PIT Count of homeless persons in Alameda County and Hayward that was conducted and led by EveryOne Home in January 2019 (Attachment II).

EveryOne Home is the collective impact organization formed to address and end homelessness in Alameda County, uniting the efforts of city and county government partners, nonprofit service providers, individuals experiencing homelessness, and community members. In 2018, EveryOne Home undertook a Strategic Update to its Plan to End Homelessness ("Plan"), previously drafted in 2007. The Plan offers ambitious and coordinated strategies and actions to reduce the Alameda County nightly homeless count to 2,200-meaning no one would have to sleep without shelter. EveryOne Home is requesting the endorsements of community partners to show a united and coordinated effort to end unsheltered homelessness in Alameda County by 2023. Staff recommends that Council endorse the Plan, which can be



found in full in Attachment III.

One of the projects listed in the Hayward Strategic Roadmap, approved by Council on January 28, 2020, is for staff to create a Homelessness Reduction Strategic Plan specifically for the Hayward community. Staff intends to use the Everyone Home Plan, among other sources, to inform the City's own strategic plan to reduce homelessness.

One of the City's most recent and aggressive approaches to reducing homelessness is the opening of the Hayward Navigation Center in late 2019. To date, the Center is housing 44 individuals, and five individuals have been placed into permanent housing. In support of the Navigation Center, the Hayward Rotary Club has donated \$83,000 towards the purchase of one of the residential units at the Navigation Center. Staff recommends that Council approves a resolution authorizing and appropriating these funds for use at the Navigation Center (Attachment IV).

## **ATTACHMENTS**

Attachment I	Staff Report
Attachment II	2019 Alameda County PIT Count
Attachment III	2019 Hayward PIT Count
Attachment IV	Resolution to Endorse the Plan
Attachment V	Resolution to Authorize and Appropriate Funds from Rotary Donation





**DATE:** February 4, 2020

**TO:** Mayor and City Council

**FROM:** City Manager

**SUBJECT:** City of Hayward Homelessness Update: Accepting Information on the 2019 Homeless Population Point in Time Count; Adopting a Resolution Endorsing the EveryOne Home Strategic Plan; Receiving an Update on the Hayward Navigation Center; and Adopting a Resolution Authorizing the City Manager to Accept and Appropriate a Donation of \$83,000 from the Hayward Rotary Club

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## **BACKGROUND**

Founded in 2007 to regionally coordinate efforts and resources to address homelessness throughout Alameda County, EveryOne Home is the Continuum of Care (CoC) agency that supports all fourteen municipalities, as well as Alameda County, in these efforts. The United States Department of Housing and Urban Development Department (HUD) annually provides funding to localities that implement and maintain CoCs. EveryOne Home was formed in response to HUD's national initiative to end homelessness. Among the requirements HUD sets forth for this funding is the biennial collection of quantitative and qualitative data about sheltered and unsheltered homeless persons. The PIT count uses the federally required methodology to receive funding for homelessness assistance programs through the CoC. EveryOne Home undertakes this PIT count on a biennial basis, enumerating the sheltered and unsheltered homeless persons on a single night in January.

Data was collected through four primary components:

1. *General street count*: an observation-based enumeration of unsheltered individuals between the hours of approximately 5:00 a.m. and 10:00 a.m.;
2. *Youth count*: a targeted enumeration of unsheltered youth under the age of 25 between the hours of approximately 2:30 p.m. and 7:30 p.m.;
3. *Sheltered count*: an enumeration of individuals residing in emergency shelter, safe haven, and transitional housing facilities on the night before the street count; and
4. *Survey*: an in-person survey of a randomized sample of unsheltered and sheltered individuals conducted by trained peer surveyors and program staff in the weeks following the general street count.

The resulting county-wide data was released on July 23, 2019 after a presentation at the inaugural convening about homelessness of Alameda County mayors, city managers, and the County Supervisors. Additionally, several municipalities, including Hayward, requested data specific to homeless persons within their respective jurisdictions. The jurisdiction-specific



data was released on September 3, 2019. Executive summaries and the full reports of the county-wide data and Hayward-specific data are provided in Attachments II and III, respectively.

## **DISCUSSION**

Homelessness is an extraordinarily difficult and persistent regional issue. The scope and intractability of the homelessness issue is such that no one jurisdiction can hope to address, much less solve it alone, with the limited resources at hand. A coordinated county-wide effort to address homelessness is paramount.

### *2019 Point-in-Time Count and Survey – Key Findings*

The executive summary and full report of the county-wide 2019 PIT count and survey data are provided in Attachment II. Key county-wide findings from the data include:

- 8,022 homeless persons were counted county-wide in 2019. This represents a sharp increase (43%) since the previous 2017 count, which recorded 5,629 homeless persons county-wide.
- 79% of homeless persons are unsheltered – meaning that they dwell in tents, parks, vehicles, vacant buildings, underpasses, and other locations not intended nor fit for human habitation. This is an increase from 69% in 2017.
- 62% of surveyed homeless persons indicated that they have experienced more than one episode of homelessness.
- 25% of surveyed homeless persons self-reported that a lost job and mental health issues as primary causes of their homelessness in 2019.
- 33% of surveyed homeless persons self-reported that rent assistance might have prevented their homelessness in 2019.
- 30% of surveyed homeless persons self-reported that benefits/income might have prevented their homelessness in 2019.

The executive summary and full report of the Hayward 2019 PIT count and survey data are provided in Attachment III. Key city-wide findings from the data include:

- Approximately 6% of the county's homeless population lives in Hayward (487 persons), the fourth-highest percentage by jurisdiction. Oakland has 51% of the county's homeless population (4,071 persons), Berkeley has 14% of the county's homeless population (1,108 persons), and Fremont has 8% of the county's homeless population (608 persons).
- Between 2017 and 2019, there was a 23% increase in homelessness in Hayward, with 397 total homeless in 2017 to 487 total homeless in 2019.
- 76% of Hayward homeless persons are unsheltered – meaning that they dwell in tents, parks, vehicles, vacant buildings, underpasses, and other locations not intended nor fit for human habitation. This is slightly reduced from 79% in 2017.



- 40% of surveyed homeless persons experiencing homelessness for the first time indicated that they were homeless for a year or more.
- 27% of surveyed homeless persons self-reported that a lost job or incarceration are primary causes of their homelessness.
- 45% of surveyed homeless persons self-reported that benefits/income might have prevented their homelessness.
- 36% of surveyed homeless persons self-reported that rental assistance might have prevented their homelessness.

### *Regional Issue – Regional Efforts*

Homelessness is a complex regional issue, and as such, coordinated regional efforts such as those being undertaken through the CoC are essential to address homelessness in an impactful, lasting way. The regional CoC includes local governments, social services agencies, health agencies, local nonprofits, and community advocates, all of which are coordinating closely together and have been engaged in core strategies to prevent and address homelessness and related crises such as hunger and housing affordability.

The EveryOne Home coalition of municipalities, combined with and reinforced by local grassroots groups, are essential components of a county-wide assessment of the strategies and level of resources required to address homelessness. Subsequent to the 2017 PIT count, EveryOne Home developed the *EveryOne Home Plan to End Homelessness* (EveryOne Home Plan)<sup>1</sup>, laying out a county-wide approach to ending homelessness.

The EveryOne Home Plan recommends four broad strategies that together bring the necessary capacity, investment, partnership, and collective impact to end homelessness:

- *Expand Capacity* – the Alameda County system needs to expand temporary financial assistance and legal support, add more units of permanent supportive housing, add more units of subsidized permanent housing units, and expand street outreach and other services to unsheltered individuals.
- *Increase Investment* – there is a need to identify new sources of financial investment from all levels of government.
- *Build Stronger Partnerships* - engaging in the leadership and expertise of people experiencing homelessness in governance, policy, planning, and service delivery, and expanding employment opportunities and career development within our system
- *Align Public Policies* – advancing policies to reduce homelessness, such as protecting renters, increasing affordable housing, protecting dignity, health, and safety of those living on the streets, and counteracting disparate racial impacts of housing policies.

By endorsing this plan, the City would support and agree to take bold action whenever and wherever possible to bring the necessary capacity, investment, partnership, and collective impact to achieve the goal of ending unsheltered homelessness in Alameda County by 2023.

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<sup>1</sup> 2018 EveryOne Home Strategic Plan, <http://everyonehome.org/wp-content/uploads/2016/02/FINAL-EveryOne-Home-Plan.pdf>



Staff recommends that the City Council endorse this plan and use this as a guiding framework for the development of the City's own Plan to End Homelessness.

### *Local Efforts to Address Homelessness and Housing Affordability*

The City of Hayward annually allocates approximately \$835,000 of local and federal funds to support projects and programs that address homelessness and housing issues in the Hayward community. Additionally, on January 22, 2019, the City Council approved emergency actions to implement a Hayward Housing Navigation Center for approximately 45 individuals on the currently vacant City-owned parcel at the corner of Depot and Whitesell Roads. Since opening in November of 2019, there are 44 individuals living at the Center and five individuals have moved into permanent housing. With the generous donation of \$83,000 from the Rotary Club of Hayward, the City plans to purchase one of the residential modular units. Should the Navigation Center be open for five years, this one-time donation will result in a lifetime savings of approximately \$185,000 in rental fees.<sup>2</sup>

Council has long identified homelessness and housing affordability as key issues in the community and has supported local efforts to address these issues in conjunction with the larger regional efforts, as evidenced by the recently approved Hayward Strategic Roadmap.<sup>3</sup> One of the Council's six priority areas for the next three years is to Preserve, Protect, and Produce Housing for All. Within this priority are ten different projects to holistically address affordable housing and homelessness in the City, including the creation of a City of Hayward Plan to End Homelessness. Staff intends to model the plan on an empowerment approach and include best practices, as well as model it after the EveryOne Home Plan's framework. Staff intends to release a request for proposals (RFP) for consultants with experience in homelessness strategic planning by spring. The City's plan will:

- Be ambitious in its vision to end homelessness in Hayward, and articulate the resources and partnerships it would require to do this;
- Include the mission, goals, objectives, and specific strategies/action steps that will guide the community for the next five years;
- Provide an analysis of current strategies, challenges, proposed actions, and desired outcomes
- Use data and evidenced based practices to inform understanding of need, gaps, and impactful strategies to further existing levels of local engagement and knowledge
- Move the system toward adopting a Housing First and trauma-informed care approach with a housing focus
- Encourage and include the participation of individuals with lived experience, homeless services providers, and other community stakeholders;
- Include recommendations for how existing resources can be maximized, streamlined, and targeted, as well as identify any additional resources necessary;

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<sup>2</sup> This estimate was calculated by calculating the current annual rental (with two residential modular units) less the annual rental of one of the residential modular units, multiplied by five.

<sup>3</sup> January 28, 2020 Hayward City Council meeting, (link to be updated upon publication)



- Provide recommendations for leveraging resources from various sectors, including external untapped resources;
- Offer practical and implementable strategies and approaches to improve Hayward's response to homelessness (including homeless services, homeless system functioning, mainstream services, and affordable housing);
- Provide a framework for ongoing performance measurement to continually inform implementation and new strategies/investment; and
- Include the approaches Hayward will take to monitor its progress on achieving the goals outlined in the strategic plan.

Staff will engage the Community Services Commission, Housing and Homelessness Task Force, as well as the City Council in this process in addition to key stakeholders. Staff plans to release a RFP in March and select a consultant in April; staff will return to Council for approval to enter into an agreement with the selected consultant.

Staff recognizes a plan to end homelessness is ambitious in nature, particularly given that Hayward is not a direct service provider and that homelessness is a regional crisis and will require regional collaboration. In preparing this plan, staff will include a discussion of these unique challenges and be realistic about the resources it would take to end homelessness in the City of Hayward.

## **ECONOMIC IMPACT**

At this time, there is no associated economic impact with this item. Once the City has developed its plan to end homelessness, there may be economic impacts associated with its implementation, including the creation and retention of jobs, creation of affordable housing, and reduced poverty rates in the City.

## **FISCAL IMPACT**

This item has a positive fiscal impact. With the Rotary Club of Hayward's one-time \$83,000 donation, the City can expect to save approximately \$185,000 in lifetime<sup>4</sup> savings from rental fees.

## **STRATEGIC INITIATIVES**

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

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<sup>4</sup> Calculated using a five-year lifetime



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

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

## **PUBLIC CONTACT**

On October 16, 2019, the results of the 2019 PIT Count were presented to the Community Services Commission.<sup>5</sup> During this presentation, staff also shared preliminary plans for developing a five-year homelessness reduction plan. As discussed above, staff intends to encourage and include the participation of individuals with lived experience, homeless services providers, and other community stakeholders in the development of the City's plan to end homelessness.

## **NEXT STEPS**

The EveryOne Home Plan outlines a range of actions that can be tailored to local communities. Utilizing the 2019 PIT Count data and the EveryOne Home Plan framework, City staff will develop a five-year plan to end homelessness, while taking into consideration the unique characteristics of the Hayward community.

*Prepared by:* Monica Davis, Community Services Manager  
Jessica Lobedan, Management Analyst II

*Recommended by:* Jennifer Ott, Deputy City Manager

*Approved by:*



---

Kelly McAdoo, City Manager

---

<sup>5</sup> October 16, 2019 Community Services Commission meeting,  
<https://hayward.legistar.com/LegislationDetail.aspx?ID=4162344&GUID=F017FC66-422A-402B-9717-61472C4F0297&Options=&Search=>





# Alameda County

HOMELESS COUNT & SURVEY

COMPREHENSIVE REPORT

2019





## APPLIED SURVEY RESEARCH

Applied Survey Research (ASR) is a social research firm dedicated to helping people build better communities by collecting meaningful data, facilitating information based planning, and developing custom strategies. The firm was founded on the principle that community improvement, initiative sustainability, and program success are closely tied to assessment needs, evaluation of community goals, and development of appropriate responses.

### HOUSING INSTABILITY RESEARCH DEPARTMENT (HIRD)

Project Lead: Laura Petry, MSW

Senior Data Analyst: Yoonyoung Kwak, PhD

Graphic Design and Layout: Jenna Gallant, Katherine Lee, MPH

Department Vice President: Peter Connery

Department Director: Samantha Green, MSc

Department Coordinator: Jenna Gallant

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Watsonville, CA 95076  
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#### Bay Area:

1871 The Alameda, Suite 180  
San Jose, CA 95126  
tel 408-247-8319

[www.appliedsurveyresearch.org](http://www.appliedsurveyresearch.org)





## **EVERYONE HOME**

EveryOne Home is leading the collective effort to end homelessness in Alameda County. We're building momentum, using data to improve our efforts and aligning resources for long-term solutions. By emphasizing an efficient regional response, EveryOne Home envisions that by 2023, no person will need to sleep on the street because they have a place to call home.

### **EVERYONE HOME STAFF**

Project Manager: Laura Guzman, Director, Continuum of Care

Bilal Mafundi Ali, Guide Recruitment Lead

Ruby Butler, Project Monitor

Elaine De Coligny, Executive Director

Dorcas Chang, Administrative Assistant

Julie Leadbetter, Director, System Coordination

Alexis Lozano, Operations Manager

Jessica Shimmin, System Analyst

### **ASPIRE CONSULTING LLC**

Aspire Consulting LLC empowers communities to refine its programs and housing crisis response system to be housing-focused, oriented to outcomes, effective, efficient, and well-coordinated. Focal points of Aspire Consulting LLC's work include: training and project management for measuring and improving outcomes; staff training, retreats, and learning collaboratives to align organizational culture and practices toward housing first, low barrier approaches; planning and launching coordinated entry systems; optimizing rapid rehousing services; and training diverse community stakeholders about the cultural shift to be more permanent housing and outcome-focused. Aspire Consulting LLC also has many years of experience in Point-in-Time Counts, Homeless Management Information Systems, Homeless and Caring Court, and 100 Day Challenge performance improvement initiatives. Kathie Barkow is the founder and principal consultant of Aspire Consulting LLC.

### **ALAMEDA COUNTY HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT**

Trevor Mells, HMIS Team Lead





# Table of Contents

<b>ACKNOWLEDGMENTS</b>	<b>5</b>
<b>INTRODUCTION</b>	<b>8</b>
Federal Definition of Homelessness for Point-in-Time Counts	9
<b>INFOGRAPHIC SUMMARY</b>	<b>10</b>
<b>POINT-IN-TIME COUNT: KEY DATA FINDINGS</b>	<b>12</b>
Number and Characteristics of Persons Experiencing Homelessness in Alameda County	12
Subpopulations	20
<b>SURVEY FINDINGS</b>	<b>21</b>
Living Accommodations	21
Duration and Recurrence of Homelessness	26
Primary Cause of Homelessness	28
Sexual Orientation and Gender Identity	30
Foster Care System	31
Criminal Justice System	32
School Enrollment	33
Health	34
Domestic/Partner Violence or Abuse	36
Services and Assistance	37
Interest in Housing	39
<b>SUBPOPULATIONS</b>	<b>40</b>
Single Adults 25 Years and Older	41
Families with Children	45
Unaccompanied Children and Transition-Age Youth	47
Individuals Experiencing Chronic Homelessness	53
Veterans	56
<b>APPENDIX A: METHODOLOGY</b>	<b>58</b>
Street Count Methodology	59
Youth Count Methodology	61
Enumeration Challenges and Limitations	63
<b>APPENDIX B: DEFINITIONS AND ABBREVIATIONS</b>	<b>67</b>
<b>APPENDIX C: POINT-IN-TIME COUNT RESULTS</b>	<b>69</b>
<b>APPENDIX D: ADULT SURVEY &amp; YOUTH SCREENING TOOL</b>	<b>75</b>
<b>APPENDIX E: SURVEY RESULTS</b>	<b>78</b>
<b>APPENDIX F: TABLE OF FIGURES</b>	<b>84</b>
<b>APPENDIX G: FIGURE SOURCES</b>	<b>86</b>





# Acknowledgments

The *EveryOne Counts! 2019 Homeless Count and Survey* planning team, consisting of EveryOne Home, ASR, and Aspire Consulting LLC, would like to thank the many individuals and organizations for their time and commitment to this project. This year, recruitment and training efforts yielded an extraordinary community response, resulting in a 68% increase in volunteer and guide participation over the last biennial count in 2017. There were 164 trained guides with current and past experience of homelessness and 489 volunteers from many segments of our communities who, together, canvassed all of Alameda County's census tracts during the early morning hours of January 30, 2019. We would like to express our deep gratitude to the teams of guides and surveyors with lived experience of homelessness, including youth, for their outstanding fieldwork and invaluable insight in ensuring the accuracy of the count, and for sharing their first-hand knowledge of encampments, communities living in vehicles, and locations where unsheltered youth reside.

As in 2017, our non-profit partners, city and county employees, and local law enforcement teams assisted with many aspects of the Point-in-Time Count, including planning meetings; conducting a pre-count survey of people living in tents and vehicles; offering special outreach on count day; supporting the youth count; and assisting us in successfully implementing the housing survey on the streets and in shelters and transitional housing programs.

In addition, hundreds of incredible community members answered the call to volunteer in the early hours of the morning. These volunteers were partnered with guides to methodically cover their assigned census tracts, conduct the visual tally, and submit their results. Thank you to each volunteer for showing up and getting this work done to measure our efforts.

EveryOne Home and the Alameda County Continuum of Care (CoC) provided oversight for the *EveryOne Counts! 2019 Homeless Count and Survey*. We thank the members of the HUD Continuum of Care Committee for their input and guidance. We are also very grateful to the jurisdictional partners who worked closely with our team to ensure communities were well represented in the planning efforts and data collection activities.

Trevor Mells of Alameda County Housing and Community Development Department led the sheltered count, collecting the HUD-required data from agencies that utilize the countywide Homeless Management Information System as well as those that do not.

Special thanks to the following programs, jurisdictions, and individuals, who went above and beyond in providing support, resulting in the critical success of *EveryOne Counts! 2019*:



## TRAINING AND DEPLOYMENT SITES

- Allen Temple Baptist Church
- Asbury United Methodist Church
- City of Hayward
- City of Livermore
- First Congregational Church of Berkeley
- Oakland City Hall
- St. Vincent de Paul Community Center
- Covenant House Oakland
- Youth Uprising

## PRE-COUNT OF VEHICLES AND TENTS

- Berkeley Food & Housing Project
- Building Futures
- CAREavan, City of Union City
- City of Alameda
- City of Fremont
- CityServe of the Tri-Valley
- Downtown Streets Team, Hayward
- Operation Dignity
- ROOTS Clinic

## GUIDE RECRUITMENT AND SUPPORT

- Abode Services
- Bay Area Community Services – STAIR Center, Berkeley, and Oakland Community Cabins
- Bananas Inc.
- Building Futures
- CAREavan, City of Union City
- CityServe of the Tri-Valley
- Consumer Advisory Board, Alameda County Health Care for the Homeless
- Downtown Streets Team – Hayward, Berkeley, and Oakland
- Homeless Action Center
- Housing Consortium of the East Bay
- Joe Camarillo, City of San Leandro Police Department
- Lava Mae Oakland
- Operation Dignity – Oakland Community Cabins
- Parent Voices Oakland
- Peter Radu, Health, Housing & Community Services Department, City of Berkeley
- Talia Rubin, Community Housing Services Division, City of Oakland
- Candice Elder, The East Oakland Collective
- UC Berkeley Outreach Team

## SPECIAL OUTREACH TEAMS

- Alameda County Health Care for the Homeless
- Berkeley Food & Housing Project Outreach Team
- Building Futures' Outreach Team
- City of Dublin
- City of Emeryville
- City of Livermore Police Department
- City of Oakland
- City of Pleasanton
- City of Alameda
- ROOTS Clinic
- The East Oakland Collective
- San Leandro Police Department
- Veteran Affairs' Outreach Team

## SURVEY COORDINATORS

- Judy-Jones Germany, East Oakland Community Project
- Judy Xavier, City of Livermore
- Khalil Tokhey, BACS Hedco Wellness Center
- Kevin Coleman, Covenant House Oakland
- Laurie Flores, City of Fremont
- Ola Colemon, East Oakland Community Project
- Omar Rascón, Alameda County Health Care for the Homeless
- Terry Kalahar, Homeless Action Center



## YOUTH COUNT

- Beyond Emancipation
- C'Mone Falls, Alameda County Social Services Agency
- Colette (Coco) Auerswald, UC Berkeley School of Public Health
- Covenant House Oakland
- Ja'nai Aubry, Family Violence Law Center
- Jasmine Gonzalez, Our Kids
- Jessica Blakemore, ALL IN Alameda County/Interagency Children's Policy Council
- Julie Hadnot, ALL IN Alameda County/Interagency Children's Policy Council
- MISSEY
- REACH Ashland Youth Center
- UC Berkeley Suitcase Clinic
- VOICES Youth Center
- YEAH! Covenant House
- Youth Action Board
- Youth Uprising

Special acknowledgement to Lateefah Simmon, BART Board of Directors for District 7, Karen Bastin, BART Customer Services Manager, and Todd Morgan, BART Assistant Treasurer, for facilitating the procurement of \$5 BART cards used as Youth Count and survey incentives.

## SHELTERED COUNT

- 24 Hour Oakland Parent / Teacher Children's Center
- A Safe Place
- Abode Services
- Bay Area Community Services
- Berkeley Food & Housing Project (BFHP)
- Building Futures
- Building Opportunities for Self-Sufficiency (BOSS)
- City of Fremont Winter Shelter
- CityTeam International
- Covenant House Oakland
- Dream Catcher Covenant House
- Dorothy Day House
- East Oakland Community Project (EOCP)
- Family Emergency Shelter Coalition (FESCO)
- Livermore Homeless Refuge
- Oakland Catholic Worker
- Operation Dignity
- Ruby's Place
- Safe Alternatives to Violent Environments (SAVE)
- Salvation Army
- Second Chance
- Shepherd's Gate
- St. Mary's Center
- St. Vincent de Paul
- Tri-Valley Haven
- YEAH! Covenant House

## TRANSITIONAL HOUSING PROGRAMS

- Abode Services
- Berkeley Food and Housing Project (BFHP)
- Building Opportunities for Self-Sufficiency (BOSS)
- City of Oakland/Bay Area Community Services (BACS)
- Covenant House Oakland
- East Oakland Community Project (EOCP)
- FESCO Family Emergency Shelter Coalition
- First Place for Youth
- Fred Finch Youth Center (FFYC)
- Oakland Elizabeth House
- Operation Dignity
- Shepherd's Gate
- Women's Daytime Drop-In Center

## SURVEY TRANSLATION

- Katharine Gale
- Hada Gonzalez, Eden I&R
- Jasmine Gonzalez
- Sandra Noorzoy, Eden I&R





# Introduction

Every two years, during the last ten days of January, communities across the country conduct comprehensive counts of the local population experiencing homelessness in order to measure the prevalence of homelessness in each community.

The Point-in-Time Count is required by the U.S. Department of Housing and Urban Development (HUD), but more importantly also informs local strategic planning, investment, capacity building, and advocacy campaigns to prevent and end homelessness.

The Alameda County Continuum of Care worked in conjunction with ASR to conduct the *EveryOne Counts! 2019 Homeless Count and Survey*. ASR is a social research firm with extensive experience in homeless enumeration and needs assessment that has worked with Alameda County on the *EveryOne Counts! Homeless Count and Survey* since 2017.

In order for the *EveryOne Counts! 2019 Homeless Count and Survey* to best reflect the experience and expertise of the community, EveryOne Home held planning meetings with local community members, including people with lived experience of homelessness, city and county departments, community-based service providers, and other interested stakeholders. These partners were instrumental to ensuring the *EveryOne Counts! 2019 Homeless Count and Survey* reflected the needs and concerns of the community while accomplishing several important project goals:

- To preserve current federal funding for homeless services and to enhance the ability to raise new funds;
- To measure changes in the numbers and characteristics of the homeless population since the EveryOne Counts! 2017 Homeless Count and Survey, and to track progress toward ending homelessness;
- To improve the ability of policy makers and service providers to plan and implement services that meet the needs of the local population experiencing homelessness;
- To increase public awareness of overall homeless issues and generate support for constructive solutions; and
- To assess the status of specific subpopulations, including veterans, families, unaccompanied children, transition-age youth, and those experiencing chronic homelessness.

The *EveryOne Counts! 2019 Homeless Count and Survey* consisted of four primary components: (1) the general street count, an observation-based enumeration of unsheltered persons between the hours of approximately 5:00 a.m. and 10:00 a.m.; (2) the youth count, a targeted enumeration of unsheltered youth under the age of 24 between the hours of approximately 2:30 p.m. and 7:30 p.m.; (3) the sheltered count, an enumeration of persons residing in emergency shelter, safe haven, and transitional housing facilities the night before the general street count; and (4) the survey, an in-person survey of a randomized sample of unsheltered and sheltered persons conducted by trained peer surveyors and program staff in the weeks following the general street count.



On January 30, 2019, every census tract in Alameda County was covered with the support of 164 individuals with lived experience of homelessness and 489 community volunteers, staff from various city and county departments, and law enforcement. This resulted in a peer-informed visual count of individuals and families residing on the streets and in vehicles, makeshift shelters, encampments, and other places not meant for human habitation. Emergency shelter, safe haven, and transitional housing facilities also reported the number of individuals and families who occupied their facilities on the night prior to the morning of the count.

A specialized count of unaccompanied children and transition-age youth under the age of 25 was conducted on the same day. This dedicated count was designed to improve the understanding of the scope of youth homelessness. Trained youth enumerators who currently or recently experienced homelessness conducted the count in specific areas where young people experiencing homelessness were known to congregate. The dedicated youth count methodology was improved in 2019 to screen for age and to better ensure unaccompanied children and transition-age youth were not included in both the general street count and youth count.

In the weeks following the street count, an in-depth survey was administered to a sample of 1,681 unsheltered and sheltered individuals and families experiencing homelessness. The survey gathered basic demographic details as well as information on residency, housing history, personal characteristics, and intersections with the service system.

This report provides data regarding the number and characteristics of people experiencing homelessness in Alameda County on a single night, January 29, 2019. Special attention is given to specific subpopulations defined by HUD, including persons experiencing chronic homelessness, veterans, families, unaccompanied children under the age of 18, and transition-age youth between the ages of 18 and 24. This report is intended to assist service providers, policy makers, funders, and local, state, and federal governments in gaining a better understanding of the population currently experiencing homelessness, measuring the impact of current policies and programming, and planning for the future.

To better understand the dynamics of homelessness over time, results from the previous count in 2017 are provided where available and applicable.

## **FEDERAL DEFINITION OF HOMELESSNESS FOR POINT-IN-TIME COUNTS**

In this study, the HUD definition of homelessness for the Point-in-Time Count is used. This definition includes individuals and families:

- Living in a supervised publicly or privately operated shelter designated to provide temporary living arrangement; or
- With a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground.

For more information regarding the count and dedicated youth count, de-duplication, and project methodology, please see *Appendix A: Methodology*.



# Alameda County

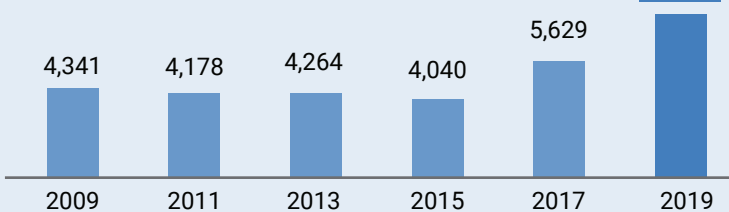
## 2019 EveryOne Counts

### Homeless Point-in-Time Count & Survey

Every two years, during the last 10 days of January, communities across the country conduct comprehensive counts of people experiencing homelessness in order to measure the prevalence of homelessness in each local community.

The 2019 Alameda County EveryOne Home Point-in-Time Count was a community-wide effort conducted on January 30th, 2019. In the weeks following the street count, a survey was administered to **1,681** unsheltered and sheltered individuals experiencing homelessness in order to profile their experience and characteristics.

#### Homeless Census Population



#### Sheltered/ Unsheltered Population

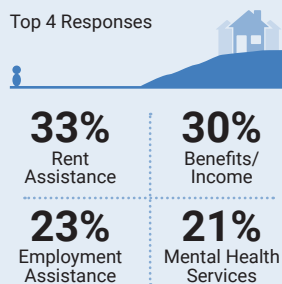


#### Duration of Current Episode of Homelessness



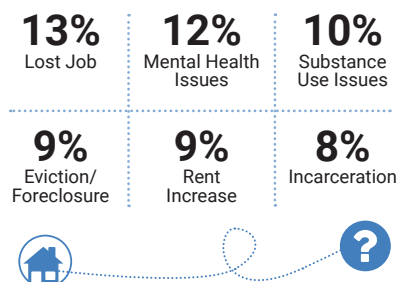
#### What Might Have Prevented Homelessness

Top 4 Responses



#### Primary Causes of Homelessness

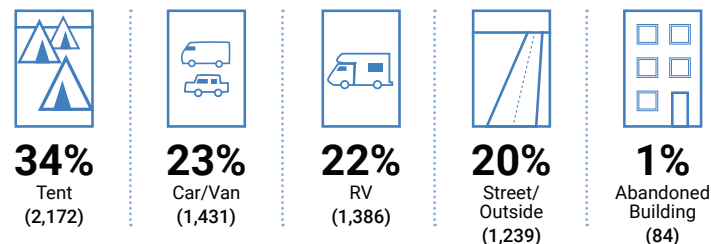
Top 6 Responses



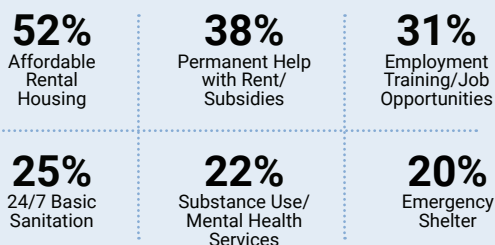
#### Sheltered/Unsheltered Population by City



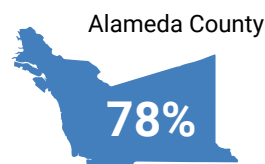
#### Unsheltered Population by Location



#### How New Money Should Be Spent



#### Residence Prior to Homelessness

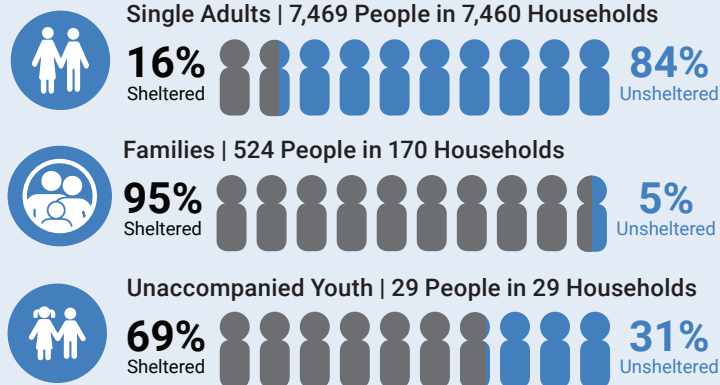


#### Length of Time in Alameda County

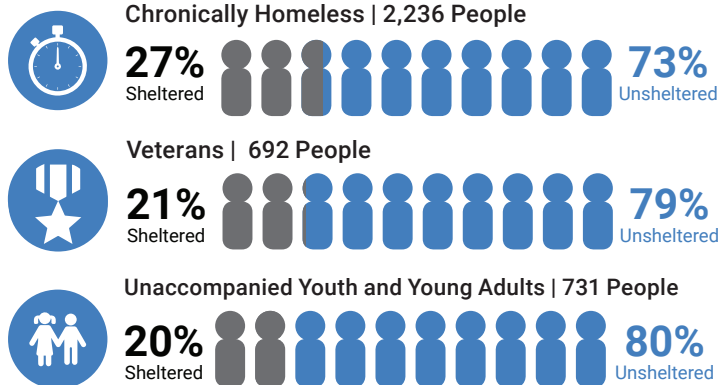




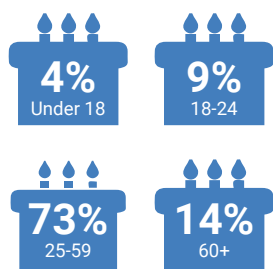
## Household Breakdown



## Subpopulations



## Age



## LGBTQ+ Status

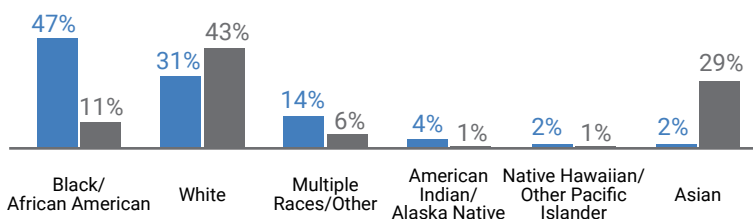
**14%** of survey respondents identified as LGBTQ+.



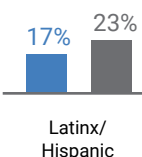
## Race and Ethnicity Compared to General Population

■ 2019 Homeless Population ■ 2017 General Population

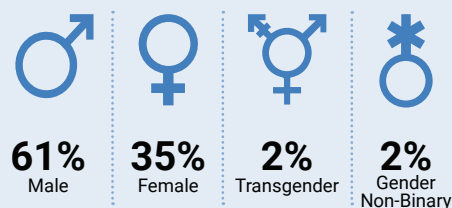
### Race



### Ethnicity



## Gender



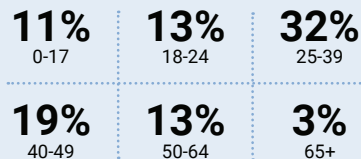
## First Episode of Homelessness

**31%** Yes



**62%** of those experiencing homelessness for the first time were homeless for one year or more.

## Age at First Episode of Homelessness



## Not Interested in Housing

**3%** of survey respondents said they were not interested in Independent, Affordable Rental Housing or Housing with Supportive Services.



## Health Conditions<sup>+</sup>

Current health conditions reported by survey respondents.



**39%**

Psychiatric/Emotional Conditions



**30%**

Alcohol & Drug Use



**30%**

Post-Traumatic Stress Disorder



**26%**

Chronic Health Problems



**24%**

Physical Disability



**13%**

Traumatic Brain Injury



**5%**

HIV/AIDS Related Illness

## Disabling Conditions

**42%** of survey respondents reported having at least one disabling condition.



A disabling condition is defined by HUD as a developmental disability, HIV/AIDS, or a long-term physical or mental impairment that impacts a person's ability to live independently, but could be improved with stable housing.

For definitions, additional information on methodology or efforts to address homelessness, visit [www.everyonehome.org](http://www.everyonehome.org).

Alameda County will release a comprehensive report of the 2019 EveryOne Home Homeless Count and Survey in Summer 2019. For more information about EveryOne Home and efforts to address homelessness in Alameda County please visit [www.EveryOneHome.org](http://www.EveryOneHome.org)

Source: Applied Survey Research, 2019, Alameda EveryOne Home Homeless Count & Survey, Watsonville, CA.





# Point-in-Time Count: Key Data Findings

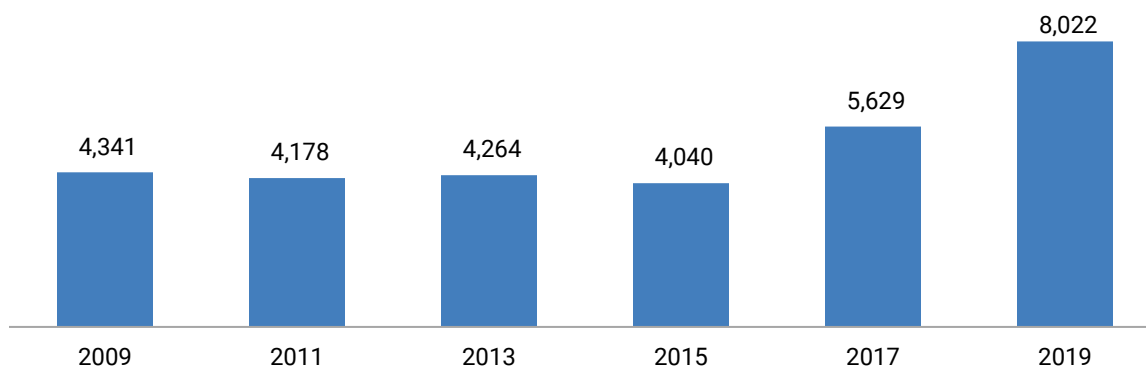
The *EveryOne Counts! 2019 Homeless Count and Survey* includes a complete enumeration of all people who were unsheltered and people who were residing in a publicly or privately funded emergency shelter, safe haven, or transitional housing facilities. The general street count was conducted on January 30, 2019 from approximately 5:00 a.m. to 10:00 a.m. The weather was seasonally normal with no rain. The shelter count was conducted on the previous evening and included all individuals staying in emergency shelter, winter shelter, safe haven, and transitional housing facilities. The general street count and shelter count methodologies were similar to those used in 2017, with some improvements.

## NUMBER AND CHARACTERISTICS OF PERSONS EXPERIENCING HOMELESSNESS IN ALAMEDA COUNTY

### TOTAL POPULATION AND TREND DATA

A total of 8,022 individuals experiencing homelessness were counted on January 30, 2019, an increase of 2,393 individuals (+43%) from 2017.

FIGURE 1. TOTAL NUMBER OF PERSONS EXPERIENCING HOMELESSNESS IN ALAMEDA COUNTY DURING THE POINT-IN-TIME COUNT

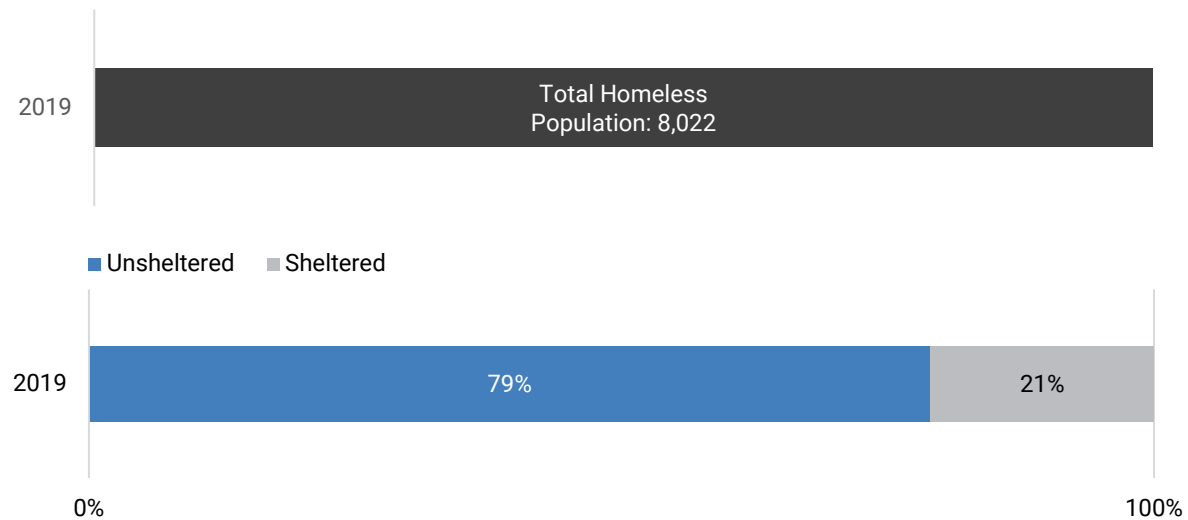




## SHELTERED AND UNSHELTERED STATUS

While the number of individuals served by shelters decreased slightly (-3%) between 2017 and 2019, there was an increase of 2,449 unsheltered individuals (+63%). In 2019, 79% of the people experiencing homelessness in Alameda County were unsheltered compared to 69% in 2017.

FIGURE 2. TOTAL NUMBER OF PERSONS EXPERIENCING HOMELESSNESS BY SHELTER STATUS



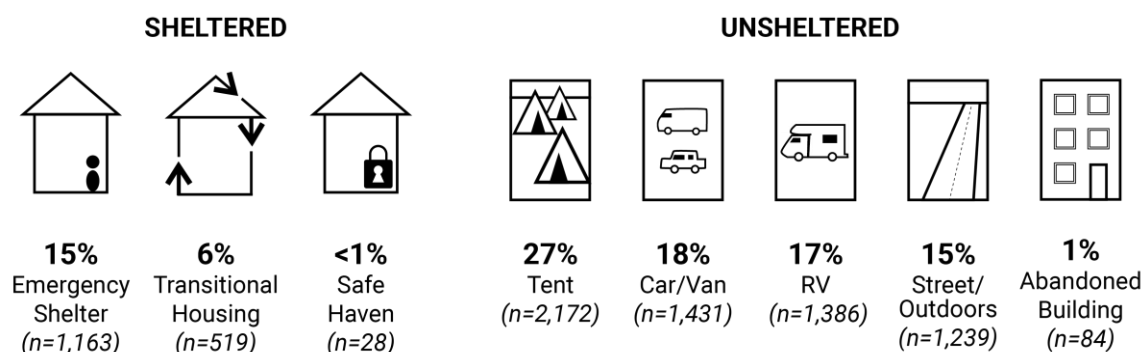
	2009	2011	2013	2015	2017	2019
Sheltered	2,800	2,106	1,927	1,643	1,766	1,710
Unsheltered	1,541	2,072	2,337	2,397	3,863	6,312
<b>Total</b>	<b>4,341</b>	<b>4,178</b>	<b>4,264</b>	<b>4,040</b>	<b>5,629</b>	<b>8,022</b>



Over one-third (35%) of the population were residing in vehicles. An additional 27% were residing in tents or makeshift shelters and 15% were identified sleeping on the streets and in other outdoor locations. One percent (1%) were identified in non-residential buildings.

Since 2017, the total number of individuals living in unsheltered locations increased by 63% (2,449 individuals). While the number of individuals sleeping on the streets and other outdoor locations decreased by 21% (331 individuals), the number of individuals sleeping in tents increased by 162% (1,342 individuals). The total number of persons residing in their vehicles increased by 124% (1,558 individuals), with the number of persons residing in RVs increasing by 146% (823 individuals) and the number of persons residing in cars or vans increasing by 106% (735 individuals).

FIGURE 3. TOTAL NUMBER OF PERSONS EXPERIENCING HOMELESSNESS BY LOCATION



## HOUSEHOLD STATUS AND AGE

Persons in families with at least one adult and one child under age 18 represented approximately 7% of the overall population experiencing homelessness in Alameda County, a notable decrease (-26%) over 2017. Most persons in families (95%) were enumerated in county shelters and transitional housing programs.

Ninety-three percent (93%) of the population experiencing homelessness were single individuals. Eighty-four percent (84%) of single individuals were unsheltered.

FIGURE 4. TOTAL NUMBER OF PERSONS EXPERIENCING HOMELESSNESS BY HOUSEHOLD TYPE, AGE, AND SHELTER STATUS

POPULATION	UNSHELTERED	SHELTERED	TOTAL	TOTAL PERCENT
<b>Persons in Families with Children</b>	<b>27</b>	<b>497</b>	<b>524</b>	<b>7%</b>
Children under 18	14	286	300	4%
Youth 18-24	1	34	35	<1%
Adults 25+	12	177	189	2%
<b>Single Individuals</b>	<b>6,285</b>	<b>1,213</b>	<b>7,498</b>	<b>93%</b>
Children under 18	9	20	29	<1%
Youth 18-24	579	139	718	9%
Adults 25+	5,697	1,054	6,751	84%

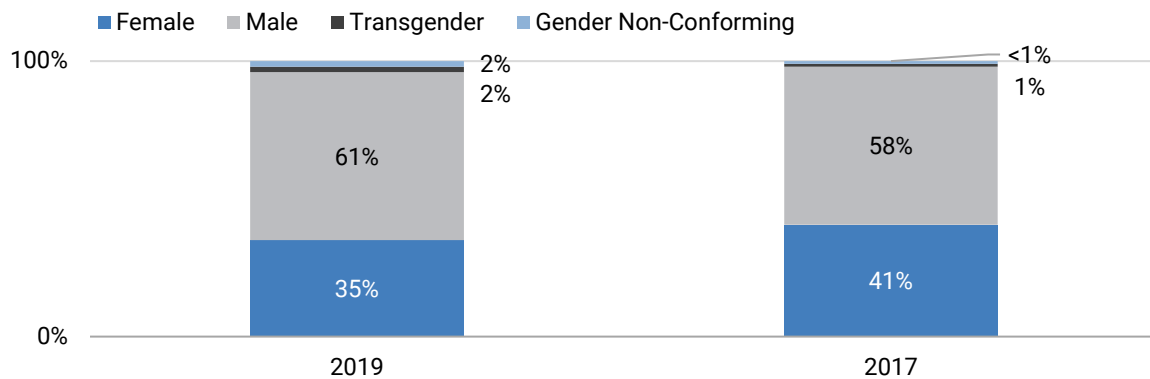
*Note: Single Individuals include couples without children and unaccompanied children and youth without a parent or guardian.*



## HOUSEHOLD STATUS AND GENDER

Overall, 61% of the population experiencing homelessness in Alameda County identified as male, 35% as female, 2% as transgender, and 2% as gender non-conforming.

FIGURE 5. TOTAL NUMBER OF PERSONS EXPERIENCING HOMELESSNESS BY GENDER



2019 n= 8,022; 2017 n= 5,629

Gender varied by household type. Sixty-three percent (63%) of single individuals identified as male, while 64% of people in families, including children, identified as female.

FIGURE 6. TOTAL NUMBER OF PERSONS EXPERIENCING HOMELESSNESS BY HOUSEHOLD TYPE, GENDER, AND SHELTER STATUS

POPULATION	UNSHELTERED	SHELTERED	TOTAL	TOTAL PERCENT
<b>Persons in Families</b>	<b>27</b>	<b>497</b>	<b>524</b>	<b>7%</b>
Male	11	177	188	2%
Female	16	320	336	4%
Transgender	0	0	0	0%
Gender Non-Conforming	0	0	0	0%
<b>Single Individuals</b>	<b>6,285</b>	<b>1,213</b>	<b>7,498</b>	<b>93%</b>
Male	3,937	785	4,728	59%
Female	2,076	417	2,493	31%
Transgender	114	8	122	2%
Gender Non-Conforming	158	3	161	2%

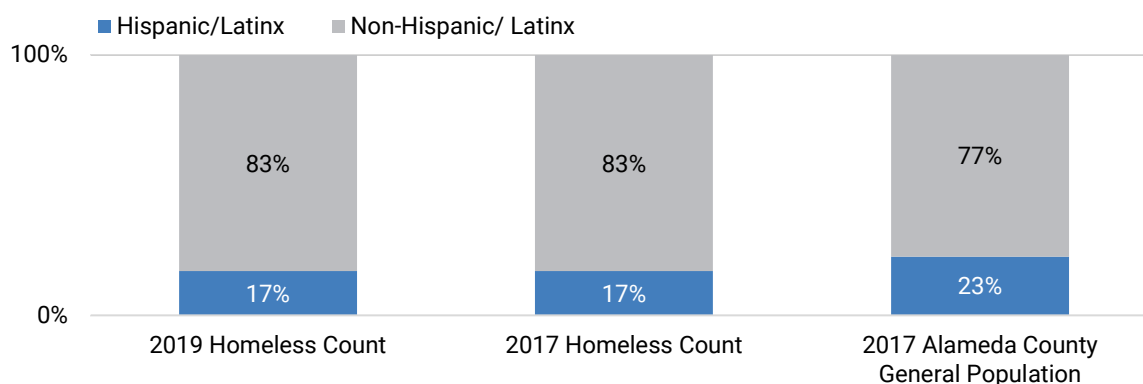
Note: Single Individuals include couples without children and unaccompanied children and youth without a parent or guardian.



## ETHNICITY AND RACE

The U.S. Census Bureau as well as HUD report race and ethnicity separately. In 2019, 17% of individuals experiencing homelessness identified as Hispanic/Latinx.

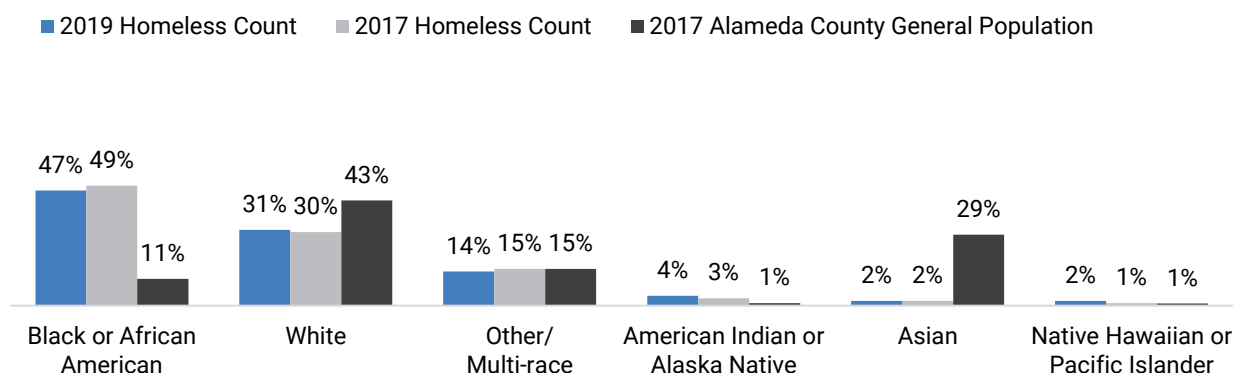
FIGURE 7. TOTAL NUMBER OF PERSONS EXPERIENCING HOMELESSNESS BY HISPANIC/LATINX ETHNICITY



2019 Homeless Count n=8,022; 2017 Homeless Count n=5,629; 2017 General Population n=1,629,615

Individuals identifying as Black/African American were overrepresented in the population experiencing homelessness. An estimated 47% of persons experiencing homelessness identified as Black/African American compared to 11% of the county's overall population. Alternatively, 2% of those counted identified as Asian compared to 29% of the general population.

FIGURE 8. TOTAL NUMBER OF PERSONS EXPERIENCING HOMELESSNESS BY RACE



2019 Homeless Count n=8,022; 2017 Homeless Count n=5,629; 2017 General Population n=1,629,615

Note: Percentages may not add up to 100 due to rounding.



## GEOGRAPHIC DISTRIBUTION

Similar to 2017, the population of individuals experiencing homelessness in Alameda County was concentrated in the urban centers. Over half (51%) were enumerated in Oakland, followed by 14% in Berkeley. Eight percent (8%) of those experiencing homelessness were located in Fremont and 6% were in Hayward.

With the exception of Albany and Piedmont, increases in the number of unsheltered individuals experiencing homelessness were observed in every jurisdiction within Alameda County.

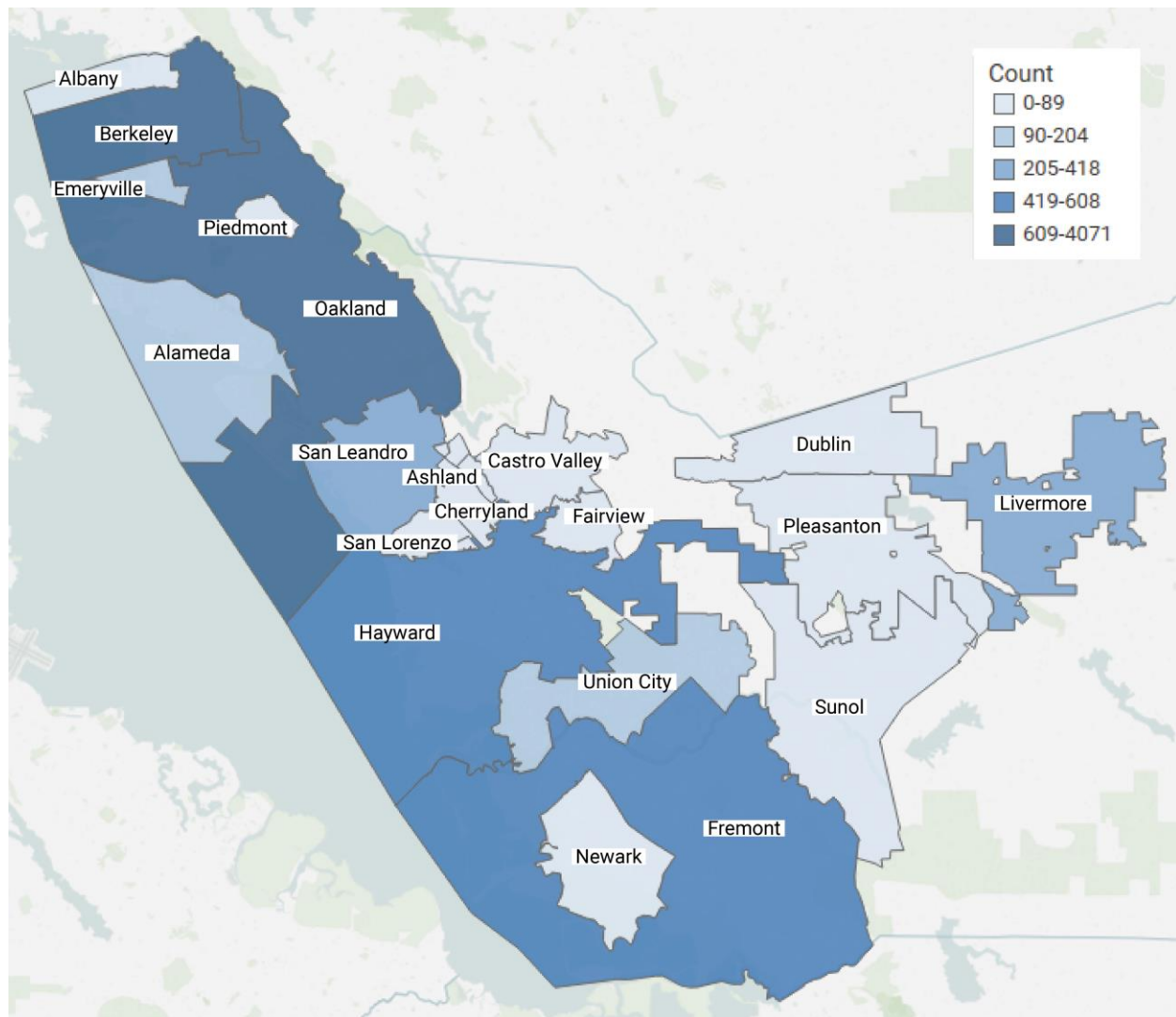
FIGURE 9. TOTAL NUMBER OF PERSONS EXPERIENCING HOMELESSNESS BY JURISDICTION AND SHELTER STATUS

Jurisdiction	2017			2019		
	Sheltered	Unsheltered	Total	Sheltered	Unsheltered	Total
Alameda	94	110	204	99	132	231
Albany	0	66	66	0	35	35
Berkeley	308	664	972	295	813	1,108
Dublin	0	21	21	0	8	8
Emeryville	0	29	29	0	178	178
Fremont	197	282	479	123	485	608
Hayward	84	313	397	115	372	487
Livermore	102	141	243	85	179	264
Newark	42	28	70	30	59	89
Oakland	859	1,902	2,761	861	3,210	4,071
Piedmont	0	0	0	0	0	0
Pleasanton	0	18	18	0	70	70
San Leandro	54	55	109	74	344	418
Union City	0	40	40	0	106	106
Unincorporated	26	194	220	28	321	349
<b>Total</b>	<b>1,766</b>	<b>3,863</b>	<b>5,629</b>	<b>1,710</b>	<b>6,312</b>	<b>8,022</b>



The following map of the Point-in-Time Count population illustrates the jurisdictions with the highest density of individuals experiencing homelessness.

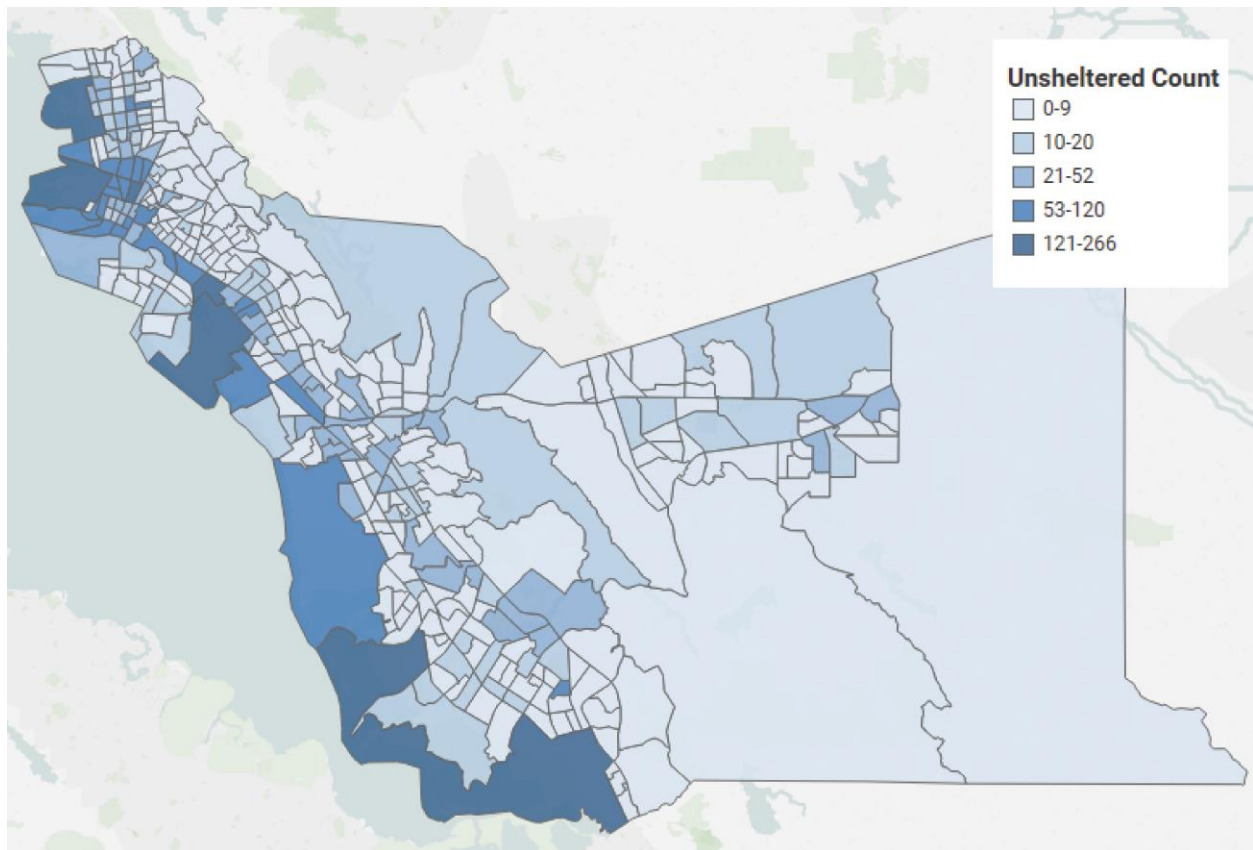
FIGURE 10. TOTAL NUMBER OF PERSONS EXPERIENCING HOMELESSNESS BY JURISDICTION





On January 30, 2019, volunteers and guides were assigned to count every census tract in Alameda County on to ensure full coverage. Census tract level data provides a more nuanced understanding of where individuals were located on the morning of the count.

FIGURE 11. TOTAL NUMBER OF UNSHELTERED PERSONS BY CENSUS TRACT





## SUBPOPULATIONS

*Home, Together: The Federal Strategic Plan to Prevent and End Homelessness* outlines national objectives and evaluative measures for ending homelessness in the United States. To adequately address the diversity within the population experiencing homelessness, the federal government identifies four subpopulations with particular challenges or needs. Consequently, these subpopulations represent important reportable indicators for measuring local progress toward ending homelessness. Additional detail on families, unaccompanied children and transition-age youth, veterans, chronically homeless, and veteran populations are provided in the *Subpopulation* section of this report.

### REPORTED SUBPOPULATIONS

Unaccompanied children and transition-age youth represented 9% of the overall population in 2019, a decrease from 18% in 2017. This decrease may be attributed, in part, to a shift in the methodology used to estimate the number of unaccompanied children and transition-age youth experiencing homelessness as well as the challenges in enumerating this population. Please reference *Appendix A* for more information. Additionally, please note that unaccompanied children and transition-age youth may also be referred to as unaccompanied youth and young adults.

In 2019, 7% of the overall population experiencing homelessness were persons in families with children under the age of 18 (524 individuals). This was a decrease from 2017, when families represented 13% of the population (711 individuals). This may be due in part to challenges in enumerating unsheltered families; for more information about limitations of methodology, please reference *Appendix A*.

Twenty-eight percent (28%) of the population were identified as chronically homeless in 2019, similar to the 29% in 2017. Nine percent (9%) of the population were identified as veterans; while this was consistent with the percentage of the population identified as veterans in 2017, the number of veterans increased by a total of 161 individuals.

Adults with serious mental illness comprised nearly one-third (32%) of the population in 2019 compared to 29% in 2017. The percentage of adults living with HIV/AIDS remained consistent with prior years (3%).

FIGURE 12. FEDERALLY REPORTED SUBPOPULATIONS

	2015		2017		2019	
	#	%	#	%	#	%
Persons in Families with Children	985	24%	711	13%	524	7%
Unaccompanied Youth and Young Adults	299	7%	991	18%	731	9%
Chronically Homeless	689	17%	1,652	29%	2,236	28%
Veterans	388	10%	531	9%	692	9%
Adults with Serious Mental Illness	714	18%	1,622	29%	2,590	32%
Adults with HIV/AIDS	68	2%	157	3%	207	3%
<b>Total Homeless Population</b>	<b>4,040</b>		<b>5,629</b>		<b>8,022</b>	





# Survey Findings

This section provides an overview of the findings generated from the survey component of the *EveryOne Counts! 2019 Homeless County and Survey*. Surveys were administered to a randomized sample of homeless individuals between February 1 and 28, 2019. This effort resulted in 1,681 complete and unique surveys.

Based on a Point-in-Time Count of 8,022 homeless persons, with a randomized survey sampling process, these 1,681 valid surveys represent a confidence interval of +/- 2% with a 95% confidence level when generalizing the results of the survey to the entire estimated population of individuals experiencing homelessness in Alameda County. In other words, if the survey were conducted again, we can be 95% certain that the results would be within two percentage points of the current results.

In order to respect respondent privacy and to ensure the safety and comfort of those who participated, respondents were not required to complete all survey questions. Missing values were intentionally omitted from the survey results. Therefore, the total number of respondents for each question will not always equal the total number of surveys conducted. For more information regarding the survey methodology, please see *Appendix A: Methodology*.

*Note on 2017 Comparison Data: Beginning in 2019, "Refuse" was included as an answer choice for all survey questions while it was previously included for select questions. Consequently, caution is advised in comparing trend data where 2017 "Refuse" data are noted as unavailable.*

## LIVING ACCOMMODATIONS

Where individuals lived prior to experiencing homelessness and where they have lived since impacts the way they seek services, as well as their ability to access support from friends or family. Previous circumstances can also point toward gaps in the system of care and opportunities for systemic improvement and homelessness prevention.

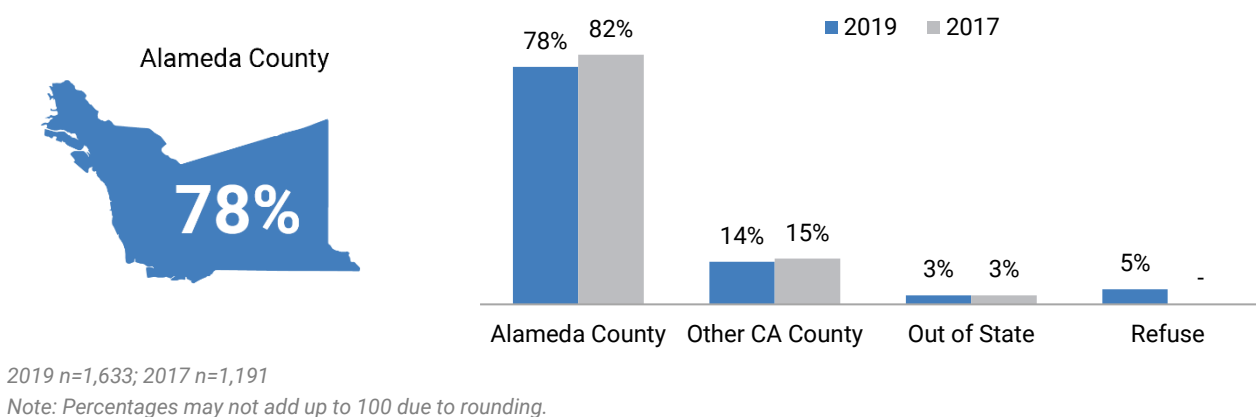
## PLACE OF RESIDENCE

Knowing where individuals were living prior to their housing loss informs discussions regarding how local the homeless population is to the region. This information can also influence changes to available support systems if Alameda County finds increasing numbers of individuals living locally before experiencing homelessness.

Seventy-eight percent (78%) of respondents reported living in Alameda County at the time they most recently became homeless. Fourteen percent (14%) reported living in another county in California; this included 4% from San Francisco and 2% from Contra Costa County. Three percent (3%) reported living out of state at the time they lost their housing.

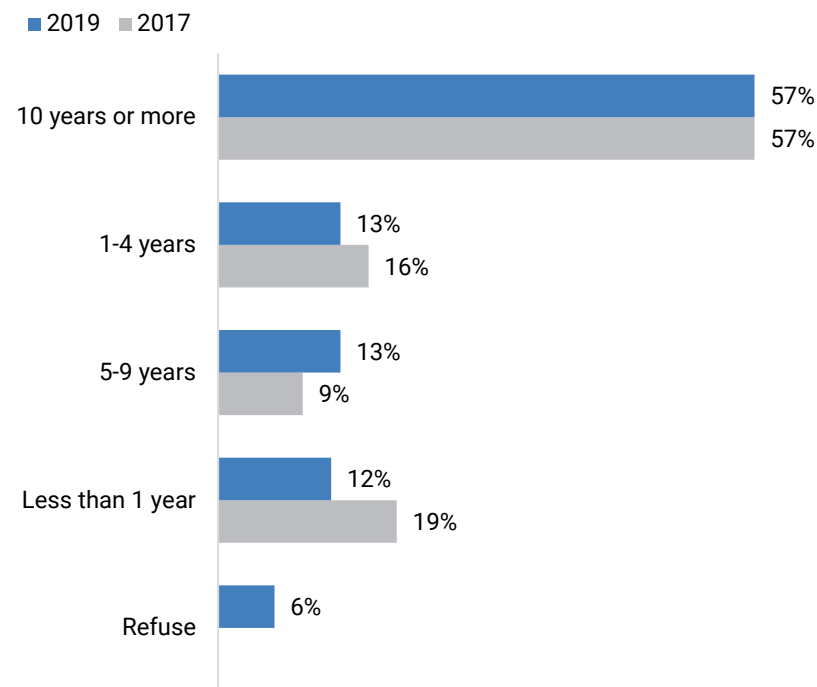


FIGURE 13. PLACE OF RESIDENCE AT TIME OF HOUSING LOSS



In total, 57% of respondents reported they had been living in Alameda for 10 years or more (this included individuals who were born or grew up in the county). Approximately 12% of the population had been living in Alameda County for less than one year.

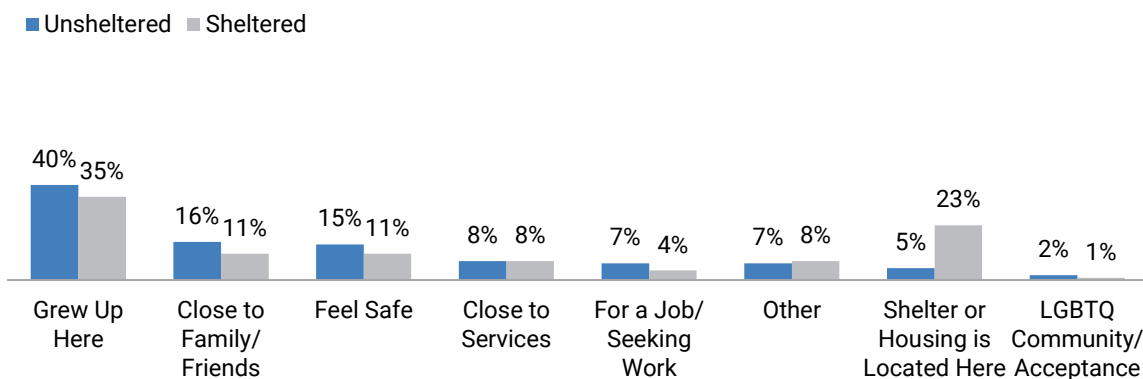
FIGURE 14. LENGTH OF TIME SPENT IN ALAMEDA COUNTY





Respondents were asked why they stay in their current location. Responses varied among sheltered and unsheltered respondents. Among unsheltered respondents, 40% reported that they grew up in the area or considered the area their home and 16% reported they stayed in the location because it was close to friends or family. Among sheltered respondents, 35% stayed there because they grew up in the area or considered the area their home, and 23% reported staying in the location because shelter or housing programs were located there. Eight percent (8%) of both sheltered and unsheltered respondents reported staying in a location because it was close to services.

FIGURE 15. REASON FOR STAYING IN CURRENT LOCATION (SPECIFIC PLACE)



Unsheltered n=1,224; Sheltered n=458

Note: Multiple response question, percentages will not add up to 100.

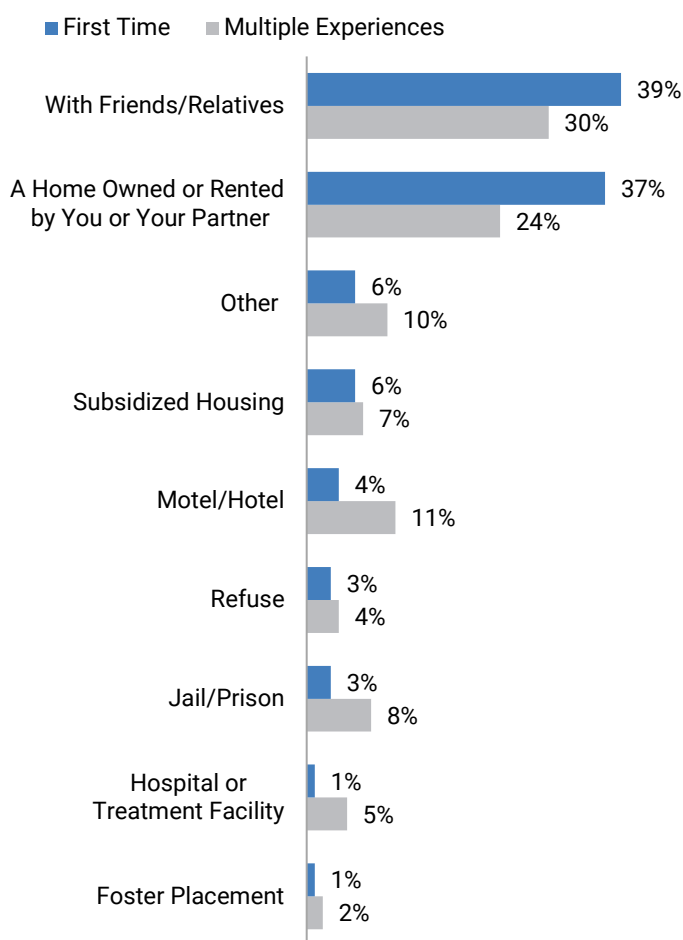


## PRIOR LIVING ARRANGEMENTS

Similar to previous place of residence, the type of living arrangements maintained by individuals before experiencing homelessness provides a look into what types of homeless prevention services might be offered to help individuals maintain their housing.

Where individuals were living varied slightly by whether or not it was the first time they were experiencing homelessness. Respondents experiencing homelessness for the first time reported higher rates of living in either a home owned or rented by themselves or a partner, or with friends or relatives immediately prior to experiencing homelessness. While these same living arrangements were the most frequently cited among respondents with multiple experiences of homelessness, these respondents reported higher rates of staying in a motel or hotel, jail or prison, or hospital or treatment facility immediately prior to their current episode of homelessness.

FIGURE 16. LIVING ARRANGEMENTS IMMEDIATELY PRIOR TO EXPERIENCING HOMELESSNESS BY FIRST-TIME HOMELESSNESS



2019 First Time n=492; Multiple Experiences n=1,013

Note: Percentages may not add up to 100 due to rounding.

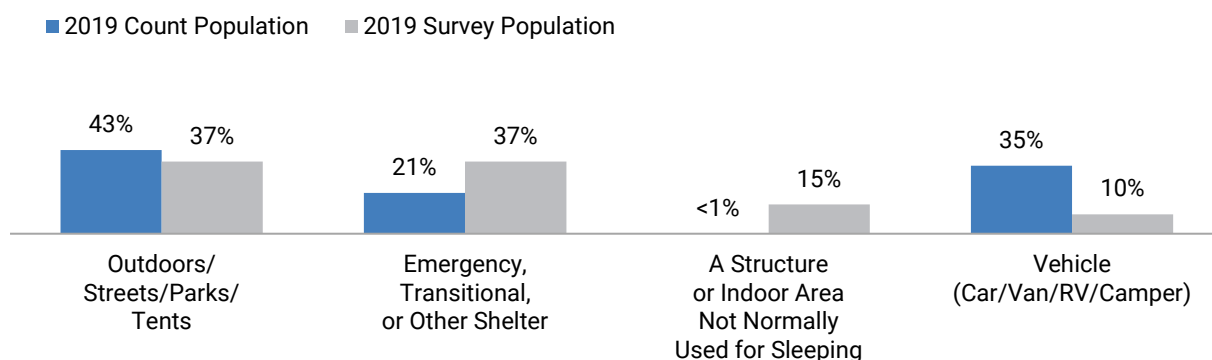


## CURRENT LIVING ARRANGEMENTS

Understanding the types of places individuals experiencing homelessness are sleeping can help inform local outreach efforts. While basic information on where individuals were observed during the general street count effort was collected, survey respondents were also asked about their living arrangements on the night of the count.

When asked about their living arrangements, 37% of survey respondents reported sleeping outdoors, either on the streets, in parks, or encampments. Another 37% reported staying in an emergency, transitional, or other type of shelter. Fifteen percent (15%) reported staying in a structure or indoor area not intended for human habitation, 10% were residing in a motel or hotel, and 10% were in a vehicle.

FIGURE 17. CURRENT LIVING ARRANGEMENTS



2019 Count Population n=8,022; 2019 Survey Population n=1,682

Note: Percentages may not add up to 100 due to rounding.



## DURATION AND RECURRENCE OF HOMELESSNESS

Unstable living conditions, poverty, housing scarcity, and many other issues often lead to individuals falling into homelessness. For some, the experience of homelessness is part of a long and recurring history of housing instability. While there is research that demonstrates how housing instability has many of the same effects as literal homelessness, particularly on families and children, extended periods of homelessness can affect a person's ability to obtain housing and employment and lead to increased health risks.<sup>1</sup> The length of time individuals remain on the street can also indicate the strain on the homeless assistance and housing systems.

Thirty-one percent (31%) of 2019 survey respondents reported experiencing homelessness for the first time.

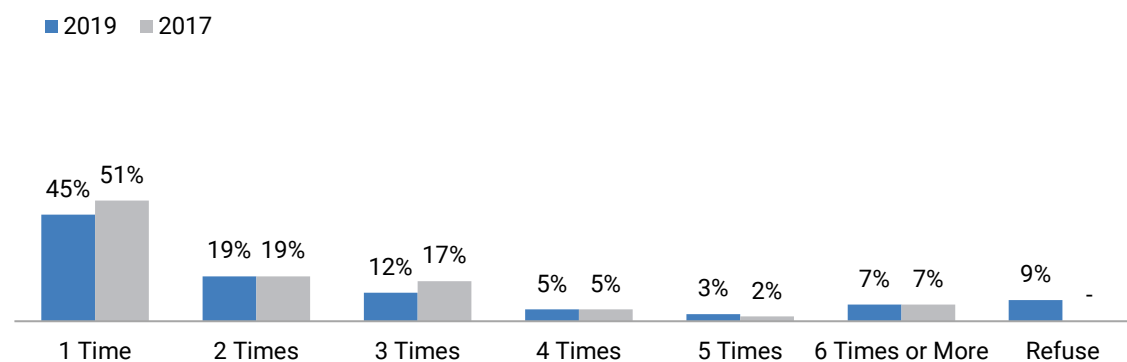
FIGURE 18. EXPERIENCING HOMELESSNESS FOR THE FIRST TIME



2019 n=1,628

Some individuals who experience homelessness will cycle in and out of stable housing. Over one-quarter (27%) of respondents reported experiencing homelessness three or more times in past three years.

FIGURE 19. NUMBER OF EPISODES OF HOMELESSNESS IN THE PAST THREE YEARS



2019 n=1,637; 2017 n=1,185

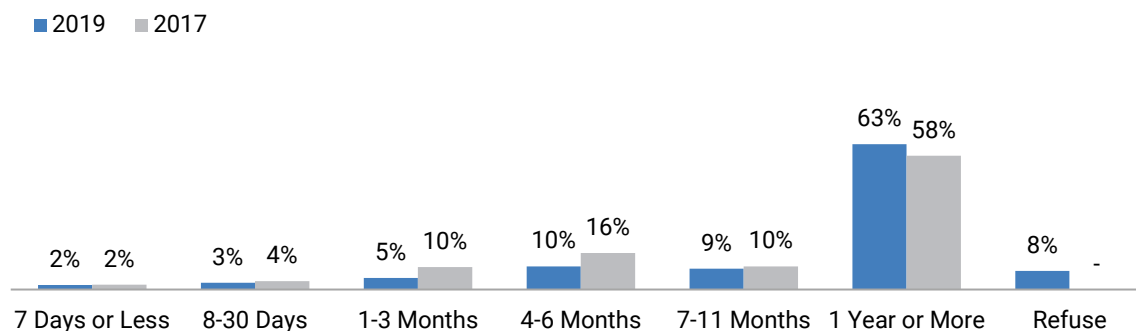
Note: Percentages may not add up to 100 due to rounding.

<sup>1</sup> Buckner, J.C. (2008). Understanding the impact of homelessness on children: Challenges and future research directions. *American Behavioral Scientist* 51 (6), 721-736.



The majority (63%) of survey respondents reported their current episode of homelessness lasting for one year or longer. Two percent (2%) of respondents reported experiencing homelessness for one week or less.

FIGURE 20. LENGTH OF CURRENT EPISODE OF HOMELESSNESS



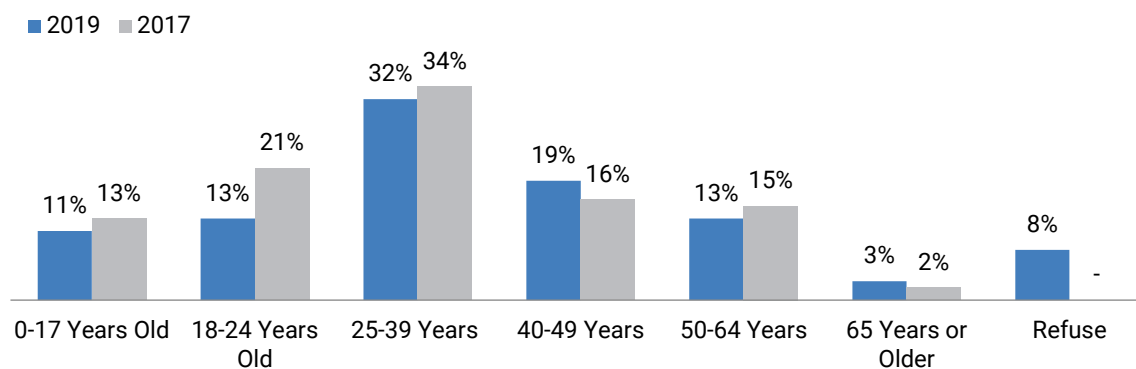
2019 n=1,638; 2017 n=1,184

Note: Results for 'Refuse' are unavailable for 2017 as this answer choice was added to this survey question beginning in 2019.

Respondents were asked the age at which they first experienced homelessness. This question provides some insight into how homelessness and housing instability affect the population over their lifetime. Eleven percent (11%) of respondents first experienced homelessness as a child under the age of 18, 13% first experienced homelessness as a young adult between the ages of 18 and 24, and over two-thirds (68%) reported their first time experiencing homelessness occurring over the age of 24. Among those who first experienced homelessness at age 25 and older, 16% reported first experiencing homelessness at age 50 or older.

In comparison, 4% of persons identified in the count were under the age of 18, 9% were between the ages of 18 and 24, 73% were between the ages of 25 and 59, and 14% were age 60 or older.

FIGURE 21. AGE AT FIRST EXPERIENCE OF HOMELESSNESS



2019 n=1,647; 2017 n=1,046

Note: Percentages may not add up to 100 due to rounding.

Note: Results for 'Refuse' are unavailable for 2017 as this answer choice was added to this survey question beginning in 2019.



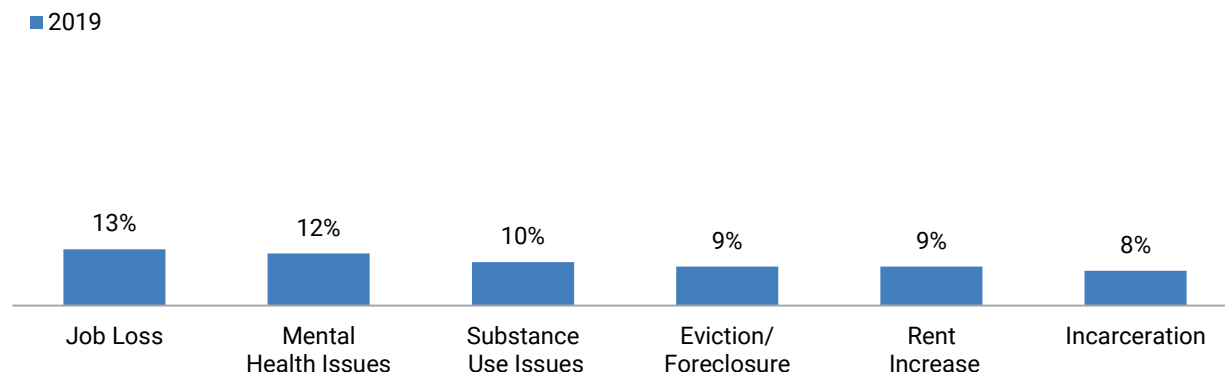
## PRIMARY CAUSE OF HOMELESSNESS

The primary cause of an individual's inability to obtain or retain housing is often difficult to pinpoint, as it is often the result of multiple and compounding causes. An inability to secure adequate and affordable housing can also lead to an inability to address other basic needs, such as health care and adequate nutrition.

When asked to identify the primary event or condition that led to their current homelessness experience, from a limited list of predominantly personal reasons, 31% cited economic factors such as job loss (13%), eviction or foreclosure (9%), and rent increase (9%). Over one-fifth (22%) cited behavioral health issues such as mental health (12%) and substance use (10%).

Although not among the most frequent responses, other reported causes of homelessness included family or friends could not afford to let them stay (7%) and family or domestic violence (6%).

FIGURE 22. PRIMARY CAUSE OF HOMELESSNESS (TOP SIX RESPONSES)



2019 n=1,655

Note: Multiple response question, percentages will not add up to 100.



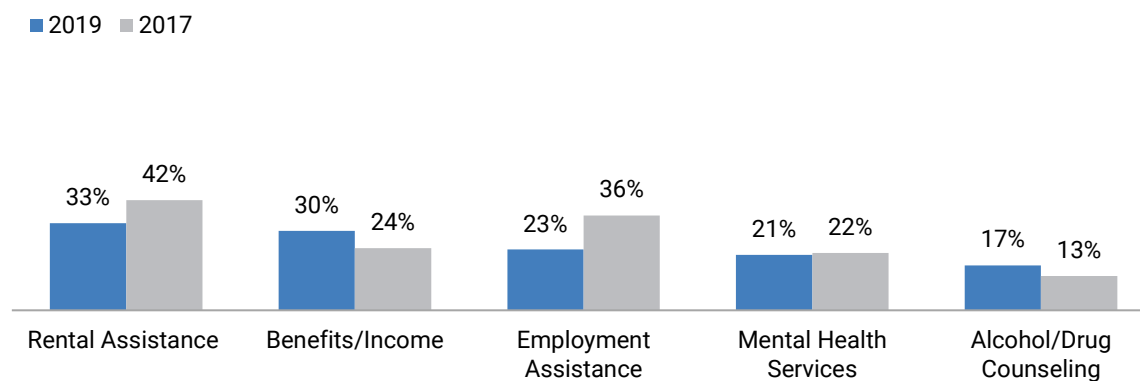
## SUPPORT THAT MIGHT HAVE PREVENTED HOMELESSNESS

Many individuals experiencing homelessness face significant barriers in retaining permanent housing. These barriers can range from housing affordability and availability to accessing the economic and social supports (e.g., increased income, rental assistance, and case management) needed to access and retain permanent housing.

When asked what might have helped them retain their housing, respondents most often cited income-related resources (59%) including benefits, increased income, employment assistance, and child support. Thirty-eight percent (38%) cited the need for behavioral health services (i.e., mental health and substance use counseling) while 33% reported that rental assistance would have prevented their current homelessness.

Other supports cited in 2019 included legal assistance (14%); help obtaining resources after leaving a hospital, treatment, jail, or prison facility (11%); and family counseling (10%).

FIGURE 23. SUPPORT THAT MIGHT HAVE PREVENTED HOMELESSNESS (TOP FIVE RESPONSES)



2019 n=1,658; 2017 n=1,185

Note: Multiple response question, percentages will not add up to 100.

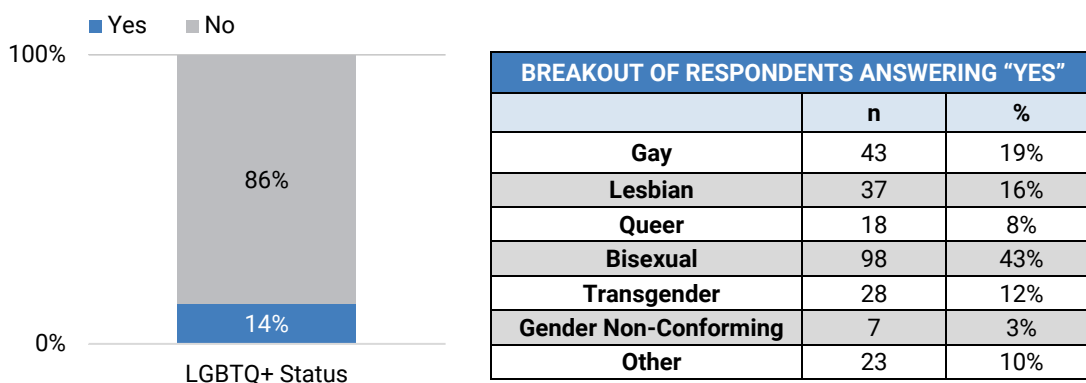


## SEXUAL ORIENTATION AND GENDER IDENTITY

While limited data are available on the number of lesbian, gay, bisexual, transgender, and queer (LGBTQ+) individuals experiencing homelessness, available data suggest that LGBTQ+ individuals experience homelessness at higher rates – especially among those under the age of 25.<sup>2,3</sup>

Fourteen percent (14%) of survey respondents identified as LGBTQ+ in 2019. Of those, 43% identified as bisexual, 19% as gay, 16% as lesbian, 12% as transgender, and 8% as queer. Ten percent (10%) of LGBTQ+ respondents reported an unspecified identity.

FIGURE 24. SEXUAL AND GENDER IDENTITY



LGBTQ+ 2019 n=1,682, Breakout n=229 respondents offering 254 responses

Note: Multiple response question, percentages will not add up to 100.

<sup>2</sup> True colors. (2017). Our Issue. 40% of Youth Experiencing Homelessness Identify as Lesbian, Gay, Bisexual, or Transgender (LGBT). Retrieved 2017 from <https://truecolorsfund.org/our-issue/>

<sup>3</sup> National Coalition for the Homeless. LGBT Homelessness. Retrieved 2017 from <http://nationalhomeless.org/issues/lgbt/>

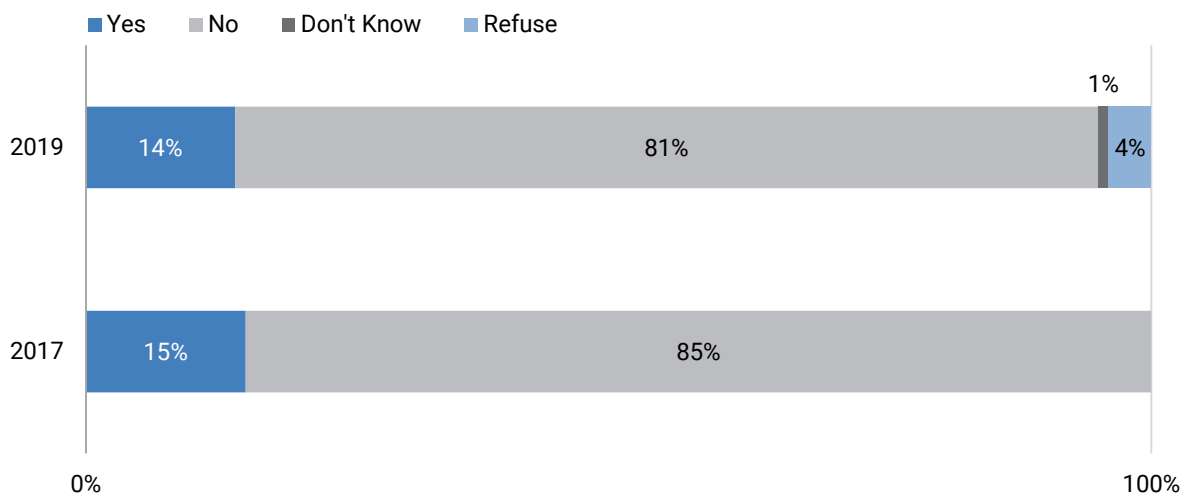


## FOSTER CARE SYSTEM

It has been estimated that one in five former foster youth experience homelessness within four years of exiting the foster care system.<sup>4</sup> In California, foster youth are eligible to receive services beyond age 18. Transitional housing and supportive services for youth aged 18-24 are provided through programs often referred to as Transitional Housing Placement-Plus (THP+).

In 2019, 14% of respondents reported a history of foster care. Eighteen percent (18%) of youth under age 25 reported that aging out of the foster care system was the primary cause of their current homelessness.

FIGURE 25. HISTORY OF FOSTER CARE



2019 n=1,657; 2017 n=1,190

<sup>4</sup> Fernandes, A.L. (2007). Runaway and homeless youth: Demographics, programs, and emerging issues. Congressional Research Services, January 2007. Retrieved from <http://www.endhomelessness.org/content/general/detail/1451>.

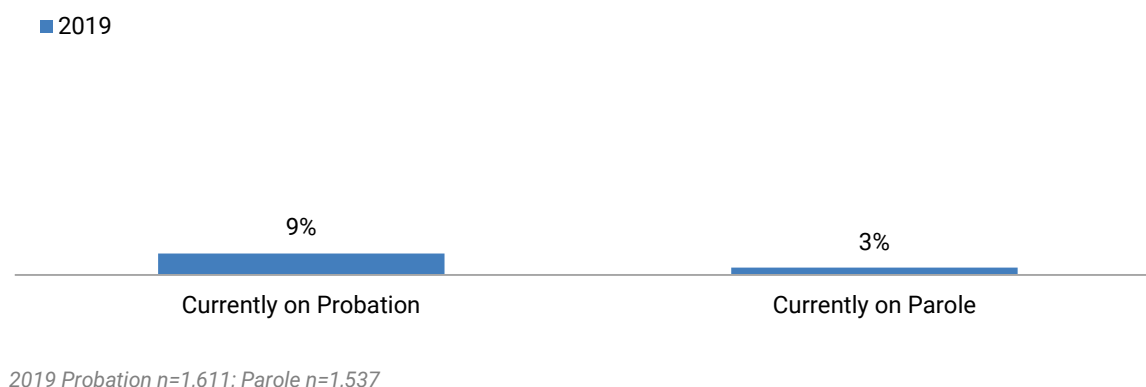


## CRIMINAL JUSTICE SYSTEM

Homelessness and incarceration are often correlative. Individuals without stable housing are at greater risk of criminal justice system involvement, particularly those with mental health issues, veterans, and youth. Individuals with past incarceration face significant barriers to exiting homelessness due to stigmatization and policies affecting their ability to gain employment and access housing opportunities.<sup>5</sup> A recent study found that formerly incarcerated people were almost ten times more likely to experience homelessness than the general public.<sup>6</sup>

Nine percent (9%) of respondents reported being on probation at the time of the survey; 3% reported being on parole.

FIGURE 26. CRIMINAL JUSTICE INVOLVEMENT



<sup>5</sup> Greenberg, GA, Rosenheck, RA. (2008). Jail Incarceration, Homelessness, and Mental Health: A National Study. *Psychiatric Services*, 2008 Feb;59(2): 170-7.

<sup>6</sup> Couloute, L. (2018). Nowhere to Go: Homelessness among formerly incarcerated people. Prison Policy Initiative, August 2018.



## SCHOOL ENROLLMENT

Communities across the country are becoming increasingly aware of the number of students in schools and colleges experiencing homelessness. A recent study of community college students across the nation showed roughly 14% were experiencing homelessness.<sup>7</sup> Enrollment in school not only points to the resiliency and drive of the people but also can help to identify institutions with the potential to provide outreach and support to individuals experiencing homelessness in the community.

At the time of the survey, 5% of respondents were enrolled in some type of schooling. Surveys were only conducted with heads of households; therefore, many school-age children are not represented in the survey results.

FIGURE 27. SCHOOL ENROLLMENT

School Enrollment	2017		2019	
	%	n	%	n
Enrolled	8%	90	5%	87
Not Enrolled	92%	1,009	92%	1,523
Refuse	-	-	2%	41

2019 n=1,651; 2017 n=1,099

Note: Percentages may not add up to 100 due to rounding.

<sup>7</sup> Wisconsin Hope Lab. (2017). Hungry and Homeless in College: Results from a National Study of Basic Needs Insecurity in Higher Education. Retrieved from <http://wihopelab.com/publications/hungry-and-homeless-in-college-report.pdf>.



## HEALTH

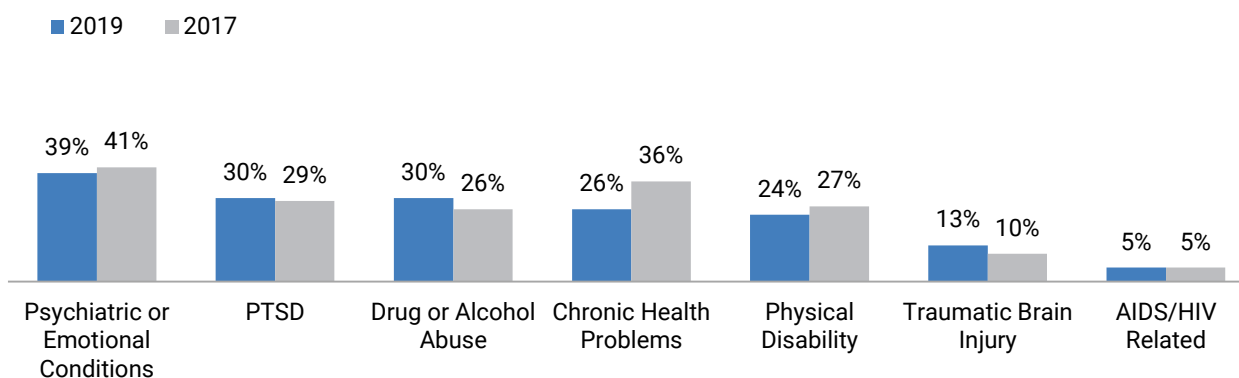
The average life expectancy for individuals experiencing homelessness is up to 36 years shorter than the general population.<sup>8</sup> Without regular access to health care and without safe and stable housing, individuals experience preventable illness and often endure longer hospitalizations. It is estimated that those experiencing homelessness stay four days (or 36%) longer per hospital admission than patients not experiencing homelessness.<sup>9</sup>

### HEALTH CONDITIONS

The most frequently reported health condition among survey respondents was psychiatric or emotional conditions (39%), followed by post-traumatic stress disorder (30%) and drug or alcohol abuse (30%). Twenty-six percent (26%) reported chronic health problems, 24% reported a physical disability, 13% reported a traumatic brain injury, and 5% reported living with an AIDS or an HIV-related condition.

Forty-two percent (42%) of respondents reported at least one of these conditions was disabling, preventing them from maintaining work or housing. Twenty percent (20%) reported living with three or more disabling conditions.

FIGURE 28. HEALTH CONDITIONS



2019 n=1,682; 2017 n=1,129

Note: Multiple response question, percentages will not add up to 100.

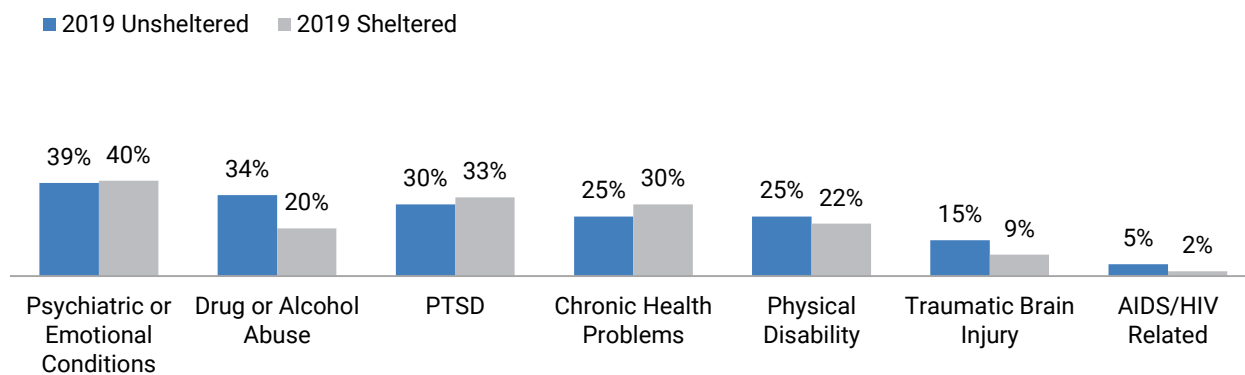
<sup>8</sup> Koachanek, M.A., et al. (2017). Mortality in the United States, 2016. NCHS Data Brief, no. 293. Hyattsville, MD: National Center for Health Statistics.

<sup>9</sup> Sharon A. Salit, M. E. (1998). Hospitalization Costs Associated with Homelessness in New York City. New England Journal of Medicine, 338, 1734-1740.



Prevalence of reported health conditions were relatively similar between unsheltered and sheltered survey respondents, with the exception of drug and alcohol abuse and traumatic brain injury. The most frequently reported conditions across both populations remained psychological or emotional conditions and post-traumatic stress disorder.

FIGURE 29. HEALTH CONDITIONS BY SHELTER STATUS



Unsheltered n=1,224; Sheltered n=458

Note: Multiple response question, percentages will not add up to 100.



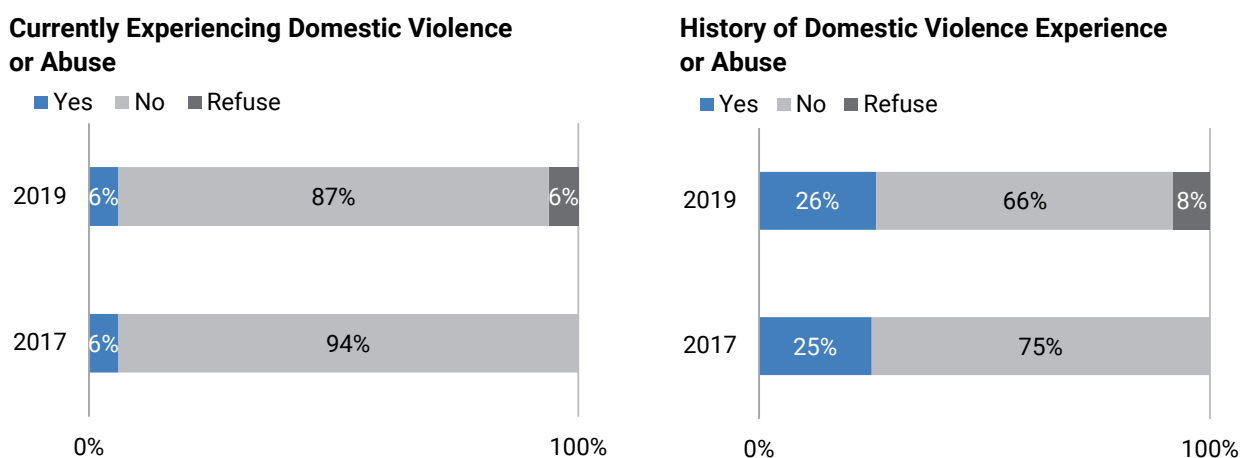
## DOMESTIC/PARTNER VIOLENCE OR ABUSE

Histories of domestic violence and partner abuse are prevalent among individuals experiencing homelessness and can be the primary cause of homelessness. Survivors often lack the financial resources required for housing, as their employment history or dependable income may be limited.

Six percent (6%) of survey respondents reported currently experiencing domestic violence or abuse. There was no difference observed between unsheltered and sheltered respondents (6% each). Domestic violence did vary by gender, as 4% of male respondents reported current experience compared to 10% of females. While there were very few transgender and gender non-conforming respondents, 8% and 3% reported currently experiencing domestic violence, respectively.

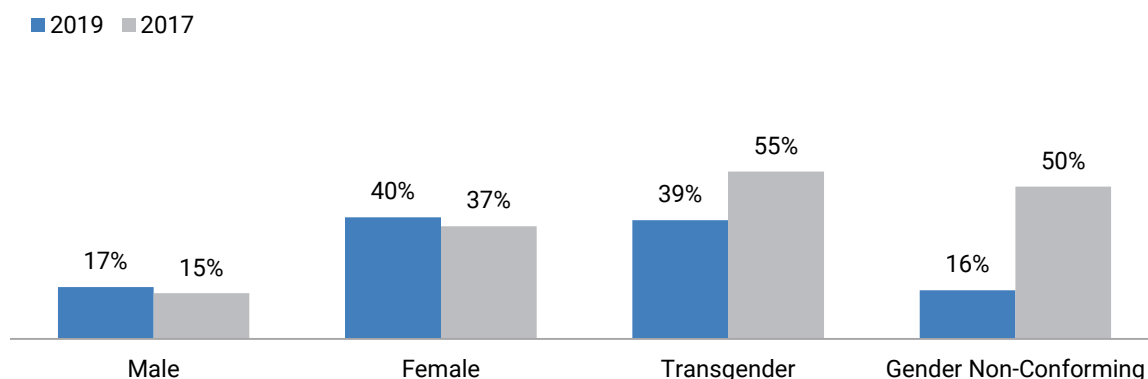
Twenty-six percent (26%) of respondents reported a history of ever experiencing physical, emotional, or sexual abuse by a relative or by a person with whom they have lived, such as a spouse, partner, sibling, parent, or roommate. This also varied by gender, with 17% of male, 40% of female, 39% of transgender, and 16% of gender non-conforming respondents experiencing domestic violence in their lifetime.

FIGURE 30. DOMESTIC VIOLENCE



Current Experience 2019 n = 1,599, 2017 n = 1,095; Lifetime experience 2019 n = 1,620, 2017 n = 1,074

FIGURE 31. HISTORY OF DOMESTIC VIOLENCE EXPERIENCE BY GENDER



2019 Male n=941, Female n=609, Transgender n=26, Gender Non-Conforming n=38; Alameda 2017: Male n= 592, Female n=492; Transgender n=11; Gender Non-Conforming n=2



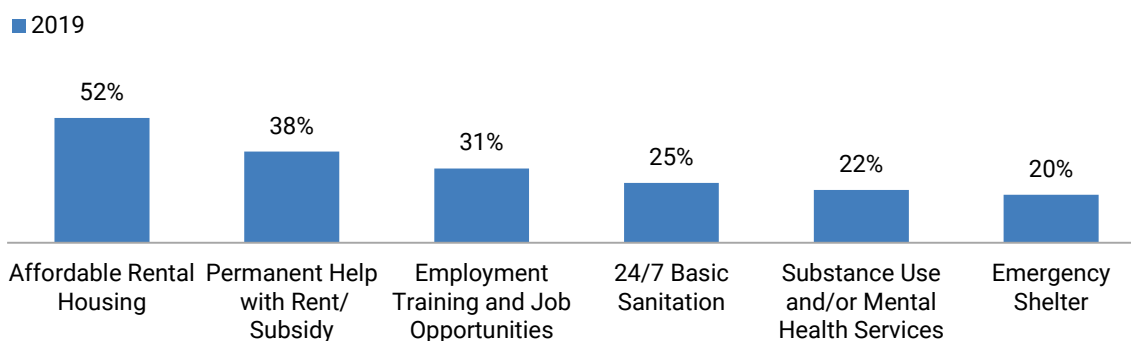
## SERVICES AND ASSISTANCE

Alameda County provides services and assistance to those currently experiencing homelessness through federal and local programs. Government assistance and homeless services work to enable individuals and families to obtain income and support. However, many individuals and families do not apply for services, as many believe that they are ineligible for assistance. Connecting homeless individuals and families to these support services creates a bridge to mainstream support services and can prevent future housing instability.

## RECOMMENDED USES FOR SPENDING NEW MONEY TO END HOMELESSNESS

Survey respondents were asked to identify uses for funding to end homelessness in Alameda County if new money became available. Over half (52%) of respondents identified affordable rental housing and over one-third (38%) identified permanent help with rent. Employment training and job opportunities (31%), 24/7 basic sanitation services (25%), behavioral health services (22%), and emergency shelter (20%) were also among the top recommendations.

FIGURE 32. HOW ANY NEW FUNDING TO END HOMELESSNESS IN ALAMEDA COUNTY SHOULD BE SPENT (TOP SIX RESPONSES)



2019 n=1,649 respondents providing 4,788 responses

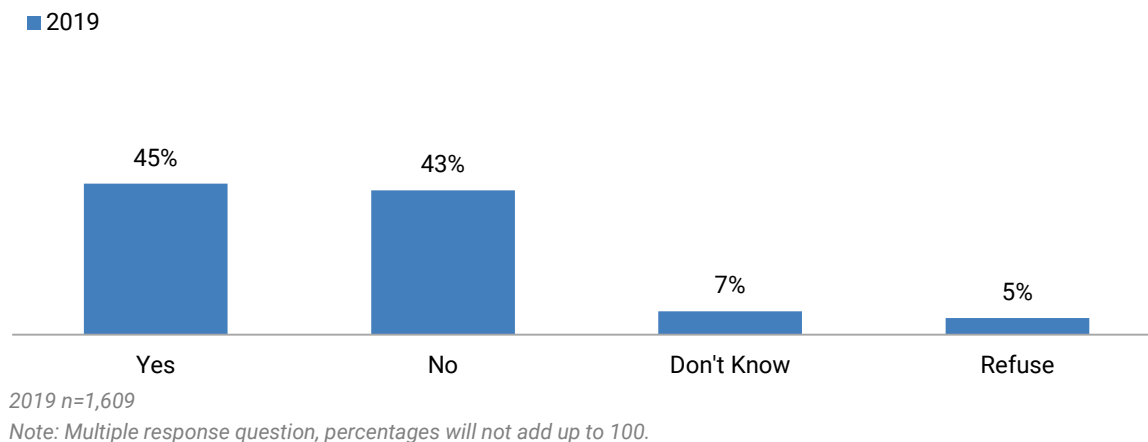
Note: Multiple response question, percentages will not add up to 100.



## COORDINATED ENTRY

Coordinated entry is the front door of Alameda County's Housing Crisis Response System that is designed to problem-solve, assess, and match people to available resources and to ensure that individuals with the highest needs are prioritized. When asked whether they had accessed coordinated entry, less than half (45%) of respondents reported that they had been told to call 211, talked to an outreach worker, or visited a Hub/Housing Resource Center to access housing or services. Seven percent (7%) were unsure whether they had used coordinated entry.

FIGURE 33. COORDINATED ENTRY USE

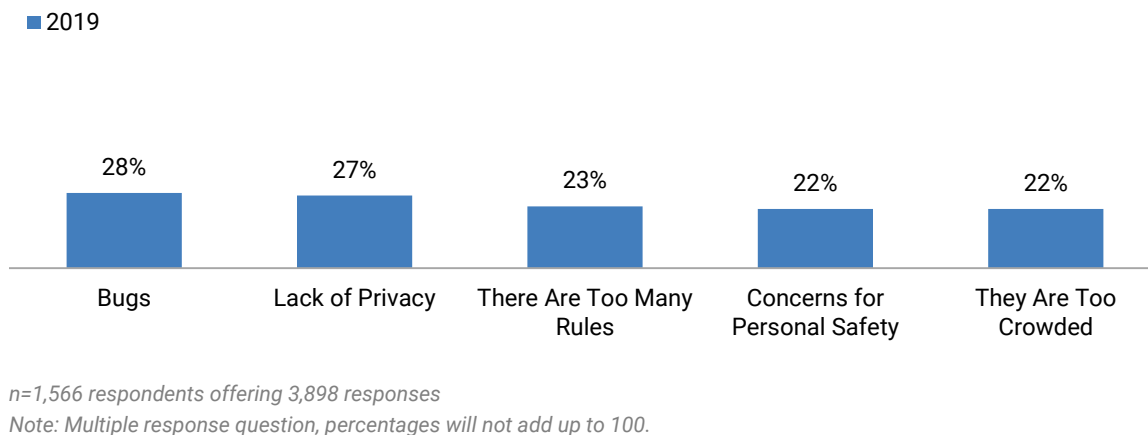


## SHELTER SERVICES

Emergency shelters provide a safe, short-term alternative to the streets for people experiencing homelessness by providing support for immediate, basic needs as well as linkages to other support services and longer-term housing opportunities.

When asked what prevents them from using shelter services, survey respondents cited a number of reasons. Twenty-eight percent (28%) said they do not use them because of bugs, 27% cited a lack of privacy, 23% cited too many rules, and 22% each cited crowding and concerns for personal safety.

FIGURE 34. REASONS FOR NOT USING SHELTER SERVICES (TOP FIVE RESPONSES)

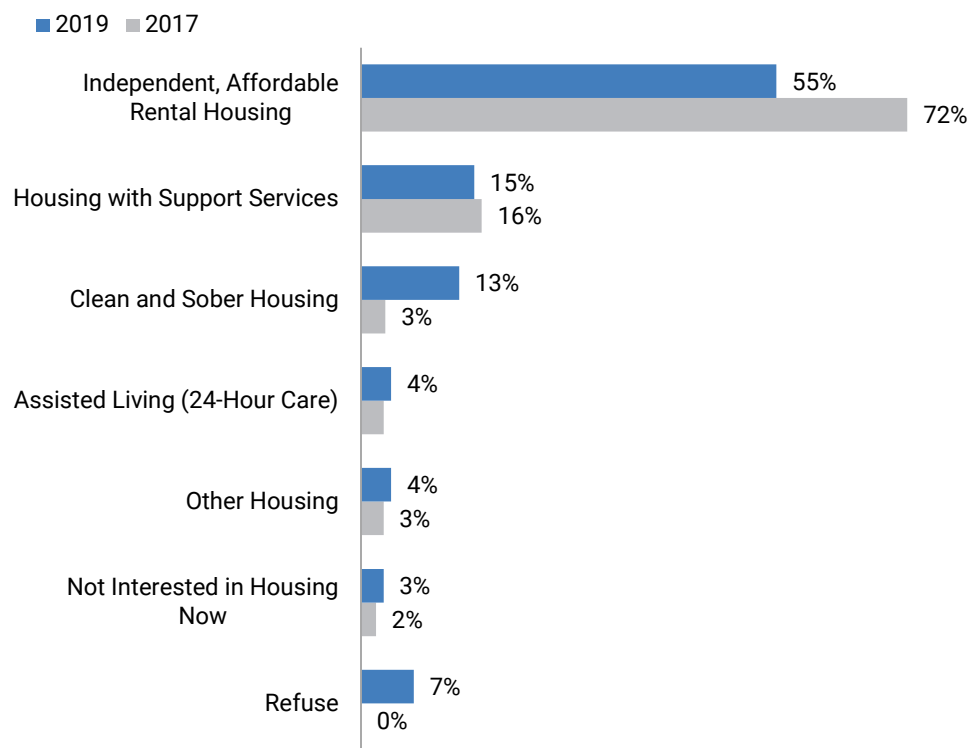




## INTEREST IN HOUSING

While it is often believed that people experiencing homelessness do not want housing and choose to live on the street, just 3% of respondents reported they were not interested in housing. The majority were interested in independent affordable housing (55%); however other respondents wanted housing with support services (15%), clean and sober housing (13%), and assisted living with 24-hour care (4%).

FIGURE 35. TYPES OF HOUSING WANTED



2019 n=1,635; 2017 n=1,169

Note: Percentages may not add up to 100 due to rounding.





# Subpopulations

*Home, Together: The Federal Strategic Plan to Prevent and End Homelessness* outlines national objectives and evaluative measures for ending homelessness among all populations in the United States.

In order to adequately address the diversity within the population experiencing homelessness, the federal government identifies four subpopulations with particular challenges or needs, including:

- Families with children;
- Unaccompanied children and transition-age youth;
- Persons experiencing chronic homelessness; and
- Veterans

Consequently, these subpopulations represent important reportable indicators for measuring local progress toward ending homelessness.

The following sections examine each of these four subpopulations, identifying the number and characteristics of individuals included in the *EveryOne Counts! 2019 Homeless Count and Survey*. Additional details on the number and characteristics of single individuals 25 years and older are also presented in this section, as it is the largest population of persons experiencing homelessness in Alameda County.

Of the 1,681 surveys completed in 2019, the results represent 1,112 single unsheltered adults 25 years and older, 115 individuals in homeless families, 124 unaccompanied children and transition-age youth, 377 chronically homeless individuals and 157 homeless veterans. Surveys were completed in unsheltered environments, emergency shelters, and transitional housing settings.



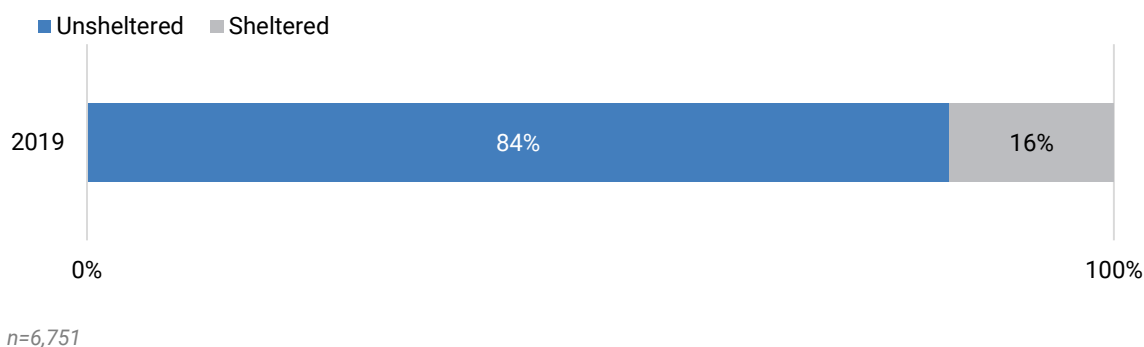
## SINGLE ADULTS 25 YEARS AND OLDER

The largest number of people experiencing homelessness are adults over the age of 24 in households without children. This population is often referred to as single adults age 25 years and older, though it may include married or non-married couples and multi-adults households. It is often assumed that this population has high medical and mental health needs, yet data suggests that most of this population does not.<sup>10</sup>

### NUMBER OF SINGLE ADULTS 25 YEARS AND OLDER

In 2019, single adults age 25 years and older comprised 84% of the population experiencing homelessness in Alameda County (6,751 individuals). Unsheltered single adults 25 years and older represented 90% of the total unsheltered population (5,697 individuals).

FIGURE 36. SHELTER STATUS OF SINGLE ADULTS 25 YEARS AND OLDER EXPERIENCING HOMELESSNESS



<sup>10</sup> NAEH. (July 2016). End Single Adult Homelessness, Retrieved 2017 from [http://www.endhomelessness.org/page/-/files/End%20Single%20Homelessness\\_Final.pdf](http://www.endhomelessness.org/page/-/files/End%20Single%20Homelessness_Final.pdf)

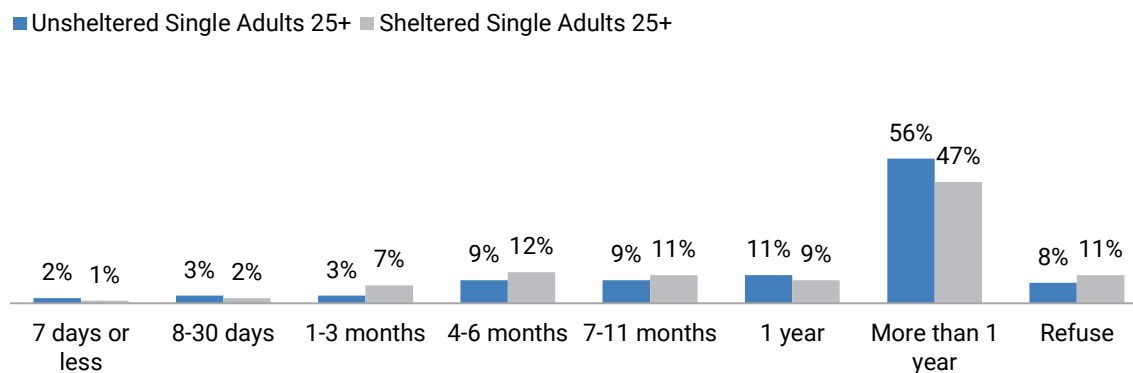


## LENGTH OF HOMELESSNESS AMONG SINGLE ADULTS 25 YEARS AND OLDER

Rate of first-time homelessness were similar between unsheltered and sheltered single adults age 25 and older, 31% compared to 33%.

Over half (56%) of unsheltered single adults age 25 and older reported experiencing homelessness for more than one year, compared to 47% of sheltered single adults.

FIGURE 37. LENGTH OF CURRENT EPISODE OF HOMELESSNESS AMONG SINGLE ADULTS 25 YEARS AND OLDER



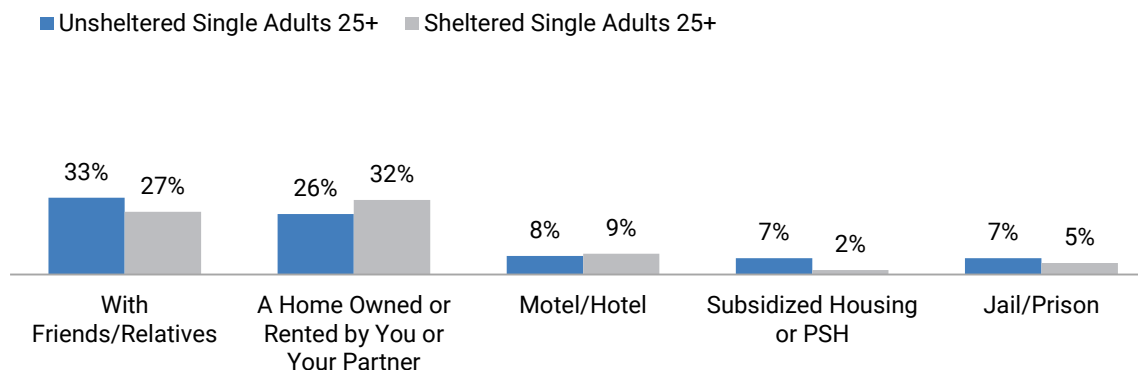
Unsheltered Single Adults 25+ n= 1,101, Sheltered Single Adults 25+ n=327

Note: Percentages may not add up to 100 due to rounding.

## PRIOR LIVING SITUATION OF SINGLE ADULTS 25 YEARS AND OLDER

Unsheltered single adults age 25 and older most frequently reported staying in a home owned or rented by friends or relatives; sheltered single adults age 25 and older most often reported staying in a home owned or rented by themselves or their partner prior to experiencing homelessness.

FIGURE 38. LIVING ARRANGEMENTS IMMEDIATELY PRIOR TO BECOMING HOMELESS AMONG SINGLE ADULTS 25 YEARS AND OLDER (TOP FIVE RESPONSES)



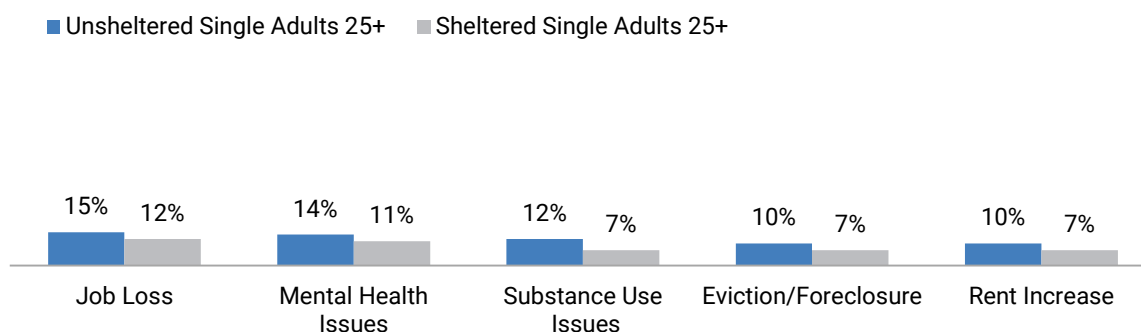
Unsheltered Single Adults 25+ n= 1,088, Sheltered Single Adults 25+ n=326



### PRIMARY CAUSE OF HOMELESSNESS AND PREVENTIVE SERVICES NEEDED AMONG SINGLE ADULTS 25 YEARS AND OLDER

The most frequently reported cause of homelessness was job loss, by 15% of unsheltered single adults 25 and older and 12% of sheltered single adults 25 and older. Fourteen percent (14%) of unsheltered and 11% of sheltered single adults 25 years or older reported mental health issues as the primary cause of their homelessness. Twelve percent (12%) of unsheltered and 7% of sheltered single adults 25 years or older cited substance use issues as the primary cause.

FIGURE 39. PRIMARY CAUSE OF HOMELESSNESS AMONG SINGLE ADULTS 25 YEARS AND OLDER (TOP FIVE RESPONSES)

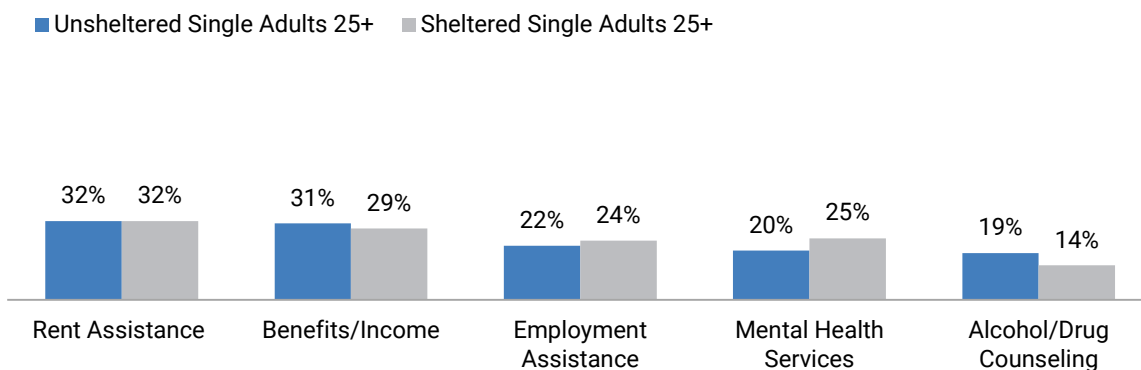


Unsheltered Single Adults 25+ n= 1,096, Sheltered Single Adults 25+ n=325

Note: Multiple response question, percentages will not add up to 100.

Nearly one-third (32%) of both unsheltered and sheltered single adults 25 years and older most frequently reported that rental assistance would have helped to prevent their housing loss. Unsheltered and sheltered single adults 25 years and older reported needing similar types of support overall.

FIGURE 40. SUPPORT NEEDED TO PREVENT HOUSING LOSS AMONG SINGLE ADULTS 25 YEARS AND OLDER (TOP FIVE RESPONSES)



Unsheltered Single Adults 25+ n= 1,098 offering 2,449 responses, Sheltered Single Adults 25+ n=325 offering 730 responses

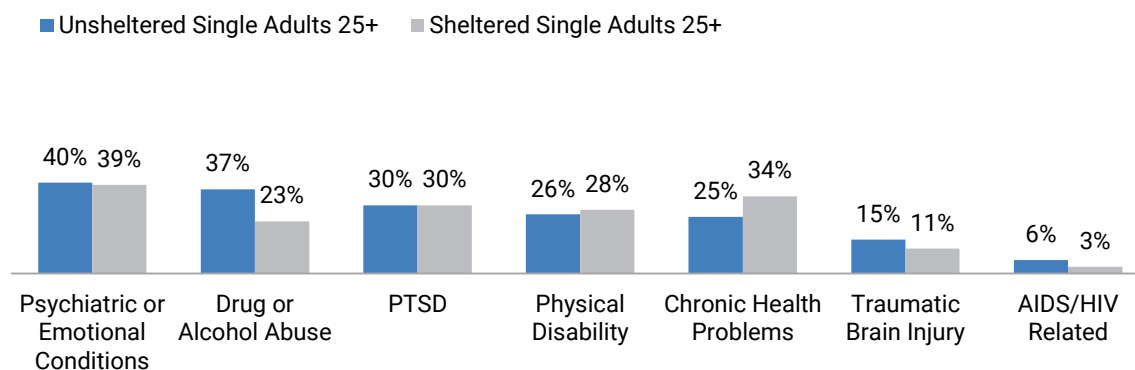
Note: Multiple response question, percentages will not add up to 100.



## HEALTH CONDITIONS AMONG SINGLE ADULTS 25 YEARS AND OLDER

Overall, unsheltered and sheltered single adults 25 years and older reported similar rates of living with various health conditions (62% and 59%, respectively). Unsheltered single adults 25 years and older most often reported psychiatric or emotional problems (40%), drug or alcohol abuse (37%), PTSD (30%), and physical disability (26%). Sheltered single adults 25 years and older most often reported psychiatric or emotional conditions (39%), chronic health problems (34%), PTSD (30%), and physical disability (28%).

FIGURE 41. HEALTH CONDITIONS AMONG SINGLE ADULTS 25 YEARS AND OLDER



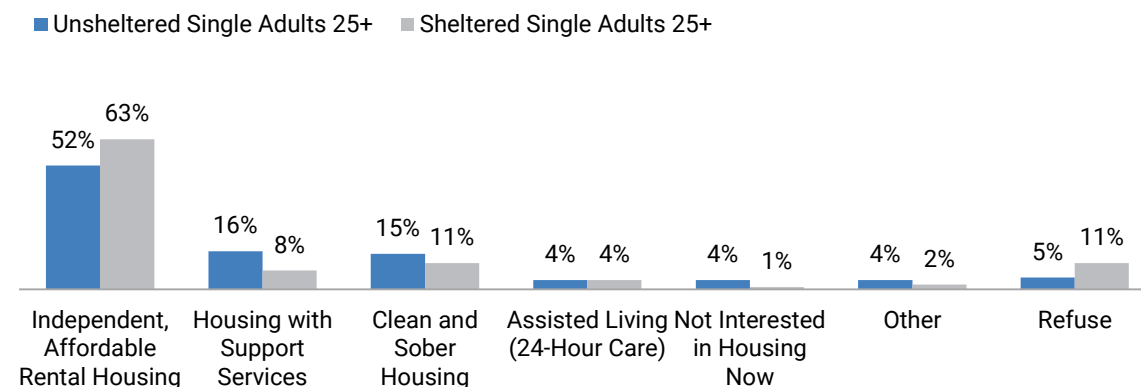
Unsheltered Single Adults 25+ n= 1,112, Sheltered Single Adults 25+ n=330

Note: Multiple response question, percentages will not add up to 100.

## HOUSING INTEREST AMONG SINGLE ADULTS 25 YEARS AND OLDER

The percentage of unsheltered single adults 25 years and older who reported they were not currently interested in housing was 4%, compared to 1% of sheltered single adults 25 years and older. The majority of both unsheltered and sheltered single adults 25 years and older reported interest in independent affordable rental housing.

FIGURE 42. TYPES OF HOUSING WANTED AMONG SINGLE ADULTS 25 YEARS AND OLDER



Unsheltered Single Adults 25+ n= 1,080, Sheltered Single Adults 25+ n=323

Note: Multiple response question, percentages will not add up to 100.

Note: 3% of the population reported they were interested in another type of housing, not listed in closed ended response options.



## FAMILIES WITH CHILDREN

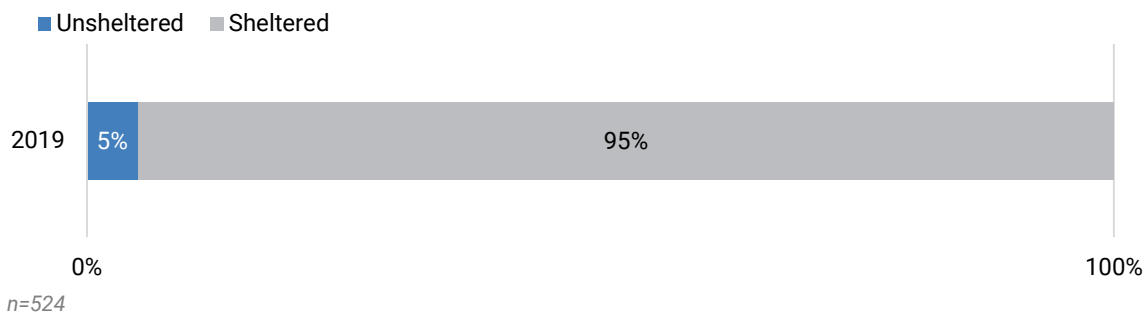
National data from 2017 indicate that 33% of all people experiencing homelessness are persons in families.<sup>11</sup> Very few families experiencing homelessness are unsheltered, as public shelters serve 90% of families experiencing homelessness in the United States; this is a significantly higher proportion of the population compared with other subpopulations, including unaccompanied children and transition-age youth.

Nationally, the majority of families experiencing homelessness are households headed by single women and families with children under the age of six.<sup>12</sup> Children in families experiencing homelessness have increased incidence of illness and are more likely to have emotional and behavioral problems than children with stable living accommodations.<sup>13</sup>

## HOMELESS FAMILIES WITH CHILDREN

There were 170 families consisting of 524 individuals counted in 2019. The number of people in families with children represented 7% of the county's overall homeless population. Children under 18 represented 57% of those in families.

FIGURE 43. SHELTER STATUS OF FAMILIES WITH CHILDREN EXPERIENCING HOMELESSNESS



<sup>11</sup> U. S. Department of Housing and Urban Development. (2017). The 2017 Annual Assessment Report (AHAR) to Congress. Retrieved 2018 from <https://www.hudexchange.info/resources/documents/2017-AHAR-Part-1.pdf>

<sup>12</sup> U. S. Department of Health and Human Services. (2007). Characteristics and Dynamics of Homeless Families with Children. Retrieved 2015 from <http://aspe.hhs.gov/>

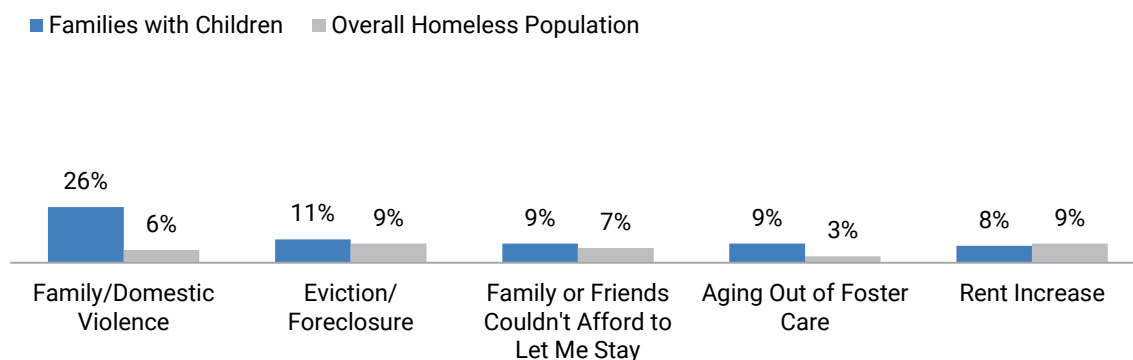
<sup>13</sup> U.S. Interagency Council on Homelessness. (2015). Opening Doors. Retrieved 2015 from <http://www.usich.gov/>



## PRIMARY CAUSE OF HOMELESSNESS AMONG HOMELESS FAMILIES WITH CHILDREN

The most frequently reported cause of homelessness among individuals in families with children was family or domestic violence (26%). Eleven percent (11%) reported eviction or foreclosure, 9% reported friends or family could not afford to let them stay with them, 9% reported aging out of foster care, and 8% reported a rent increase as the primary cause of their homelessness.

FIGURE 44. PRIMARY CAUSE OF HOMELESSNESS AMONG FAMILIES WITH CHILDREN



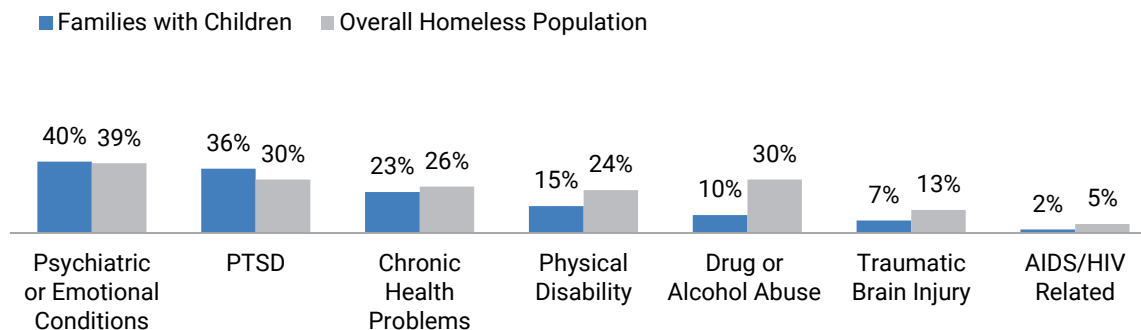
Families with Children n=113, Overall Homeless Population n=1,655

Note: Multiple response question, percentages will not add up to 100.

## HEALTH CONDITIONS AMONG HOMELESS FAMILIES WITH CHILDREN

Forty percent (40%) of family respondents reported experiencing psychiatric or emotional conditions. Thirty-six percent (36%) reported PTSD, 23% reported chronic health problems, 15% reported physical disability, 10% reported drug or alcohol abuse, 7% reported a traumatic brain injury, and 2% reported living with an AIDS or an HIV related condition. Compared to all respondents, families with children reported higher rates of PTSD and notably lower rates of drug or alcohol abuse and physical disabilities. It is important to recognize that all data are self-reported.

FIGURE 45. HEALTH CONDITIONS AMONG FAMILIES WITH CHILDREN



Families with Children n=115, Overall Homeless Population n= 1,682

Note: Multiple response question, percentages will not add up to 100.





## UNACCOMPANIED CHILDREN AND TRANSITION-AGE YOUTH

Due to the nature of youth homelessness, limited data are available on unaccompanied children and transition-age youth experiencing homelessness. Young people experiencing homelessness have a harder time accessing services, including shelter, medical care, and employment. This is due to the stigma of their housing situation, lack of knowledge of available resources, and a dearth of services targeted to young people.<sup>14</sup>

Although largely considered an undercount, nationwide estimates from 2017 suggest there are at least 40,799 unaccompanied children and transition-age youth on the streets and in public shelters, an increase of 14% over 2016.<sup>15</sup> This increase may be due, in part, to the focus on unaccompanied youth during the 2017 Point-in-Time Count, which served as a nationwide baseline year.

In 2012, the U.S. Interagency Council on Homelessness amended the federal strategic plan to end homelessness to include specific strategies and supports to address the needs of unaccompanied homeless children and transition-age youth. As part of this effort, the U.S. Department of Housing and Urban Development placed increased focus on gathering data on unaccompanied homeless children and transition-age youth during the Point-in-Time Count.

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<sup>14</sup> National Coalition for the Homeless. (2011). Homeless Youth Fact Sheet. Retrieved 2011 from <http://www.nationalhomeless.org>.

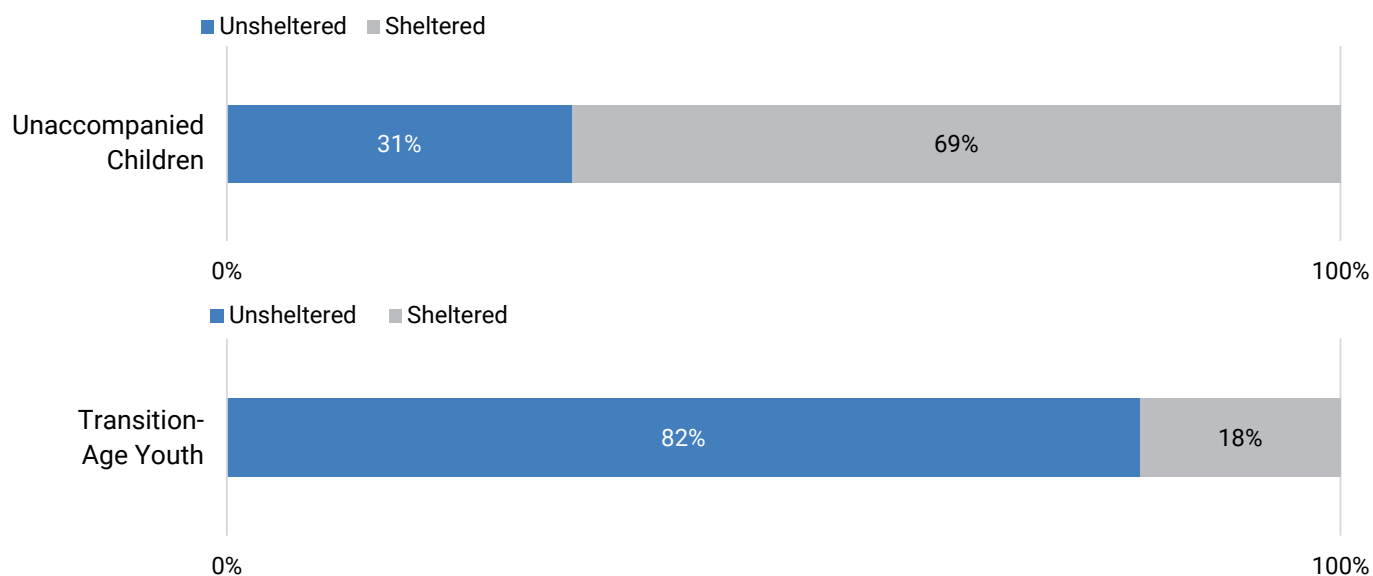
<sup>15</sup> U. S. Department of Housing and Urban Development. (2017). The 2017 Annual Assessment Report (AHAR) to Congress. Retrieved 2018 from <https://www.hudexchange.info/resources/documents/2017-AHAR-Part-1.pdf>



### UNACCOMPANIED CHILDREN AND TRANSITION-AGE YOUTH

Transition-age youth, young people between the ages of 18 and 24 years old, represented 9% of the overall population experiencing homelessness in Alameda County (702 individuals). Unaccompanied children, under age 18, represented less than 1% of the population (29 individuals).

FIGURE 46. SHELTER STATUS OF UNACCOMPANIED CHILDREN AND TRANSITION-AGE YOUTH EXPERIENCING HOMELESSNESS



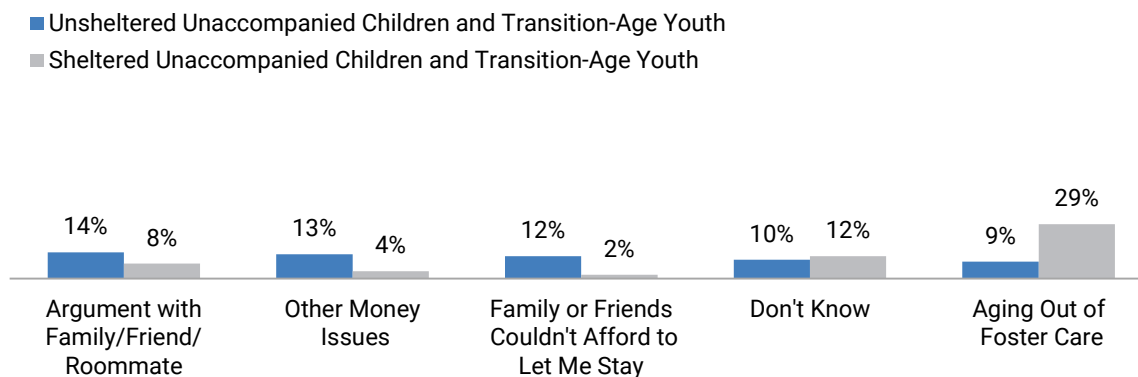
*Unaccompanied Children n=29; Transition-Age Youth n=29*



## PRIMARY CAUSE OF HOMELESSNESS AMONG UNACCOMPANIED HOMELESS CHILDREN AND TRANSITION-AGE YOUTH

An argument with a family, friend, or roommate was the most frequently cited cause of homelessness among unsheltered unaccompanied youth (14%), compared to aging out of foster care among sheltered youth (29%). Unsheltered youth also more frequently attributed their homelessness to a family member or friend who could not afford to let them stay with them (12% compared to 2%).

FIGURE 47. PRIMARY CAUSE OF HOMELESSNESS AMONG UNACCOMPANIED CHILDREN AND TRANSITION-AGE YOUTH



*Unsheltered Unaccompanied Children and Transition-Age Youth Survey Population n=69; Sheltered Unaccompanied Children and Transition-Age Youth Survey Population n=51*

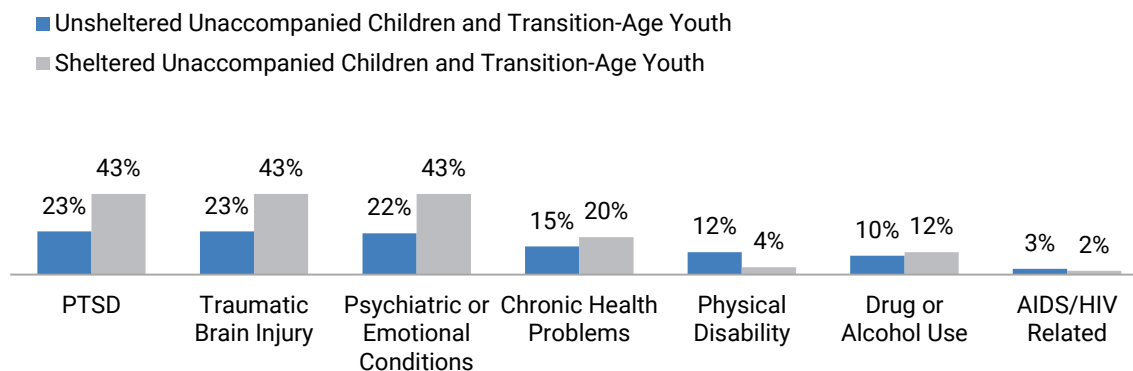
*Note: Multiple response question, percentages will not add up to 100.*



## HEALTH CONDITIONS AMONG UNACCOMPANIED HOMELESS CHILDREN AND TRANSITION-AGE YOUTH

Though generally healthier than the adult homeless population, health is still an issue for young people experiencing homelessness. Forty-three percent (43%) of sheltered youth reported living with psychiatric or emotional conditions compared to 22% of unsheltered youth; 43% of sheltered youth reported PTSD as compared to 23% of unsheltered youth.

FIGURE 48. HEALTH CONDITIONS AMONG UNACCOMPANIED CHILDREN AND TRANSITION-AGE YOUTH



*Unsheltered Unaccompanied Children and Transition-Age Youth Survey Population n=73, Sheltered Unaccompanied Children and Transition-Age Youth Survey Population n=51*

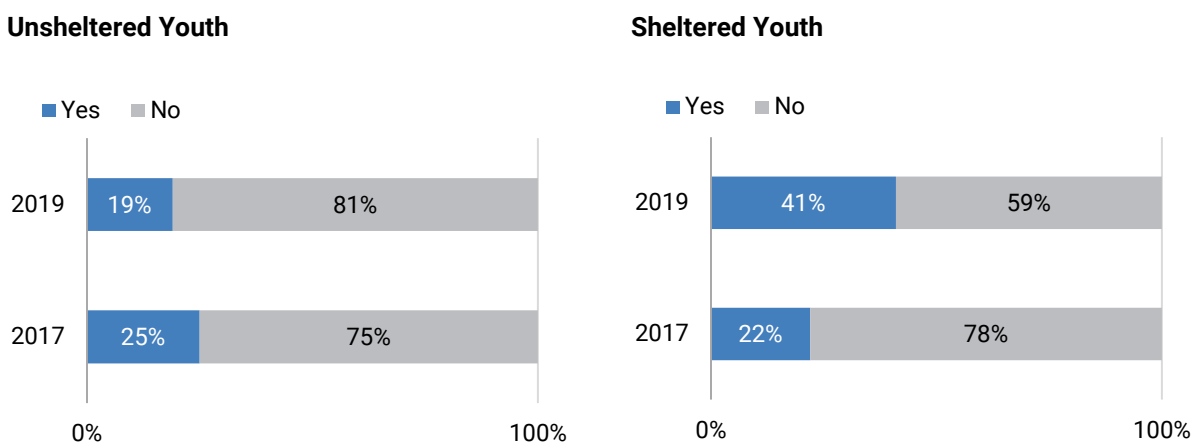
*Note: Multiple response question, percentages will not add up to 100.*



**SEXUAL ORIENTATION AMONG UNACCOMPANIED CHILDREN AND TRANSITION-AGE YOUTH**

LGBTQ+ youth remain overrepresented in the population experiencing homelessness; an estimated 40% of youth experiencing homelessness identify as LGBTQ+. <sup>16</sup> Overall, 28% of unaccompanied children and transition-age youth identified as LGBTQ+ compared to 12% of adults age 25 and older. Nineteen percent (19%) of unsheltered unaccompanied children and transition-age youth identified as LGBTQ+, compared to 41% of sheltered youth.

FIGURE 49. LGBTQ+ STATUS AMONG UNACCOMPANIED CHILDREN AND TRANSITION-AGE YOUTH



2019 Unsheltered n=73, Sheltered n=51; 2017 Unsheltered n=88, Sheltered n=58

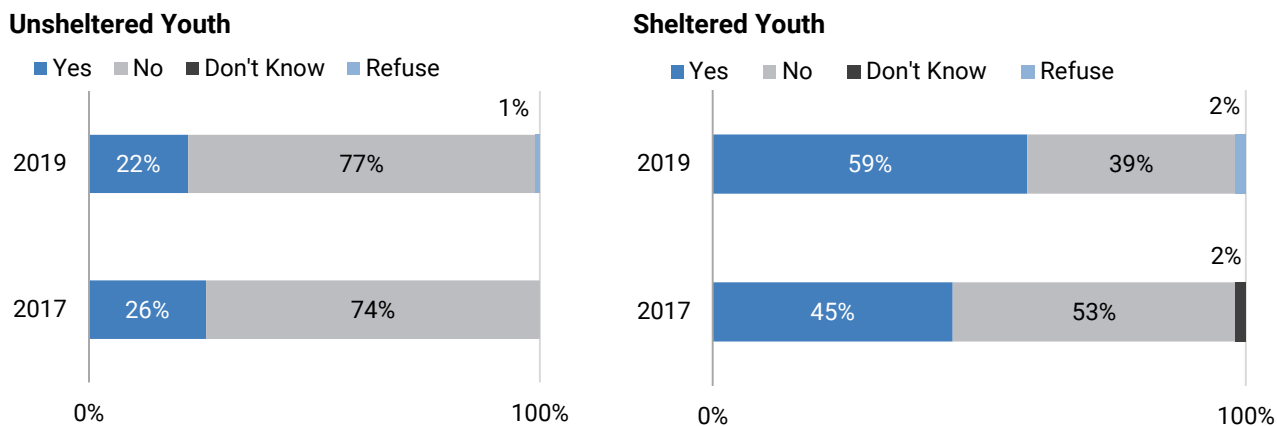
<sup>16</sup> True Colors Fund. (2017). Our Issue. Retrieved 2017 from <https://truecolorsfund.org/our-issue/>



## FOSTER CARE AMONG UNACCOMPANIED HOMELESS CHILDREN AND TRANSITION-AGE YOUTH

Twenty-two percent (22%) of unsheltered unaccompanied children and transition-age youth reported a history of foster care, compared to 59% of sheltered youth.

FIGURE 50. HISTORY OF FOSTER CARE AMONG UNACCOMPANIED CHILDREN AND TRANSITION-AGE YOUTH



2019 Unsheltered Unaccompanied Children and Transition-Age Youth Survey Population n=73, Sheltered Unaccompanied Children and Transition-Age Youth Survey Population n=51; 2017 Unsheltered Unaccompanied Children and Transition-Age Youth Survey Population n=84, Sheltered Unaccompanied Children and Transition-Age Youth Survey Population n=53



## INDIVIDUALS EXPERIENCING CHRONIC HOMELESSNESS

HUD defines a person experiencing chronic homelessness as someone who has experienced homelessness for a year or longer—or who has experienced at least four episodes of homelessness totaling 12 months in the last three years—and also has a disabling condition that prevents them from maintaining work or housing. This definition applies to individuals as well as heads of household who meet the definition.

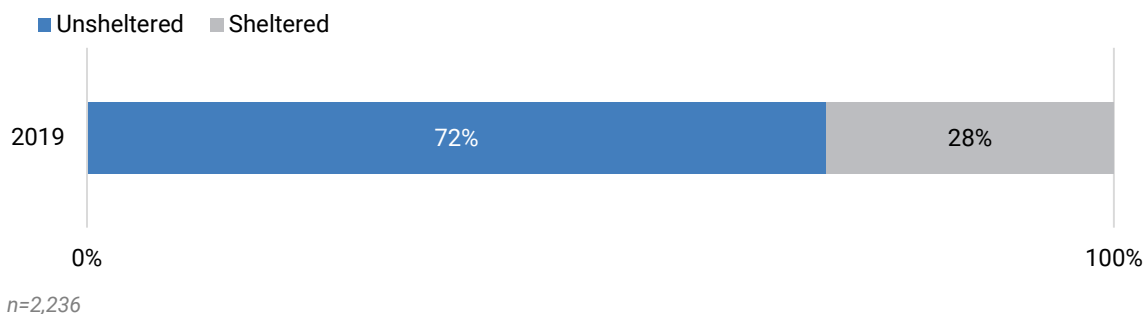
The chronically homeless population represents one of the most vulnerable populations on the street; the mortality rate for those experiencing chronic homelessness is four to nine times higher than that of the general population.<sup>17</sup> Data from communities across the country reveal that public costs incurred by those experiencing extended periods of homelessness include emergency room visits, interactions with law enforcement, incarceration, and regular access to social supports and homeless services. These combined costs are often significantly higher than the cost of providing individuals with permanent housing and supportive services.

In 2017, HUD reported that 86,962 individuals, representing 24% of the overall homeless population, were experiencing chronic homelessness nationally.<sup>18</sup> Chronic homelessness has been on the decline in recent years as communities across the country increase the capacity of their permanent supportive housing programs and prioritize those with the greatest barriers to housing stability.

## NUMBER OF PERSONS EXPERIENCING CHRONIC HOMELESSNESS

In total, 2,236 individuals were experiencing chronic homelessness in Alameda County in 2019. Of those, 2,103 were single individuals and 61 were heads of households with children under 18 years of age in Alameda County.

FIGURE 51. SHELTER STATUS OF PERSONS EXPERIENCING CHRONIC HOMELESSNESS



<sup>17</sup> United States Interagency Council on Homelessness. (2010). Supplemental Document to the Federal Strategic Plan to Prevent and End Homelessness: June 2010. Retrieved 2017 from [https://www.usich.gov/resources/uploads/asset\\_library/BkgrdPap\\_ChronicHomelessness.pdf](https://www.usich.gov/resources/uploads/asset_library/BkgrdPap_ChronicHomelessness.pdf)

<sup>18</sup> Department of Housing and Urban Development. (2017). Annual Assessment Report to Congress. Retrieved 2018 from <https://www.hudexchange.info/resources/documents/2017-AHAR-Part-1.pdf>



### SINGLE INDIVIDUALS EXPERIENCING CHRONIC HOMELESSNESS

An estimated 2,103 single individuals were experiencing chronic homelessness in 2019. This constitutes a 26% increase over the number of single individuals experiencing chronic homelessness in 2017. Seventy-seven percent (77%) of individuals experiencing chronic homelessness in 2019 were unsheltered, while 23% were residing in emergency shelter and safe haven programs.

In 2019, single individuals experiencing chronic homelessness represented 26% of the overall population experiencing homelessness in Alameda County.

### FAMILIES WITH CHILDREN EXPERIENCING CHRONIC HOMELESSNESS

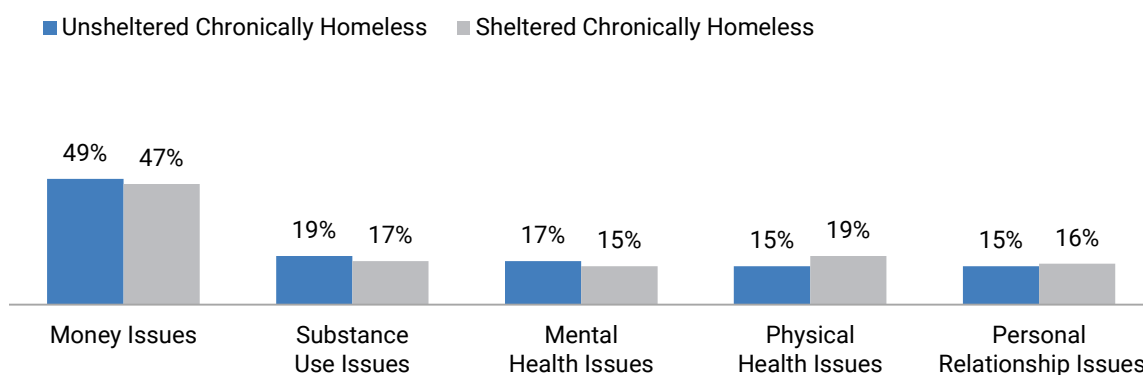
In 2019, 61 families were experiencing chronic homelessness, including 61 heads of household and 72 family members for a total of 133 people. The majority (98%) were identified in emergency shelters. Thirty-six percent (36%) of family households were experiencing chronic homelessness in 2019, compared to 12% in 2017.

### PRIMARY CAUSE OF HOMELESSNESS AMONG THOSE EXPERIENCING CHRONIC HOMELESSNESS

Nearly half of both unsheltered and sheltered survey respondents experiencing chronic homelessness identified money issues as the primary cause of their homelessness (49% and 47% respectively). Sheltered respondents experiencing chronic homelessness were more likely to report a physical health issue as the primary cause of their homelessness than unsheltered respondents experiencing chronic homelessness; unsheltered respondents experiencing chronic homelessness were slightly more likely to report substance use or mental health.

While chronically homeless respondents reported some differences in the initial cause of their homelessness compared to non-chronic respondents, they reported encountering similar barriers to permanent housing.

FIGURE 52. PRIMARY CAUSE OF HOMELESSNESS AMONG CHRONICALLY HOMELESS PERSONS



*Unsheltered Chronic n=332 respondents offering 441 responses, Sheltered Chronic n=131 respondents offering 174 responses*  
*Note: Multiple response question, percentages will not add up to 100.*

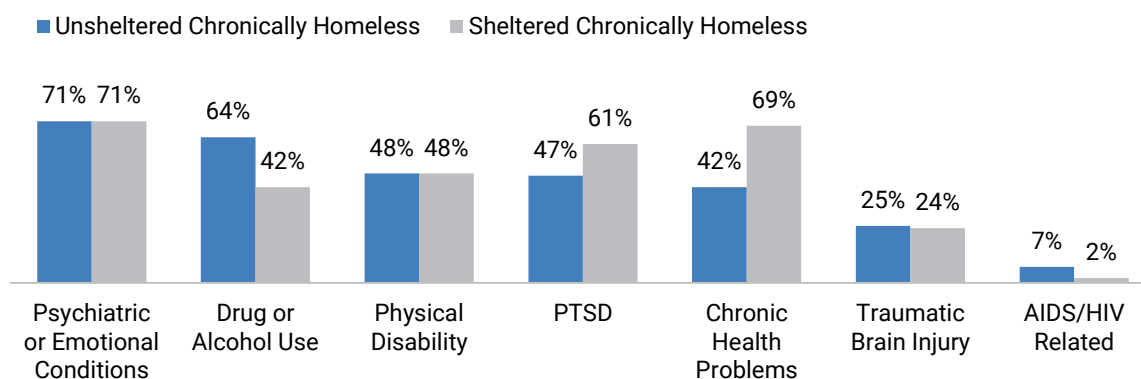


## HEALTH CONDITIONS AMONG PERSONS EXPERIENCING CHRONIC HOMELESSNESS

The definition of chronic homelessness requires a condition that prevents an individual from maintaining work or housing. The definition requires that only one be limiting, however, many survey respondents experiencing chronic homelessness reported experiencing multiple physical or mental health conditions. The following data report all conditions regardless of severity. It is important to recognize that all survey data are self-reported and influenced by participant's self-awareness and knowledge of a diagnosis.

Seventy-one percent (71%) of both unsheltered and sheltered survey respondents experiencing chronic homelessness reported living with psychiatric or emotional conditions. Sixty-nine percent (69%) of sheltered respondents experiencing chronic homelessness reported a chronic health problem or medical condition, compared to 42% of unsheltered respondents experiencing chronic homelessness. Sixty-four percent (64%) of unsheltered and 42% of sheltered respondents experiencing chronic homelessness reported drug or alcohol use, and 47% and 61% (unsheltered and sheltered, respectively) reported living with PTSD. Twenty-five percent (25%) of unsheltered and 24% of sheltered respondents experiencing chronic homelessness reported drug or alcohol use, and 47% and 61% (unsheltered and sheltered, respectively) reported living with PTSD.

FIGURE 53. HEALTH CONDITIONS AMONG CHRONICALLY HOMELESS PERSONS



Unsheltered Chronic n=315, Sheltered Chronic n=62

Note: Multiple response question, percentages will not add up to 100.

In general, higher rates of health conditions were reported for those who were experiencing chronic homelessness when compared to their non-chronically homeless counterparts. For example, 48% of individuals experiencing chronic homelessness reported having a physical disability compared to 18% of non-chronically homeless individuals.



## VETERANS

Many U.S. veterans experience conditions that place them at increased risk for homelessness, including higher rates of PTSD, traumatic brain injury, sexual assault, and substance abuse. Veterans experiencing homelessness are more likely to be unsheltered, and often remain unsheltered for extended periods of time.

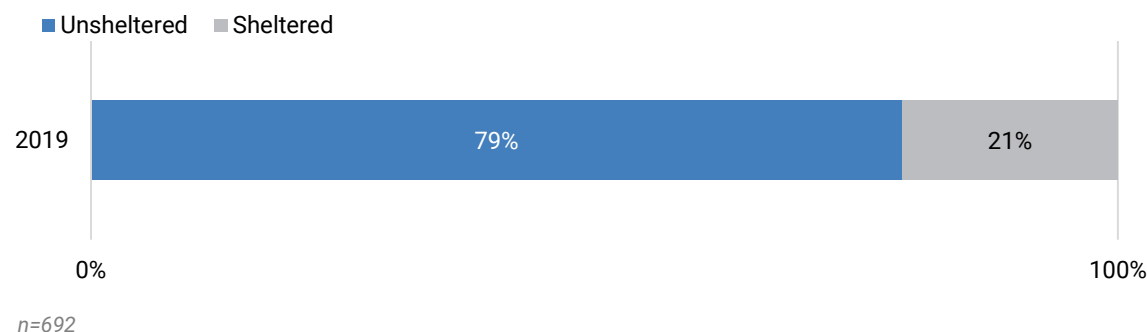
The U.S. Department of Veterans Affairs (VA) provides a broad range of benefits and services to veterans of the U.S. Armed Forces. These benefits can involve different forms of financial assistance, including monthly cash payments to disabled veterans, health care, education, and housing benefits. In addition to these supports, the VA and HUD partner to provide additional housing and support services to veterans currently experiencing homelessness or at risk of experiencing homelessness.

According to data collected nationally during the 2017 Point-in-Time Count, 40,056 veterans experienced homelessness on a single night in January.<sup>19</sup>

## HOMELESS VETERANS

In total, 692 veterans were experiencing homelessness in 2019. Of those, 690 were single individuals and the remaining two were in families with children. Seventy-nine percent (79%) of veterans were unsheltered in 2019. In 2019, veterans represented 9% of the adult population, similar to 2017 (10%).

FIGURE 54. SHELTER STATUS OF VETERANS EXPERIENCING HOMELESSNESS



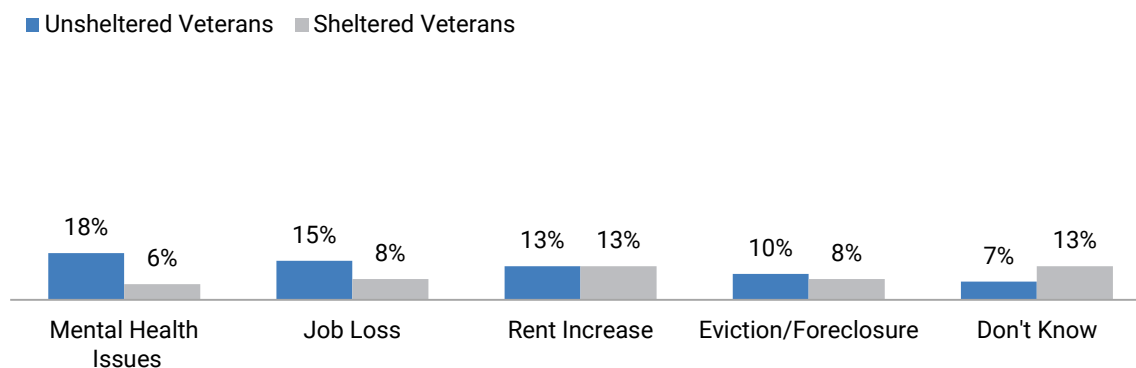
<sup>19</sup> HUD. (2017). Annual Assessment Report to Congress. Retrieved from <https://www.hudexchange.info/resources/documents/2014-AHAR-Part1.pdf>.



## PRIMARY CAUSE OF HOMELESSNESS AMONG VETERANS

Unsheltered veterans most frequently cited mental health issues as the primary cause of their homelessness (18%), while sheltered veterans most frequently cited a rent increase (13%). Unsheltered veterans attributed their homelessness to job loss at nearly twice the rate as sheltered veterans (15% and 8% respectively). Ten percent (10%) of unsheltered veterans and 8% of sheltered veterans reported their homelessness was the result of eviction or foreclosure. Seven percent (7%) of unsheltered veterans and 13% of sheltered veterans reported their homelessness was the result of eviction or foreclosure.

FIGURE 55. PRIMARY CAUSE OF HOMELESSNESS AMONG VETERANS



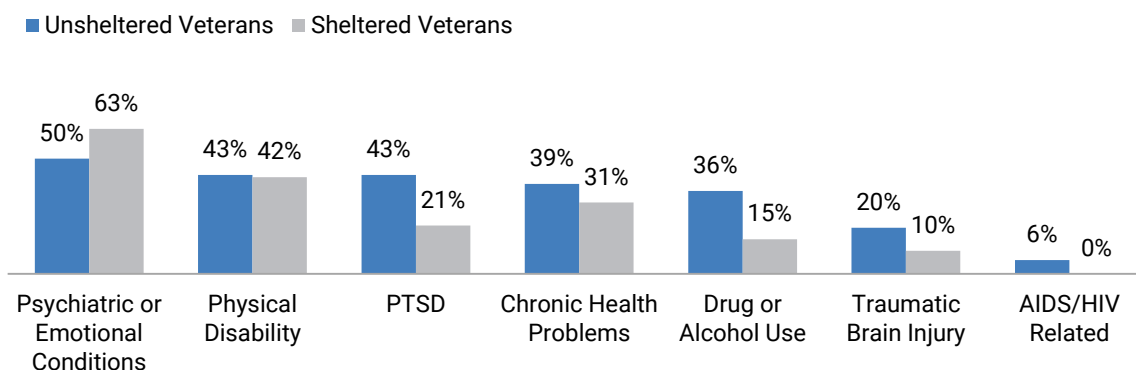
Unsheltered Veterans Survey Population n=108 respondents, Sheltered Veterans Survey Population n=48 respondents

Note: Multiple response question, percentages will not add up to 100.

## HEALTH CONDITIONS AMONG VETERANS EXPERIENCING HOMELESSNESS

A slightly higher percentage of sheltered veteran respondents reported having one or more health conditions, 79% compared to 73% of unsheltered veterans. Sheltered veterans reported higher rates of psychiatric or emotional conditions compared to unsheltered veterans (63% and 50% respectively).

FIGURE 56. HEALTH CONDITIONS AMONG VETERANS



Unsheltered Veterans n=109, Sheltered Veterans n=48

Note: Multiple response question, percentages will not add up to 100.





# Appendix A: Methodology

## OVERVIEW

The purpose of the *EveryOne Counts! 2019 Homeless Count and Survey* was to produce a point-in-time estimate of people experiencing homelessness in Alameda County, a region which covers approximately 738 square miles. The results of the street and youth counts were combined with the results from the sheltered count to produce the total estimated number of persons experiencing homelessness in Alameda County on a given night according to the HUD definition of homelessness for the Point-in-Time Count. The subsequent, in-depth qualitative survey was used to gain a more comprehensive understanding of the experiences and demographics of those enumerated. A more detailed description of the methodology follows.

## COMPONENTS OF THE POINT-IN-TIME COUNT METHOD

The Point-in-Time Count methodology used in 2019 had four primary components:

- i. General street count: an observation-based enumeration of unsheltered individuals between the hours of approximately 5:00 a.m. and 10:00 a.m.;
- ii. Youth count: a targeted enumeration of unsheltered youth under the age of 25 between the hours of approximately 2:30 p.m. and 7:30 p.m.;
- iii. Sheltered count: an enumeration of individuals residing in emergency shelter, safe haven, and transitional housing facilities on the night before the street count; and
- iv. Survey: an in-person survey of a randomized sample of unsheltered and sheltered individuals conducted by trained peer surveyors and program staff in the weeks following the general street count.

### The Planning Process

To ensure the success and integrity of the count, many county and city departments and community-based agencies collaborated on community outreach, volunteer and guide recruitment, logistical plans, methodological decisions, interagency coordination efforts, and the inclusion of non-traditional programs such as Community Cabins and safe parking programs. ASR provided technical assistance for these aspects of the planning process while EveryOne Home convened stakeholders, provided project management support for implementing the methodology, and facilitated the training of volunteers and guides. This planning began in October of 2018.

### Community Involvement

Local homeless and housing service providers, advocates, and people experiencing homelessness were valued partners in the planning and implementation of the count. Thanks to local efforts, the count included enumerators with a diverse range of knowledge, including expertise on areas frequented by persons experiencing homelessness, persons living in vehicles, and persons residing in encampments. Community partners were also key in recruiting individuals with lived experience of homelessness to participate in the street count and survey efforts. In 2019, a temporary position of Guide Recruitment



Lead was added. This position was key to increasing guide recruitment by 60% over 2017, and in the hiring and training of 164 guides with lived experience of homelessness for the general street count.

## STREET COUNT METHODOLOGY

### Goal

The goal of the general street count was to obtain an accurate count of persons sleeping outdoors and in vehicles, tents, or other places not meant of human habitation throughout Alameda County.

### Definition

For the purposes of this study, the HUD definition of unsheltered homeless persons was used, as required for the federal Point-in-Time Count:

- An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground.

### Research Design

The methodology used for the *EveryOne Counts! 2019 Homeless Count and Survey* is commonly described as a “blitz count” since it is conducted by a large team of people over a very short period of time. For the general street count, every census tract in the county was canvassed in an observation-based count of individuals and families who appeared to be experiencing homeless.

In order to minimize potential duplicate counting, the timing of the general street count was coordinated to take place before most shelters released persons who slept there the previous night. General street count teams were also instructed to prioritize covering areas immediately surrounding any shelters in their assigned count location to eliminate any potential double-counting of individuals. The majority of general street count activities took place between 5:00 a.m. and 10:00 a.m., with teams in urban areas encouraged to complete their routes by 8:00 a.m. due to the higher density and mobility of the population experiencing homelessness in these areas.

Street count teams were generally comprised of at least one guide with lived experience of homelessness and up to three community volunteers. Guides assisted the team in navigating their assigned count area, identifying locations where unsheltered individuals were likely to be encountered while providing additional support in identifying people experiencing homelessness for inclusion in the tally. Volunteers assisted with transporting the team through their count area and performing the tally. Guides were compensated \$15 per hour for their time spent in the field on the day of the count and an additional \$15 for attending an in-person training session in advance of count day.

Census tracts served as the method of organizing the general street count; their boundaries are based on population density and determined by the federal government. Depending on the size and density of the census tracts, each team was assigned up to three contiguous census tract maps. Teams were instructed to canvas all accessible streets, roads, and highways within the boundaries of their assigned census tracts by foot, car, or a combination of both. Teams were asked to cover the entirety of their count assignment during the established hours of the street count, and to communicate with deployment center staff if they required additional assistance or time.

All street count teams were equipped with their assigned census tract map areas, tally sheets, training guidelines, deployment center staff contact information, and other supplies by ASR staff. ASR staff also verified that at least one person on each team had a cell phone available for use during the count and recorded their contact information on a volunteer deployment log.



In performing the tally, teams were instructed not to initiate direct contact with, or to otherwise disturb, people experiencing homelessness who were observed during the count. Leveraging the expertise of their guide and other team members, count volunteers were instructed to only observe and record basic demographic and location information.

Upon completion of their count assignment, teams returned to the deployment center to submit their tally sheets and maps and to debrief with deployment center staff. ASR staff reviewed all maps to verify that every accessible road and area within the map assignment had been covered, as well as all tally sheets to ensure information was recorded accurately.

### Methodological Improvements

The 2019 street count methodology followed the established, HUD-approved methodology implemented in the 2017 count, with some key improvements.

To improve the local accuracy of the multiplier used to estimate the number of persons residing in tents and vehicles, a pre-count survey (*Multiplier for Persons in Vehicles and Tents*) was implemented countywide in December 2018. While general street count teams are typically able to observe a vehicle or structure that is being inhabited, they are not always able to accurately determine the number of persons residing in these locations through pure observation. Prior to the count, local outreach teams conducted a tally of persons residing in three different vehicle types (cars, vans, and RVs) as well as tents and improvised structures. The average household sizes of people identified residing in each of these location types during the pre-count survey were subsequently applied to tallies where the number of persons was unknown. In 2017, this multiplier was determined by survey responses only, which often resulted in a small sample of respondents, particularly among those residing in vehicles.

Additionally, gender for the unsheltered population was estimated using self-reported information from the survey in order to increase accuracy. In 2017, gender totals for the unsheltered population were determined using observation data collected from the general street count tally. In 2019, observational gender data from the tally sheet were used for deduplication purposes only.

### Volunteer and Guide Recruitment and Training

Many individuals who live and/or work in Alameda County supported the county's effort to enumerate the local homeless population as volunteers. On the morning of January 30, 2019, nearly 500 volunteers and service providers participated in the general street count. An additional 164 individuals who were currently or had recently experienced homelessness served as guides to street count teams.

Extensive outreach efforts were conducted by EveryOne Home, including outreach to local non-profits serving people experiencing homelessness, local volunteer programs, and jurisdictional partners. Local shelters and service providers recruited and recommended the most knowledgeable and reliable individuals to participate in the count as guides. Additionally, the hiring of a Guide Recruitment Lead resulted in the increased participation, coordination, and training of guides throughout Alameda County. Volunteer recruitment goals were reached in December 2018.

In order to participate in the count, all volunteers and guides were requested to attend an hour-long training before the count. In addition to sharing a YouTube training for volunteers via email, in-person trainings were held and conducted by EveryOne Home in multiple locations throughout the county. Training covered all aspects of the count, including the definition of homelessness, how to identify individuals experiencing homelessness, potential locations where individuals experiencing homelessness may be located, how to safely and respectfully conduct the count, how to use the tally count sheets to accurately record observations, how to use the census tract maps to ensure the entirety of the assigned area was covered, and other tips to help ensure an accurate count.



On the morning of the count, all volunteers and guides received a brief refresher training conducted by ASR staff prior to forming teams and receiving their count assignment. The refresher training reiterated the instructions for navigating the census tract maps and recording observations on the tally sheet as well as essential safety protocols.

		RECRUITING GOAL		ACTUAL TURNOUT	
Deployment Site	# Census Tracts	# Guides	# Volunteers	# Guides	# Volunteers
Oakland	78	55	138	55	151
East Oakland	65	33	81	17	57
<b>Total Oakland</b>	<b>143</b>	<b>88</b>	<b>219</b>	<b>72</b>	<b>208</b>
North County	39	25	63	25	52
Mid County	70	34	85	30	104
East County	42	18	44	17	50
South County	66	29	73	20	75
<b>Total</b>	<b>360</b>	<b>194</b>	<b>484</b>	<b>164</b>	<b>489</b>

### Safety Precautions

Every effort was made to minimize potentially hazardous situations. In census tracts with a high concentration of homeless encampments or with access restrictions, specialized outreach teams with knowledge of these specific areas were identified and assigned to these locations. Enumeration teams were advised to take every safety precaution possible, including bringing flashlights and maintaining a respectful distance from those they were counting.

### Street Count Deployment Centers

To achieve complete coverage of the county within the early morning timeframe, the planning team identified six areas for the placement of dispatch centers on the morning of the count: Berkeley (North County), Downtown Oakland, East Oakland, Hayward (Mid-County), Livermore (East County), and Fremont (South County). Deployment centers were supported by staff from ASR and EveryOne Home, who were responsible for greeting volunteers and guides; facilitating the refresher training and deployment process; distributing count instructions, maps, and supplies to enumeration teams; and collecting and reviewing data from returning teams.

Volunteers selected their preferred deployment center at the time of registration based on their familiarity with the area or their convenience. The planning team determined the enumeration routes and assigned them to the deployment center closest or most central to the coverage area to facilitate the timely deployment of enumeration teams into the field.

## YOUTH COUNT METHODOLOGY

### Goal

The goal of the dedicated youth count was to improve the representation of unaccompanied children and transition-age youth under the age of 25 experiencing homelessness during the 2019 Point-in-Time Count. Many unaccompanied children and transition-age youth experiencing homelessness do not use existing homeless services and often stay in locations that are difficult to find or are separate from the unsheltered adult population. In addition, youth experiencing homelessness are generally difficult for adult street count volunteer to identify using observational methods, as young people frequently “hide in plain sight.” Therefore, traditional street count efforts are not as effective in reaching and counting youth.



## Definition

For the purposes of the count, the HUD definition of unaccompanied youth was used. This definition includes children under the age of 18 and transition-age youth between the ages of 18 and 24 who are not accompanied by a parent or guardian, and who are also not parents presenting with or sleeping in the same place as their own child(ren). Unaccompanied youth include single youth, youth couples, and groups of youth presenting together as a household.

## Research Design

The 2019 youth count methodology was comprised of two primary components:

- i. Youth street count: A street-based questionnaire of unsheltered and unaccompanied children and transition-age youth conducted in specific areas throughout Alameda County by teams comprised of young people (age 18-24) with lived experience of homelessness and service providers; and
- ii. Youth count sites: A site-based questionnaire of unsheltered and unaccompanied children and transition-age youth conducted at specific service locations throughout Alameda County.

As in 2017, planning for the 2019 youth count included homeless youth service providers and youth with lived experience of homelessness. Participation of local youth service providers increased in 2019 to include an array of organizations representing the geographic diversity of the region as well as the population of young people experiencing homelessness.

A focus group was held in January 2019 with young people currently experiencing homelessness to identify “hot spot” locations that would be covered on the day of the youth street count where youth experiencing homelessness were known to congregate. It was also determined that youth experiencing homelessness would be more prominent on the street during the late afternoon and early evening hours rather than in the early morning when the general street count was conducted.

Service providers recruited youth with lived experience of homelessness and knowledge of where to locate other young people experiencing homelessness to serve as youth guides for the youth count. Covenant House Oakland, Youth UpRising (East Oakland), UC Berkeley Suitcase Clinic, YEAH! Covenant House, REACH Ashland Youth Center, Beyond Emancipation, VOICES Youth Center, and the Alameda County Youth Action Board led the recruitment of youth guides and of their staff to accompany and transport youth guides during the count. Youth guides were compensated \$15 per hour for their time, including time spent in training immediately prior to deployment.

The youth street count was conducted from approximately 2:30 p.m. to 7:30 p.m. on January 30, 2019. Youth street count teams comprised of at least one service provider staff member and between one and three youth guides administered the Youth Count Screening Tool to unsheltered young people in pre-identified areas of Alameda County. The Youth Count Screening Tool contained questions pertaining to young people’s age, gender identity, and current housing situation. Youth guides and service provider staff were trained to administer the questionnaire to any young person under the age of 25 who they believed to be unsheltered, and to provide young people who completed the questionnaire a \$5 BART ticket as a thank you gift for their participation. Youth street count teams were also provided tally sheets to count any young person who was believed to be unsheltered but who was unable to complete the Youth Count Screening Tool due to refusal, safety concerns, or other circumstances.

Additionally, service provider staff from MISSSEY, Our Kids, Youth UpRising, and REACH Ashland Youth Center administered the Youth Count Screening Tool to young people at their service locations during regular hours of operation. These locations were strategically selected in order to ensure youth who were less likely to be encountered via street outreach were included in the count.



### Methodological Improvements

In 2019, the youth count methodology changed from an observation-based enumeration to a survey-based enumeration in order to improve the accuracy of the youth count and gain a better understanding of how young people experience housing crises in Alameda County.

Previously, youth count teams performed a visual tally similar to general street count teams, only focused on unsheltered youth under 25 years old. The methodology was updated to incorporate the Youth Count Screening Tool, a brief questionnaire designed to collect more detailed information on young people's living situation. The Youth Count Screening Tool was administered by youth street count teams and selected youth count site locations to every unsheltered youth encountered. Youth street count teams were also able to count youth using a tally sheet if the team believed the youth was unsheltered but was unable to complete the Youth Count Screening Tool.

While the Youth Count Screening Tool also collected information on young people experiencing housing instability, only data reported by young people who met the definition of the Point-in-Time Count are included in this report.

### Street Count De-Duplication

Data from the youth count and general street count were compared and de-duplicated by assessing location, gender, and age. In total, five persons under the age of 25 were identified as duplicates and removed from the data set.

## SHELTERED COUNT METHODOLOGY

### Goal

The goal of the sheltered count is to gain an accurate count of persons temporarily housed in emergency shelter, safe haven, and transitional housing facilities across Alameda County. These data are vital to gaining an accurate, overall count of the homeless population and understanding where homeless persons receive shelter.

### Definition

For the purposes of this study, the HUD definition of sheltered homelessness for the Point-in-Time Count was used. This definition includes individuals and families living in a supervised publicly or privately-operated shelter designated to provide temporary living arrangements.

### Research Design

The occupancy and demographic information of people occupying emergency shelter, safe haven, and transitional housing facilities in Alameda County was collected for the night of January 29, 2019. All data for sheltered persons were gathered by Alameda County Department of Housing and Community Development lead staff either directly from the program or from Alameda County's Homeless Management Information System.

## ENUMERATION CHALLENGES AND LIMITATIONS

Even though the Point-in-Time Count is most likely an undercount of the homeless population, the methodology employed—coupled with the housing survey—is still one of the most comprehensive approaches available. There are many challenges in any homeless enumeration, especially when implemented in a community as large and diverse as Alameda County. Point-in-Time Counts are “snapshots” that quantify the size of the population experiencing homelessness at a given point during the year. Hence, the count may not be representative of fluctuations and compositional changes in the homeless population seasonally or over time.



Regardless of how successful outreach efforts are, an undercount of the homeless population will result, especially of hard-to-reach subpopulations such as unsheltered families, unaccompanied youth, and limited English-language speakers. For a variety of reasons, unsheltered persons generally do not wish to be seen and make concerted efforts to avoid detection. Alternatively, persons residing in emergency shelter, safe haven, and transitional housing programs are much easier to enumerate due to the facility of collecting information directly from program site locations.

The methods employed in a non-intrusive visual homeless enumeration, while academically sound, have inherent biases and shortcomings. Even with the assistance of dedicated homeless service providers and persons with lived experience of homelessness, the methodology cannot guarantee 100% accuracy. Many factors may contribute to missed opportunities, such as the difficulty of identifying persons who are sleeping in vans, cars, recreational vehicles, abandoned buildings, or structures unfit for human habitation as well as families with children experiencing homelessness, who often seek opportunities to stay on private property rather than sleep on the streets.

## **SURVEY METHODOLOGY**

### **Planning and Implementation**

A survey of 1,681 unique individuals experiencing homelessness was conducted between February 1 and 28, 2019 to yield qualitative data about people experiencing homelessness in Alameda County. Data collected through the survey effort were used to estimate characteristics such as gender, race, and ethnicity of the unsheltered population by applying percentages of respondents to the number of individuals tallied during the street count. These data are also used for the McKinney-Vento Continuum of Care Homeless Assistance funding application as well as for the local development, planning, and evaluation of the community's rehousing efforts.

The survey elicited information such as gender, family status, military service, duration and recurrence of homelessness, nighttime accommodations, causes of homelessness, and health conditions through open-ended, closed-ended, and multiple response questions. Specific demographic characteristics such as ethnicity, race, health conditions, and subpopulations, were defined by and in compliance with HUD. Other research questions were formulated through community input, such as questions pertaining to residency and coordinated entry. The survey data bring greater perspective to current issues of homelessness and to the provision and delivery of services.

Surveys were conducted by peer survey workers with lived homeless experience. Training sessions were facilitated by ASR and EveryOne Home staff immediately following the general street count. Potential interviewers were led through a comprehensive orientation that included project background information as well as detailed instruction on respondent eligibility, interviewing protocol, and confidentiality. Peer survey workers were compensated at a rate of \$7 per completed survey.

It was determined that survey data would be more easily obtained if a thank you gift was offered to respondents in appreciation for their time and participation. Socks were provided as an incentive for participating in the 2019 homeless survey. The socks were easy to distribute, had wide appeal, and could be provided within the project budget. The incentives proved to be widely accepted among survey respondents. A thank you gift of a \$5 gift card was provided to adult survey respondents in emergency shelter and transitional housing programs and to youth survey respondents.

### **Survey Sampling**

Based on a Point-in-Time Count estimate of 8,022 homeless persons, with a randomized survey sampling process, the 1,681 valid surveys represented a confidence interval of +/- 2% with a 95% confidence level when generalizing the results of the survey to the estimated population of individuals experiencing homelessness in Alameda County.



The 2019 survey was administered in shelters, transitional housing facilities, and on the street. Unsheltered survey quotas were developed based on the previous count year's unsheltered data and established for each jurisdiction within Alameda County. In order to ensure the representation of emergency shelter and transitional housing residents, survey quotas were created for each housing program to reach individuals and heads of family households living in these programs.

Strategic attempts were also made to reach individuals in various geographic locations and of various subset groups such as unaccompanied youth, racial and ethnic groups, veterans, domestic violence survivors, and families. One way to increase the participation of these groups was to recruit peer survey workers. As in 2017, *EveryOne Counts!* prioritized a peer-to-peer approach to data collection by increasing the number of surveyors currently experiencing homelessness.

In order to increase randomization of sample respondents, peer survey workers were trained to employ an "every third encounter" survey approach. Surveyors were instructed to approach every third person they considered to be an eligible survey respondent. Emergency shelter and transitional housing staff administering the survey to program residents were also instructed to survey every third head of household. If the person declined to take the survey, the surveyor could approach the next eligible person they encountered. After completing a survey, the randomized approach was resumed.

### Data Collection

Care was taken by interviewers to ensure that respondents felt comfortable regardless of the street or shelter location where the survey occurred. During the interviews, respondents were encouraged to be candid in their responses and were informed that these responses would be framed as general findings, remain confidential, and would not be traceable to any single individual. Respondents were also allowed to skip or refuse to answer any question that made them uncomfortable or for which they were unwilling to share

### Data Analysis

The survey requested respondents' initials and date of birth so that duplication could be avoided without compromising the respondents' anonymity. Upon completion of the survey effort, an extensive verification process was conducted to eliminate duplicates. This process examined respondents' date of birth, initials, gender, ethnicity, length of homelessness, and consistencies in patterns of responses to other survey questions.

## SURVEY CHALLENGES AND LIMITATIONS

The 2019 Alameda County Homeless Survey methodology relies heavily on self-reported data collected from peer surveyors and program staff. While self-report allows individuals to represent their own experiences, self-reported data are often more variable than clinically reported data. However, using the peer-to-peer interviewing methodology is believed to enable respondents to be more candid with their answers and to help reduce the uneasiness of revealing personal information. Further, service providers recommended individuals who would be the best suited to conducting interviews and these individuals received comprehensive training about how to conduct interviews. The service providers and/or county staff who collected completed surveys also reviewed the surveys to ensure quality responses. Surveys that were considered incomplete or containing false responses were not accepted.

It is important to recognize that variations between survey years may result from shifts in the demographic profiles of surveyors, accessibility to certain populations, and changes to the survey instrument. While every effort was made to collect surveys from a random and diverse sample of unsheltered and sheltered individuals, the hard-to-reach nature of the population experiencing homelessness prevents a true random sampling. Recruitment of diverse and geographically dispersed surveyors was prioritized; however, equal survey participation across all populations may be further



limited by the participation and adequate representation of subpopulations in planning and implementation processes. This includes persons living in vehicles, unsheltered families, and limited English-language speakers.

It is for these reasons that Point-in-Time Count data should be used in conjunction with other community sources of data on individuals and families experiencing homelessness to gather a comprehensive understanding of the community.





# Appendix B: Definitions and Abbreviations

**Chronic homelessness** – Defined by HUD as an unaccompanied individual or head of a family household with a disabling condition who has either continuously experienced homelessness for a year or more, or has experienced at least four episodes of homelessness totaling 12 months, in the past three years.

**Disabling condition** – Defined by HUD as a physical, mental, or emotional impairment, including an impairment caused by alcohol or drug abuse, PTSD, or brain injury that is expected to be long-term and impacts the individual's ability to live independently; a developmental disability; or HIV/AIDS.

**Emergency shelter** – The provision of a safe alternative to the streets, either in a shelter facility or through the use of stabilization rooms. Emergency shelter is short-term, usually for 180 days or fewer. Domestic violence shelters are typically considered a type of emergency shelter, as they provide safe, immediate housing for survivors and their children.

**Family** – A household with at least one adult and one child under the age of 18.

**Homeless** – Under the Category 1 definition of homelessness in the HEARTH Act, includes individuals and families living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements, or with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground.

**HUD** – Abbreviation for the U.S. Department of Housing and Urban Development.

**Precariously housed** – A person who is staying with the household because they have no other regular or adequate place to stay due to a lack of money or other means of support.

**Sheltered homeless individuals** – Individuals who are living in emergency shelters or transitional housing programs.

**Single individual** – Refers to an unaccompanied youth or adult. The individual may be an unaccompanied child under the age of 18 living without a parent or guardian over the age of 18, or an adult who is part of a collection of adults living together as a household without any minor children living with them.

**Transition-age youth** – Young people between the ages of 18 and 24 years old who are not accompanied by a parent or guardian and are not a parent presenting with or sleeping in the same place as their own child(ren).



**Transitional housing** – Housing in which homeless individuals may live up to 24 months and receive supportive services that enable them to live more independently. Supportive services – which help promote residential stability, increased skill level or income, and greater self-determination – may be provided by the organization managing the housing, or coordinated by that organization and provided by other public or private agencies. Transitional housing can be provided in one structure or several structures at one site, or in multiple structures at scattered sites.

**Unaccompanied children** – Children under the age of 18 who are not accompanied by a parent or guardian and are not a parent presenting with or sleeping in the same place as their own child(ren).

**Unsheltered homeless individuals** – Individuals who are living on the streets, in abandoned buildings, storage structures, vehicles, encampments, or any other place unfit for human habitation.



# Appendix C: Point-in-Time Count Results

The following tables include the *EveryOne Counts! 2019 Homeless Count and Survey* data submitted to HUD for individuals experiencing homelessness in Alameda County. Data are reported by three household types (households with at least one adult and one child, households with no children, and households with only children) and by shelter status (sheltered and unsheltered). Specific data on veteran households, youth and young adult households, and various subpopulations are also reported and included in the tables found in this section.

## ALL HOUSEHOLDS

### HOUSEHOLDS WITH AT LEAST ONE ADULT AND ONE CHILD

	Sheltered	Unsheltered	Total
Total number of households	161	9	170
Total number of persons	497	27	524
Number of children (under 18)	286	14	300
Number of young adults (18-24)	34	1	35
Number of adults (over 24)	177	12	189
<b>Gender (adults and children)</b>			
Female	320	16	336
Male	177	11	188
Transgender	0	0	0
Gender Non-Conforming	0	0	0
<b>Ethnicity (adults and children)</b>			
Non-Hispanic/Non-Latinx	377	21	398
Hispanic/Latinx	120	6	126
<b>Race (adults and children)</b>			
White	92	9	101
Black or African-American	288	12	300
Asian	0	0	0
American Indian or Alaska Native	13	0	13
Native Hawaiian or Other Pacific Islander	20	0	20
Multiple Races	84	6	90



<b>Chronically Homeless</b>			
Total number of households	60	1	61
Total number of persons	130	3	133

## HOUSEHOLDS WITHOUT CHILDREN

	Sheltered	Unsheltered	Total
Total number of households	1184	6276	7460
Total number of persons	1193	6276	7469
Number of youth adults (age 18-24)	139	579	718
Number of adults (over age 24)	1054	5697	6751
<b>Gender</b>			
Female	404	2071	2475
Male	778	3933	4711
Transgender	8	114	122
Gender Non-Conforming	3	158	161
<b>Ethnicity</b>			
Non-Hispanic/Non-Latinx	1022	5199	6221
Hispanic/Latinx	171	1077	1248
<b>Race</b>			
White	308	2099	2407
Black or African-American	705	2774	3479
Asian	35	91	126
American Indian or Alaska Native	43	242	285
Native Hawaiian or Other Pacific Islander	16	91	107
Multiple Races	86	979	1065
<b>Chronically Homeless</b>			
Total number of persons	487	1615	2102

## HOUSEHOLDS WITH ONLY CHILDREN

	Sheltered	Unsheltered	Total
Total number of households	20	9	29
Total number of children (persons under age 18)	20	9	29
<b>Gender</b>			
Female	13	5	18
Male	7	4	11
Transgender	0	0	0
Gender Non-Conforming	0	0	0
<b>Ethnicity</b>			
Non-Hispanic/Non-Latinx	9	7	16
Hispanic/Latinx	11	2	13



<b>Race</b>			
White	6	2	8
Black or African-American	7	6	13
Asian	0	0	0
American Indian or Alaska Native	3	0	3
Native Hawaiian or Other Pacific Islander	1	0	1
Multiple Races	3	1	4
<b>Chronically Homeless</b>			
Total number of persons	0	1	1

## VETERAN HOUSEHOLDS

### VETERAN HOUSEHOLDS WITH AT LEAST ONE ADULT AND ONE CHILD

	<b>Sheltered</b>	<b>Unsheltered</b>	<b>Total</b>
Total number of households	1	1	2
Total number of persons	2	3	5
Total number of veterans	1	1	2
<b>Gender (veterans only)</b>			
Female	0	1	1
Male	1	0	1
Transgender	0	0	0
Gender Non-Conforming	0	0	0
<b>Ethnicity (veterans only)</b>			
Non-Hispanic/Non-Latinx	1	1	2
Hispanic/Latinx	0	0	0
<b>Race (veterans only)</b>			
White	1	0	1
Black or African-American	0	1	1
Asian	0	0	0
American Indian or Alaska Native	0	0	0
Native Hawaiian or Other Pacific Islander	0	0	0
Multiple Races	0	0	0
<b>Chronically Homeless</b>			
Total number of households	0	0	0
Total number of persons	0	0	0



## VETERAN HOUSEHOLDS WITHOUT CHILDREN

	Sheltered	Unsheltered	Total
Total number of households	146	544	690
Total number of persons	146	694	840
Total number of veterans	146	544	690
<b>Gender (veterans only)</b>			
Female	9	73	82
Male	137	445	582
Transgender	0	5	5
Gender Non-Conforming	0	21	21
<b>Ethnicity (veterans only)</b>			
Non-Hispanic/Non-Latinx	137	446	583
Hispanic/Latinx	9	98	107
<b>Race (veterans only)</b>			
White	38	180	218
Black or African-American	91	223	314
Asian	3	5	8
American Indian or Alaska Native	6	27	33
Native Hawaiian or Other Pacific Islander	1	11	12
Multiple Races	7	98	105
<b>Chronically Homeless</b>			
Total number of persons	27	197	224

## YOUTH HOUSEHOLDS

### UNACCOMPANIED YOUTH HOUSEHOLDS

	Sheltered	Unsheltered	Total
Total number of unaccompanied youth households	120	588	708
Total number of unaccompanied youth	143	588	731
Number of unaccompanied children (under 18)	20	9	29
Number of unaccompanied (18-24)	123	579	702
<b>Gender (unaccompanied youth)</b>			
Female	56	246	302
Male	73	302	375
Transgender	4	16	20
Gender Non-Conforming	0	24	24
<b>Ethnicity (unaccompanied youth)</b>			
Non-Hispanic/Non-Latinx	101	489	590
Hispanic/Latinx	42	99	141



<b>Race (unaccompanied youth)</b>			
White	28	120	148
Black or African-American	82	341	423
Asian	5	9	14
American Indian or Alaska Native	15	18	33
Native Hawaiian or Other Pacific Islander	2	9	11
Multiple Races	11	91	102
<b>Chronically Homeless</b>			
Total number of persons	0	64	64

## PARENTING YOUTH HOUSEHOLDS

	<b>Sheltered</b>	<b>Unsheltered</b>	<b>Total</b>
<b>Total number of parenting youth households</b>	<b>19</b>	<b>1</b>	<b>20</b>
<b>Total number of persons in parenting youth households</b>	<b>43</b>	<b>2</b>	<b>45</b>
Total parenting youth (youth parents only)	19	1	20
Total children in parenting youth households	24	1	25
Number of parenting youth under 18	0	0	0
Number of children with parenting youth under 18	0	0	0
Number of parenting youth ages 18-24	19	1	20
Number of children with parenting youth age 18-24	24	1	25
<b>Gender (youth parents only)</b>			
Female	18	1	19
Male	1	0	1
Transgender	0	0	0
Gender Non-Conforming	0	0	0
<b>Ethnicity (youth parents only)</b>			
Non-Hispanic/Non-Latinx	19	1	20
Hispanic/Latinx	0	0	0
<b>Race (youth parents only)</b>			
White	0	0	0
Black or African-American	15	1	16
Asian	0	0	0
American Indian or Alaska Native	1	0	1
Native Hawaiian or Other Pacific Islander	0	0	0
Multiple Races	3	0	3
<b>Chronically Homeless</b>			
Total number of households	1	0	1
Total number of persons	2	0	2



## ADDITIONAL HOMELESS POPULATIONS

	Sheltered	Unsheltered	Total
Adults with Serious Mental Illness	563	2027	2590
Adults with Substance Use Disorder	343	1554	1897
Adults with HIV/AIDS	38	169	207
Victims of Domestic Violence (optional)	122	385	507



# Appendix D: Adult Survey & Youth Screening Tool

**2019 Alameda County Housing Survey**

Interview Date: \_\_\_\_\_ Neighborhood or City: \_\_\_\_\_

Refusals: Interviewer's Name: \_\_\_\_\_ (initials) \_\_\_\_\_

Site: \_\_\_\_\_

Shade Circles Like This: ☐ Not Like This: ☐

**Section A: Demographics**

1. What are your initials? First:  Middle:  Last:

2. What is your birth date? Month:  Day:  Year:

3. Check the following that best represent how you think of your gender:

☐ Male ☐ Female ☐ Gender non-conforming ☐ Refuse

4. Are you Hispanic or Latino? ☐ Yes ☐ No ☐ Don't know ☐ Refuse

5. Which racial group do you identify with most? (Shade all that apply)

☐ White ☐ Black or African American ☐ Asian ☐ American Indian or Alaska Native ☐ Other ☐ Native Hawaiian or Pacific Islander ☐ Refuse

6. Do you consider yourself? ☐ Straight ☐ Lesbian ☐ Gay ☐ Other ☐ Refuse

7. Are you currently pregnant? ☐ Yes ☐ No ☐ Don't know ☐ Refuse

8. Have you ever been in foster care? ☐ Yes ☐ No ☐ Don't know ☐ Refuse

9. Are you currently enrolled in school? ☐ Yes ☐ No ☐ Refuse

**Section B: Veteran Status**

1. Have you served in the U.S. Armed Forces? (Army, Navy, Air Force, Marine Corps, or Coast Guard)

☐ Yes ☐ No ☐ Don't know ☐ Refuse

2. Were you ever called into active duty as a member of the National Guard or as a Reservist? ☐ Yes ☐ No ☐ Don't know ☐ Refuse

3. Have you ever received health care or benefits from a VA (Veterans Administration) center? ☐ Yes ☐ No ☐ Don't know ☐ Refuse

4. Is anyone else in your household a veteran? ☐ Yes ☐ No ☐ Don't know ☐ Refuse

**Section C: Accommodation**

1. Where were you staying on the night of Tuesday, January 22nd? (Shade 1)

☐ Accompanied or stayed in structure ☐ Staying in a place in a house not normally used for sleeping ☐ Emergency shelter ☐ Transitional housing ☐ Public facility (train station, transit center, bus depot) ☐ Kitchen, tower, hallway or unconverted garage ☐ Outdoors/fresh air ☐ Van ☐ Car ☐ Campsite/camp ☐ Abandoned building/structure ☐ Tent ☐ Encampment ☐ Other: \_\_\_\_\_

1a. How many people, including yourself, usually stay inside your tent, car, van, or RV/camp? # people:

2. In the last 12 months, how long have you been homeless? ☐ 0 days ☐ 1-30 days ☐ 31-90 days ☐ 91-180 days ☐ 181-365 days ☐ More than 1 year

3. How long have you been homeless this current time? (Shade 1)

☐ 0 days ☐ 1-30 days ☐ 31-90 days ☐ 91-180 days ☐ 181-365 days ☐ More than 1 year

4. How many times in the last 12 months have you been homeless in the past 3 years, including this current time? (Shade 1)

☐ 1 time ☐ 2 times ☐ 3 times ☐ 4 times ☐ 5 or more times

5. Have you been living in an emergency shelter and/or encampment, abandoned buildings, etc.) for the past year (12 months) or more? ☐ Yes ☐ No ☐ Refuse

6. In addition to right now, how long would you say you have stayed in these kinds of places (told) in the past 3 years? Days: \_\_\_\_\_ Weeks: \_\_\_\_\_ Months: \_\_\_\_\_ Years: \_\_\_\_\_

7. How old were you the first time you experienced homelessness? ☐ 0-5 years ☐ 6-10 years ☐ 11-15 years ☐ 16-24 years ☐ 25-39 years ☐ 40-49 years ☐ 50-64 years ☐ 65 or older ☐ Refuse

**Section D: Household Members**

1. How many people are in your household, including yourself? \_\_\_\_\_

2. Do you have any children under age 18? ☐ Yes ☐ No ☐ Don't know ☐ Refuse

3. Are you living with any children under 18 living with you? ☐ Yes ☐ No ☐ Don't know ☐ Refuse

4. Do you live alone or with other household members? ☐ Alone ☐ With other household members

I am going to ask you a few questions about the people in your household that were staying with you on Tuesday, January 22nd. If ask about each person, one at a time. In order for us to keep track of who we are talking about, I am going to ask you for the first and last initial of each person.

What are their initials? (a) (b) (c) (d) (e) (f) (g) (h)

5. How are they related to you? Child ☐ Spouse ☐ Non-married partner ☐ Other family member ☐ Other non-family member ☐ Under 18 ☐ 18-24 ☐ 25 or older ☐

6. How old are they? ☐ Under 18 ☐ 18-24 ☐ 25 or older ☐

7. How do they identify their gender? Male ☐ Female ☐ Transgender ☐ Gender Non-Conforming ☐

8. Are they Hispanic or Latino? ☐ Yes ☐ No ☐ Don't know ☐

9. Which racial group do they identify with most? (Shade all that apply)

☐ White ☐ Black or African American ☐ Asian ☐ American Indian or Alaska Native ☐ Other ☐ Native Hawaiian or Pacific Islander ☐ Don't know ☐



Section E: Residency

1. Immediately before you became homeless, what type of place were you living in? (Shade 1)

☐ A home owned or rented by you or your partner
☐ Juvenile justice facility
☐ Motel/hotel
☐ A home owned or rented by friends/relatives
☐ Foster care placement
☐ Other: \_\_\_\_\_
☐ Hospital or treatment facility
☐ Jail or prison
☐ Subsidized housing or permanent supportive housing

2. At the time you most recently became homeless, what county were you living in? (Shade 1)

☐ Alameda County
☐ Santa Clara County
☐ Other County in CA
☐ San Francisco
☐ San Mateo County
☐ Out of State
☐ Marin County
☐ Contra Costa County
☐ Refuse

3. How long have you lived in Alameda County? (Shade 1)

☐ Less than 6 months
☐ 6 months to 1 year
☐ 1-4 years
☐ 5-9 years
☐ 10+ years
☐ Refuse

4. Which city in Alameda County do you consider your home? (Shade 1)

☐ Albany
☐ Berkeley
☐ City of Alameda
☐ Dublin
☐ Emeryville
☐ Fremont
☐ Hayward
☐ Livermore
☐ Newark
☐ Oakland
☐ None/Other
☐ Piedmont
☐ Pleasanton
☐ San Leandro
☐ Union City
☐ Unincorporated area

5. What is the primary reason you stay in this location? (Shade 1)

☐ I grew up here/it's my home
☐ Shelter/housing program
☐ For a job/seeking work
☐ Access homeless services and/or benefits
☐ Family/friends are here
☐ Access to VA services or clinic
☐ LGBTQ community/acceptance
☐ Other: \_\_\_\_\_
☐ Feel safe here

Section F: Prevention

1. What do you think is the primary event or condition that led to your homelessness? (Shade 1)

☐ Aging out of foster care
☐ Eviction/Foreclosure
☐ Incarceration
☐ Family or friends couldn't afford
☐ Death of a parent/spouse/child
☐ Mental health issues
☐ To let me stay
☐ Divorce/Separation/Break-up
☐ Physical health issues
☐ Job loss
☐ Family/Domestic Violence
☐ Substance use issues
☐ Rent increase
☐ Other money issues
☐ Other: \_\_\_\_\_
☐ Don't know

2. What could have prevented you from experiencing homelessness? (Shade all that apply)

☐ Mental health services
☐ Conflict resolution with roommate
☐ Employment assistance
☐ Adequate retirement income
☐ Transportation assistance
☐ Help paying health care bills/insurance
☐ Alcohol/drug counseling
☐ Legal assistance
☐ Family counseling
☐ Help obtaining resources after leaving hospital/jail/prison/juvenile justice facility
☐ Food assistance
☐ Landlord mediation

3. If you could get into any kind of housing right now, what kind would you like best? (Shade 1)

☐ Assisted living (24-hour care)
☐ Other: \_\_\_\_\_
☐ Clean and sober housing
☐ Not interested in housing now
☐ Housing with support services
☐ Independent, affordable rental housing

Section G: Criminal Justice

1. Are you currently on probation?

☐ Yes
☐ No
☐ Don't know
☐ Refuse

2. Are you currently on parole?

☐ Yes
☐ No
☐ Don't know
☐ Refuse

Section H: Health and Housing

1. Do you experience any of the following:

a. Any chronic health problem or medical condition (diabetes, cancer)

☐ Yes
☐ No
☐ Refuse

b. Post-traumatic Stress Disorder (PTSD)

☐ Yes
☐ No
☐ Refuse

c. Any psychiatric or emotional conditions (depression, schizophrenia)

☐ Yes
☐ No
☐ Refuse

d. A physical disability (including vision or hearing loss)

☐ Yes
☐ No
☐ Refuse

e. A traumatic brain injury to your brain from a bump, blow, or wound to the head?

☐ Yes
☐ No
☐ Refuse

f. Drug or alcohol abuse (including prescription drugs not prescribed for you)

☐ Yes
☐ No
☐ Refuse

g. An AIDS or an HIV related illness?

☐ Yes
☐ No
☐ Refuse

2. Does it keep you from holding a job, living in stable housing or taking care of yourself?

☐ Yes
☐ No
☐ Refuse

3. If you live with a spouse, a significant other or parent, do any of the following conditions prevent them from maintaining work or housing? (Shade all that apply)

☐ Not Applicable
☐ Psychiatric or emotional condition
☐ Chronic health problem
☐ Drug or alcohol abuse
☐ Physical disability
☐ Traumatic brain injury
☐ HIV/AIDS
☐ PTSD
☐ Other: \_\_\_\_\_
☐ Refuse

4. Are you currently experiencing home/domestic violence or abuse? (Including physical, emotional, or sexual abuse)

☐ Yes
☐ No
☐ Refuse

5. Have you ever been physically, emotionally, or sexually abused by a relative, or another person you have stayed with (spouse, partner, sibling, parent, roommate)?

☐ Yes
☐ No
☐ Refuse

Section I: Services and Assistance

1. If new money came into Alameda County to end homelessness, how should it be spent? (Choose up to 3)

☐ 24/7 basic sanitation (toilets, showers, garbage)
☐ Affordable rental housing for very low income
☐ Daytime drop-in centers
☐ Permanent help with rent/subsidy
☐ Emergency shelter
☐ Assisted living/24-hour care
☐ Family reunification
☐ Short-term financial assistance (back rent, credit repair, unpaid bills, obtaining ID, etc.)
☐ Domestic violence shelters and housing
☐ Safe parking for persons living in vehicles
☐ Short-term help with rent
☐ Substance use and/or mental health services
☐ Other: \_\_\_\_\_

2. What prevents you from using shelter services? (Shade all that apply)

☐ Bugs
☐ Don't accept my pet
☐ Can't stay with my friends
☐ Far away
☐ They are full
☐ Can't stay with my partner/family
☐ Germs
☐ Too crowded
☐ Concerns for personal safety (violence, sexual assault)
☐ Hours of operation
☐ Curfews
☐ Lack of privacy
☐ Not enough staff
☐ Refuse

3. Have you used Coordinated Entry? For example, have you been told to call 211, talk to an outreach worker, or visited a Hub/Housing Resource Center to access housing or services?

☐ Yes
☐ No
☐ Don't know
☐ Refuse

Section J: Coordinated Entry

1. Have you used Coordinated Entry? For example, have you been told to call 211, talk to an outreach worker, or visited a Hub/Housing Resource Center to access housing or services?

☐ Yes
☐ No
☐ Don't know
☐ Refuse





## 2019 Alameda County Everyone Counts! Youth Count Screening Tool

Source: ☐ Street ☐ Survey Site

Interview Date: _____	Neighborhood or City: _____
Interviewer Name: _____	Interview Location: _____

**1. What are your initials?**

First \_\_\_\_\_ Middle \_\_\_\_\_ Last \_\_\_\_\_

**2. What is your birth date?**

Month \_\_\_\_\_ Day \_\_\_\_\_ Year \_\_\_\_\_

**3. Which of the following best represents how you think of your gender?**

- ☐ Male ☐ Female  
☐ Transgender Male to Female  
☐ Transgender Female to Male  
☐ Gender non-conforming ☐ Refuse

**4. Where did you stay last tonight? (Shade 1)**

- ☐ Your home/apartment ☐ Van  
☐ A friend's home/apartment ☐ Tent or encampment  
☐ Couchsurfing ☐ Outdoors/streets/parks  
☐ Motel/hotel ☐ Abandoned building or squat  
☐ Emergency shelter ☐ Hospital  
☐ Transitional housing ☐ Jail/juvenile detention/prison  
☐ Backyard or storage structure ☐ Foster care placement  
☐ Automobile/car ☐ Drug/alcohol treatment/detox center  
☐ Camper/RV ☐ Other: \_\_\_\_\_  
☐ Public facility (train station, transit center, bus stop)

**5. Can you live where you stayed last night for the next 14 days?**

- ☐ Yes  
☐ No  
☐ Don't know

**6. Did you stay alone last night or with other people?**

- ☐ With other people ☐ Alone (Please skip to Question 8)

**7. Who did you stay with last tonight?**

(shade all that apply and write how many people you will be staying with, for example if you will be staying with your mom and little sister please bubble parent and write in 1, then bubble sibling and write in 1)

<input type="radio"/> Parent or legal guardian(s)	
<input type="radio"/> Other adult family member(s)	
<input type="radio"/> Sibling(s) under the age of 18	
<input type="radio"/> My own child(ren) under 18	
<input type="radio"/> Friends	
<input type="radio"/> Roommates	
<input type="radio"/> Other: _____	

**8. Have you accessed services at any of the following locations today?**

- ☐ MISSEY  
☐ Youth Uprising  
☐ REACH Ashland Youth Center  
☐ Our Kids, HCSA

Day □ □	Month □ □	Year □ □	Initials □ □ □	City □ □ □	Office Use Only
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# Appendix E: Survey Results

The following tables include the aggregate results of select questions asked of individuals experiencing homelessness in Alameda County during the *EveryOne Counts! 2019 Homeless Survey*.

Section A: Demographics		Count	N %
Do you identify as LGBTQ+?	Yes	229	14%
	No	1453	86%
	<b>Total</b>	<b>1682</b>	<b>100%</b>
<i>Breakout of Respondents Identifying as LGBTQ+</i>	Bisexual	98	43%
	Lesbian	37	16%
	Gay	43	19%
	Transgender	38	12%
	Queer	18	8%
	Other	23	10%
	<b>Total</b>	<b>229</b>	<b>100.0%</b>
Are you currently pregnant?	Yes	35	6%
	No	575	92%
	Don't know	6	1%
	Refuse	9	1%
	<b>Total</b>	<b>625</b>	<b>100%</b>
Have you ever been in foster care?	Yes	238	14%
	No	1341	81%
	Don't know	10	1%
	Refuse	68	4%
	<b>Total</b>	<b>1657</b>	<b>100%</b>
Are you currently enrolled in school?	Yes	87	5%
	No	1523	92%
	<b>Total</b>	<b>1651</b>	<b>100%</b>



Section C: Accommodation		Count	N %
Where were you staying on the night of January 29, 2019?	Outdoors, streets, parks, encampments	625	37%
	Structure indoor area	261	15%
	Motel/hotel	176	10%
	Vehicle	162	10%
	Emergency transition or other shelter	458	27%
	<b>Total</b>	<b>1682</b>	<b>100%</b>
Is this the first time you have been homeless?	Yes	502	31%
	No	1037	64%
	Refuse	89	5%
	<b>Total</b>	<b>1628</b>	<b>100%</b>
How long have you been homeless this current time?	7 days or less	31	2%
	8-30 days	42	3%
	1-3 months	82	5%
	4-6 months	165	10%
	7-11 months	150	9%
	1 year	169	10%
	More than 1 year	861	53%
	Refuse	138	8%
	<b>Total</b>	<b>1638</b>	<b>100%</b>
In addition to right now, how long would you say you have stayed in these kinds of places total in the past 3 years?	Less than a year	362	29%
	1-3 years	423	34%
	4 years or more	477	38%
	<b>Total</b>	<b>1262</b>	<b>100%</b>



Section D: Cause and Prevention		Count	N %
What do you think is the primary event or condition that led to your homelessness?	Job loss	222	13%
	Eviction/Foreclosure	152	9%
	Incarceration	135	8%
	Substance use issues	167	10%
	Physical health issues	91	5%
	Divorce/Separation/Break-up	58	4%
	Rent increase	150	9%
	Argument with family/friend/roommate	85	5%
	Family/domestic violence	97	6%
	Mental health issues	201	12%
	Aging out of foster care	57	3%
	Family or friends couldn't afford to let me stay	115	7%
	Death of a parent/spouse/child	71	4%
	Other money issues	133	8%
	Other	84	5%
	Don't know	117	7%
	<b>Total</b>	<b>1655</b>	<b>100%</b>
What resources might have helped you remain in your housing?	Rent assistance	549	33%
	Employment assistance	378	23%
	Benefits/income	492	30%
	Mental health services	341	21%
	Food assistance	143	9%
	Transportation assistance	144	9%
	Legal assistance	233	14%
	Alcohol/drug counseling	281	17%
	Family counseling	169	10%
	Conflict resolution with roommate	136	8%
	Help paying health care bills/insurance	99	6%
	Help obtaining resources after leaving institution	183	11%
	Landlord mediation	74	4%
	Don't know	132	8%
	Mortgage assistance	72	4%
	Child support	52	3%
	Adequate retirement income	54	3%
	Other	71	4%
	Refuse	92	6%
	<b>Total</b>	<b>1658</b>	<b>100%</b>



If you could get into any kind of housing right now, would kind would you like best?	Independent, affordable rental housing	896	55%
	Housing with support services	242	15%
	Assisted living (24-hour care)	62	4%
	Clean and sober housing	213	13%
	Not interested in housing now	54	3%
	Other: _____	59	4%
	Refuse	109	7%
	<b>Total</b>	<b>1635</b>	<b>100%</b>

Section E: Residency		Count	N %
In what county were you living at the time you most recently became homeless?	San Francisco	64	4%
	Other County in CA	71	4%
	Out of State	53	3%
	Alameda County	1267	78%
	Contra Costa County	36	2%
	Marin County	10	1%
	San Mateo County	21	1%
	Santa Clara County	32	2%
	Refuse	79	5%
	<b>Total</b>	<b>1633</b>	<b>100%</b>
How long have you lived in Alameda County?	Less than 6 months	63	4%
	6 months to 1 year	117	8%
	1-4 years	196	13%
	5-9 years	202	13%
	10+ years	882	57%
	Refuse	86	6%
	<b>Total</b>	<b>1546</b>	<b>100%</b>
What was the primary reason you stay in this location?	For a job/seeking work	104	6%
	To access VA services or clinic	14	1%
	Family/friends are here	236	15%
	To access homeless services and/or benefits	114	7%
	LGBTQ+ community/acceptance	27	2%
	I grew up here/it's my home	626	38%
	I feel safe here	222	14%
	Shelter/housing program	161	10%
	Other: _____	122	8%
	<b>Total</b>	<b>1626</b>	<b>100%</b>



Immediately before you became homeless, what type of place were you living in?	A home owned or rented by you or your partner	434	26%
	A home owned or rented by friends/relatives	525	32%
	Motel/hotel	133	8%
	Other: _____	135	8%
	Jail or prison	98	6%
	Subsidized housing or permanent supportive housing	101	6%
	Refuse	113	7%
	Hospital or treatment facility	55	3%
	Foster care placement	34	2%
	Juvenile Justice Facility	13	1%
	<b>Total</b>	<b>1641</b>	<b>100%</b>

Section G: Criminal Justice		Count	N %
Are you currently on probation?	Yes	137	9%
	No	1330	83%
	Don't know	36	2%
	Refuse	108	7%
	<b>Total</b>	<b>1611</b>	<b>100%</b>
Are you currently on parole?	Yes	52	3%
	No	1354	88%
	Don't know	26	2%
	Refuse	105	7%
	<b>Total</b>	<b>1537</b>	<b>100%</b>

Section H: Domestic Violence		Count	N %
Are you currently experiencing home/domestic violence or abuse?	Yes	99	6%
	No	1399	87%
	Refuse	101	6%
	<b>Total</b>	<b>1599</b>	<b>100%</b>
Have you ever been physically, emotionally or sexually abused by a relative, or another person you have stayed with?	Yes	420	26%
	No	1072	66%
	Refuse	128	8%
	<b>Total</b>	<b>1620</b>	<b>100%</b>



Section I: Services and Assistance		Count	N %
If new money came into Alameda County to end homelessness, how should it be spent?	24/7 Basic sanitation	405	25%
	Safe parking for persons living in vehicles	170	10%
	Emergency shelter	324	20%
	Daytime drop-in centers	236	14%
	Permanent help with rent/subsidy	632	38%
	Affordable rental housing	850	52%
	Shared housing	97	6%
	Assisted living/24-hour care	81	5%
	Housing with supportive services	318	19%
	Domestic violence shelters	99	6%
	Employment training and job opportunities	506	31%
	Substance use and/or mental health services	368	22%
	Family reunification	168	10%
	Short-term financial assistance	260	16%
	Short-term help with rent	165	10%
	Other	109	7%
	<b>Total</b>	<b>1649</b>	<b>100%</b>
What prevents you from using shelter services?	They are full	250	16%
	Germs	299	19%
	Bugs	434	28%
	They are too crowded	345	22%
	Concerns for personal safety	350	22%
	There are too many rules	359	23%
	They are too far away	126	8%
	There is nowhere to store my stuff	305	19%
	I can't stay with my partner/family	166	11%
	I can't stay with my friends	149	10%
	They don't accept my pet	164	10%
	Don't accept my gender or sexual orientation	43	3%
	Refuse	288	18%
	<b>Total</b>	<b>1566</b>	<b>100%</b>
Have you used Coordinated Entry?	Yes	729	45%
	No	686	43%
	Don't know	115	7%
	Refuse	79	5%
	<b>Total</b>	<b>1609</b>	<b>100%</b>





# Appendix F: Table of Figures

## Point-in-Time Count Findings Figures 1-12

FIGURE 1. Total Number of Persons Experiencing Homelessness in Alameda County During the Point-in-Time Count .....	12
FIGURE 2. Total Number of Persons Experiencing Homelessness by Shelter Status .....	13
FIGURE 3. Total Number of Persons Experiencing Homelessness by Location .....	14
FIGURE 4. Total Number of Persons Experiencing Homelessness by Household Type, Age, and Shelter Status .....	14
FIGURE 5. Total Number of Persons Experiencing Homelessness by Gender .....	15
FIGURE 6. Total Number of Persons Experiencing Homelessness by Household Type, Gender, and Shelter Status .....	15
FIGURE 7. Total Number of Persons Experiencing Homelessness by Hispanic/Latinx Ethnicity .....	16
FIGURE 8. Total Number of Persons Experiencing Homelessness by Race .....	16
FIGURE 9. Total Number of Persons Experiencing Homelessness by Jurisdiction and Shelter Status .....	17
FIGURE 10. Total Number of Persons Experiencing Homelessness by Jurisdiction .....	18
FIGURE 11. Total Number of Unsheltered Persons by Census Tract .....	19
FIGURE 12. Federally Reported Subpopulations .....	20

## Survey Findings Figures 13-35

FIGURE 13. Place of Residence at Time of Housing Loss .....	22
FIGURE 14. Length of Time Spent in Alameda County .....	22
FIGURE 15. Reason for Staying in Current Location (Specific Place) .....	23
FIGURE 16. Living Arrangements Immediately Prior to Experiencing Homelessness by First-Time Homelessness .....	24
FIGURE 17. Current Living Arrangements .....	25
FIGURE 18. Experiencing Homelessness for the First Time .....	26
FIGURE 19. Number of Episodes of Homelessness in the Past Three Years .....	26
FIGURE 20. Length of Current Episode of Homelessness .....	27
FIGURE 21. Age at First Experience of Homelessness .....	27
FIGURE 22. Primary Cause of Homelessness (Top Six Responses) .....	28
FIGURE 23. Support That Might Have Prevented Homelessness (Top Five Responses) .....	29
FIGURE 24. Sexual and Gender Identity .....	30
FIGURE 25. History of Foster Care .....	31
FIGURE 26. Criminal Justice Involvement .....	32
FIGURE 27. School Enrollment .....	33
FIGURE 28. Health Conditions .....	34
FIGURE 29. Health Conditions by Shelter Status .....	35



FIGURE 30. Domestic Violence .....	36
FIGURE 31. History of Domestic Violence Experience by Gender .....	36
FIGURE 32. How Any New Funding to End Homelessness in Alameda County Should be Spent (Top Six Responses).....	37
FIGURE 33. Coordinated Entry Use .....	38
FIGURE 34. Reasons for Not Using Shelter Services (Top Five Responses) .....	38
FIGURE 35. Types of Housing Wanted .....	39

### **Single Adults 25 and Older Figures 36-42**

FIGURE 36. Shelter Status of Single Adults 25 Years and Older EXperiencng Homelessness .....	41
FIGURE 37. Length of Current Episode of Homelessness Among Single Adults 25 years and Older .....	42
FIGURE 38. Living Arrangements Immediately Prior to Becoming Homeless Among Single Adults 25 Years and Older (Top Five Responses) .....	42
FIGURE 39. Primary Cause of Homelessness Among Single Adults 25 Years and Older (Top Five Responses).....	43
FIGURE 40. Support Needed to Prevent Housing Loss Among Single Adults 25 Years and Older (Top Five Responses).....	43
FIGURE 41. Health Conditions Among Single Adults 25 Years and Older .....	44
FIGURE 42. Types of Housing Wanted Among Single Adults 25 Years and Older.....	44

### **Families with Children Figures 43-45**

FIGURE 43. Shelter Status of Families with Children Experiencing Homelessness .....	45
FIGURE 44. Primary Cause of Homelessness Among Families With Children .....	46
FIGURE 45. Health Conditions Among Families With Children .....	46

### **Unaccompanied Children and Transition-Age Youth Figures 46-50**

FIGURE 46. Shelter Status of Unaccompanied Children and Transition-Age Youth Experiencing Homelessness .....	48
FIGURE 47. Primary Cause of Homelessness Among Unaccompanied Children and Transition-Age Youth.....	49
FIGURE 48. Health Conditions Among Unaccompanied Children and Transition-Age Youth .....	50
FIGURE 49. LGBTQ+ Status Among Unaccompanied Children and Transition-Age Youth .....	51
FIGURE 50. History of Foster Care Among Unaccompanied Children and Transition-Age Youth .....	52

### **Individuals Experiencing Chronic Homelessness Figures 51-53**

FIGURE 51. Shelter Status of Persons Experiencing Chronic Homelessness.....	53
FIGURE 52. Primary Cause of Homelessness Among Chronically Homeless Persons .....	54
FIGURE 53. Health Conditions Among Chronically Homeless Persons .....	55

### **Veterans Figures 54-56**

FIGURE 54. Shelter Status of Veterans Experiencing Homelessness .....	56
FIGURE 55. Primary Cause of Homelessness Among Veterans .....	57
FIGURE 56. Health Conditions Among Veterans.....	57





## Appendix G: Figure Sources

**All Point in Time Count Data 2017-2019:** The figure source for the data is *Applied Survey Research, (2017-2019) Alameda Homeless Census and Survey*.

**All Homeless Survey Findings 2017-2019:** The figure source for the data is *Applied Survey Research, (2017-2019) Alameda Homeless Census and Survey*.

**All Subpopulation Data 2017-2019:** The figure source for the data is *Applied Survey Research, (2017-2019) Alameda Homeless Census and Survey*.

**All Point in Time Count and Survey Data 2009-2015:** The figure source for the data is *Focus Strategies. (2009 – 2015). Alameda Countywide Homeless Count and Survey Report*.

**All U.S. Census Data:** The figure source for the data is *U.S. Census Bureau. (May 2017). American Community Survey 2017 1 Year Estimates, Table DP05: ACS Demographic and Housing Estimates. Retrieved from <http://factfinder2.census.gov>*.





# Alameda County

HOMELESS COUNT & SURVEY

COMPREHENSIVE REPORT

2019





# City of Hayward

HOMELESS COUNT & SURVEY

COMPREHENSIVE REPORT

# 2019







## APPLIED SURVEY RESEARCH

Applied Survey Research (ASR) is a social research firm dedicated to helping people build better communities by collecting meaningful data, facilitating information-based planning, and developing custom strategies. The firm was founded on the principle that community improvement, initiative sustainability, and program success are closely tied to assessment needs, evaluation of community goals, and development of appropriate responses.

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## EVERYONE HOME

EveryOne Home is leading the collective effort to end homelessness in Alameda County. We're building momentum, using data to improve our efforts and aligning resources for long-term solutions. By emphasizing an efficient regional response, EveryOne Home envisions that by 2023, no person will need to sleep on the street because they have a place to call home.

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Project Manager: Laura Guzman, Director, Continuum of Care

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## ASPIRE CONSULTING LLC

Aspire Consulting LLC empowers communities to refine its programs and housing crisis response system to be housing-focused, oriented to outcomes, effective, efficient, and well-coordinated. Focal points of Aspire Consulting LLC's work include: training and project management for measuring and improving outcomes; staff training, retreats, and learning collaboratives to align organizational culture and practices toward housing first, low barrier approaches; planning and launching coordinated entry systems; optimizing rapid rehousing services; and training diverse community stakeholders about the cultural shift to be more permanent housing and outcome-focused. Aspire Consulting LLC also has many years of experience in Point-in-Time Counts, Homeless Management Information Systems, Homeless and Caring Court, and 100 Day Challenge performance improvement initiatives. Kathie Barkow is the founder and principal consultant of Aspire Consulting LLC.

## ALAMEDA COUNTY HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT

Trevor Mells, HMIS Team Lead



# Table of Contents

<b>TABLE OF CONTENTS</b>	<b>4</b>
<b>ACKNOWLEDGMENTS</b>	<b>5</b>
<b>INTRODUCTION</b>	<b>8</b>
Federal Definition of Homelessness for Point-in-Time Counts	9
<b>INFOGRAPHIC SUMMARY</b>	<b>10</b>
<b>POINT-IN-TIME COUNT: KEY DATA FINDINGS</b>	<b>12</b>
Number and Characteristics of Persons Experiencing Homelessness in the City of Hayward	12
Subpopulations	20
<b>SURVEY FINDINGS</b>	<b>21</b>
Living Accommodations	21
Duration and Recurrence of Homelessness	26
Primary Cause of Homelessness	28
Sexual Orientation and Gender Identity	30
Foster Care System	31
Criminal Justice System	32
School Enrollment	33
Health	34
Domestic/Partner Violence or Abuse	35
Services and Assistance	36
Interest in Housing	38
<b>SUBPOPULATIONS</b>	<b>39</b>
Single Adults 25 Years and Older	40
Families with Children	44
Unaccompanied Children and Transition-Age Youth	46
Individuals Experiencing Chronic Homelessness	52
Veterans	56
<b>APPENDIX A: METHODOLOGY</b>	<b>58</b>
Street Count Methodology	59
Youth Count Methodology	61
Enumeration Challenges and Limitations	63
<b>APPENDIX B: DEFINITIONS AND ABBREVIATIONS</b>	<b>67</b>
<b>APPENDIX C: POINT-IN-TIME COUNT RESULTS</b>	<b>69</b>
<b>APPENDIX D: ADULT SURVEY &amp; YOUTH SCREENING TOOL</b>	<b>75</b>
<b>APPENDIX E: SURVEY RESULTS</b>	<b>78</b>
<b>APPENDIX F: TABLE OF FIGURES</b>	<b>85</b>
<b>APPENDIX G: FIGURE SOURCES</b>	<b>87</b>





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The *EveryOne Counts! 2019 Homeless Count and Survey* planning team, consisting of EveryOne Home, ASR, and Aspire Consulting LLC, would like to thank the many individuals and organizations for their time and commitment to this project. This year, recruitment and training efforts yielded an extraordinary community response, resulting in a 68% increase in volunteer and guide participation over the last biennial count in 2017. There were 164 trained guides with lived experience of homelessness and 489 volunteers who, together, canvassed all of Alameda County's census tracts during the early morning hours of January 30, 2019. We would like to express our deep gratitude to the teams of guides and surveyors with lived experience of homelessness, including youth, for their outstanding fieldwork and invaluable insight in ensuring the accuracy of the count, and for sharing their first-hand knowledge of encampments, communities living in vehicles, and locations where unsheltered youth reside.

As in 2017, our non-profit partners, city and county employees, and local law enforcement teams assisted with many aspects of the Point-in-Time Count, including planning meetings; conducting a pre-count survey of people living in tents and vehicles; offering special outreach on count day; supporting the youth count; and assisting us in successfully implementing the housing survey on the streets and in shelters and transitional housing programs.

In addition, hundreds of incredible community members answered the call to volunteer in the early hours of the morning. These volunteers were partnered with guides to methodically cover their assigned census tracts, conduct the visual tally, and submit their results. Thank you to each volunteer for showing up and getting this work done to measure our efforts.

EveryOne Home and the Alameda County Continuum of Care (CoC) provided oversight for the *EveryOne Counts! 2019 Homeless Count and Survey*. We thank the members of the HUD Continuum of Care Committee for their input and guidance. We are also very grateful to the jurisdictional partners who worked closely with our team to ensure communities were well represented in the planning efforts and data collection activities.

Trevor Mells of Alameda County Housing and Community Development Department led the sheltered count, collecting the HUD-required data from agencies that utilize the countywide Homeless Management Information System as well as those that do not.

Special thanks to the following programs, jurisdictions, and individuals, who went above and beyond in providing support, resulting in the critical success of *EveryOne Counts! 2019*:

## TRAINING AND DEPLOYMENT SITES

- Allen Temple Baptist Church
- Asbury United Methodist Church
- City of Hayward
- City of Livermore
- First Congregational Church of Berkeley
- Oakland City Hall
- St. Vincent de Paul Community Center
- Covenant House Oakland
- Youth Uprising



## PRE-COUNT OF VEHICLES AND TENTS

- Berkeley Food & Housing Project
- Building Futures
- CAREavan, City of Union City
- City of Alameda
- City of Fremont
- CityServe of the Tri-Valley
- Downtown Streets Team, Hayward
- Operation Dignity
- ROOTS Clinic

## GUIDE RECRUITMENT AND SUPPORT

- Abode Services
- Bay Area Community Services – STAIR Center, Berkeley, and Oakland Community Cabins
- Bananas Inc.
- Building Futures
- CAREavan, City of Union City
- CityServe of the Tri-Valley
- Consumer Advisory Board, Alameda County Health Care for the Homeless
- Downtown Streets Team – Hayward, Berkeley, and Oakland
- Homeless Action Center
- Housing Consortium of the East Bay
- Joe Camarillo, City of San Leandro Police Department
- Lava Mae Oakland
- Operation Dignity – Oakland Community Cabins
- Parent Voices Oakland
- Peter Radu, Health, Housing & Community Services Department, City of Berkeley
- Talia Rubin, Community Housing Services Division, City of Oakland
- Candice Elder, The East Oakland Collective
- UC Berkeley Outreach Team

## SPECIAL OUTREACH TEAMS

- Alameda County Health Care for the Homeless
- Berkeley Food & Housing Project Outreach Team
- Building Futures' Outreach Team
- City of Dublin
- City of Emeryville
- City of Livermore Police Department
- City of Oakland
- City of Pleasanton
- City of Alameda
- ROOTS Clinic
- The East Oakland Collective
- San Leandro Police Department
- Veteran Affairs' Outreach Team

## SURVEY COORDINATORS

- Judy-Jones Germany, East Oakland Community Project
- Judy Xavier, City of Livermore
- Khalil Tokhey, BACS Hedco Wellness Center
- Kevin Coleman, Covenant House Oakland
- Laurie Flores, City of Fremont
- Ola Coleman, East Oakland Community Project
- Omar Rascón, Alameda County Health Care for the Homeless
- Terry Kalahar, Homeless Action Center

## YOUTH COUNT

- Beyond Emancipation
- C'Mone Falls, Alameda County Social Services Agency
- Colette (Coco) Auerswald, UC Berkeley School of Public Health
- Covenant House Oakland
- Ja'nai Aubry, Family Violence Law Center
- Jasmine Gonzalez, Our Kids
- MISSEY
- REACH Ashland Youth Center
- UC Berkeley Suitcase Clinic
- VOICES Youth Center
- YEAH! Covenant House
- Youth Action Board



- Jessica Blakemore, ALL IN Alameda County/Interagency Children's Policy Council
- Julie Hadnot, ALL IN Alameda County/Interagency Children's Policy Council
- Youth Uprising

Special acknowledgement to Lateefah Simmon, BART Board of Directors for District 7, Karen Bastin, BART Customer Services Manager, and Todd Morgan, BART Assistant Treasurer, for facilitating the procurement of \$5 BART cards used as Youth Count and survey incentives.

## SHELTERED COUNT

- 24 Hour Oakland Parent / Teacher Children's Center
- A Safe Place
- Abode Services
- Bay Area Community Services
- Berkeley Food & Housing Project (BFHP)
- Building Futures
- Building Opportunities for Self-Sufficiency (BOSS)
- City of Fremont Winter Shelter
- CityTeam International
- Covenant House Oakland
- Dream Catcher Covenant House
- Dorothy Day House
- East Oakland Community Project (EOCP)
- Family Emergency Shelter Coalition (FESCO)
- Livermore Homeless Refuge
- Oakland Catholic Worker
- Operation Dignity
- Ruby's Place
- Safe Alternatives to Violent Environments (SAVE)
- Salvation Army
- Second Chance
- Shepherd's Gate
- St. Mary's Center
- St. Vincent de Paul
- Tri-Valley Haven
- YEAH! Covenant House

## TRANSITIONAL HOUSING PROGRAMS

- Abode Services
- Berkeley Food and Housing Project (BFHP)
- Building Opportunities for Self-Sufficiency (BOSS)
- City of Oakland/Bay Area Community Services (BACS)
- Covenant House Oakland
- East Oakland Community Project (EOCP)
- FESCO Family Emergency Shelter Coalition
- First Place for Youth
- Fred Finch Youth Center (FFYC)
- Oakland Elizabeth House
- Operation Dignity
- Shepherd's Gate
- Women's Daytime Drop-In Center

## SURVEY TRANSLATION

- Katharine Gale
- Hada Gonzalez, Eden I&R
- Jasmine Gonzalez
- Sandra Noorzoy, Eden I&R





# Introduction

Every two years, during the last ten days of January, communities across the country conduct comprehensive counts of the local population experiencing homelessness in order to measure the prevalence of homelessness in each community.

The Point-in-Time Count is required by the U.S. Department of Housing and Urban Development (HUD), but more importantly also informs local strategic planning, investment, capacity building, and advocacy campaigns to prevent and end homelessness.

The Alameda County Continuum of Care worked in conjunction with ASR to conduct the *EveryOne Counts! 2019 Homeless Count and Survey*. ASR is a social research firm with extensive experience in homeless enumeration and needs assessment that has worked with Alameda County on the *EveryOne Counts! Homeless Count and Survey* since 2017.

In order for the *EveryOne Counts! 2019 Homeless Count and Survey* to best reflect the experience and expertise of the community, EveryOne Home held planning meetings with local community members, including people with lived experience of homelessness, city and county departments, community-based service providers, and other interested stakeholders. These partners were instrumental to ensuring the *EveryOne Counts! 2019 Homeless Count and Survey* reflected the needs and concerns of the community while accomplishing several important project goals:

- To preserve current federal funding for homeless services and to enhance the ability to raise new funds;
- To measure changes in the numbers and characteristics of the homeless population since the EveryOne Counts! 2017 Homeless Count and Survey, and to track progress toward ending homelessness;
- To improve the ability of policy makers and service providers to plan and implement services that meet the needs of the local population experiencing homelessness;
- To increase public awareness of overall homeless issues and generate support for constructive solutions; and
- To assess the status of specific subpopulations, including veterans, families, unaccompanied children, transition-age youth, and those experiencing chronic homelessness.

The *EveryOne Counts! 2019 Homeless Count and Survey* consisted of four primary components: (1) the general street count, an observation-based enumeration of unsheltered persons between the hours of approximately 5:00 a.m. and 10:00 a.m.; (2) the youth count, a targeted enumeration of unsheltered youth under the age of 24 between the hours of approximately 2:30 p.m. and 7:30 p.m.; (3) the sheltered count, an enumeration of persons residing in emergency shelter, safe haven, and transitional housing facilities the night before the general street count; and (4) the survey, an in-person survey of a randomized sample of unsheltered and sheltered persons conducted by trained peer surveyors and program staff in the weeks following the general street count.



On January 30, 2019, every census tract in Alameda County was covered with the support of 164 individuals with lived experience of homelessness and 489 community volunteers, staff from various city and county departments, and law enforcement. This resulted in a peer-informed visual count of individuals and families residing on the streets and in vehicles, makeshift shelters, encampments, and other places not meant for human habitation. Emergency shelter, safe haven, and transitional housing facilities also reported the number of individuals and families who occupied their facilities on the night prior to the morning of the count.

A specialized count of unaccompanied children and transition-age youth under the age of 25 was conducted on the same day. This dedicated count was designed to improve the understanding of the scope of youth homelessness. Trained youth enumerators who currently or recently experienced homelessness conducted the count in specific areas where young people experiencing homelessness were known to congregate. The dedicated youth count methodology was improved in 2019 to screen for age and to better ensure unaccompanied children and transition-age youth were not included in both the general street count and youth count.

In the weeks following the street count, an in-depth survey was administered to a sample of 1,681 unsheltered and sheltered individuals and families experiencing homelessness. The survey gathered basic demographic details as well as information on residency, housing history, personal characteristics, and intersections with the service system.

This report provides data regarding the number and characteristics of people experiencing homelessness in Alameda County on a single night, January 29, 2019. Special attention is given to specific subpopulations defined by HUD, including persons experiencing chronic homelessness, veterans, families, unaccompanied children under the age of 18, and transition-age youth between the ages of 18 and 24. This report is intended to assist service providers, policy makers, funders, and local, state, and federal governments in gaining a better understanding of the population currently experiencing homelessness, measuring the impact of current policies and programming, and planning for the future.

To better understand the dynamics of homelessness, results from the previous count in 2017 and comparisons to countywide data from 2019 are provided where applicable.

## FEDERAL DEFINITION OF HOMELESSNESS FOR POINT-IN-TIME COUNTS

In this study, the HUD definition of homelessness for the Point-in-Time Count is used. This definition includes individuals and families:

- Living in a supervised publicly or privately operated shelter designated to provide temporary living arrangement; or
- With a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground.

For more information regarding the count and dedicated youth count, de-duplication, and project methodology, please see *Appendix A: Methodology*.



# City of Hayward

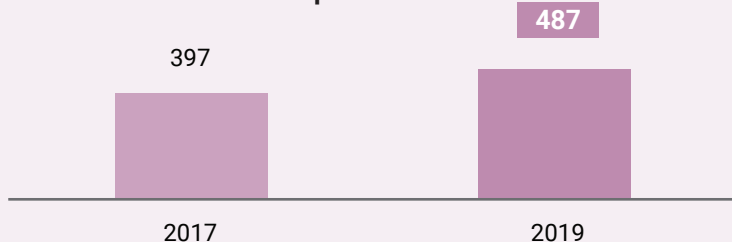
## 2019 EveryOne Counts

## Homeless Point-in-Time Count & Survey

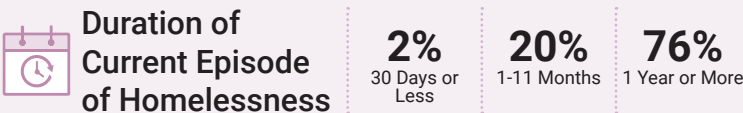
Every two years, during the last 10 days of January, communities across the country conduct comprehensive counts of people experiencing homelessness in order to measure the prevalence of homelessness in each local community.

The 2019 Alameda County EveryOne Home Point-in-Time Count was a community-wide effort conducted on January 30th, 2019. In the weeks following the street count, a survey was administered across Alameda County. In the city of Hayward, 248 unsheltered and sheltered homeless individuals were surveyed in order to profile their experience and characteristics.

### Homeless Census Population

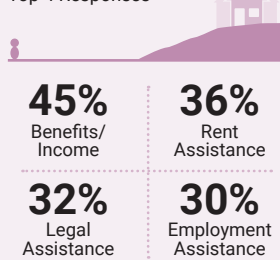


### Sheltered/ Unsheltered Population



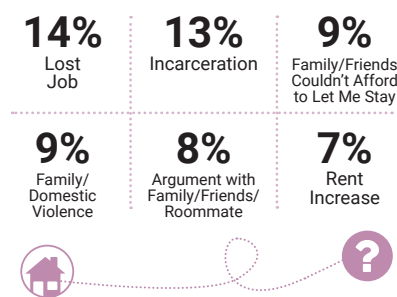
### What Might Have Prevented Homelessness

Top 4 Responses



### Primary Causes of Homelessness

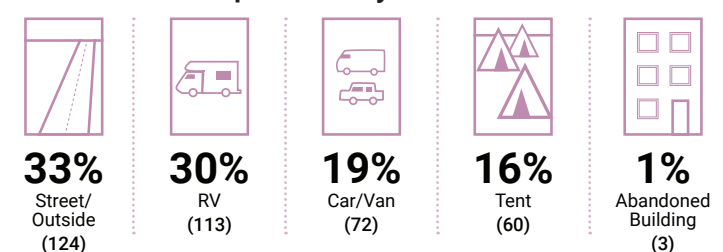
Top 6 Responses



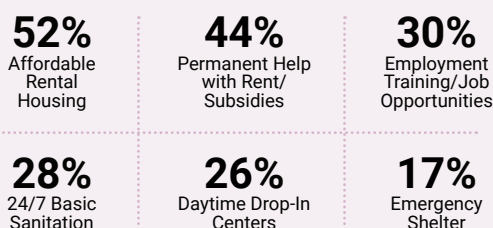
### Sheltered/Unsheltered Population by City



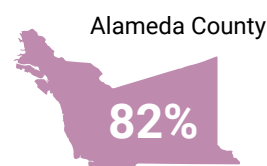
### Unsheltered Population by Location



### How New Money Should Be Spent



### Residence Prior to Homelessness

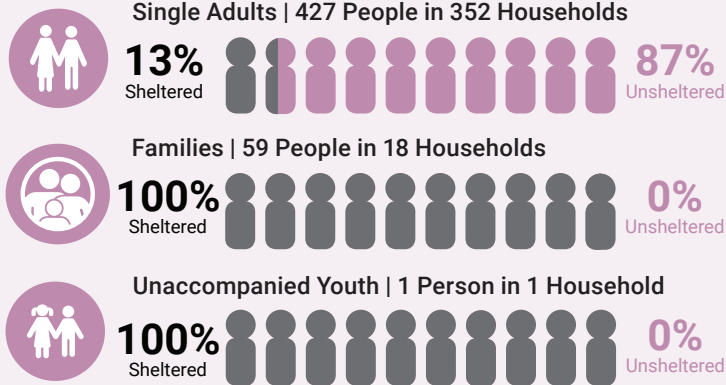


### Length of Time in Alameda County

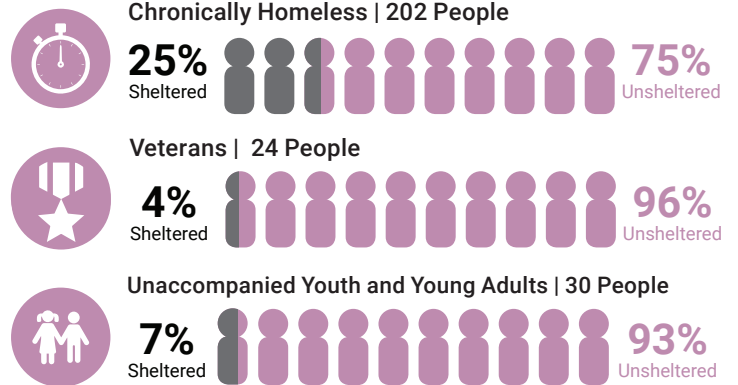




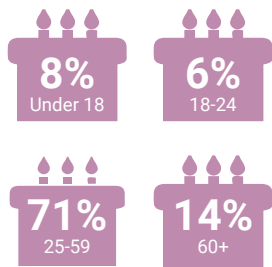
## Household Breakdown



## Subpopulations



## Age



## LGBTQ+ Status

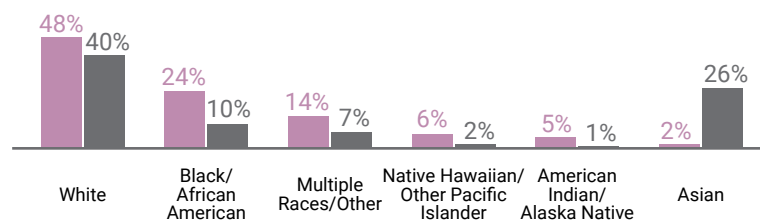
**17%** of survey respondents identified as LGBTQ+.



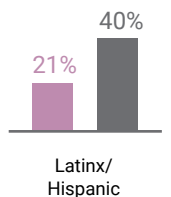
## Race and Ethnicity Compared to General Population

2019 Homeless Population 2017 General Population

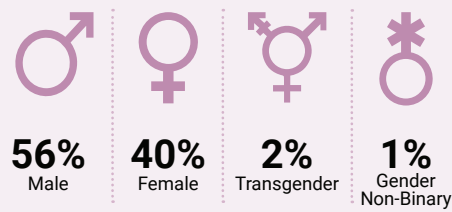
### Race



### Ethnicity



## Gender



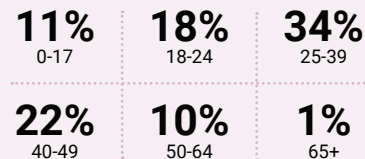
## First Episode of Homelessness

**39%** Yes



**40%** of those experiencing homelessness for the first time were homeless for one year or more.

## Age at First Episode of Homelessness



## Not Interested in Housing

**8%** of survey respondents said they were not interested in Independent, Affordable Rental Housing or Housing with Supportive Services.



## Health Conditions

Current health conditions reported by survey respondents.



**51%** Psychiatric/Emotional Conditions



**39%** Alcohol & Drug Use



**32%** Physical Disability



**31%** Post-Traumatic Stress Disorder



**25%** Chronic Health Problems



**15%** Traumatic Brain Injury



**2%** HIV/AIDS Related Illness

## Disabling Conditions

**56%** of survey respondents reported having at least one disabling condition.



A disabling condition is defined by HUD as a developmental disability, HIV/AIDS, or a long-term physical or mental impairment that impacts a person's ability to live independently, but could be improved with stable housing.



# Point-in-Time Count: Key Data Findings

The *EveryOne Counts! 2019 Homeless Count and Survey* includes a complete enumeration of all people who were unsheltered and people who were residing in a publicly or privately funded emergency shelter, safe haven, or transitional housing facilities. The general street count was conducted on January 30, 2019 from approximately 5:00 a.m. to 10:00 a.m. The weather was seasonally normal with no rain. The shelter count was conducted on the previous evening and included all individuals staying in emergency shelter, winter shelter, safe haven, and transitional housing facilities. The general street count and shelter count methodologies were similar to those used in 2017, with some improvements.

## NUMBER AND CHARACTERISTICS OF PERSONS EXPERIENCING HOMELESSNESS IN THE CITY OF HAYWARD

### TOTAL POPULATION AND TREND DATA

A total of 487 individuals experiencing homelessness were counted in the city of Hayward on January 30, 2019, an increase of 90 individuals (+23%) from 2017. The population of persons experiencing homelessness in Hayward represented 6% of the total number of persons enumerated in Alameda County during the 2019 Point-in-Time Count.

FIGURE 1. TOTAL NUMBER OF PERSONS EXPERIENCING HOMELESSNESS IN THE CITY OF HAYWARD DURING THE POINT-IN-TIME COUNT

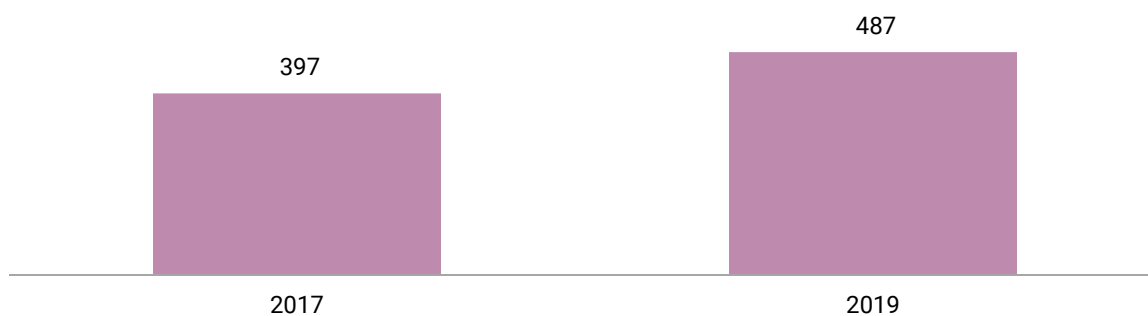
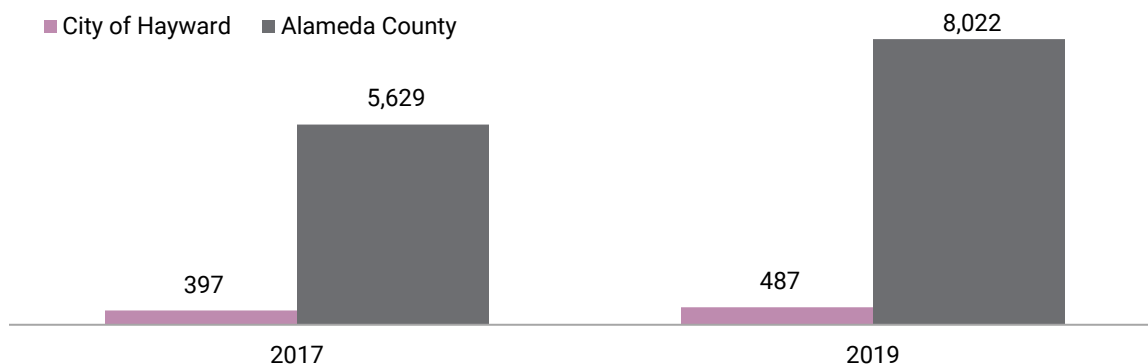




FIGURE 2. TOTAL NUMBER OF PERSONS EXPERIENCING HOMELESSNESS IN THE CITY OF HAYWARD WITH COUNTY COMPARISON



### SHELTERED AND UNSHELTERED STATUS

The number of individuals served by shelters increased (+37%) between 2017 and 2019 and there was an increase of 59 unsheltered individuals (+19%). In 2019, 76% of the people experiencing homelessness in the city of Hayward were unsheltered compared to 79% in 2017.

FIGURE 3. TOTAL NUMBER OF PERSONS EXPERIENCING HOMELESSNESS BY SHELTER STATUS



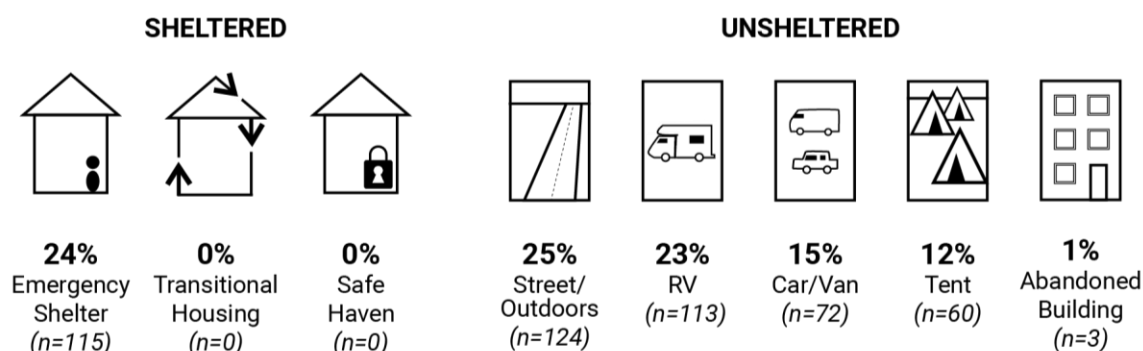
	UNSHELTERED	SHELTERED	TOTAL
City of Hayward	372	115	487
Alameda County	6,312	1,710	8,022



Over one-third (38%) of the population were residing in vehicles. An additional 12% were residing in tents or makeshift shelters and 25% were identified sleeping on the streets and in other outdoor locations. One percent (1%) were identified in non-residential buildings.

While the number of individuals sleeping on the streets and other outdoor locations decreased by 12% (17 individuals), the number of individuals sleeping in tents increased by 567% (51 individuals). The total number of persons residing in their vehicles increased by 126% (103 individuals), with the number of persons residing in RVs increasing by 126% (63 individuals) and the number of persons residing in cars or vans increasing by 125% (40 individuals).

FIGURE 4. TOTAL NUMBER OF PERSONS EXPERIENCING HOMELESSNESS IN THE CITY OF HAYWARD BY LOCATION



## HOUSEHOLD STATUS AND AGE

Persons in families with at least one adult and one child under age 18 represented approximately 12% of the overall population experiencing homelessness in Hayward, higher than Alameda County overall (7%). All persons in families (100%) were enumerated in emergency shelter programs.

Eighty-eight percent (88%) of the population experiencing homelessness were single individuals. Unaccompanied children and transition-age youth represented 6% of the population experiencing homelessness in Hayward, lower than the county overall (9%).

FIGURE 5. TOTAL NUMBER OF PERSONS EXPERIENCING HOMELESSNESS BY HOUSEHOLD TYPE, AGE, AND SHELTER STATUS

POPULATION	CITY OF HAYWARD			ALAMEDA COUNTY		
	UNSHELTERED	SHELTERED	TOTAL	UNSHELTERED	SHELTERED	TOTAL
<b>Persons in Families with Children</b>	<b>0</b>	<b>59</b>	<b>59</b>	<b>27</b>	<b>497</b>	<b>524</b>
Children under 18	0	38	38	14	286	300
Youth 18-24	0	2	2	1	34	35
Adults 25+	0	19	19	12	177	189
<b>Single Individuals</b>	<b>372</b>	<b>56</b>	<b>428</b>	<b>6,285</b>	<b>1,213</b>	<b>7,498</b>
Children under 18	0	1	1	9	20	29
Youth 18-24	27	2	29	579	139	718
Adults 25+	345	53	398	5,697	1,054	6,751

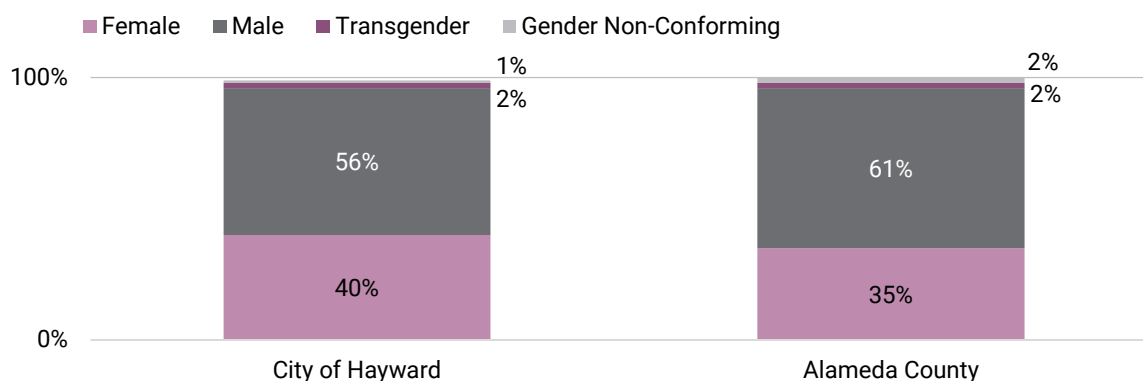
Note: Single Individuals include couples without children and unaccompanied children and youth without a parent or guardian.



## HOUSEHOLD STATUS AND GENDER

Overall, approximately 56% of the population experiencing homelessness in Hayward identified as male, 40% as female, 2% as transgender, and 1% as gender non-conforming.

FIGURE 6. TOTAL NUMBER OF PERSONS EXPERIENCING HOMELESSNESS BY GENDER



City of Hayward n=487; Alameda County n= 8,022

Note: Percentages may not add up to 100 due to rounding.

Gender varied by household type. Fifty-nine percent (59%) of single individuals identified as male, while 66% of people in families, including children, identified as female.

FIGURE 7. TOTAL NUMBER OF PERSONS EXPERIENCING HOMELESSNESS BY HOUSEHOLD TYPE, GENDER, AND SHELTER STATUS

	CITY OF HAYWARD			ALAMEDA COUNTY		
POPULATION	UNSHELTERED	SHELTERED	TOTAL	UNSHELTERED	SHELTERED	TOTAL
<b>Persons in Families</b>	<b>0</b>	<b>59</b>	<b>59</b>	<b>27</b>	<b>497</b>	<b>524</b>
Male	0	20	20	11	177	188
Female	0	39	39	16	320	336
Transgender	0	0	0	0	0	0
Gender Non-Conforming	0	0	0	0	0	0
<b>Single Individuals</b>	<b>372</b>	<b>56</b>	<b>428</b>	<b>6,285</b>	<b>1,213</b>	<b>7,498</b>
Male	221	33	254	3,937	785	4,728
Female	135	22	157	2,076	417	2,493
Transgender	0	10	10	114	8	122
Gender Non-Conforming	1	6	7	158	3	161

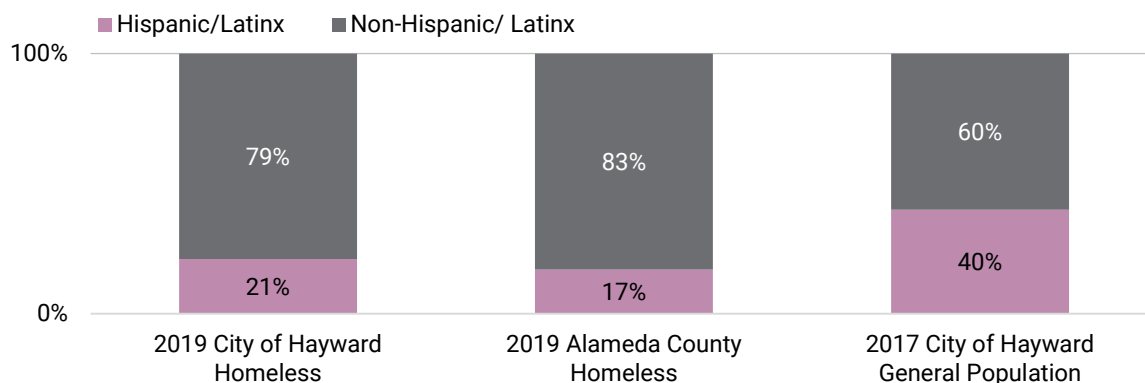
Note: Single Individuals include couples without children and unaccompanied children and youth without a parent or guardian.



## ETHNICITY AND RACE

The U.S. Census Bureau as well as HUD report race and ethnicity separately. In 2019, 21% of individuals experiencing homelessness in Hayward identified as Hispanic/Latinx.

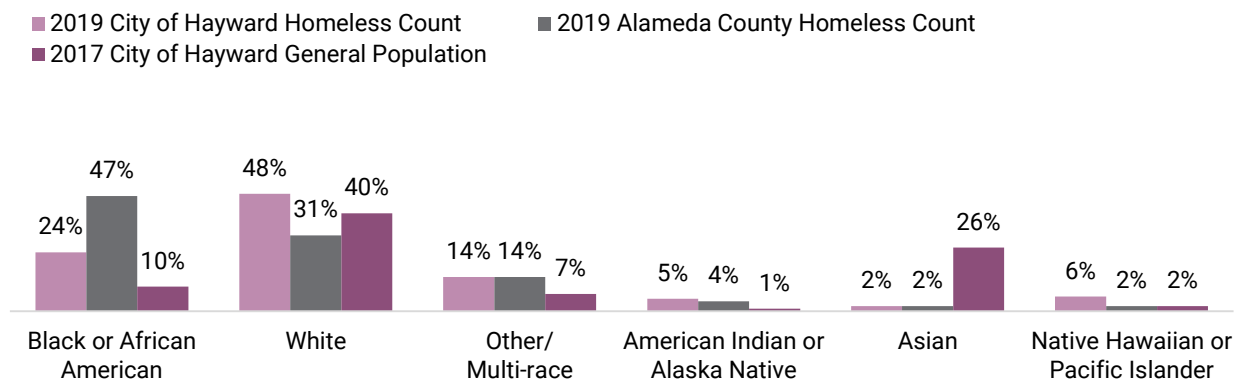
FIGURE 8. TOTAL NUMBER OF PERSONS EXPERIENCING HOMELESSNESS BY HISPANIC/LATINX ETHNICITY



City of Hayward Homeless Count n=487; Alameda County Homeless Count n=8,022

Individuals identifying as Black/African American were overrepresented in the population experiencing homelessness. An estimated 24% of persons experiencing homelessness in Hayward identified as Black/African American compared to 10% of the city's general population. Alternatively, 2% of those counted identified as Asian compared to 26% of the general population.

FIGURE 9. TOTAL NUMBER OF PERSONS EXPERIENCING HOMELESSNESS BY RACE



City of Hayward Homeless Count n=487; Alameda County Homeless Count n=8,022

Note: Percentages may not add up to 100 due to rounding.



## GEOGRAPHIC DISTRIBUTION

Similar to 2017, the population of individuals experiencing homelessness in Alameda County was concentrated in the urban centers. Over half (51%) were enumerated in Oakland, followed by 14% in Berkeley. Eight percent (8%) of those experiencing homelessness were located in Fremont and 6% were in Hayward.

With the exception of Albany and Piedmont, increases in the number of unsheltered individuals experiencing homelessness were observed in every jurisdiction within Alameda County.

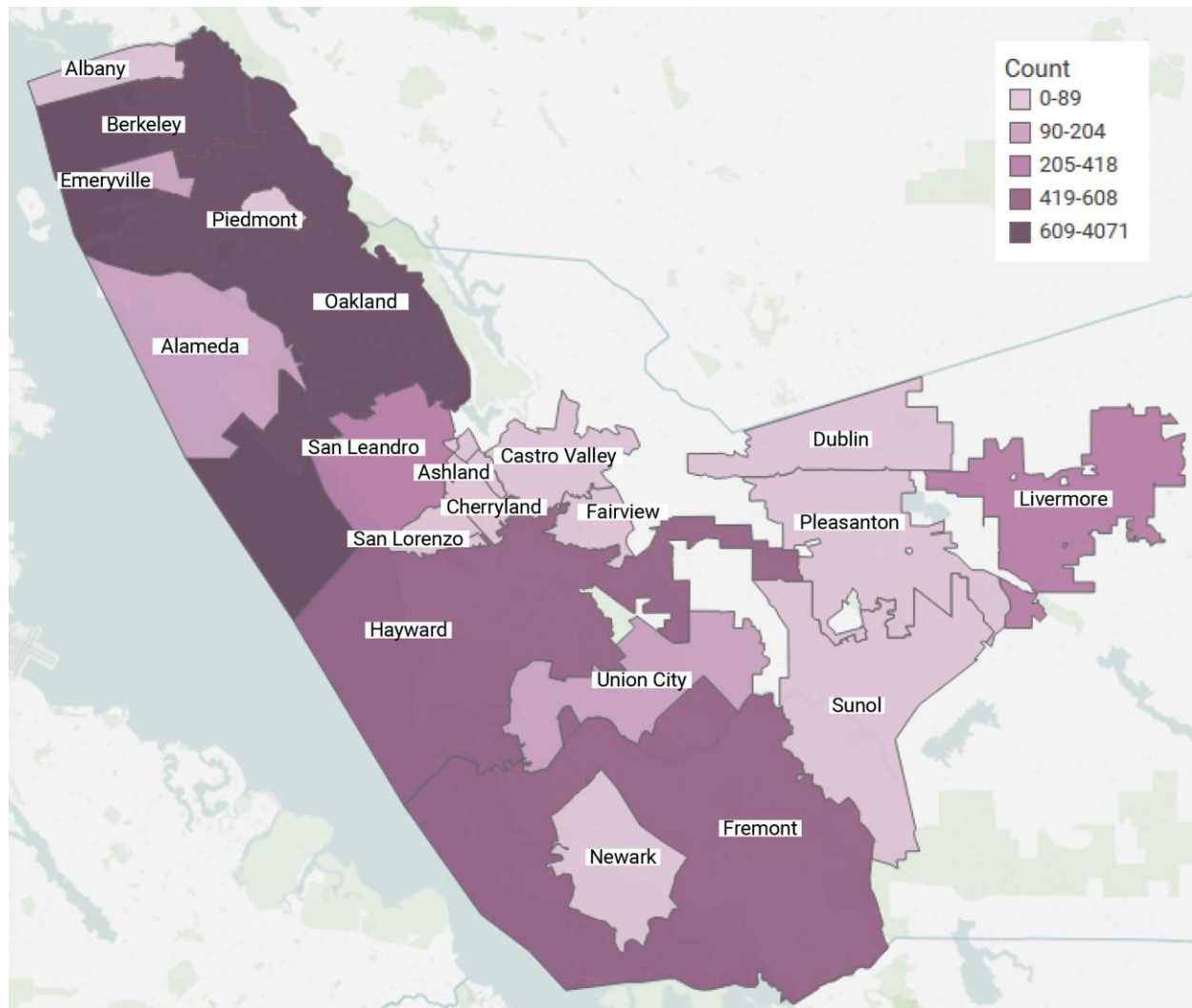
FIGURE 10. TOTAL NUMBER OF PERSONS EXPERIENCING HOMELESSNESS BY JURISDICTION AND SHELTER STATUS

Jurisdiction	2017			2019		
	Sheltered	Unsheltered	Total	Sheltered	Unsheltered	Total
Alameda	94	110	204	99	132	231
Albany	0	66	66	0	35	35
Berkeley	308	664	972	295	813	1,108
Dublin	0	21	21	0	8	8
Emeryville	0	29	29	0	178	178
Fremont	197	282	479	123	485	608
Hayward	84	313	397	115	372	487
Livermore	102	141	243	85	179	264
Newark	42	28	70	30	59	89
Oakland	859	1,902	2,761	861	3,210	4,071
Piedmont	0	0	0	0	0	0
Pleasanton	0	18	18	0	70	70
San Leandro	54	55	109	74	344	418
Union City	0	40	40	0	106	106
Unincorporated	26	194	220	28	321	349
<b>Total</b>	<b>1,766</b>	<b>3,863</b>	<b>5,629</b>	<b>1,710</b>	<b>6,312</b>	<b>8,022</b>



The following map of the Point-in-Time Count population illustrates the jurisdictions with the highest density of individuals experiencing homelessness; the city of Hayward reported the fourth-highest numbers of individuals experiencing homelessness in the county.

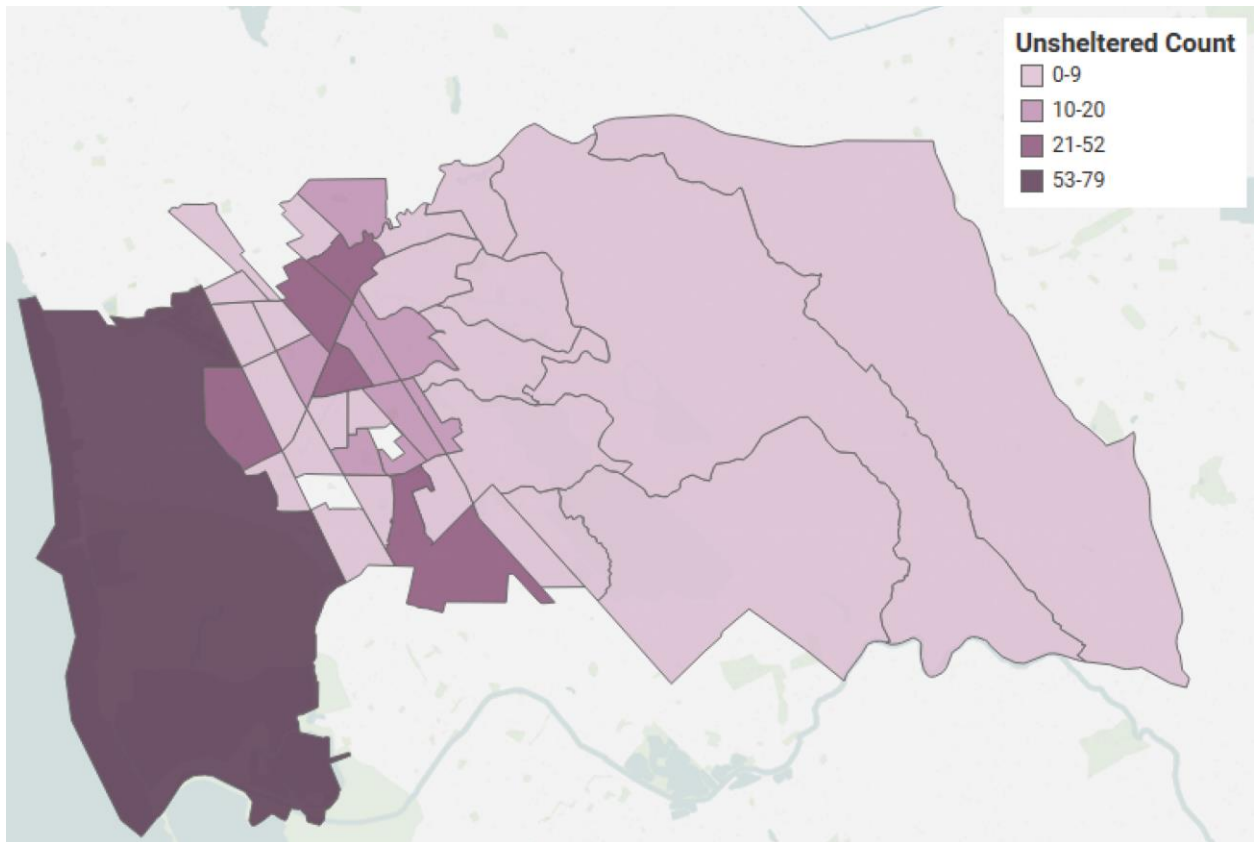
FIGURE 11. TOTAL NUMBER OF PERSONS EXPERIENCING HOMELESSNESS BY JURISDICTION





On January 30, 2019, volunteers and guides were assigned to count every census tract in Alameda County on to ensure full coverage. Census tract level data provides a more nuanced understanding of where individuals were located on the morning of the count.

FIGURE 12. TOTAL NUMBER OF UNSHELTERED PERSONS IN THE CITY OF HAYWARD BY CENSUS TRACT





## SUBPOPULATIONS

*Home, Together: The Federal Strategic Plan to Prevent and End Homelessness* outlines national objectives and evaluative measures for ending homelessness in the United States. To adequately address the diversity within the population experiencing homelessness, the federal government identifies four subpopulations with particular challenges or needs. Consequently, these subpopulations represent important reportable indicators for measuring local progress toward ending homelessness. Additional detail on families, unaccompanied children and transition-age youth, veterans, chronically homeless, and veteran populations are provided in the *Subpopulation* section of this report.

## REPORTED SUBPOPULATIONS

Unaccompanied children and transition-age youth represented 6% of the overall population in 2019, a decrease from 13% in 2017. This decrease may be attributed, in part, to a shift in the methodology used to estimate the number of unaccompanied children and transition-age youth experiencing homelessness as well as the challenges in enumerating this population. Please reference *Appendix A* for more information. Additionally, please note that unaccompanied children and transition-age youth may also be referred to as unaccompanied youth and young adults.

In 2019, 12% of the overall population experiencing homelessness (198 individuals) were persons in families with children under the age of 18. This was a decrease from 2017, when families represented 15% of the population (61 individuals). This may be due in part to challenges in enumerating unsheltered families; for more information about limitations of methodology, please reference *Appendix A*.

Forty-one percent (41%) of the population were identified as chronically homeless in 2019, compared to 38% in 2017. Five percent (5%) of the population were identified as veterans, compared to 6% in 2017.

FIGURE 13. FEDERALLY REPORTED SUBPOPULATIONS

	CITY OF HAYWARD		ALAMEDA COUNTY	
	#	%	#	%
Unaccompanied Youth and Young Adults	30	6%	731	9%
Persons in Families with Children	59	12%	524	7%
Chronically Homeless	202	41%	2,236	28%
Veterans	24	5%	692	9%
<b>Total Homeless Population</b>	<b>487</b>		<b>8,022</b>	





# Survey Findings

This section provides an overview of the findings generated from the survey component of the *EveryOne Counts! 2019 Homeless County and Survey*. Surveys were administered to a randomized sample of homeless individuals between February 1 and 28, 2019. This effort resulted in 1,681 complete and unique surveys.

Based on a Point-in-Time Count of 8,022 persons experiencing homelessness, with a randomized survey sampling process, these 1,681 valid surveys represent a confidence interval of +/- 2% with a 95% confidence level when generalizing the results of the survey to the entire estimated population of individuals experiencing homelessness in Alameda County. In other words, if the survey were conducted again, we can be 95% certain that the results would be within two percentage points of the current results.

There were 248 valid surveys conducted in the city of Hayward. Based on a Point-in-Time Count of 487 persons experiencing homelessness, these 248 surveys represent a confidence interval of +/- 4% with a 95% confidence level when generalizing the results of the survey to the entire estimated population of individuals experiencing homelessness in the city of Hayward. In other words, if the survey were conducted again, we can be confident that the results would be within four percentage points of the current results.

In order to respect respondent privacy and to ensure the safety and comfort of those who participated, respondents were not required to complete all survey questions. Missing values were intentionally omitted from the survey results. Therefore, the total number of respondents for each question will not always equal the total number of surveys conducted. For more information regarding the survey methodology, please see *Appendix A: Methodology*.

## LIVING ACCOMMODATIONS

Where individuals lived prior to experiencing homelessness and where they have lived since impacts the way they seek services, as well as their ability to access support from friends or family. Previous circumstances can also point toward gaps in the system of care and opportunities for systemic improvement and homelessness prevention.

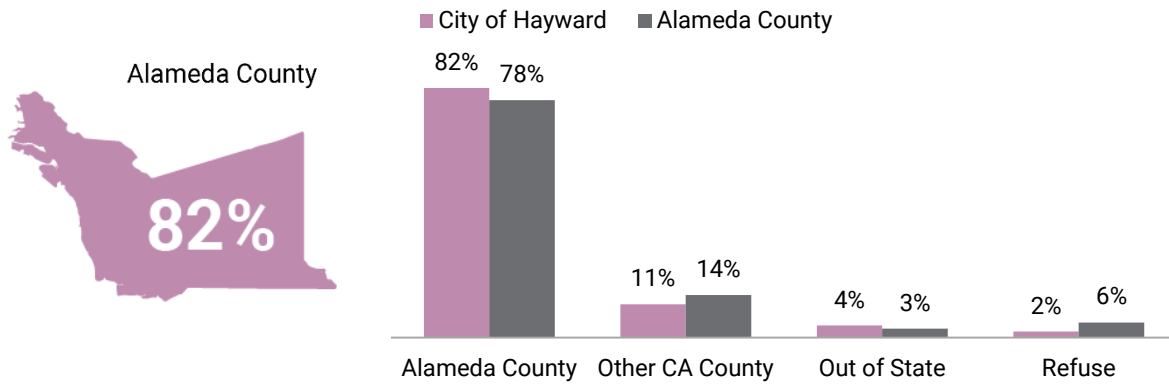
## PLACE OF RESIDENCE

Knowing where individuals were living prior to their housing loss informs discussions regarding how local the homeless population is to the region. This information can also influence changes to available support systems if Alameda County finds increasing numbers of individuals living locally before experiencing homelessness.

Eighty-two percent (82%) of respondents in the city of Hayward reported living in Alameda County at the time they most recently became homeless. Eleven percent (11%) reported living in another county in California; this included 4% from Santa Clara County and 2% from Contra Costa County. Four percent (4%) reported living out of state at the time they lost their housing.



FIGURE 14. PLACE OF RESIDENCE AT TIME OF HOUSING LOSS

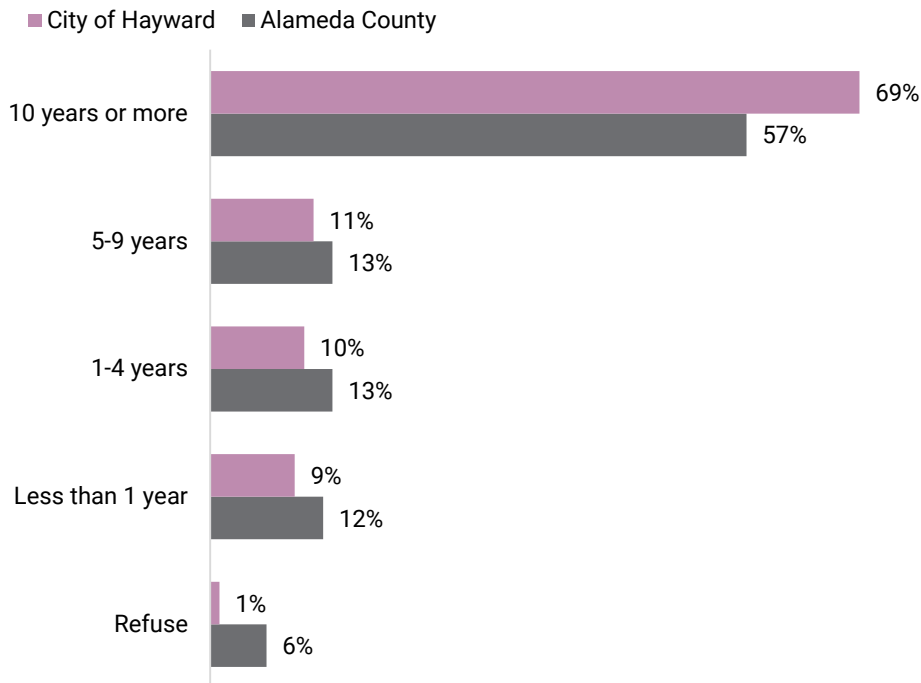


City of Hayward n=245; Alameda County n=1,633

Note: Percentages may not add up to 100 due to rounding.

In total, 69% of respondents reported they had been living in Alameda for 10 years or more (this included individuals who were born or grew up in the county). Approximately 9% of the population had been living in Alameda County for less than one year.

FIGURE 15. LENGTH OF TIME SPENT IN ALAMEDA COUNTY



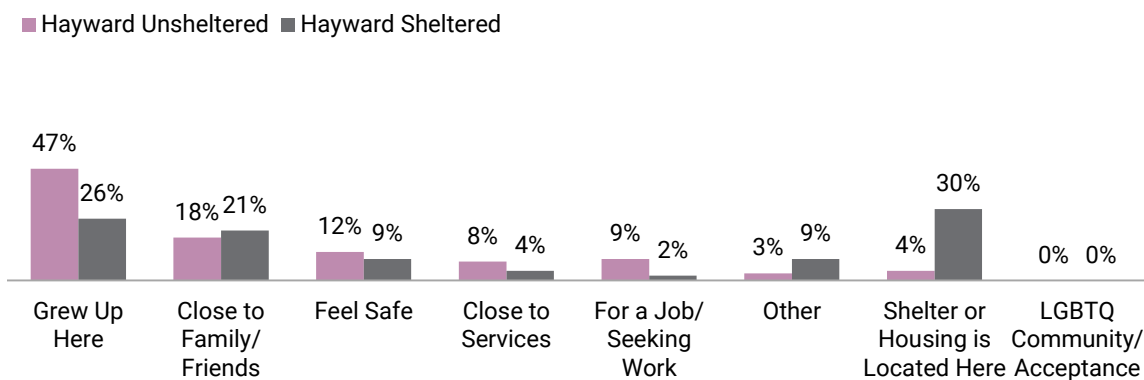
City of Hayward n=220; Alameda County n=1,546

Note: Percentages may not add up to 100 due to rounding.



Respondents were asked why they stay in their current location. Responses varied among sheltered and unsheltered respondents. Among unsheltered respondents, 47% reported that they grew up in the area or considered the area their home and 18% reported staying in the location because it was close to family or friends. Among sheltered respondents, 30% reported staying in the location because shelter or housing programs were located there and 26% stayed there because they grew up in the area or considered the area their home.

FIGURE 16. REASON FOR STAYING IN CURRENT LOCATION (SPECIFIC PLACE)



Hayward Unsheltered n=195; Hayward Sheltered n=47

Note: Multiple response question, percentages will not add up to 100.

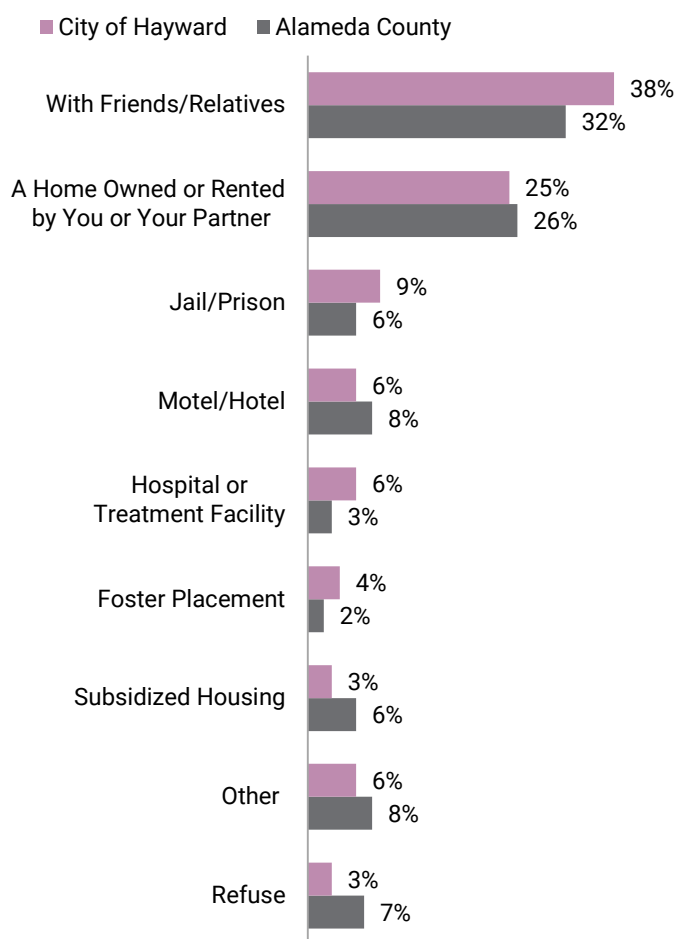


## PRIOR LIVING ARRANGEMENTS

Similar to previous place of residence, the type of living arrangements maintained by individuals before experiencing homelessness provides a look into what types of homeless prevention services might be offered to help individuals maintain their housing.

Thirty-eight percent (38%) of survey respondents in the city of Hayward reported staying with friends or relatives immediately prior to experiencing homelessness, compared to 32% of respondents countywide. Twenty-five percent (25%) of respondents in the city of Hayward reported living in a home owned or rented by themselves or a partner.

FIGURE 17. LIVING ARRANGEMENTS IMMEDIATELY PRIOR TO EXPERIENCING HOMELESSNESS



City of Hayward n=247; Alameda County n=1,641

Note: Percentages may not add up to 100 due to rounding.

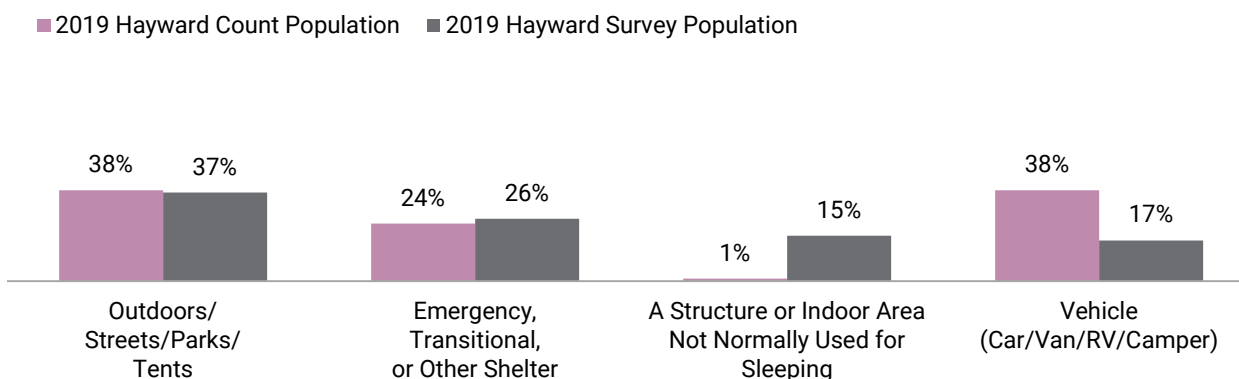


## CURRENT LIVING ARRANGEMENTS

Understanding the types of places individuals experiencing homelessness are sleeping can help inform local outreach efforts. While basic information on where individuals were observed during the general street count effort was collected, survey respondents were also asked about their living arrangements on the night of the count.

When asked about their living arrangements, 37% of survey respondents reported sleeping outdoors, either on the streets, in parks, or encampments. Another 26% reported staying in an emergency, transitional, or other type of shelter. Nineteen percent (19%) reported staying in a structure or indoor area not intended for human habitation and 17% were residing in a vehicle.

FIGURE 18. CURRENT LIVING ARRANGEMENTS



City of Hayward n=248; Alameda County n=1,682

Note: Percentages may not add up to 100 due to rounding.



## DURATION AND RECURRENCE OF HOMELESSNESS

Unstable living conditions, poverty, housing scarcity, and many other issues often lead to individuals falling into homelessness. For some, the experience of homelessness is part of a long and recurring history of housing instability. While there is research that demonstrates how housing instability has many of the same effects as literal homelessness, particularly on families and children, extended periods of homelessness can affect a person's ability to obtain housing and employment and lead to increased health risks.<sup>1</sup> The length of time individuals remain on the street can also indicate the strain on the homeless assistance and housing systems.

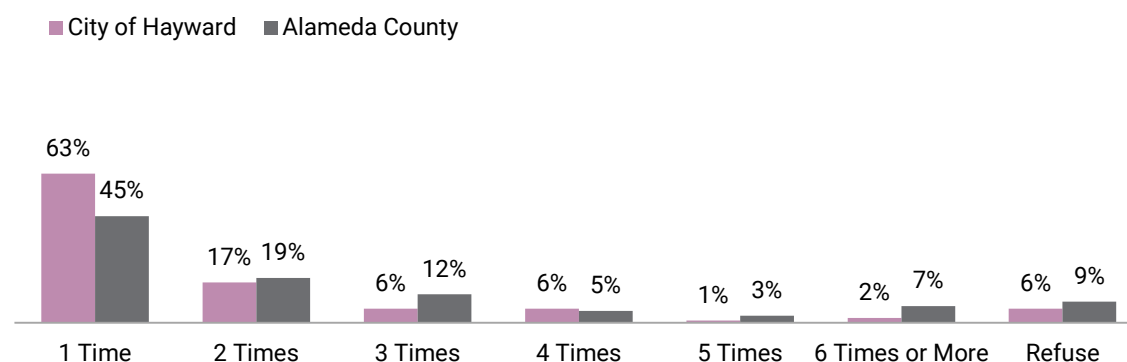
Thirty-nine percent (39%) of 2019 survey respondents in the city of Hayward reported experiencing homelessness for the first time, compared to 31% of survey respondents countywide.

FIGURE 19. EXPERIENCING HOMELESSNESS FOR THE FIRST TIME



Some individuals who experience homelessness will cycle in and out of stable housing. Fourteen percent (14%) of respondents reported experiencing homelessness three or more times in past three years compared to 27% of respondents in Alameda County.

FIGURE 20. NUMBER OF EPISODES OF HOMELESSNESS IN THE PAST THREE YEARS



City of Hayward n=235; Alameda County n=1,637

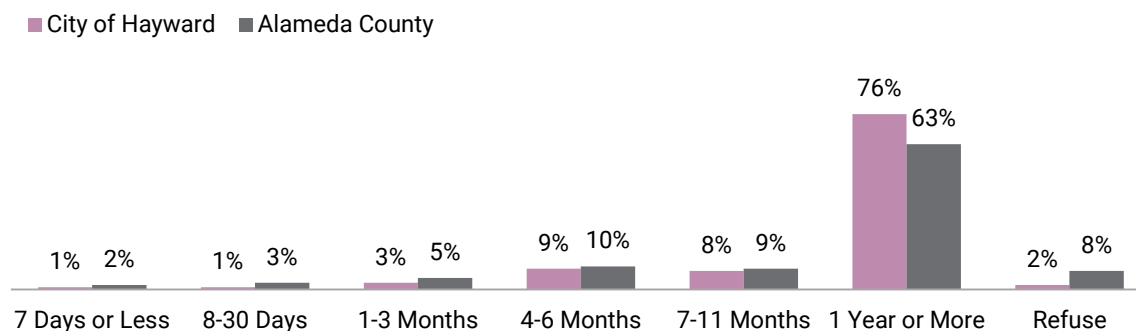
Note: Percentages may not add up to 100 due to rounding.

<sup>1</sup> Buckner, J.C. (2008). Understanding the impact of homelessness on children: Challenges and future research directions. *American Behavioral Scientist* 51 (6), 721-736.



The majority (76%) of survey respondents reported their current episode of homelessness lasting for one year or longer compared to 63% of survey respondents countywide. One percent (1%) of respondents reported experiencing homelessness for one week or less.

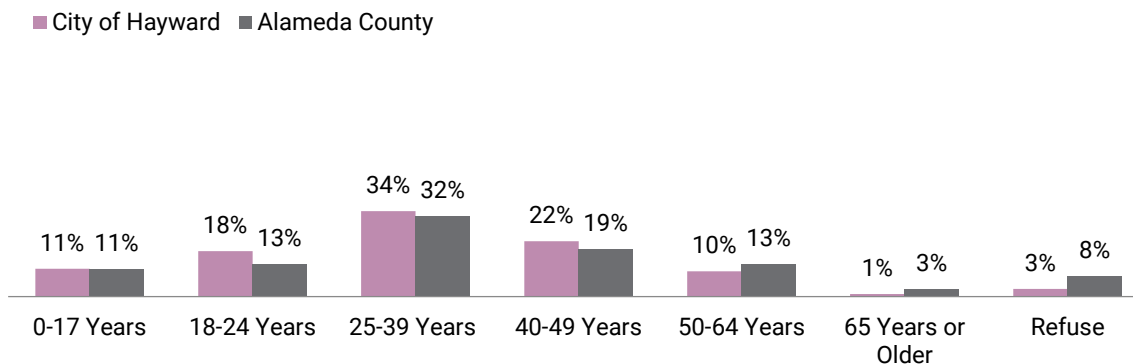
FIGURE 21. LENGTH OF CURRENT EPISODE OF HOMELESSNESS



City of Hayward n=235; Alameda County n=1,638

Respondents were asked the age at which they first experienced homelessness. This question provides some insight into how homelessness and housing instability affect the population over their lifetime. Eleven percent (11%) of respondents first experienced homelessness as a child under the age of 18, 18% first experienced homelessness as a young adult between the ages of 18 and 24, and 67% reported their first-time experiencing homelessness occurring over the age of 24; 11% reported first experiencing homelessness at age 50 or older.

FIGURE 22. AGE AT FIRST EXPERIENCE OF HOMELESSNESS



City of Hayward n=239; Alameda County n=1,647

Note: Percentages may not add up to 100 due to rounding.



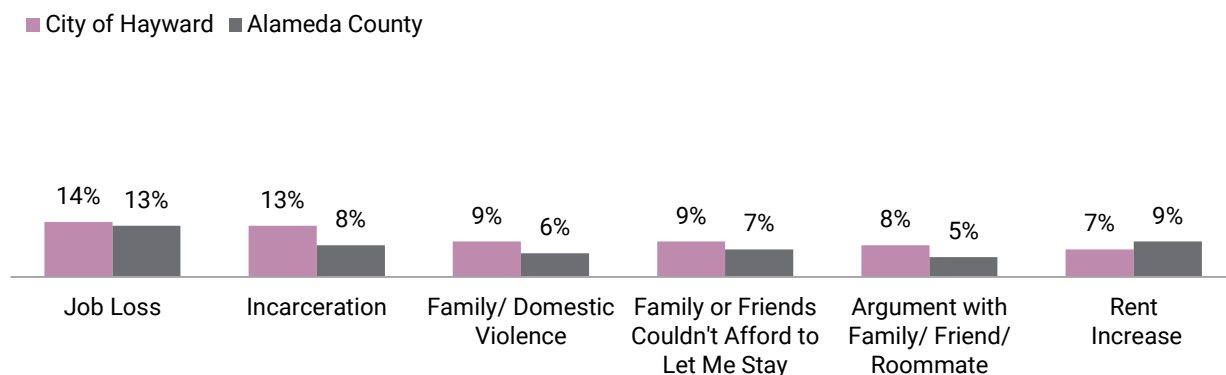
## PRIMARY CAUSE OF HOMELESSNESS

The primary cause of an individual's inability to obtain or retain housing is often difficult to pinpoint, as it is often the result of multiple and compounding causes. An inability to secure adequate and affordable housing can also lead to an inability to address other basic needs, such as health care and adequate nutrition.

When asked to identify the primary event or condition that led to their current homelessness experience, from a limited list of predominantly personal reasons, top responses included job loss (14%), incarceration (13%), and family or friends who could not afford to let them stay (9%). Family or domestic violence (9%); an argument with a family member, friend, or roommate (8%); and a rent increase (7%) were also among the top responses.

Although not among the most frequent responses, other reported causes of homelessness included mental health issues (7%), substance use issues (6%), and the death of an immediate family member (6%).

FIGURE 23. PRIMARY CAUSE OF HOMELESSNESS (TOP SIX RESPONSES)



City of Hayward n=246; Alameda County n=1,655

Note: Multiple response question, percentages will not add up to 100.



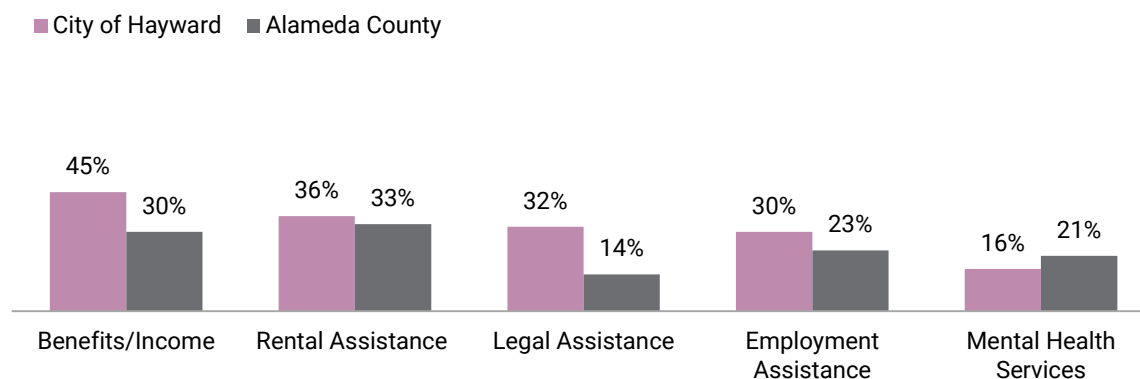
## SUPPORT THAT MIGHT HAVE PREVENTED HOMELESSNESS

Many individuals experiencing homelessness face significant barriers in retaining permanent housing. These barriers can range from housing affordability and availability to accessing the economic and social supports (e.g., increased income, rental assistance, and case management) needed to access and retain permanent housing.

When asked what might have helped them retain their housing, respondents most often reported benefits or increased income (45%) and rental assistance (36%). Thirty-two percent (32%) cited the need for legal assistance, thirty (30%) cited employment assistance, and sixteen percent (16%) cited mental health services.

Other supports identified in 2019 included food assistance (16%), transportation assistance (15%), and family counseling (15%).

FIGURE 24. SUPPORT THAT MIGHT HAVE PREVENTED HOMELESSNESS (TOP FIVE RESPONSES)



City of Hayward n=247; Alameda County n=1,658

Note: Multiple response question, percentages will not add up to 100.

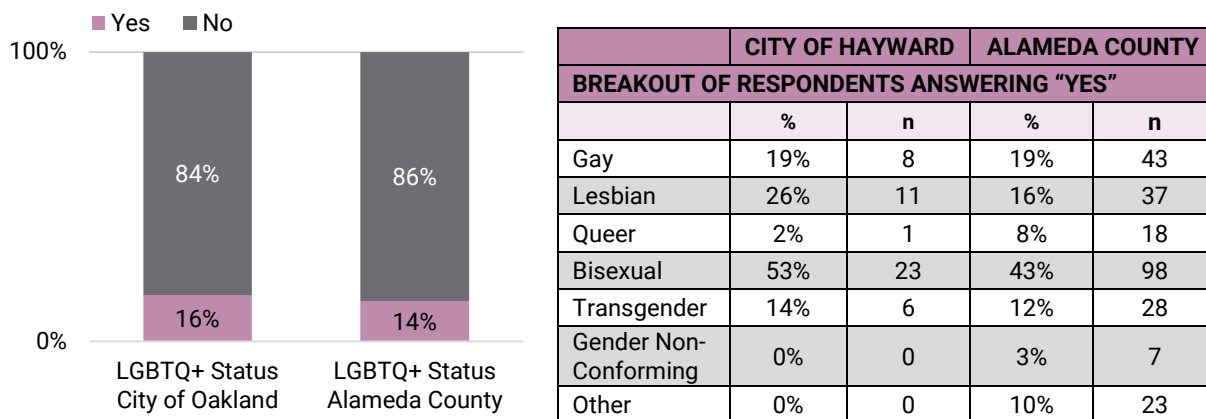


## SEXUAL ORIENTATION AND GENDER IDENTITY

While limited data are available on the number of lesbian, gay, bisexual, transgender, and queer (LGBTQ+) individuals experiencing homelessness, available data suggest that LGBTQ+ individuals experience homelessness at higher rates – especially among those under the age of 25.<sup>2,3</sup>

Seventeen percent (17%) of survey respondents identified as LGBTQ+ in 2019. Of those, 53% identified as bisexual, 26% as lesbian, 19% as gay, 14% as transgender, and 2% as queer.

FIGURE 25. SEXUAL AND GENDER IDENTITY



City of Hayward LGBTQ+ n=248; Breakout n=43

Alameda County LGBTQ+ n=1,682, Breakout n=229

Note: Multiple response question, percentages will not add up to 100.

<sup>2</sup> True colors. (2017). Our Issue. 40% of Youth Experiencing Homelessness Identify as Lesbian, Gay, Bisexual, or Transgender (LGBT). Retrieved 2017 from <https://truecolorsfund.org/our-issue/>

<sup>3</sup> National Coalition for the Homeless. LGBT Homelessness. Retrieved 2017 from <http://nationalhomeless.org/issues/lgbt/>

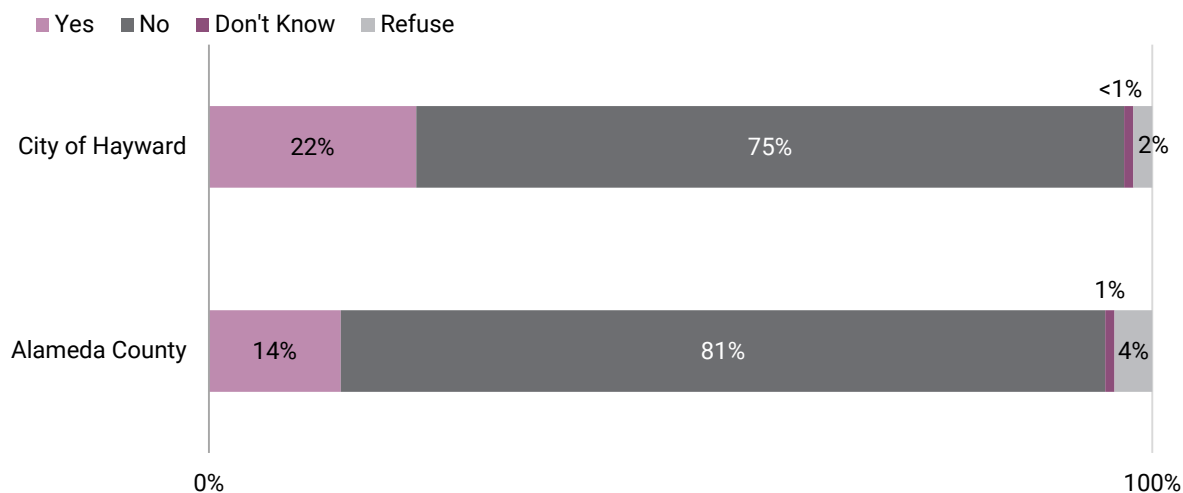


## FOSTER CARE SYSTEM

It has been estimated that one in five former foster youth experience homelessness within four years of exiting the foster care system.<sup>4</sup> In California, foster youth are eligible to receive services beyond age 18. Transitional housing and supportive services for youth aged 18-24 are provided through programs often referred to as Transitional Housing Placement-Plus (THP+).

In 2019, 22% of respondents in the city of Hayward reported a history of foster care, compared to 14% of respondents countywide.

FIGURE 26. HISTORY OF FOSTER CARE



City of Hayward n=245; Alameda County n=1,657

Note: Percentages may not add up to 100 due to rounding.

<sup>4</sup> Fernandes, A.L. (2007). Runaway and homeless youth: Demographics, programs, and emerging issues. Congressional Research Services, January 2007. Retrieved from <http://www.endhomelessness.org/content/general/detail/1451>.

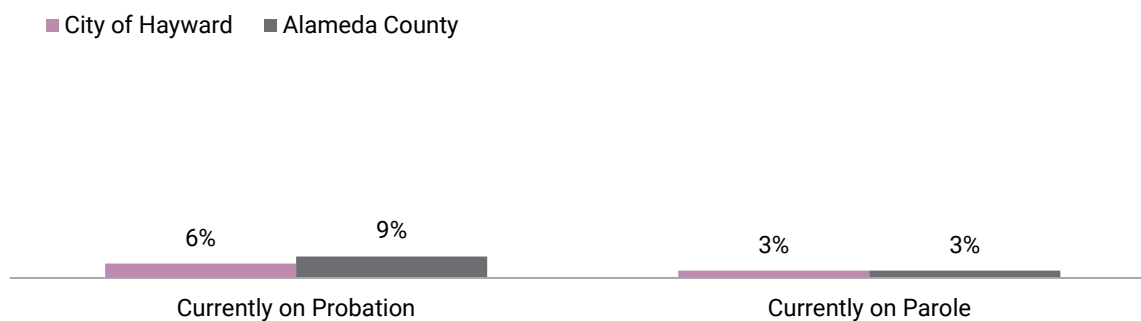


## CRIMINAL JUSTICE SYSTEM

Homelessness and incarceration are often correlative. Individuals without stable housing are at greater risk of criminal justice system involvement, particularly those with mental health issues, veterans, and youth. Individuals with past incarceration face significant barriers to exiting homelessness due to stigmatization and policies affecting their ability to gain employment and access housing opportunities.<sup>5</sup> A recent study found that formerly incarcerated people were almost ten times more likely to experience homelessness than the general public.<sup>6</sup>

Six percent (6%) of respondents in the city of Hayward reported being on probation at the time of the survey and 3% reported being on parole, compared to 9% and 3% countywide, respectively.

FIGURE 27. CRIMINAL JUSTICE INVOLVEMENT



City of Hayward Probation n=237; Parole n=232

Alameda County Probation n=1,611; Parole n=1,537

<sup>5</sup> Greenberg, GA, Rosenheck, RA. (2008). Jail Incarceration, Homelessness, and Mental Health: A National Study. *Psychiatric Services*, 2008 Feb;59(2): 170-7.

<sup>6</sup> Couloute, L. (2018). Nowhere to Go: Homelessness among formerly incarcerated people. Prison Policy Initiative, August 2018.



## SCHOOL ENROLLMENT

Communities across the country are becoming increasingly aware of the number of students in schools and colleges experiencing homelessness. A recent study of community college students across the nation showed roughly 14% were experiencing homelessness.<sup>7</sup> Enrollment in school not only points to the resiliency and drive of the people but also can help to identify institutions with the potential to provide outreach and support to individuals experiencing homelessness in the community.

At the time of the survey, 5% of respondents in the city of Hayward were enrolled in some type of schooling. Surveys were only conducted with heads of households; therefore, many school-age children are not represented in the survey results.

FIGURE 28. SCHOOL ENROLLMENT

School Enrollment	CITY OF HAYWARD		ALAMEDA COUNTY	
	%	n	%	n
Enrolled	5%	13	5%	87
Not Enrolled	93%	227	92%	1,523
Refuse	1%	3	2%	41

City of Hayward n=243; Alameda County n=1,651

Note: Percentages may not add up to 100 due to rounding.

<sup>7</sup> Wisconsin Hope Lab. (2017). Hungry and Homeless in College: Results from a National Study of Basic Needs Insecurity in Higher Education. Retrieved from <http://wihopelab.com/publications/hungry-and-homeless-in-college-report.pdf>.



## HEALTH

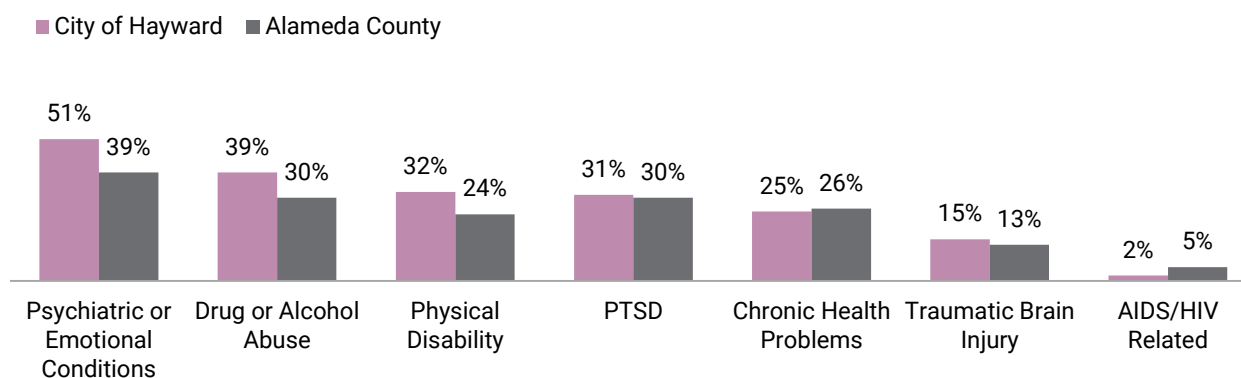
The average life expectancy for individuals experiencing homelessness is up to 36 years shorter than the general population.<sup>8</sup> Without regular access to health care and without safe and stable housing, individuals experience preventable illness and often endure longer hospitalizations. It is estimated that those experiencing homelessness stay four days (or 36%) longer per hospital admission than patients not experiencing homelessness.<sup>9</sup>

### HEALTH CONDITIONS

The most frequently reported health condition among survey respondents in the city of Hayward was psychiatric or emotional conditions (51%), followed by drug or alcohol abuse (39%) and physical disability (32%). Thirty-one percent (31%) reported post-traumatic stress disorder, 25% reported chronic health problems, 15% reported a traumatic brain injury, and 2% reported living with an AIDS or an HIV-related condition.

Fifty-six percent (56%) of respondents in the city of Hayward reported at least one of these conditions was disabling, preventing them from maintaining work or housing, compared to 42% of respondents countywide. Twenty-nine percent (29%) of respondents in the city of Hayward reported living with three or more disabling conditions.

FIGURE 29. HEALTH CONDITIONS



City of Hayward n=248; Alameda County n=1,682

Note: Multiple response question, percentages will not add up to 100.

<sup>8</sup> Koachanek, M.A., et al. (2017). Mortality in the United States, 2016. NCHS Data Brief, no. 293. Hyattsville, MD: National Center for Health Statistics.

<sup>9</sup> Sharon A. Salit, M. E. (1998). Hospitalization Costs Associated with Homelessness in New York City. New England Journal of Medicine, 338, 1734-1740.



## DOMESTIC/PARTNER VIOLENCE OR ABUSE

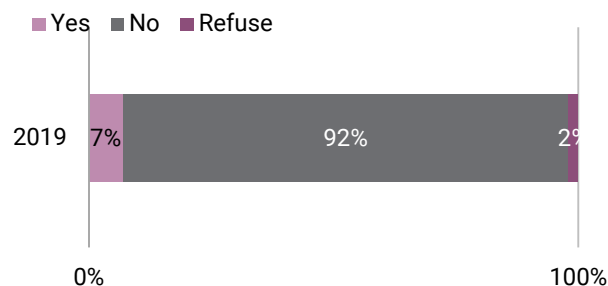
Histories of domestic violence and partner abuse are prevalent among individuals experiencing homelessness and can be the primary cause of homelessness. Survivors often lack the financial resources required for housing, as their employment history or dependable income may be limited.

Seven percent (7%) of survey respondents in the city of Hayward reported currently experiencing domestic violence or abuse, compared to 6% of respondents in Alameda County.

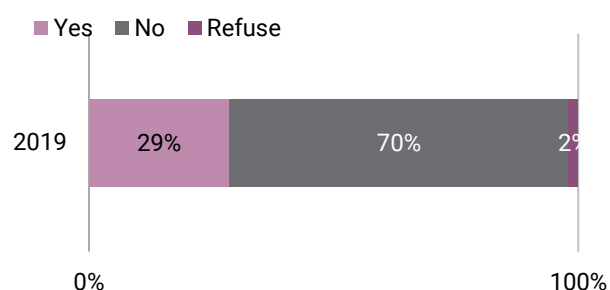
Twenty-nine percent (29%) of respondents in the city of Hayward reported a history of ever experiencing physical, emotional, or sexual abuse by a relative or by a person with whom they have lived, such as a spouse, partner, sibling, parent, or roommate, compared to 26% of respondents countywide.

FIGURE 30. DOMESTIC VIOLENCE

### Currently Experiencing Domestic Violence or Abuse



### History of Domestic Violence Experience or Abuse



Current Experience n=238; Lifetime experience n=241



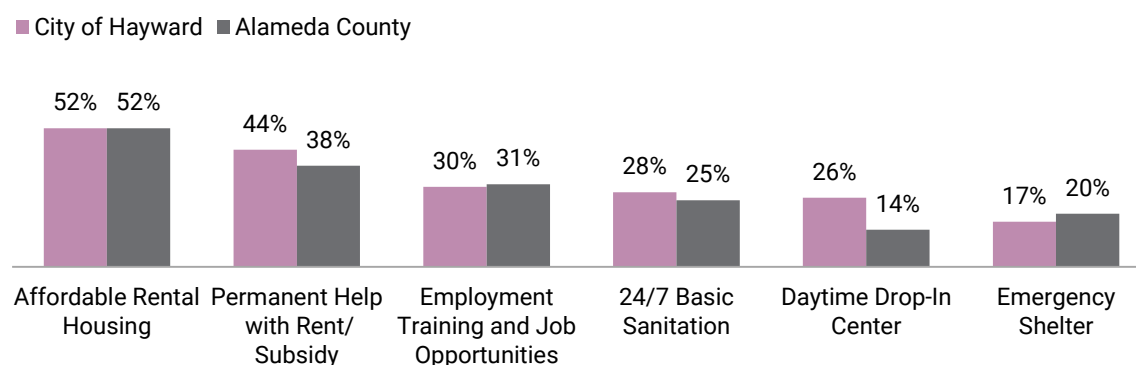
## SERVICES AND ASSISTANCE

Alameda County provides services and assistance to those currently experiencing homelessness through federal and local programs. Government assistance and homeless services work to enable individuals and families to obtain income and support. However, many individuals and families do not apply for services, as many believe that they are ineligible for assistance. Connecting homeless individuals and families to these support services creates a bridge to mainstream support services and can prevent future housing instability.

## RECOMMENDED USES FOR SPENDING NEW MONEY TO END HOMELESSNESS

Survey respondents were asked to identify uses for funding to end homelessness in Alameda County if new money became available. Fifty-two percent (52%) of respondents in the city of Hayward identified affordable rental housing and 44% identified permanent help with rent/subsidies. Employment training and job opportunities (30%), 24/7 basic sanitation (28%), a daytime drop-in center (26%), and emergency shelter (17%) were also among the top recommendations.

FIGURE 31. HOW ANY NEW FUNDING TO END HOMELESSNESS IN ALAMEDA COUNTY SHOULD BE SPENT (TOP SIX RESPONSES)



City of Hayward n=244; Alameda County n=1,649

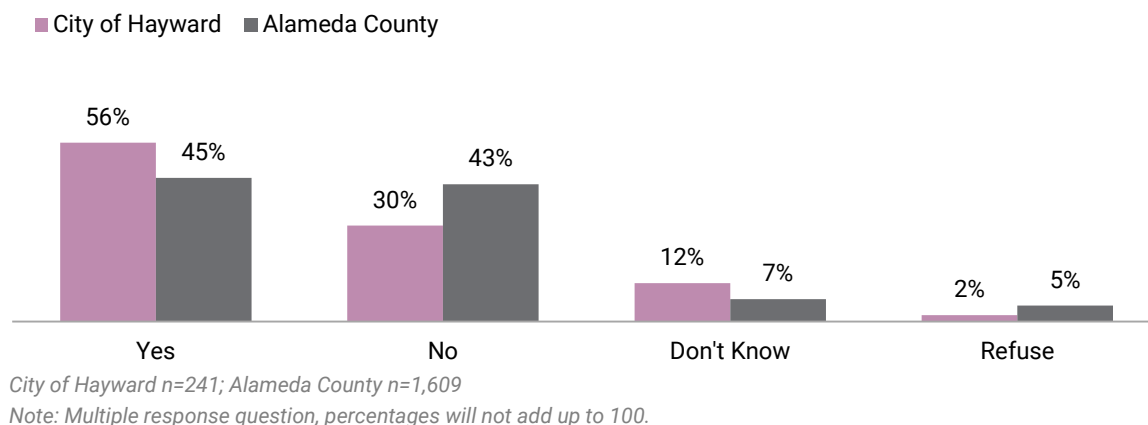
Note: Multiple response question, percentages will not add up to 100.



## COORDINATED ENTRY

Coordinated entry is the front door of Alameda County's Housing Crisis Response System that is designed to problem-solve, assess, and match people to available resources and to ensure that individuals with the highest needs are prioritized. When asked whether they had accessed coordinated entry, over half (56%) of respondents in the city of Hayward reported that they had been told to call 211, talked to an outreach worker, or visited a Hub/Housing Resource Center to access housing or services. Twelve percent (12%) were unsure whether they had used coordinated entry.

FIGURE 32. COORDINATED ENTRY USE

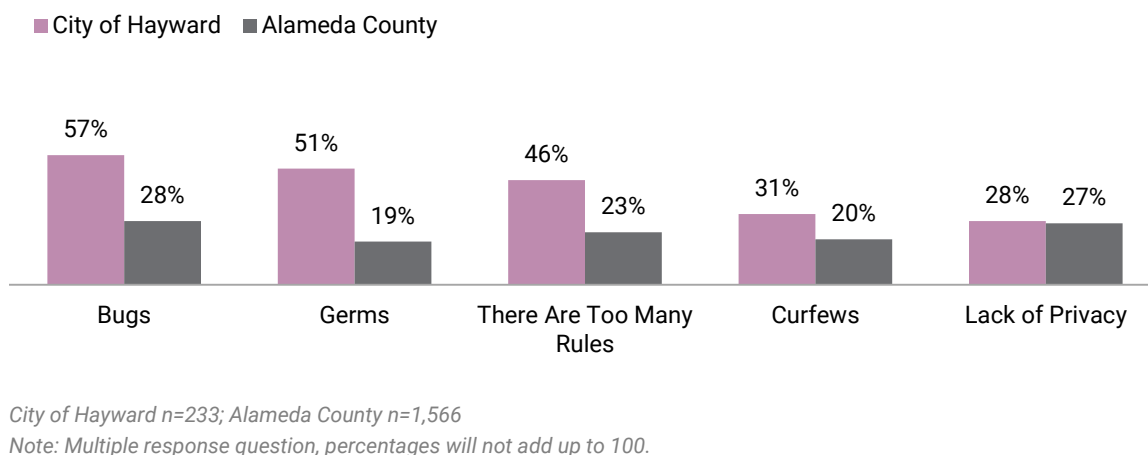


## SHELTER SERVICES

Emergency shelters provide a safe, short-term alternative to the streets for people experiencing homelessness by providing support for immediate, basic needs as well as linkages to other support services and longer-term housing opportunities.

When asked what prevents them from using shelter services, survey respondents in the city of Hayward cited a number of reasons. Fifty-seven percent (57%) said they do not use them because of bugs, 51% cited concerns for germs, 46% cited too many rules, 31% cited curfews, and 28% cited a lack of privacy.

FIGURE 33. REASONS FOR NOT USING SHELTER SERVICES (TOP FIVE RESPONSES)

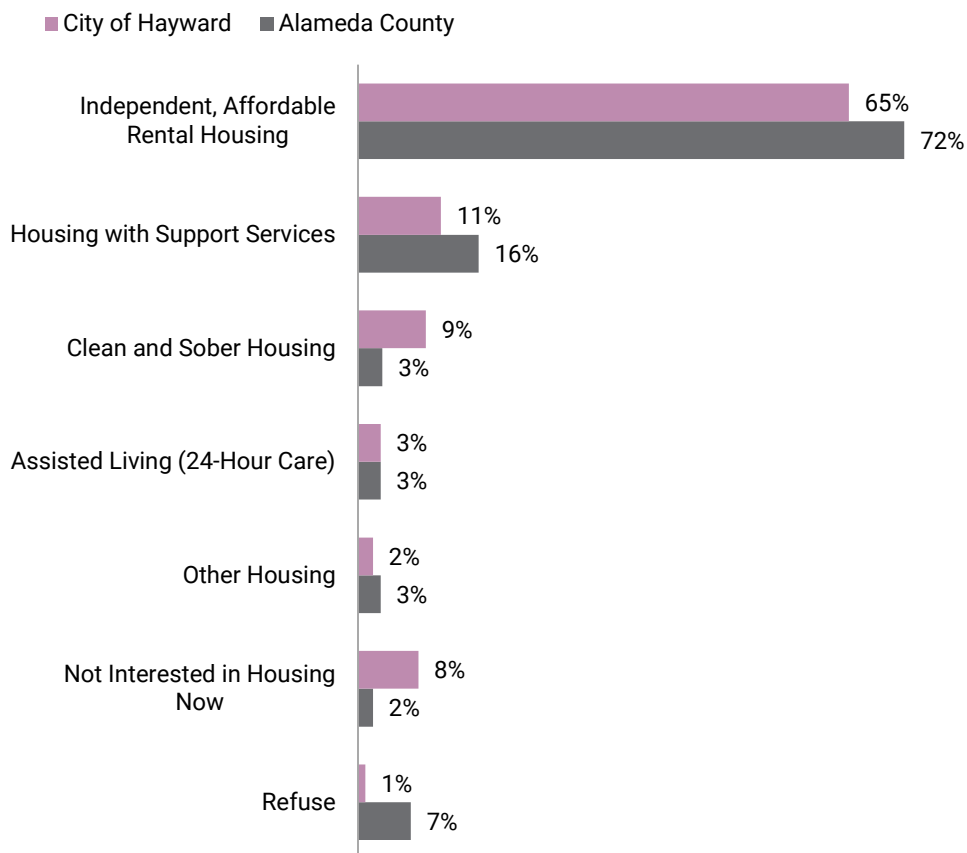




## INTEREST IN HOUSING

While it is often believed that people experiencing homelessness do not want housing and choose to live on the street, just 8% of respondents in the city of Hayward reported they were not interested in housing. Over half (65%) of respondents were interested in independent affordable housing; however other respondents wanted housing with support services (11%), clean and sober housing (9%), and assisted living with 24-hour care (3%).

FIGURE 34. TYPES OF HOUSING WANTED



City of Hayward n=246; Alameda County n=1,635

Note: Percentages may not add up to 100 due to rounding.





# Subpopulations

*Home, Together: The Federal Strategic Plan to Prevent and End Homelessness* outlines national objectives and evaluative measures for ending homelessness among all populations in the United States.

In order to adequately address the diversity within the population experiencing homelessness, the federal government identifies four subpopulations with particular challenges or needs, including:

- Families with children;
- Unaccompanied children and transition-age youth;
- Persons experiencing chronic homelessness; and
- Veterans

Consequently, these subpopulations represent important reportable indicators for measuring local progress toward ending homelessness.

The following sections examine each of these four subpopulations, identifying the number and characteristics of individuals included in the *EveryOne Counts! 2019 Homeless Count and Survey*. Additional details on the number and characteristics of single individuals 25 years and older is also presented in this section, as it is the largest population of persons experiencing homelessness in Alameda County.

Of the 248 surveys completed in the city of Hayward in 2019, the results represent 206 single adults 25 years and older, 22 individuals in homeless families, 20 unaccompanied children and transition-age youth, 82 chronically homeless individuals, and 17 homeless veterans. Surveys were completed in unsheltered environments, emergency shelters, and transitional housing settings.

*Note: Due to the small number of surveys completed with certain subpopulations, caution is advised in interpreting the following findings.*



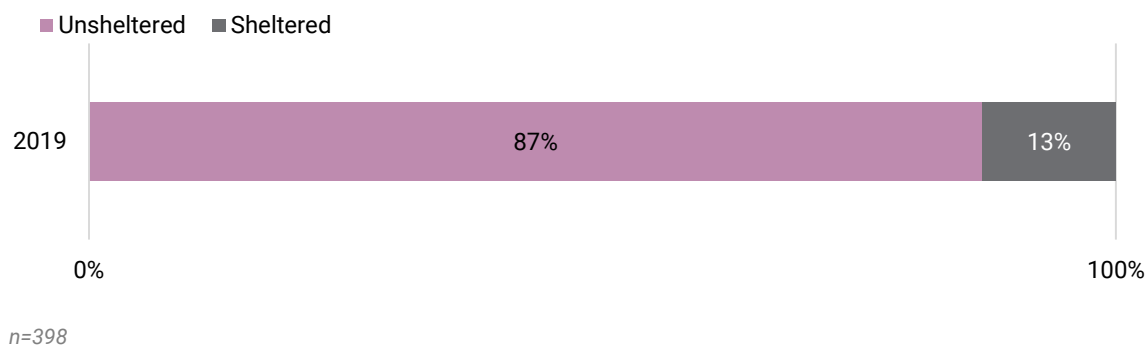
## SINGLE ADULTS 25 YEARS AND OLDER

The largest number of people experiencing homelessness are adults over the age of 24 in households without children. This population is often referred to as single adults age 25 years and older, though it may include married or non-married couples and multi-adults households. It is often assumed that this population has high medical and mental health needs, yet data suggests that most of this population does not.<sup>10</sup>

### NUMBER OF SINGLE ADULTS 25 YEARS AND OLDER

In 2019, single adults age 25 years and older comprised 82% of the population experiencing homelessness in the city of Hayward (398 individuals). Unsheltered single adults 25 years and older represented 93% of the total unsheltered population in the city of Hayward (345 individuals).

FIGURE 35. SHELTER STATUS OF SINGLE ADULTS 25 YEARS AND OLDER EXPERIENCING HOMELESSNESS



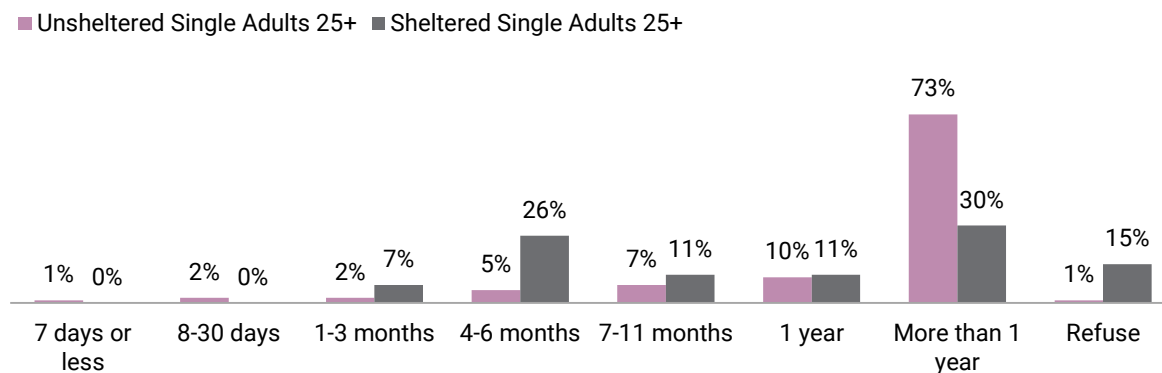
<sup>10</sup> NAEH. (July 2016). End Single Adult Homelessness, Retrieved 2017 from [http://www.endhomelessness.org/page/-/files/End%20Single%20Homelessness\\_Final.pdf](http://www.endhomelessness.org/page/-/files/End%20Single%20Homelessness_Final.pdf)



## LENGTH OF HOMELESSNESS AMONG SINGLE ADULTS 25 YEARS AND OLDER

The rate of first-time homelessness among single adults age 25 and older in the city of Hayward was higher for unsheltered respondents (40%) than sheltered respondents (32%). Overall, unsheltered single adults 25 years and older reported their current episode of homelessness was longer than their sheltered counterparts. Eighty-three percent (83%) of unsheltered single adults age 25 and older reported experiencing homelessness for a year or longer, compared to 41% of sheltered single adults.

FIGURE 36. LENGTH OF CURRENT EPISODE OF HOMELESSNESS AMONG SINGLE ADULTS 25 YEARS AND OLDER



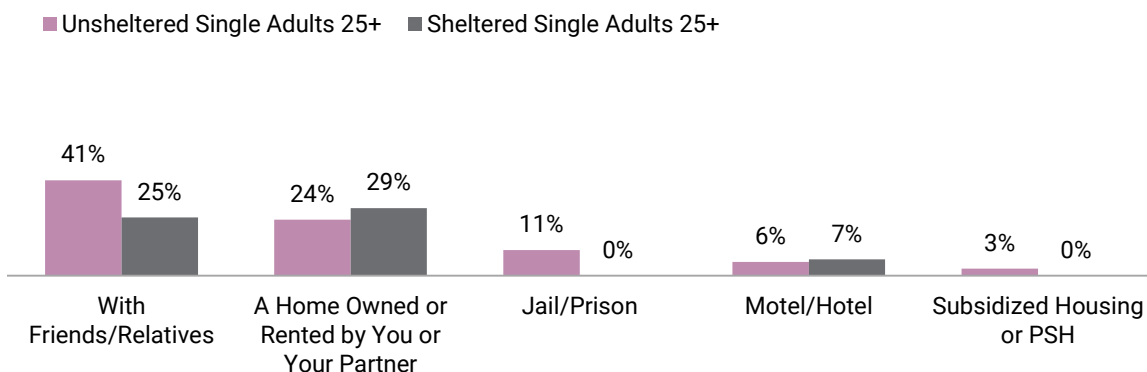
Unsheltered Single Adults 25+ n= 177, Sheltered Single Adults 25+ n=27

Note: Percentages may not add up to 100 due to rounding.

## PRIOR LIVING SITUATION OF SINGLE ADULTS 25 YEARS AND OLDER

Both unsheltered and sheltered single adults age 25 and older in the city of Hayward reported most frequently living in a home owned or rented by either friends, relatives, a partner, or themselves prior to experiencing homelessness.

FIGURE 37. LIVING ARRANGEMENTS IMMEDIATELY PRIOR TO BECOMING HOMELESS AMONG SINGLE ADULTS 25 YEARS AND OLDER (TOP FIVE RESPONSES)



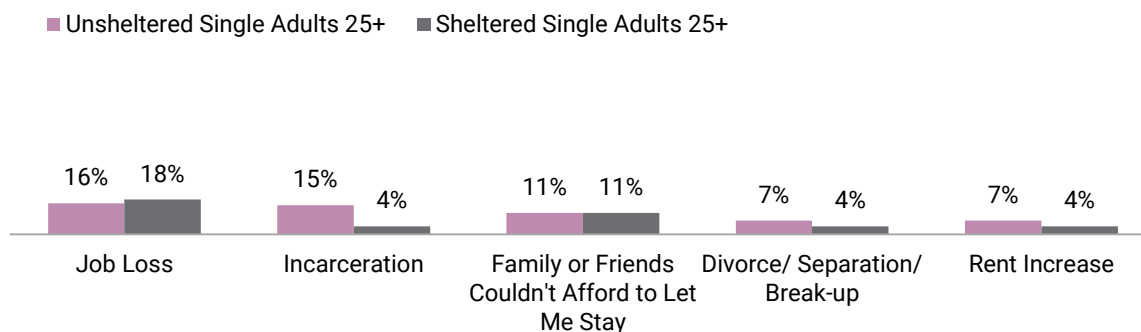
Unsheltered Single Adults 25+ n= 177, Sheltered Single Adults 25+ n=28



## PRIMARY CAUSE OF HOMELESSNESS AND PREVENTIVE SERVICES NEEDED AMONG SINGLE ADULTS 25 YEARS AND OLDER

Job loss (16%) and incarceration (15%) were identified as the primary causes of homelessness among unsheltered single adults age 25 and older, followed by friends and family could no longer afford to let them stay (11%), the dissolution of a relationship (7%) and a rent increase (7%). Among sheltered single adults age 25 and older, 18% attributed their current homelessness to job loss, 4% incarceration, 11% to family and friends who could no longer afford to let them stay, 4% to the dissolution of a relationship, and 4% to a rent increase.

FIGURE 38. PRIMARY CAUSE OF HOMELESSNESS AMONG SINGLE ADULTS 25 YEARS AND OLDER (TOP FIVE RESPONSES)

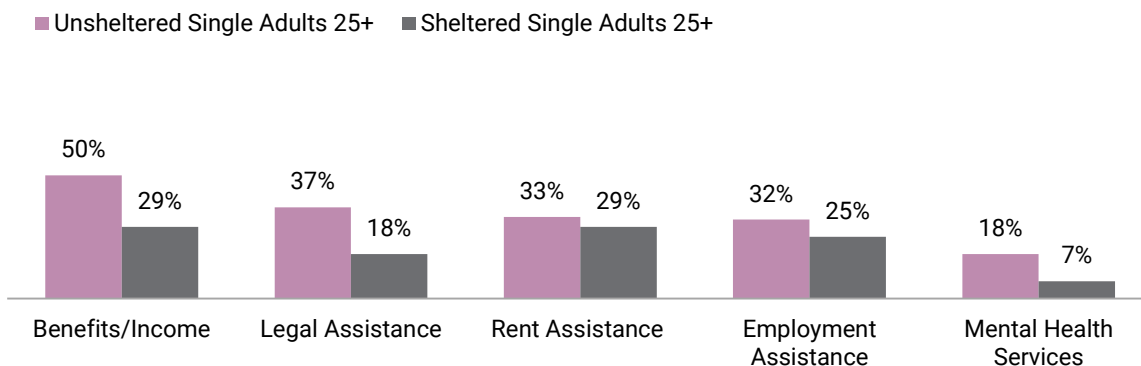


Unsheltered Single Adults 25+ n= 176, Sheltered Single Adults 25+ n=28

Note: Multiple response question, percentages will not add up to 100.

Both unsheltered and sheltered single adults 25 years and older most frequently reported that benefits or increased income would have helped to prevent their housing loss. In identifying potential supports that might have prevented their homelessness, unsheltered single adults 25 years and older reported higher rates of needing legal assistance (37% compared to 18%), employment assistance (32% compared to 25%), and mental health services (18% compared to 7%).

FIGURE 39. SUPPORT NEEDED TO PREVENT HOUSING LOSS AMONG SINGLE ADULTS 25 YEARS AND OLDER (TOP FIVE RESPONSES)



Unsheltered Single Adults 25+ n=177; Sheltered Single Adults 25+ n=28

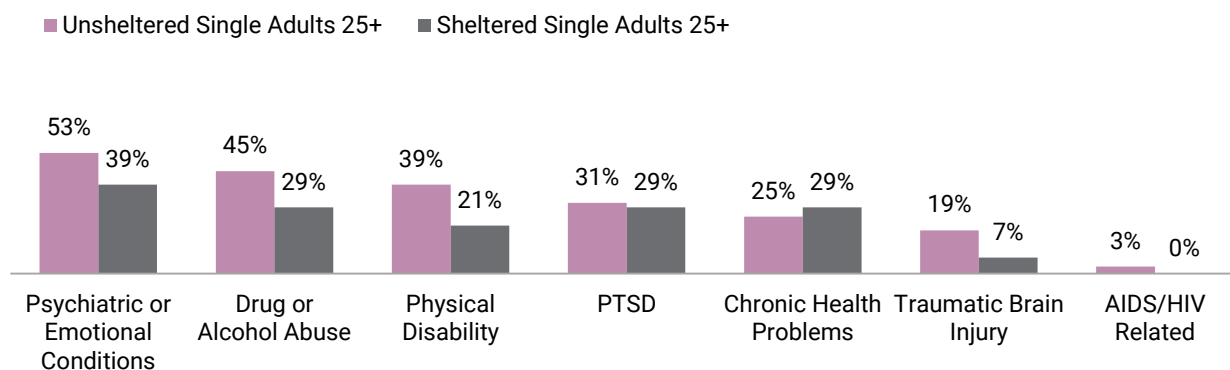
Note: Multiple response question, percentages will not add up to 100.



## HEALTH CONDITIONS AMONG SINGLE ADULTS 25 YEARS AND OLDER

Overall, unsheltered single adults 25 years and older reported higher rates of living with various health conditions compared to their sheltered counterparts (72% and 54%, respectively). Unsheltered single adults 25 years and older most often reported psychiatric or emotional problems (53%), drug or alcohol abuse (45%), and physical disability (39%). Sheltered single adults 25 years and older most often reported psychiatric or emotional conditions (39%), drug or alcohol abuse (29%), PTSD (29%), and chronic health problems (29%).

FIGURE 40. HEALTH CONDITIONS AMONG SINGLE ADULTS 25 YEARS AND OLDER



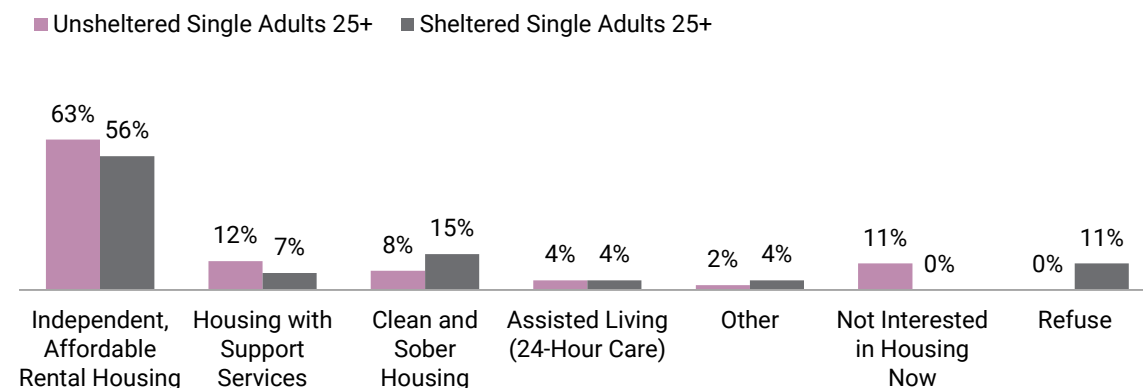
Unsheltered Single Adults 25+ n= 178, Sheltered Single Adults 25+ n=28

Note: Multiple response question, percentages will not add up to 100.

## HOUSING INTEREST AMONG SINGLE ADULTS 25 YEARS AND OLDER

The percentage of unsheltered single adults 25 years and older who reported they were not currently interested in housing was 11%, compared to 0% of sheltered single adults 25 years and older. Independent, affordable rental housing was the most frequent type of housing desired by both unsheltered and sheltered single adults 25 years and older (63% and 56%, respectively).

FIGURE 41. TYPES OF HOUSING WANTED AMONG SINGLE ADULTS 25 YEARS AND OLDER



Unsheltered Single Adults 25+ n=178, Sheltered Single Adults 25+ n=27

Note: Multiple response question, percentages will not add up to 100.



## FAMILIES WITH CHILDREN

National data from 2017 indicate that 33% of all people experiencing homelessness are persons in families.<sup>11</sup> Very few families experiencing homelessness are unsheltered, as public shelters serve 90% of families experiencing homelessness in the United States; this is a significantly higher proportion of the population compared with other subpopulations, including unaccompanied children and transition-age youth.

Nationally, the majority of families experiencing homelessness are households headed by single women and families with children under the age of six.<sup>12</sup> Children in families experiencing homelessness have increased incidence of illness and are more likely to have emotional and behavioral problems than children with stable living accommodations.<sup>13</sup>

## HOMELESS FAMILIES WITH CHILDREN

There were 18 families consisting of 59 individuals counted in the city of Hayward in 2019. The number of people in families with children represented 12% of the city's overall population experiencing homelessness, and 11% of all family households experiencing homelessness across Alameda County. Children under 18 represented 64% of those in families.

All (100%) of persons in families were residing in emergency shelter programs on the night of the count.

FIGURE 42. SHELTER STATUS OF FAMILIES WITH CHILDREN EXPERIENCING HOMELESSNESS



<sup>11</sup> U. S. Department of Housing and Urban Development. (2017). The 2017 Annual Assessment Report (AHAR) to Congress. Retrieved 2018 from <https://www.hudexchange.info/resources/documents/2017-AHAR-Part-1.pdf>

<sup>12</sup> U. S. Department of Health and Human Services. (2007). Characteristics and Dynamics of Homeless Families with Children. Retrieved 2015 from <http://aspe.hhs.gov/>

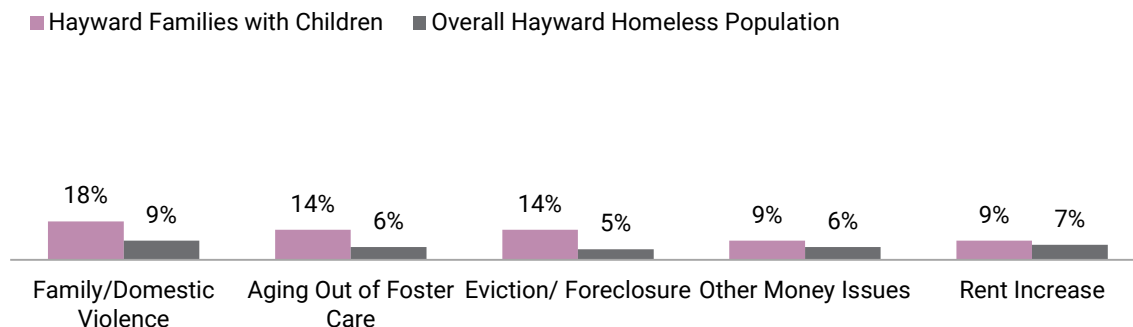
<sup>13</sup> U.S. Interagency Council on Homelessness. (2015). Opening Doors. Retrieved 2015 from <http://www.usich.gov/>



## PRIMARY CAUSE OF HOMELESSNESS AMONG HOMELESS FAMILIES WITH CHILDREN

The most frequently reported cause of homelessness among individuals in families with children was family or domestic violence (18%), twice the rate reported by all survey respondents citywide. Fourteen percent (14%) reported aging out of foster care, compared to 6% of all survey respondents in the city of Hayward. Fourteen percent (14%) reported eviction or foreclosure, 9% reported other money issues, and 9% reported a rent increase as the primary cause of their homelessness.

FIGURE 43. PRIMARY CAUSE OF HOMELESSNESS AMONG FAMILIES WITH CHILDREN



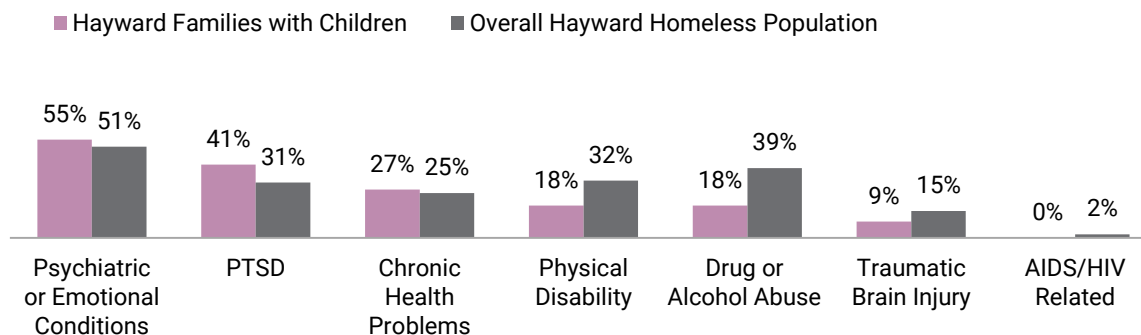
Hayward Families with Children n=22, Overall Hayward Homeless Population n=648

Note: Multiple response question, percentages will not add up to 100.

## HEALTH CONDITIONS AMONG HOMELESS FAMILIES WITH CHILDREN

Sixty-eight percent (68%) of family respondents reported living with a health condition. Over half (55%) of families with children reported experiencing psychiatric or emotional conditions. Forty-one percent (41%) reported PTSD, 27% reported chronic health problems, 18% reported a physical disability, 18% reported drug or alcohol abuse, and 9% reported a traumatic brain injury. Compared to all respondents, families with children reported notably lower rates of chronic health problems, physical disability, and drug or alcohol abuse.

FIGURE 44. HEALTH CONDITIONS AMONG FAMILIES WITH CHILDREN



Hayward Families with Children n=22, Overall Hayward Homeless Population n= 660

Note: Multiple response question, percentages will not add up to 100.





## UNACCOMPANIED CHILDREN AND TRANSITION-AGE YOUTH

Due to the nature of youth homelessness, limited data are available on unaccompanied children and transition-age youth experiencing homelessness. Young people experiencing homelessness have a harder time accessing services, including shelter, medical care, and employment. This is due to the stigma of their housing situation, lack of knowledge of available resources, and a dearth of services targeted to young people.<sup>14</sup>

Although largely considered an undercount, nationwide estimates from 2017 suggest there are at least 40,799 unaccompanied children and transition-age youth on the streets and in public shelters, an increase of 14% over 2016.<sup>15</sup> This increase may be due, in part, to the focus on unaccompanied youth during the 2017 Point-in-Time Count, which served as a nationwide baseline year.

In 2012, the U.S. Interagency Council on Homelessness amended the federal strategic plan to end homelessness to include specific strategies and supports to address the needs of unaccompanied homeless children and transition-age youth. As part of this effort, the U.S. Department of Housing and Urban Development placed increased focus on gathering data on unaccompanied homeless children and transition-age youth during the Point-in-Time Count.

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<sup>14</sup> National Coalition for the Homeless. (2011). Homeless Youth Fact Sheet. Retrieved 2011 from <http://www.nationalhomeless.org>.

<sup>15</sup> U. S. Department of Housing and Urban Development. (2017). The 2017 Annual Assessment Report (AHAR) to Congress. Retrieved 2018 from <https://www.hudexchange.info/resources/documents/2017-AHAR-Part-1.pdf>



## UNACCOMPANIED CHILDREN AND TRANSITION-AGE YOUTH

During the 2019 Alameda County Point-in-Time Count, there were 29 unaccompanied children and transition-age youth experiencing homelessness in the city of Hayward. This included one unaccompanied child under the age of 18 and 29 transition-age youth between the ages of 18 and 24. These young people represented 6% of the overall homeless population in the city of Hayward, compared to 9% of the countywide homeless population.

Ninety-three percent (93%) of unaccompanied youth experiencing homelessness in the city of Hayward were unsheltered on the night of the count, while 7% were residing in emergency shelter programs.

FIGURE 45. SHELTER STATUS OF UNACCOMPANIED CHILDREN AND TRANSITION-AGE YOUTH EXPERIENCING HOMELESSNESS

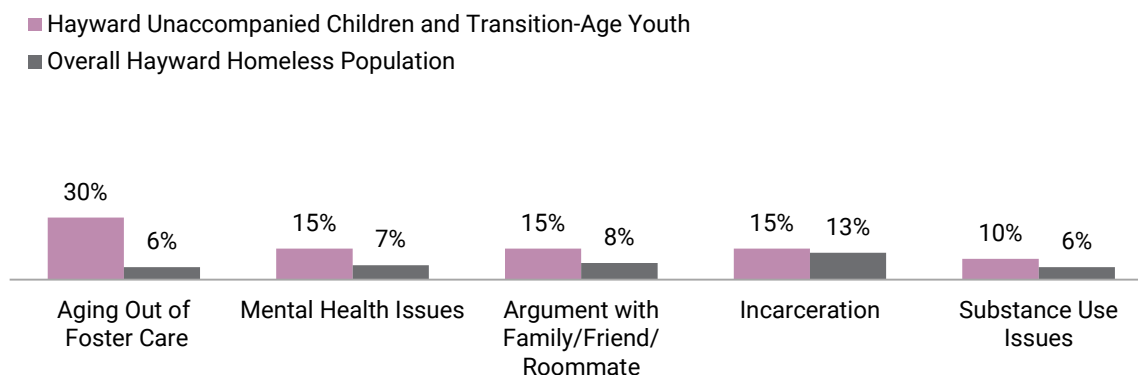




## PRIMARY CAUSE OF HOMELESSNESS AMONG UNACCOMPANIED CHILDREN AND TRANSITION-AGE YOUTH

Unaccompanied youth and the overall homeless survey respondents for the city of Hayward reported differences in their primary cause of homelessness. Unaccompanied youth attributed their homelessness to aging out of foster care (30%), mental health issues (15%), an argument with the person they were living with (15%) at notably higher rates.

FIGURE 46. PRIMARY CAUSE OF HOMELESSNESS AMONG UNACCOMPANIED CHILDREN AND TRANSITION-AGE YOUTH (TOP FIVE RESPONSES)



Hayward Unaccompanied Children and Transition-Age Youth n=20; Overall Hayward Homeless Population n=246

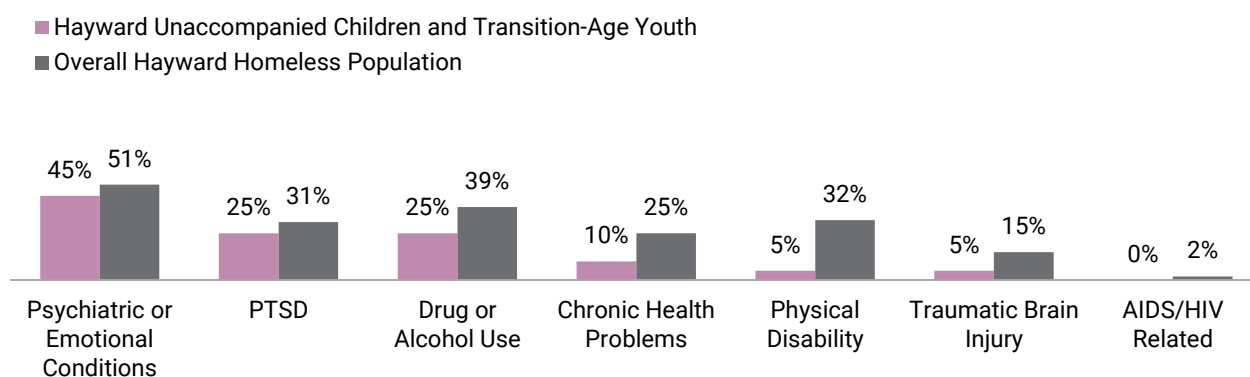
Note: Multiple response question, percentages will not add up to 100.



## HEALTH CONDITIONS AMONG UNACCOMPANIED HOMELESS CHILDREN AND TRANSITION-AGE YOUTH

Though generally healthier than the adult homeless population, health is still an issue for young people experiencing homelessness. Over half (65%) of unaccompanied youth in the city of Hayward reported living with a health condition compared to 69% of all homeless survey respondents in the city of Hayward. Among youth survey respondents, psychiatric or emotional conditions (45%), PTSD (25%), and drug or alcohol abuse (25%) were among the most prevalent conditions reported. In comparison to the overall homeless survey respondents in the city of Hayward, young people reported notably lower rates of chronic health problems, a physical disability, and traumatic brain injury.

FIGURE 47. HEALTH CONDITIONS AMONG UNACCOMPANIED CHILDREN AND TRANSITION-AGE YOUTH



Hayward Unaccompanied Children and Transition-Age Youth n=20; Overall Hayward Homeless Population n=248

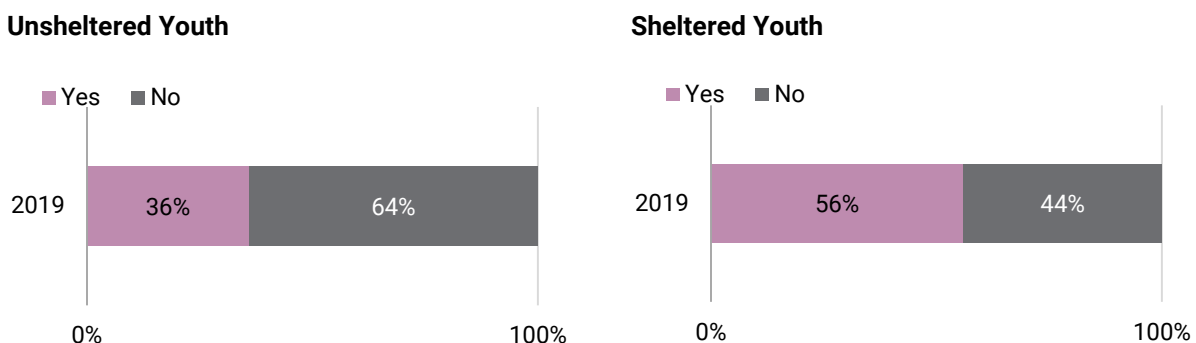
Note: Multiple response question, percentages will not add up to 100.



## SEXUAL ORIENTATION AMONG UNACCOMPANIED CHILDREN AND TRANSITION-AGE YOUTH

LGBTQ+ youth remain overrepresented in the population experiencing homelessness; an estimated 40% of youth experiencing homelessness identify as LGBTQ+. <sup>16</sup> Overall, 45% of unaccompanied youth in the city of Hayward identified as LGBTQ+ compared to 15% of adults age 25 and older. Thirty-six percent (36%) of unsheltered youth identified as LGBTQ+, compared to 56% of sheltered youth.

FIGURE 48. LGBTQ+ STATUS AMONG UNACCOMPANIED CHILDREN AND TRANSITION-AGE YOUTH



*Unsheltered Youth n=11; Sheltered Youth n=9*

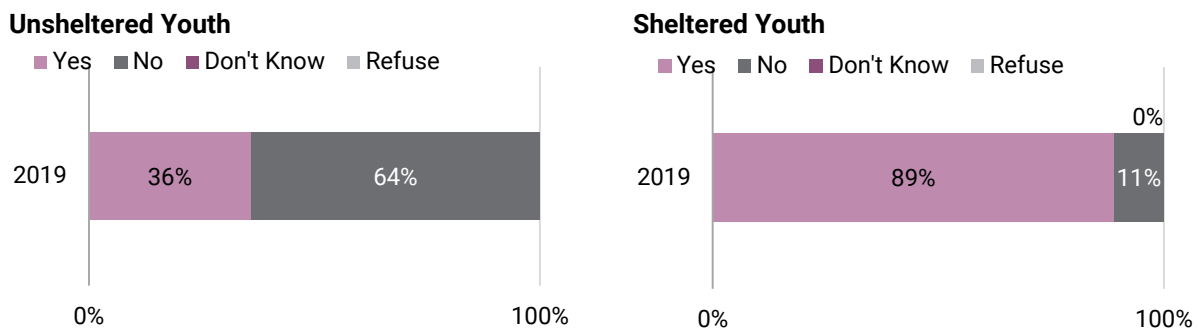
<sup>16</sup> True Colors Fund. (2017). Our Issue. Retrieved 2017 from <https://truecolorsfund.org/our-issue/>



## FOSTER CARE AMONG UNACCOMPANIED HOMELESS CHILDREN AND TRANSITION-AGE YOUTH

Sixty percent (60%) of unaccompanied youth survey respondents in the city of Hayward reported a history of foster care, compared to 19% of all other survey respondents citywide. Thirty-six percent (36%) of unsheltered youth reported a history of foster care, compared to 89% of sheltered youth. Thirty percent (30%) of youth survey respondents attributed their homelessness to aging out of foster care.

FIGURE 49. HISTORY OF FOSTER CARE AMONG UNACCOMPANIED CHILDREN AND TRANSITION-AGE YOUTH



Unsheltered Youth n=11; Sheltered Youth n=9





## INDIVIDUALS EXPERIENCING CHRONIC HOMELESSNESS

HUD defines a person experiencing chronic homelessness as someone who has experienced homelessness for a year or longer—or who has experienced at least four episodes of homelessness totaling 12 months in the last three years—and also has a disabling condition that prevents them from maintaining work or housing. This definition applies to individuals as well as heads of household who meet the definition.

The chronically homeless population represents one of the most vulnerable populations on the street; the mortality rate for those experiencing chronic homelessness is four to nine times higher than that of the general population.<sup>17</sup> Data from communities across the country reveal that public costs incurred by those experiencing extended periods of homelessness include emergency room visits, interactions with law enforcement, incarceration, and regular access to social supports and homeless services. These combined costs are often significantly higher than the cost of providing individuals with permanent housing and supportive services.

In 2017, HUD reported that 86,962 individuals, representing 24% of the overall homeless population, were experiencing chronic homelessness nationally.<sup>18</sup> Chronic homelessness has been on the decline in recent years as communities across the country increase the capacity of their permanent supportive housing programs and prioritize those with the greatest barriers to housing stability.

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<sup>17</sup> United States Interagency Council on Homelessness. (2010). Supplemental Document to the Federal Strategic Plan to Prevent and End Homelessness: June 2010. Retrieved 2017 from [https://www.usich.gov/resources/uploads/asset\\_library/BkgrdPap\\_ChronicHomelessness.pdf](https://www.usich.gov/resources/uploads/asset_library/BkgrdPap_ChronicHomelessness.pdf)

<sup>18</sup> Department of Housing and Urban Development. (2017). Annual Assessment Report to Congress. Retrieved 2018 from <https://www.hudexchange.info/resources/documents/2017-AHAR-Part-1.pdf>

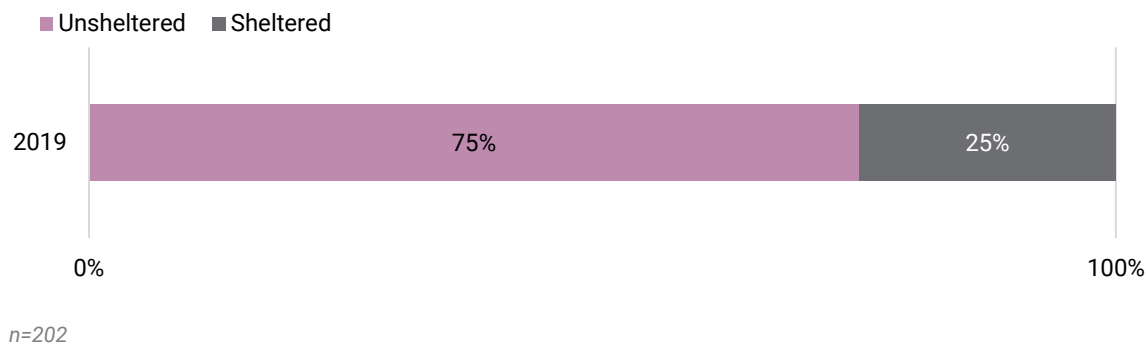


## NUMBER OF PERSONS EXPERIENCING CHRONIC HOMELESSNESS

In 2019, an estimated 202 individuals were experiencing chronic homelessness in the city of Hayward. These individuals represent 41% of the total population experiencing homelessness in the city of Hayward, and 9% of all those experiencing chronic homelessness across Alameda County.

Among individuals experiencing chronic homelessness in the city of Hayward, 75% were unsheltered while 25% were residing in emergency shelter on the night of the count.

FIGURE 50. SHELTER STATUS OF PERSONS EXPERIENCING CHRONIC HOMELESSNESS



## SINGLE INDIVIDUALS EXPERIENCING CHRONIC HOMELESSNESS

An estimated 188 single individuals were experiencing chronic homelessness in 2019. Eighty percent (80%) of individuals experiencing chronic homelessness in 2019 were unsheltered, while 20% were residing in emergency shelter programs.

In 2019, single individuals experiencing chronic homelessness represented 39% of the overall population experiencing homelessness in the city of Hayward, compared to 26% countywide.

## FAMILIES WITH CHILDREN EXPERIENCING CHRONIC HOMELESSNESS

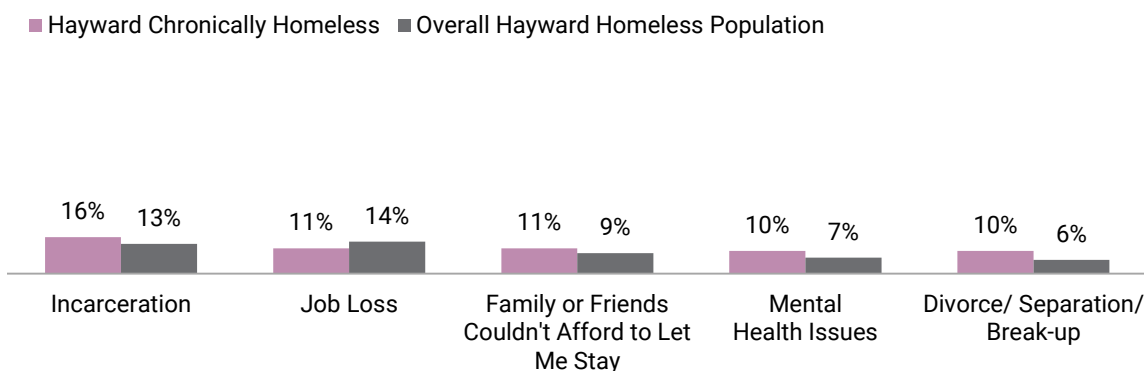
In 2019, 6 families were experiencing chronic homelessness, including 6 heads of household and 8 family members for a total of 14 people. All families experiencing chronic homelessness were identified in emergency shelters. One-third (33%) of family households were experiencing chronic homelessness in 2019, compared to 36% countywide.



## PRIMARY CAUSE OF HOMELESSNESS AMONG THOSE EXPERIENCING CHRONIC HOMELESSNESS

Survey respondents experiencing chronic homelessness in the city of Hayward most frequently cited incarceration (16%) as the primary cause of their homelessness, compared to 13% of respondents citywide. Job loss (11%), family or friends who could not afford to let them stay (11%), mental health issues (10%), and the dissolution of a relationship (10%) were also among the top causes of homelessness among chronically homeless survey respondents.

FIGURE 51. PRIMARY CAUSE OF HOMELESSNESS AMONG CHRONICALLY HOMELESS PERSONS



Hayward Chronically Homeless n=80; Overall Hayward Homeless Population n=246

Note: Multiple response question, percentages will not add up to 100.



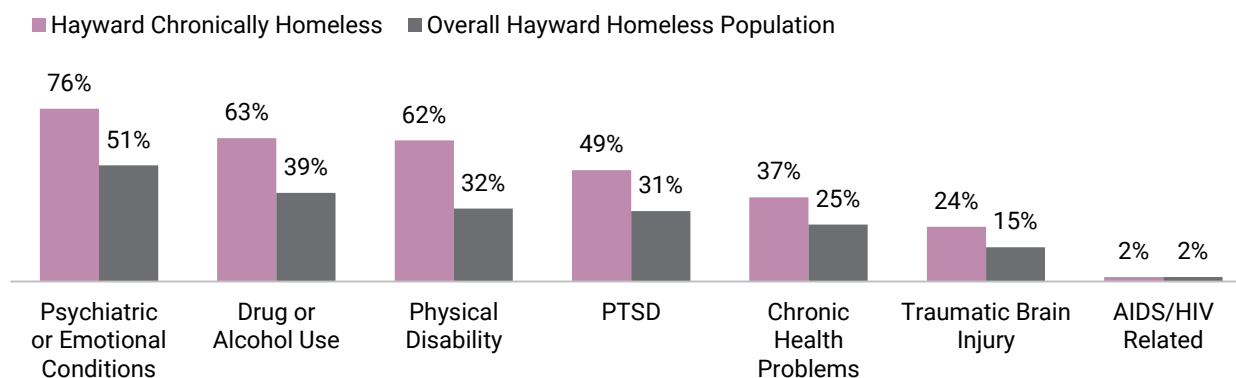
## HEALTH CONDITIONS AMONG PERSONS EXPERIENCING CHRONIC HOMELESSNESS

The definition of chronic homelessness requires a condition that prevents an individual from maintaining work or housing. The definition requires that only one be limiting, however, many survey respondents experiencing chronic homelessness reported experiencing multiple physical or mental health conditions. The following data report all conditions regardless of severity. It is important to recognize that all survey data are self-reported and influenced by participant's self-awareness and knowledge of a diagnosis.

In general, chronically homeless survey respondents reported living with higher rates of all surveyed health conditions than other respondents.

Seventy-six percent (76%) of survey respondents experiencing chronic homelessness in the city of Hayward reported living with psychiatric or emotional conditions, 63% reported drug or alcohol use, and 62% reported a physical disability. Nearly half (49%) reported living with PTSD. Thirty-seven percent (37%) reported living with chronic health problems, 24% a traumatic brain injury, and 2% living with an AIDS or HIV related illness.

FIGURE 52. HEALTH CONDITIONS AMONG CHRONICALLY HOMELESS PERSONS



Hayward Chronically Homeless n=82; Overall Hayward Homeless Population n=248

Note: Multiple response question, percentages will not add up to 100.



## VETERANS

Many U.S. veterans experience conditions that place them at increased risk for homelessness, including higher rates of PTSD, traumatic brain injury, sexual assault, and substance abuse. Veterans experiencing homelessness are more likely to be unsheltered, and often remain unsheltered for extended periods of time.

The U.S. Department of Veterans Affairs (VA) provides a broad range of benefits and services to veterans of the U.S. Armed Forces. These benefits can involve different forms of financial assistance, including monthly cash payments to disabled veterans, health care, education, and housing benefits. In addition to these supports, the VA and HUD partner to provide additional housing and support services to veterans currently experiencing homelessness or at risk of experiencing homelessness.

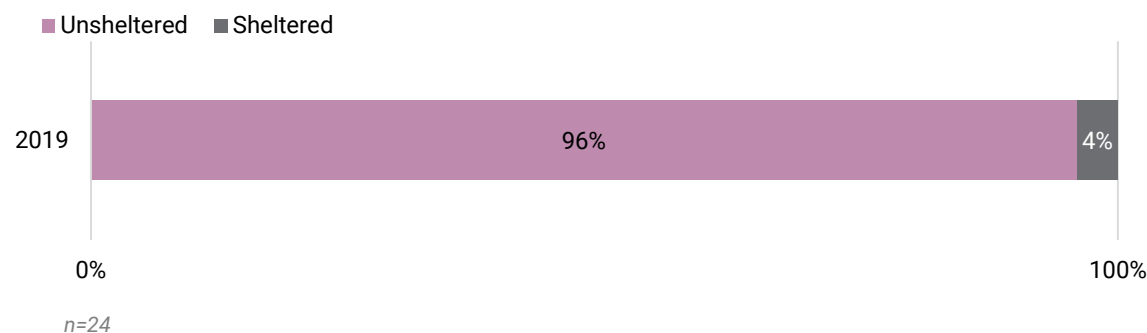
According to data collected nationally during the 2017 Point-in-Time Count, 40,056 veterans experienced homelessness on a single night in January.<sup>19</sup>

## HOMELESS VETERANS

In 2019, there were 24 veterans experiencing homelessness in the city of Hayward. These individuals represent 5% of the total population experiencing homelessness in the city of Hayward.

Among veterans experiencing homelessness in the city of Hayward, 96% were unsheltered while 4% were residing in emergency shelter programs.

FIGURE 53. SHELTER STATUS OF VETERANS EXPERIENCING HOMELESSNESS



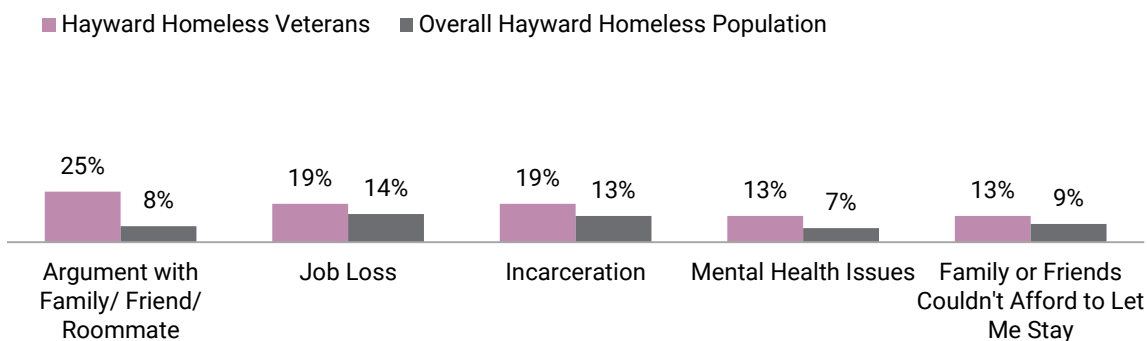
<sup>19</sup> HUD. (2017). Annual Assessment Report to Congress. Retrieved from <https://www.hudexchange.info/resources/documents/2014-AHAR-Part1.pdf>.



## PRIMARY CAUSE OF HOMELESSNESS AMONG VETERANS

Veteran survey respondents in the city of Hayward most frequently cited an argument with a family member, friend, or roommate (25%); job loss (19%); and incarceration (19%) as the primary cause of their homelessness. Veterans attributed their homelessness to mental health issues at nearly twice the rate of all survey respondents (13% compared to 7%).

FIGURE 54. PRIMARY CAUSE OF HOMELESSNESS AMONG VETERANS



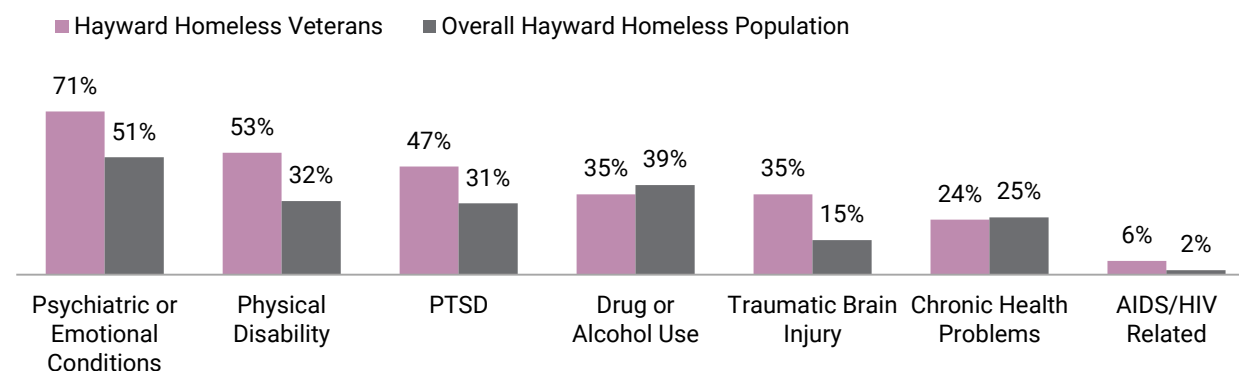
Hayward Homeless Veterans n=16; Overall Hayward Homeless Population n=246

Note: Multiple response question, percentages will not add up to 100.

## HEALTH CONDITIONS AMONG VETERANS EXPERIENCING HOMELESSNESS

Overall, veteran survey respondents indicated living with one or more health conditions at a higher rate than non-veterans. Compared to the overall city homeless survey population, veteran respondents reported higher rates of living with psychiatric or emotional conditions (71% compared to 51%), a physical disability (53% compared to 32%), PTSD (47% compared to 31%), traumatic brain injury (35% compared to 15%), and AIDS or HIV related illnesses (6% compared to 2%); similar rates of chronic health problems (24% compared to 25%); and lower rates of drug or alcohol abuse (35% compared to 39%).

FIGURE 55. HEALTH CONDITIONS AMONG VETERANS



Hayward Homeless Veterans n=17; Overall Hayward Homeless Population n=248

Note: Multiple response question, percentages will not add up to 100.





# Appendix A: Methodology

## OVERVIEW

The purpose of the *EveryOne Counts! 2019 Homeless Count and Survey* was to produce a point-in-time estimate of people experiencing homelessness in Alameda County, a region which covers approximately 738 square miles. The results of the street and youth counts were combined with the results from the sheltered count to produce the total estimated number of persons experiencing homelessness in Alameda County on a given night according to the HUD definition of homelessness for the Point-in-Time Count. The subsequent, in-depth qualitative survey was used to gain a more comprehensive understanding of the experiences and demographics of those enumerated. A more detailed description of the methodology follows.

## COMPONENTS OF THE POINT-IN-TIME COUNT METHOD

The Point-in-Time Count methodology used in 2019 had four primary components:

- i. General street count: an observation-based enumeration of unsheltered individuals between the hours of approximately 5:00 a.m. and 10:00 a.m.;
- ii. Youth count: a targeted enumeration of unsheltered youth under the age of 25 between the hours of approximately 2:30 p.m. and 7:30 p.m.;
- iii. Sheltered count: an enumeration of individuals residing in emergency shelter, safe haven, and transitional housing facilities on the night before the street count; and
- iv. Survey: an in-person survey of a randomized sample of unsheltered and sheltered individuals conducted by trained peer surveyors and program staff in the weeks following the general street count.

### The Planning Process

To ensure the success and integrity of the count, many county and city departments and community-based agencies collaborated on community outreach, volunteer and guide recruitment, logistical plans, methodological decisions, interagency coordination efforts, and the inclusion of non-traditional programs such as Community Cabins and safe parking programs. ASR provided technical assistance for these aspects of the planning process while EveryOne Home convened stakeholders, provided project management support for implementing the methodology, and facilitated the training of volunteers and guides. This planning began in October of 2018.

### Community Involvement

Local homeless and housing service providers, advocates, and people experiencing homelessness were valued partners in the planning and implementation of the count. Thanks to local efforts, the count included enumerators with a diverse range of knowledge, including expertise on areas frequented by persons experiencing homelessness, persons living in vehicles, and persons residing in encampments. Community partners were also key in recruiting individuals with lived experience of homelessness to participate in the street count and survey efforts. In 2019, a temporary position of Guide Recruitment



Lead was added. This position was key to increasing guide recruitment by 60% over 2017, and in the hiring and training of 164 guides with lived experience of homelessness for the general street count.

## STREET COUNT METHODOLOGY

### Goal

The goal of the general street count was to obtain an accurate count of persons sleeping outdoors and in vehicles, tents, or other places not meant of human habitation throughout Alameda County.

### Definition

For the purposes of this study, the HUD definition of unsheltered homeless persons was used, as required for the federal Point-in-Time Count:

- An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground.

### Research Design

The methodology used for the *EveryOne Counts! 2019 Homeless Count and Survey* is commonly described as a “blitz count” since it is conducted by a large team of people over a very short period of time. For the general street count, every census tract in the county was canvassed in an observation-based count of individuals and families who appeared to be experiencing homeless.

In order to minimize potential duplicate counting, the timing of the general street count was coordinated to take place before most shelters released persons who slept there the previous night. General street count teams were also instructed to prioritize covering areas immediately surrounding any shelters in their assigned count location to eliminate any potential double-counting of individuals. The majority of general street count activities took place between 5:00 a.m. and 10:00 a.m., with teams in urban areas encouraged to complete their routes by 8:00 a.m. due to the higher density and mobility of the population experiencing homelessness in these areas.

Street count teams were generally comprised of at least one guide with lived experience of homelessness and up to three community volunteers. Guides assisted the team in navigating their assigned count area, identifying locations where unsheltered individuals were likely to be encountered while providing additional support in identifying people experiencing homelessness for inclusion in the tally. Volunteers assisted with transporting the team through their count area and performing the tally. Guides were compensated \$15 per hour for their time spent in the field on the day of the count and an additional \$15 for attending an in-person training session in advance of count day.

Census tracts served as the method of organizing the general street count; their boundaries are based on population density and determined by the federal government. Depending on the size and density of the census tracts, each team was assigned up to three contiguous census tract maps. Teams were instructed to canvas all accessible streets, roads, and highways within the boundaries of their assigned census tracts by foot, car, or a combination of both. Teams were asked to cover the entirety of their count assignment during the established hours of the street count, and to communicate with deployment center staff if they required additional assistance or time.

All street count teams were equipped with their assigned census tract map areas, tally sheets, training guidelines, deployment center staff contact information, and other supplies by ASR staff. ASR staff also verified that at least one person on each team had a cell phone available for use during the count and recorded their contact information on a volunteer deployment log.



In performing the tally, teams were instructed not to initiate direct contact with, or to otherwise disturb, people experiencing homelessness who were observed during the count. Leveraging the expertise of their guide and other team members, count volunteers were instructed to only observe and record basic demographic and location information.

Upon completion of their count assignment, teams returned to the deployment center to submit their tally sheets and maps and to debrief with deployment center staff. ASR staff reviewed all maps to verify that every accessible road and area within the map assignment had been covered, as well as all tally sheets to ensure information was recorded accurately.

### Methodological Improvements

The 2019 street count methodology followed the established, HUD-approved methodology implemented in the 2017 count, with some key improvements.

To improve the local accuracy of the multiplier used to estimate the number of persons residing in tents and vehicles, a pre-count survey (*Multiplier for Persons in Vehicles and Tents*) was implemented countywide in December 2018. While general street count teams are typically able to observe a vehicle or structure that is being inhabited, they are not always able to accurately determine the number of persons residing in these locations through pure observation. Prior to the count, local outreach teams conducted a tally of persons residing in three different vehicle types (cars, vans, and RVs) as well as tents and improvised structures. The average household sizes of people identified residing in each of these location types during the pre-count survey were subsequently applied to tallies where the number of persons was unknown. In 2017, this multiplier was determined by survey responses only, which often resulted in a small sample of respondents, particularly among those residing in vehicles.

Additionally, gender for the unsheltered population was estimated using self-reported information from the survey in order to increase accuracy. In 2017, gender totals for the unsheltered population were determined using observation data collected from the general street count tally. In 2019, observational gender data from the tally sheet were used for deduplication purposes only.

### Volunteer and Guide Recruitment and Training

Many individuals who live and/or work in Alameda County supported the county's effort to enumerate the local homeless population as volunteers. On the morning of January 30, 2019, nearly 500 volunteers and service providers participated in the general street count. An additional 164 individuals who were currently or had recently experienced homelessness served as guides to street count teams.

Extensive outreach efforts were conducted by EveryOne Home, including outreach to local non-profits serving people experiencing homelessness, local volunteer programs, and jurisdictional partners. Local shelters and service providers recruited and recommended the most knowledgeable and reliable individuals to participate in the count as guides. Additionally, the hiring of a Guide Recruitment Lead resulted in the increased participation, coordination, and training of guides throughout Alameda County. Volunteer recruitment goals were reached in December 2018.

In order to participate in the count, all volunteers and guides were requested to attend an hour-long training before the count. In addition to sharing a YouTube training for volunteers via email, in-person trainings were held and conducted by EveryOne Home in multiple locations throughout the county. Training covered all aspects of the count, including the definition of homelessness, how to identify individuals experiencing homelessness, potential locations where individuals experiencing homelessness may be located, how to safely and respectfully conduct the count, how to use the tally count sheets to accurately record observations, how to use the census tract maps to ensure the entirety of the assigned area was covered, and other tips to help ensure an accurate count.



On the morning of the count, all volunteers and guides received a brief refresher training conducted by ASR staff prior to forming teams and receiving their count assignment. The refresher training reiterated the instructions for navigating the census tract maps and recording observations on the tally sheet as well as essential safety protocols.

Deployment Site	# Census Tracts	RECRUITING GOAL		ACTUAL TURNOUT	
		# Guides	# Volunteers	# Guides	# Volunteers
Oakland	78	55	138	55	151
East Oakland	65	33	81	17	57
<b>Total Oakland</b>	<b>143</b>	<b>88</b>	<b>219</b>	<b>72</b>	<b>208</b>
North County	39	25	63	25	52
Mid County	70	34	85	30	104
East County	42	18	44	17	50
South County	66	29	73	20	75
<b>Total</b>	<b>360</b>	<b>194</b>	<b>484</b>	<b>164</b>	<b>489</b>

### Safety Precautions

Every effort was made to minimize potentially hazardous situations. In census tracts with a high concentration of homeless encampments or with access restrictions, specialized outreach teams with knowledge of these specific areas were identified and assigned to these locations. Enumeration teams were advised to take every safety precaution possible, including bringing flashlights and maintaining a respectful distance from those they were counting.

### Street Count Deployment Centers

To achieve complete coverage of the county within the early morning timeframe, the planning team identified six areas for the placement of dispatch centers on the morning of the count: Berkeley (North County), Downtown Oakland, East Oakland, Hayward (Mid-County), Livermore (East County), and Fremont (South County). Deployment centers were supported by staff from ASR and EveryOne Home, who were responsible for greeting volunteers and guides; facilitating the refresher training and deployment process; distributing count instructions, maps, and supplies to enumeration teams; and collecting and reviewing data from returning teams.

Volunteers selected their preferred deployment center at the time of registration based on their familiarity with the area or their convenience. The planning team determined the enumeration routes and assigned them to the deployment center closest or most central to the coverage area to facilitate the timely deployment of enumeration teams into the field.

## YOUTH COUNT METHODOLOGY

### Goal

The goal of the dedicated youth count was to improve the representation of unaccompanied children and transition-age youth under the age of 25 experiencing homelessness during the 2019 Point-in-Time Count. Many unaccompanied children and transition-age youth experiencing homelessness do not use existing homeless services and often stay in locations that are difficult to find or are separate from the unsheltered adult population. In addition, youth experiencing homelessness are generally difficult for adult street count volunteer to identify using observational methods, as young people frequently “hide in plain sight.” Therefore, traditional street count efforts are not as effective in reaching and counting youth.



## Definition

For the purposes of the count, the HUD definition of unaccompanied youth was used. This definition includes children under the age of 18 and transition-age youth between the ages of 18 and 24 who are not accompanied by a parent or guardian, and who are also not parents presenting with or sleeping in the same place as their own child(ren). Unaccompanied youth include single youth, youth couples, and groups of youth presenting together as a household.

## Research Design

The 2019 youth count methodology was comprised of two primary components:

- i. Youth street count: A street-based questionnaire of unsheltered and unaccompanied children and transition-age youth conducted in specific areas throughout Alameda County by teams comprised of young people (age 18-24) with lived experience of homelessness and service providers; and
- ii. Youth count sites: A site-based questionnaire of unsheltered and unaccompanied children and transition-age youth conducted at specific service locations throughout Alameda County.

As in 2017, planning for the 2019 youth count included homeless youth service providers and youth with lived experience of homelessness. Participation of local youth service providers increased in 2019 to include an array of organizations representing the geographic diversity of the region as well as the population of young people experiencing homelessness.

A focus group was held in January 2019 with young people currently experiencing homelessness to identify “hot spot” locations that would be covered on the day of the youth street count where youth experiencing homelessness were known to congregate. It was also determined that youth experiencing homelessness would be more prominent on the street during the late afternoon and early evening hours rather than in the early morning when the general street count was conducted.

Service providers recruited youth with lived experience of homelessness and knowledge of where to locate other young people experiencing homelessness to serve as youth guides for the youth count. Covenant House Oakland, Youth UpRising (East Oakland), UC Berkeley Suitcase Clinic, YEAH! Covenant House, REACH Ashland Youth Center, Beyond Emancipation, VOICES Youth Center, and the Alameda County Youth Action Board led the recruitment of youth guides and of their staff to accompany and transport youth guides during the count. Youth guides were compensated \$15 per hour for their time, including time spent in training immediately prior to deployment.

The youth street count was conducted from approximately 2:30 p.m. to 7:30 p.m. on January 30, 2019. Youth street count teams comprised of at least one service provider staff member and between one and three youth guides administered the Youth Count Screening Tool to unsheltered young people in pre-identified areas of Alameda County. The Youth Count Screening Tool contained questions pertaining to young people’s age, gender identity, and current housing situation. Youth guides and service provider staff were trained to administer the questionnaire to any young person under the age of 25 who they believed to be unsheltered, and to provide young people who completed the questionnaire a \$5 BART ticket as a thank you gift for their participation. Youth street count teams were also provided tally sheets to count any young person who was believed to be unsheltered but who was unable to complete the Youth Count Screening Tool due to refusal, safety concerns, or other circumstances.

Additionally, service provider staff from MISSSEY, Our Kids, Youth UpRising, and REACH Ashland Youth Center administered the Youth Count Screening Tool to young people at their service locations during regular hours of operation. These locations were strategically selected in order to ensure youth who were less likely to be encountered via street outreach were included in the count.



### Methodological Improvements

In 2019, the youth count methodology changed from an observation-based enumeration to a survey-based enumeration in order to improve the accuracy of the youth count and gain a better understanding of how young people experience housing crises in Alameda County.

Previously, youth count teams performed a visual tally similar to general street count teams, only focused on unsheltered youth under 25 years old. The methodology was updated to incorporate the Youth Count Screening Tool, a brief questionnaire designed to collect more detailed information on young people's living situation. The Youth Count Screening Tool was administered by youth street count teams and selected youth count site locations to every unsheltered youth encountered. Youth street count teams were also able to count youth using a tally sheet if the team believed the youth was unsheltered but was unable to complete the Youth Count Screening Tool.

While the Youth Count Screening Tool also collected information on young people experiencing housing instability, only data reported by young people who met the definition of the Point-in-Time Count are included in this report.

### Street Count De-Duplication

Data from the youth count and general street count were compared and de-duplicated by assessing location, gender, and age. In total, five persons under the age of 25 were identified as duplicates and removed from the data set.

## SHELTERED COUNT METHODOLOGY

### Goal

The goal of the sheltered count is to gain an accurate count of persons temporarily housed in emergency shelter, safe haven, and transitional housing facilities across Alameda County. These data are vital to gaining an accurate, overall count of the homeless population and understanding where homeless persons receive shelter.

### Definition

For the purposes of this study, the HUD definition of sheltered homelessness for the Point-in-Time Count was used. This definition includes individuals and families living in a supervised publicly or privately-operated shelter designated to provide temporary living arrangements.

### Research Design

The occupancy and demographic information of people occupying emergency shelter, safe haven, and transitional housing facilities in Alameda County was collected for the night of January 29, 2019. All data for sheltered persons were gathered by Alameda County Department of Housing and Community Development lead staff either directly from the program or from Alameda County's Homeless Management Information System.

## ENUMERATION CHALLENGES AND LIMITATIONS

Even though the Point-in-Time Count is most likely an undercount of the homeless population, the methodology employed—coupled with the housing survey—is still one of the most comprehensive approaches available. There are many challenges in any homeless enumeration, especially when implemented in a community as large and diverse as Alameda County. Point-in-Time Counts are “snapshots” that quantify the size of the population experiencing homelessness at a given point during the year. Hence, the count may not be representative of fluctuations and compositional changes in the homeless population seasonally or over time.



Regardless of how successful outreach efforts are, an undercount of the homeless population will result, especially of hard-to-reach subpopulations such as unsheltered families, unaccompanied youth, and limited English-language speakers. For a variety of reasons, unsheltered persons generally do not wish to be seen and make concerted efforts to avoid detection. Alternatively, persons residing in emergency shelter, safe haven, and transitional housing programs are much easier to enumerate due to the facility of collecting information directly from program site locations.

The methods employed in a non-intrusive visual homeless enumeration, while academically sound, have inherent biases and shortcomings. Even with the assistance of dedicated homeless service providers and persons with lived experience of homelessness, the methodology cannot guarantee 100% accuracy. Many factors may contribute to missed opportunities, such as the difficulty of identifying persons who are sleeping in vans, cars, recreational vehicles, abandoned buildings, or structures unfit for human habitation as well as families with children experiencing homelessness, who often seek opportunities to stay on private property rather than sleep on the streets.

## SURVEY METHODOLOGY

### Planning and Implementation

A survey of 1,681 unique individuals experiencing homelessness was conducted between February 1 and 28, 2019 to yield qualitative data about people experiencing homelessness in Alameda County. Data collected through the survey effort were used to estimate characteristics such as gender, race, and ethnicity of the unsheltered population by applying percentages of respondents to the number of individuals tallied during the street count. These data are also used for the McKinney-Vento Continuum of Care Homeless Assistance funding application as well as for the local development, planning, and evaluation of the community's rehousing efforts.

The survey elicited information such as gender, family status, military service, duration and recurrence of homelessness, nighttime accommodations, causes of homelessness, and health conditions through open-ended, closed-ended, and multiple response questions. Specific demographic characteristics such as ethnicity, race, health conditions, and subpopulations, were defined by and in compliance with HUD. Other research questions were formulated through community input, such as questions pertaining to residency and coordinated entry. The survey data bring greater perspective to current issues of homelessness and to the provision and delivery of services.

Surveys were conducted by peer survey workers with lived homeless experience. Training sessions were facilitated by ASR and EveryOne Home staff immediately following the general street count. Potential interviewers were led through a comprehensive orientation that included project background information as well as detailed instruction on respondent eligibility, interviewing protocol, and confidentiality. Peer survey workers were compensated at a rate of \$7 per completed survey.

It was determined that survey data would be more easily obtained if a thank you gift was offered to respondents in appreciation for their time and participation. Socks were provided as an incentive for participating in the 2019 homeless survey. The socks were easy to distribute, had wide appeal, and could be provided within the project budget. The incentives proved to be widely accepted among survey respondents. A thank you gift of a \$5 gift card was provided to adult survey respondents in emergency shelter and transitional housing programs and to youth survey respondents.

### Survey Sampling

Based on a Point-in-Time Count estimate of 8,022 homeless persons, with a randomized survey sampling process, the 1,681 valid surveys represented a confidence interval of +/- 2% with a 95% confidence level when generalizing the results of the survey to the estimated population of individuals experiencing homelessness in Alameda County.



The 2019 survey was administered in shelters, transitional housing facilities, and on the street. Unsheltered survey quotas were developed based on the previous count year's unsheltered data and established for each jurisdiction within Alameda County. In order to ensure the representation of emergency shelter and transitional housing residents, survey quotas were created for each housing program to reach individuals and heads of family households living in these programs.

Strategic attempts were also made to reach individuals in various geographic locations and of various subset groups such as unaccompanied youth, racial and ethnic groups, veterans, domestic violence survivors, and families. One way to increase the participation of these groups was to recruit peer survey workers. As in 2017, *EveryOne Counts!* prioritized a peer-to-peer approach to data collection by increasing the number of surveyors currently experiencing homelessness.

In order to increase randomization of sample respondents, peer survey workers were trained to employ an "every third encounter" survey approach. Surveyors were instructed to approach every third person they considered to be an eligible survey respondent. Emergency shelter and transitional housing staff administering the survey to program residents were also instructed to survey every third head of household. If the person declined to take the survey, the surveyor could approach the next eligible person they encountered. After completing a survey, the randomized approach was resumed.

### Data Collection

Care was taken by interviewers to ensure that respondents felt comfortable regardless of the street or shelter location where the survey occurred. During the interviews, respondents were encouraged to be candid in their responses and were informed that these responses would be framed as general findings, remain confidential, and would not be traceable to any single individual. Respondents were also allowed to skip or refuse to answer any question that made them uncomfortable or for which they were unwilling to share

### Data Analysis

The survey requested respondents' initials and date of birth so that duplication could be avoided without compromising the respondents' anonymity. Upon completion of the survey effort, an extensive verification process was conducted to eliminate duplicates. This process examined respondents' date of birth, initials, gender, ethnicity, length of homelessness, and consistencies in patterns of responses to other survey questions.

## SURVEY CHALLENGES AND LIMITATIONS

The 2019 Alameda County Homeless Survey methodology relies heavily on self-reported data collected from peer surveyors and program staff. While self-report allows individuals to represent their own experiences, self-reported data are often more variable than clinically reported data. However, using the peer-to-peer interviewing methodology is believed to enable respondents to be more candid with their answers and to help reduce the uneasiness of revealing personal information. Further, service providers recommended individuals who would be the best suited to conducting interviews and these individuals received comprehensive training about how to conduct interviews. The service providers and/or county staff who collected completed surveys also reviewed the surveys to ensure quality responses. Surveys that were considered incomplete or containing false responses were not accepted.

It is important to recognize that variations between survey years may result from shifts in the demographic profiles of surveyors, accessibility to certain populations, and changes to the survey instrument. While every effort was made to collect surveys from a random and diverse sample of unsheltered and sheltered individuals, the hard-to-reach nature of the population experiencing homelessness prevents a true random sampling. Recruitment of diverse and geographically dispersed surveyors was prioritized; however, equal survey participation across all populations may be further



limited by the participation and adequate representation of subpopulations in planning and implementation processes. This includes persons living in vehicles, unsheltered families, and limited English-language speakers.

It is for these reasons that Point-in-Time Count data should be used in conjunction with other community sources of data on individuals and families experiencing homelessness to gather a comprehensive understanding of the community.





# Appendix B: Definitions and Abbreviations

**Chronic homelessness** – Defined by HUD as an unaccompanied individual or head of a family household with a disabling condition who has either continuously experienced homelessness for a year or more, or has experienced at least four episodes of homelessness totaling 12 months, in the past three years.

**Disabling condition** – Defined by HUD as a physical, mental, or emotional impairment, including an impairment caused by alcohol or drug abuse, PTSD, or brain injury that is expected to be long-term and impacts the individual’s ability to live independently; a developmental disability; or HIV/AIDS.

**Emergency shelter** – The provision of a safe alternative to the streets, either in a shelter facility or through the use of stabilization rooms. Emergency shelter is short-term, usually for 180 days or fewer. Domestic violence shelters are typically considered a type of emergency shelter, as they provide safe, immediate housing for survivors and their children.

**Family** – A household with at least one adult and one child under the age of 18.

**Homeless** – Under the Category 1 definition of homelessness in the HEARTH Act, includes individuals and families living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements, or with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground.

**HUD** – Abbreviation for the U.S. Department of Housing and Urban Development.

**Precariously housed** – A person who is staying with the household because they have no other regular or adequate place to stay due to a lack of money or other means of support.

**Sheltered homeless individuals** – Individuals who are living in emergency shelters or transitional housing programs.

**Single individual** – Refers to an unaccompanied youth or adult. The individual may be an unaccompanied child under the age of 18 living without a parent or guardian over the age of 18, or an adult who is part of a collection of adults living together as a household without any minor children living with them.

**Transition-age youth** – Young people between the ages of 18 and 24 years old who are not accompanied by a parent or guardian and are not a parent presenting with or sleeping in the same place as their own child(ren).



**Transitional housing** – Housing in which homeless individuals may live up to 24 months and receive supportive services that enable them to live more independently. Supportive services – which help promote residential stability, increased skill level or income, and greater self-determination – may be provided by the organization managing the housing, or coordinated by that organization and provided by other public or private agencies. Transitional housing can be provided in one structure or several structures at one site, or in multiple structures at scattered sites.

**Unaccompanied children** – Children under the age of 18 who are not accompanied by a parent or guardian and are not a parent presenting with or sleeping in the same place as their own child(ren).

**Unsheltered homeless individuals** – Individuals who are living on the streets, in abandoned buildings, storage structures, vehicles, encampments, or any other place unfit for human habitation.



# Appendix C: Point-in-Time Count Results

The following tables feature a subset of the *EveryOne Counts! 2019 Homeless Count and Survey* data submitted to HUD for individuals experiencing homelessness in Alameda County. These tables only include data for persons experiencing homelessness in the city of Hayward. Data are reported by three household types (households with at least one adult and one child, households with no children, and households with only children) and by shelter status (sheltered and unsheltered). Specific data on veteran households, youth and young adult households, and various subpopulations are also reported and included in the tables found in this section.

## ALL HOUSEHOLDS

### HOUSEHOLDS WITH AT LEAST ONE ADULT AND ONE CHILD

	Sheltered	Unsheltered	Total
Total number of households	18	18	18
Total number of persons	59	59	59
Number of children (under 18)	38	38	38
Number of young adults (18-24)	2	2	2
Number of adults (over 24)	19	19	19
<b>Gender (adults and children)</b>			
Female	39	39	39
Male	20	20	20
Transgender	0	0	0
Gender Non-Conforming	0	0	0
<b>Ethnicity (adults and children)</b>			
Non-Hispanic/Non-Latinx	46	46	46
Hispanic/Latinx	13	13	13
<b>Race (adults and children)</b>			
White	1	1	1
Black or African-American	38	38	38
Asian	0	0	0
American Indian or Alaska Native	4	4	4
Native Hawaiian or Other Pacific Islander	12	12	12



Multiple Races	4	4	4
<b>Chronically Homeless</b>			
Total number of households	6	6	6
Total number of persons	14	14	14

## HOUSEHOLDS WITHOUT CHILDREN

	Sheltered	Unsheltered	Total
Total number of households	55	297	352
Total number of persons	55	372	427
Number of youth adults (age 18-24)	2	27	29
Number of adults (over age 24)	53	345	398
<b>Gender</b>			
Female	21	135	156
Male	33	221	254
Transgender	0	10	10
Gender Non-Conforming	1	6	7
<b>Ethnicity</b>			
Non-Hispanic/Non-Latinx	39	299	338
Hispanic/Latinx	16	73	89
<b>Race</b>			
White	17	215	232
Black or African-American	25	55	80
Asian	4	8	12
American Indian or Alaska Native	0	21	21
Native Hawaiian or Other Pacific Islander	0	17	17
Multiple Races	9	56	65
<b>Chronically Homeless</b>			
Total number of persons	37	151	188

## HOUSEHOLDS WITH ONLY CHILDREN

	Sheltered	Unsheltered	Total
Total number of households	1	0	1
Total number of children (persons under age 18)	1	0	1
<b>Gender</b>			
Female	1	0	1
Male	0	0	0
Transgender	0	0	0
Gender Non-Conforming	0	0	0
<b>Ethnicity</b>			
Non-Hispanic/Non-Latinx	1	0	1



Hispanic/Latinx	0	0	0
<b>Race</b>			
White	0	0	0
Black or African-American	0	0	0
Asian	0	0	0
American Indian or Alaska Native	0	0	0
Native Hawaiian or Other Pacific Islander	1	0	1
Multiple Races	0	0	0
<b>Chronically Homeless</b>			
Total number of persons	0	0	0

## VETERAN HOUSEHOLDS

### VETERAN HOUSEHOLDS WITH AT LEAST ONE ADULT AND ONE CHILD

	Sheltered	Unsheltered	Total
Total number of households	0	0	0
Total number of persons	0	0	0
Total number of veterans	0	0	0
<b>Gender (veterans only)</b>			
Female	0	0	0
Male	0	0	0
Transgender	0	0	0
Gender Non-Conforming	0	0	0
<b>Ethnicity (veterans only)</b>			
Non-Hispanic/Non-Latinx	0	0	0
Hispanic/Latinx	0	0	0
<b>Race (veterans only)</b>			
White	0	0	0
Black or African-American	0	0	0
Asian	0	0	0
American Indian or Alaska Native	0	0	0
Native Hawaiian or Other Pacific Islander	0	0	0
Multiple Races	0	0	0
<b>Chronically Homeless</b>			
Total number of households	0	0	0
Total number of persons	0	0	0



## VETERAN HOUSEHOLDS WITHOUT CHILDREN

	Sheltered	Unsheltered	Total
Total number of households	1	23	24
Total number of persons	1	23	24
Total number of veterans	1	23	24
<b>Gender (veterans only)</b>			
Female	0	3	3
Male	1	16	17
Transgender	0	2	2
Gender Non-Conforming	0	2	2
<b>Ethnicity (veterans only)</b>			
Non-Hispanic/Non-Latinx	1	21	22
Hispanic/Latinx	0	2	2
<b>Race (veterans only)</b>			
White	0	11	11
Black or African-American	0	5	5
Asian	0	0	0
American Indian or Alaska Native	0	2	2
Native Hawaiian or Other Pacific Islander	0	3	3
Multiple Races	1	2	3
<b>Chronically Homeless</b>			
Total number of persons	0	17	17

## YOUTH HOUSEHOLDS UNACCOMPANIED YOUTH HOUSEHOLDS

	Sheltered	Unsheltered	Total
Total number of unaccompanied youth households	2	14	16
Total number of unaccompanied youth	2	27	29
Number of unaccompanied children (under 18)	1	0	1
Number of unaccompanied (18-24)	1	27	28
<b>Gender (unaccompanied youth)</b>			
Female	2	12	14
Male	0	15	15
Transgender	0	0	0
Gender Non-Conforming	0	0	0
<b>Ethnicity (unaccompanied youth)</b>			
Non-Hispanic/Non-Latinx	2	21	23
Hispanic/Latinx	0	6	6



<b>Race (unaccompanied youth)</b>			
White	0	6	6
Black or African-American	1	12	13
Asian	0	0	0
American Indian or Alaska Native	0	3	3
Native Hawaiian or Other Pacific Islander	1	3	4
Multiple Races	0	3	3
<b>Chronically Homeless</b>			
Total number of persons	0	2	2

## PARENTING YOUTH HOUSEHOLDS

	<b>Sheltered</b>	<b>Unsheltered</b>	<b>Total</b>
<b>Total number of parenting youth households</b>	2	0	2
<b>Total number of persons in parenting youth households</b>	5	0	5
Total parenting youth (youth parents only)	2	0	2
Total children in parenting youth households	3	0	3
Number of parenting youth under 18	0	0	0
Number of children with parenting youth under 18	0	0	0
Number of parenting youth ages 18-24	2	0	2
Number of children with parenting youth age 18-24	3	0	3
<b>Gender (youth parents only)</b>			
Female	4	0	4
Male	1	0	1
Transgender	0	0	0
Gender Non-Conforming	0	0	0
<b>Ethnicity (youth parents only)</b>			
Non-Hispanic/Non-Latinx	1	0	1
Hispanic/Latinx	1	0	1
<b>Race (youth parents only)</b>			
White	0	0	0
Black or African-American	2	0	2
Asian	0	0	0
American Indian or Alaska Native	0	0	0
Native Hawaiian or Other Pacific Islander	0	0	0
Multiple Races	0	0	0
<b>Chronically Homeless</b>			
Total number of households	0	0	0
Total number of persons	0	0	2



### ADDITIONAL HOMELESS POPULATIONS

	Sheltered	Unsheltered	Total
Adults with Serious Mental Illness	36	171	207
Adults with Substance Use Disorder	15	126	141
Adults with HIV/AIDS	0	4	4
Victims of Domestic Violence (optional)	16	372	388



# Appendix D: Adult Survey & Youth Screening Tool

**2019 Alameda County Housing Survey**

Interview Date: \_\_\_\_\_ Neighborhood or City: \_\_\_\_\_

Reflector: \_\_\_\_\_ (tbl)

Site: \_\_\_\_\_

Shade Circles Like This: Not Like This:

**Section A: Demographics**

1. What are your initials? \_\_\_\_\_

2. What is your birth date? \_\_\_\_\_

3. Which of the following best represents how you think you gender?

4. Are you Hispanic or Latino? \_\_\_\_\_

5. Which racial group do you identify with most? (Shade all that apply)

6. Do you consider yourself? \_\_\_\_\_

7. Are you currently pregnant? \_\_\_\_\_

8. Have you ever been in foster care? \_\_\_\_\_

9. Are you currently enrolled in school? \_\_\_\_\_

**Section B: Veteran Status**

1. Have you served in the U.S. Armed Forces? (Army, Navy, Air Force, Marine Corps, or Coast Guard)

2. Were you ever called into active duty as a member of the National Guard or as a Reservist?

3. Have you ever received health care or benefits from a VA Veterans Administration center?

4. Is anyone else in your household a Veteran?

**Section C: Accommodation**

1. Where were you staying on the night of Tuesday, January 29th? (Shade 1)

2. How many people, including yourself, usually stay inside your tent, car, van, or RV/camper?

3. How long have you been homeless this current time? (Shade 1)

4. How many times have you been homeless in the past 3 years, including this current time? (Shade 1)

5. Have you been living in an emergency shelter and/or in a place that is not your own home (e.g., shelter, encampment, abandoned buildings, etc.) for the past year (12 months) or more?

6. In addition to right now, how long would you say you have lived in these kinds of places (you) all told?

7. How old were you the first time you experienced homelessness?

**Section D: Household Members**

1. How many people are in your household, including yourself?

2. Do you have any children under age 18? \_\_\_\_\_

3. Are any children under 18 really living with you? \_\_\_\_\_

4. Do you live alone or with other household members? \_\_\_\_\_

5. How are they related to you?

6. How old are they?

7. How do they identify their gender?

8. Are they Hispanic or Latino?

9. Which racial group do they identify with most? (Shade all that apply)



Section E: Residency

1. Immediately before you became homeless, what type of place were you living in? (Shade 1)

☐ A home owned or rented by you or your partner
☐ Juvenile justice facility
☐ Motel/hotel
☐ A home owned or rented by friends/relatives
☐ Foster care placement
☐ Other: \_\_\_\_\_
☐ Hospital or treatment facility
☐ Jail or prison
☐ Subsidized housing or permanent supportive housing

2. At the time you most recently became homeless, what county were you living in? (Shade 1)

☐ Alameda County
☐ Santa Clara County
☐ Other County in CA
☐ San Francisco
☐ San Mateo County
☐ Out of State
☐ Marin County
☐ Contra Costa County
☐ Refuse

3. How long have you lived in Alameda County? (Shade 1)

☐ Less than 6 months
☐ 6 months to 1 year
☐ 1-4 years
☐ 5-9 years
☐ 10+ years
☐ Refuse

4. Which city in Alameda County do you consider your home? (Shade 1)

☐ Albany
☐ Berkeley
☐ City of Alameda
☐ Dublin
☐ Emeryville
☐ Fremont
☐ Hayward
☐ Livermore
☐ Newark
☐ Oakland
☐ Piedmont
☐ Pleasanton
☐ San Leandro
☐ Union City
☐ Unincorporated area

5. What is the primary reason you stay in this location? (Shade 1)

☐ I grew up here/it's my home
☐ Shelter/housing program
☐ For a job/seeking work
☐ Access homeless services and/or benefits
☐ Family/friends are here
☐ Access to VA services or clinic
☐ LGBTQ community/acceptance
☐ Other: \_\_\_\_\_
☐ Feel safe here

Section F: Prevention

1. What do you think is the primary event or condition that led to your homelessness? (Shade 1)

☐ Aging out of foster care
☐ Eviction/Foreclosure
☐ Incarceration
☐ Family or friends couldn't afford
☐ Death of a parent/spouse/child
☐ Mental health issues
☐ To let me stay
☐ Divorce/Separation/Break-up
☐ Physical health issues
☐ Job loss
☐ Family/Domestic Violence
☐ Substance use issues
☐ Rent increase
☐ Other money issues
☐ Other: \_\_\_\_\_
☐ Don't know

2. What could have prevented you from experiencing homelessness? (Shade all that apply)

☐ Mental health services
☐ Conflict resolution with roommate
☐ Employment assistance
☐ Adequate retirement income
☐ Transportation assistance
☐ Help paying health care bills/insurance
☐ Alcohol/drug counseling
☐ Legal assistance
☐ Family counseling
☐ Help obtaining resources after leaving hospital/jail/prison/juvenile justice facility
☐ Food assistance
☐ Landlord mediation

3. If you could get into any kind of housing right now, what kind would you like best? (Shade 1)

☐ Assisted living (24-hour care)
☐ Other: \_\_\_\_\_
☐ Clean and sober housing
☐ Not interested in housing now
☐ Housing with support services
☐ Independent, affordable rental housing

Section G: Criminal Justice

1. Are you currently on probation?

☐ Yes
☐ No
☐ Don't know
☐ Refuse

2. Are you currently on parole?

☐ Yes
☐ No
☐ Don't know
☐ Refuse

Section H: Health and Housing

1. Do you experience any of the following:

a. Any chronic health problem or medical condition (diabetes, cancer)

☐ Yes
☐ No
☐ Refuse

b. Post-traumatic Stress Disorder (PTSD)

☐ Yes
☐ No
☐ Refuse

c. Any psychiatric or emotional conditions (depression, schizophrenia)

☐ Yes
☐ No
☐ Refuse

d. A physical disability (including vision or hearing loss)

☐ Yes
☐ No
☐ Refuse

e. A traumatic brain injury to your brain from a bump, blow, or wound to the head?

☐ Yes
☐ No
☐ Refuse

f. Drug or alcohol abuse (including prescription drugs not prescribed for you)

☐ Yes
☐ No
☐ Refuse

g. An AIDS or an HIV related illness?

☐ Yes
☐ No
☐ Refuse

2. Does it keep you from holding a job, living in stable housing or taking care of yourself?

☐ Yes
☐ No
☐ Refuse

3. If you live with a spouse, a significant other or parent, do any of the following conditions prevent them from maintaining work or housing? (Shade all that apply)

☐ Not Applicable
☐ Psychiatric or emotional condition
☐ Chronic health problem
☐ Drug or alcohol abuse
☐ Physical disability
☐ Traumatic brain injury
☐ HIV/AIDS
☐ PTSD
☐ Other: \_\_\_\_\_
☐ Refuse

4. Are you currently experiencing home/domestic violence or abuse? (Including physical, emotional, or sexual abuse)

☐ Yes
☐ No
☐ Refuse

5. Have you ever been physically, emotionally, or sexually abused by a relative, or another person you have stayed with (spouse, partner, sibling, parent, roommate)?

☐ Yes
☐ No
☐ Refuse

Section I: Services and Assistance

1. If new money came into Alameda County to end homelessness, how should it be spent? (Choose up to 3)

☐ 24/7 basic sanitation (toilets, showers, garbage)
☐ Affordable rental housing for very low income
☐ Daytime drop-in centers
☐ Permanent help with rent/subsidy
☐ Assisted living/24-hour care
☐ Emergency shelter
☐ Short-term financial assistance (back rent, credit repair, unpaid bills, obtaining ID, etc.)
☐ Domestic violence shelters and housing
☐ Family reunification
☐ Safe parking for persons living in vehicles
☐ Short-term help with rent
☐ Substance use and/or mental health services
☐ Other: \_\_\_\_\_

2. What prevents you from using shelter services? (Shade all that apply)

☐ Bugs
☐ Don't accept my pet
☐ Can't stay with my friends
☐ Far away
☐ They are full
☐ Can't stay with my partner/family
☐ Germs
☐ Too crowded
☐ Concerns for personal safety (violence, sexual assault)
☐ Hours of operation
☐ Curfews
☐ Lack of privacy
☐ Not enough staff
☐ Refuse

Section J: Coordinated Entry

1. Have you used Coordinated Entry? For example, have you been told to call 211, talk to an outreach worker, or visited a Hub/Housing Resource Center to access housing or services?

☐ Yes
☐ No
☐ Don't know
☐ Refuse

76 | EveryOne Counts! 2019 Homeless Count and Survey





## 2019 Alameda County Everyone Counts! Youth Count Screening Tool

Source: ☐ Street ☐ Survey Site

Interview Date: _____	Neighborhood or City: _____
Interviewer Name: _____	Interview Location: _____

**1. What are your initials?**

First \_\_\_\_\_ Middle \_\_\_\_\_ Last \_\_\_\_\_

**2. What is your birth date?**

Month \_\_\_\_\_ Day \_\_\_\_\_ Year \_\_\_\_\_

**3. Which of the following best represents how you think of your gender?**

- ☐ Male ☐ Female  
☐ Transgender Male to Female  
☐ Transgender Female to Male  
☐ Gender non-conforming ☐ Refuse

**4. Where did you stay last tonight? (Shade 1)**

- ☐ Your home/apartment ☐ Van  
☐ A friend's home/apartment ☐ Tent or encampment  
☐ Couchsurfing ☐ Outdoors/streets/parks  
☐ Motel/hotel ☐ Abandoned building or squat  
☐ Emergency shelter ☐ Hospital  
☐ Transitional housing ☐ Jail/juvenile detention/prison  
☐ Backyard or storage structure ☐ Foster care placement  
☐ Automobile/car ☐ Drug/alcohol treatment/detox center  
☐ Camper/RV ☐ Other: \_\_\_\_\_  
☐ Public facility (train station, transit center, bus stop)

**5. Can you live where you stayed last night for the next 14 days?**

- ☐ Yes  
☐ No  
☐ Don't know

**6. Did you stay alone last night or with other people?**

- ☐ With other people ☐ Alone (Please skip to Question 8)

**7. Who did you stay with last tonight?**

(shade all that apply and write how many people you will be staying with, for example if you will be staying with your mom and little sister please bubble parent and write in 1, then bubble sibling and write in 1)

<input type="radio"/> Parent or legal guardian(s)	
<input type="radio"/> Other adult family member(s)	
<input type="radio"/> Sibling(s) under the age of 18	
<input type="radio"/> My own child(ren) under 18	
<input type="radio"/> Friends	
<input type="radio"/> Roommates	
<input type="radio"/> Other: _____	

**8. Have you accessed services at any of the following locations today?**

- ☐ MISSEY  
☐ Youth Uprising  
☐ REACH Ashland Youth Center  
☐ Our Kids, HCSA

Day □ □	Month □ □	Year □ □	Initials □ □ □	City □ □ □	Office Use Only
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# Appendix E: Survey Results

The following tables include the aggregate results of select questions asked of individuals experiencing homelessness in the city of Hayward during the *EveryOne Counts! 2019 Homeless Survey*.

Section A: Demographics		Count	N %
Do you identify as LGBTQ+?	No	205	83%
	Yes	43	17%
	<b>Total</b>	<b>248</b>	<b>100%</b>
<i>Breakout of Respondents Identifying as LGBTQ+</i>	Gender Non-Conforming	0	0%
	Bisexual	23	53%
	Lesbian	11	26%
	Gay	8	19%
	Transgender	6	14%
	Queer	1	2%
	Other	0	0%
	<b>Total</b>	<b>43</b>	<b>100%</b>
Are you currently pregnant?	Yes	11	10%
	No	98	88%
	Don't know	1	1%
	Refuse	1	1%
	<b>Total</b>	<b>111</b>	<b>100%</b>
Have you ever been in foster care?	Yes	55	22%
	No	183	75%
	Don't know	1	0%
	Refuse	6	2%
	<b>Total</b>	<b>245</b>	<b>100%</b>
Are you currently enrolled in school?	Yes	13	5%
	No	227	93%
	Refuse	3	1%
	<b>Total</b>	<b>243</b>	<b>100%</b>



Section C: Accommodation		Count	N %
Where were you staying on the night of January 29, 2019?	Outdoors, streets, parks, encampments	92	37%
	Structure indoor area	49	20%
	Motel/hotel	16	6%
	Vehicle	41	17%
	Emergency shelter or transitional housing	50	20%
	<b>Total</b>	<b>248</b>	<b>100%</b>
Is this the first time you have been homeless?	Yes	94	39%
	No	142	59%
	Refuse	4	2%
	<b>Total</b>	<b>240</b>	<b>100%</b>
How long have you been homeless this current time?	7 days or less	2	1%
	8-30 days	3	1%
	1-3 months	8	3%
	4-6 months	21	9%
	7-11 months	19	8%
	1 year	25	11%
	More than 1 year	152	65%
	Refuse	5	2%
	<b>Total</b>	<b>235</b>	<b>100%</b>
In addition to right now, how long would you say you have stayed in these kinds of places total in the past 3 years?	Less than a year	33	16%
	1-3 years	45	22%
	4 years or more	131	63%
	<b>Total</b>	<b>209</b>	<b>100%</b>



Section D: Cause and Prevention		Count	N %
What do you think is the primary event or condition that led to your homelessness?	Job loss	34	14%
	Eviction/Foreclosure	13	5%
	Incarceration	31	13%
	Substance use issues	15	6%
	Physical health issues	6	2%
	Divorce/Separation/Break-up	14	6%
	Rent increase	16	7%
	Argument with family/friend/roommate	19	8%
	Family/Domestic Violence	22	9%
	Mental health issues	16	7%
	Aging out of foster care	15	6%
	Family or friends couldn't afford	23	9%
	Death of a parent/spouse/child	14	6%
	Other money issues	15	6%
	Other	9	4%
	Don't know	11	4%
	<b>Total</b>	<b>246</b>	<b>100%</b>
What resources might have helped you remain in your housing?	Mental health services	40	16%
	Legal assistance	80	32%
	Alcohol/drug counseling	33	13%
	Transportation assistance	37	15%
	Employment assistance	75	30%
	Rent assistance	89	36%
	Family counseling	36	15%
	Landlord mediation	14	6%
	Conflict resolution with roommate	16	6%
	Child support	13	5%
	Help paying health care bills/insurance	19	8%
	Help obtaining resources after leaving	33	13%
	Food assistance	39	16%
	Mortgage assistance	27	11%
	Adequate retirement income	6	2%
	Benefits/income	111	45%
	Don't know	22	9%
	Refuse	4	2%
	Other	12	5%
	<b>Total</b>	<b>247</b>	<b>100%</b>



If you could get into any kind of housing right now, would kind would you like best?	Independent, affordable rental housing	161	65%
	Housing with support services	27	11%
	Assisted living (24-hour care)	8	3%
	Clean and sober housing	22	9%
	Not interested in housing now	19	8%
	Other: _____	6	2%
	Refuse	3	1%
	<b>Total</b>	<b>246</b>	<b>100%</b>

Section E: Residency		Count	N %
In what county were you living at the time you most recently became homeless?	San Francisco	2	1%
	Other County in CA	6	2%
	Out of State	10	4%
	Alameda County	200	82%
	Contra Costa County	5	2%
	Marin County	2	1%
	San Mateo County	3	1%
	Santa Clara County	11	4%
	Refuse	6	2%
	<b>Total</b>	<b>245</b>	<b>100%</b>
How long have you lived in Alameda County?	Less than 6 months	8	4%
	6 months to 1 year	10	5%
	1-4 years	22	10%
	5-9 years	25	11%
	10+ years	152	69%
	Refuse	3	1%
	<b>Total</b>	<b>220</b>	<b>100%</b>
What was the primary reason you stay in this location?	For a job/seeking work	18	7%
	Access to VA services or clinic	2	1%
	Family/friends are here	45	19%
	Access homeless services and/or benefits	15	6%
	LGBTQ community/acceptance	0	0%
	I grew up here/it's my home	103	43%
	Feel safe here	28	12%
	Shelter/housing program	22	9%
	Other: _____	9	4%
	<b>Total</b>	<b>242</b>	<b>100%</b>



Immediately before you became homeless, what type of place were you living in?	A home owned or rented by you or your partner	62	25%
	Subsidized housing or permanent supportive housing	7	3%
	Hospital or treatment facility	14	6%
	A home owned or rented by friends/relatives	93	38%
	Juvenile justice facility	3	1%
	Foster care placement	9	4%
	Jail or prison	21	9%
	Motel/hotel	15	6%
	Other: _____	15	6%
	Refuse	8	3%
	<b>Total</b>	<b>247</b>	<b>100%</b>

Section G: Criminal Justice		Count	N %
Are you currently on probation?	Yes	14	6%
	No	203	86%
	Refuse	10	4%
	Don't know	10	4%
	<b>Total</b>	<b>237</b>	<b>100%</b>
Are you currently on parole?	Yes	7	3%
	No	211	91%
	Refuse	9	4%
	Don't know	5	2%
	<b>Total</b>	<b>232</b>	<b>100%</b>

Section H: Domestic Violence		Count	N %
Are you currently experiencing home/domestic violence or abuse?	Yes	16	7%
	No	218	92%
	Refuse	4	2%
	<b>Total</b>	<b>238</b>	<b>100%</b>
Have you ever been physically, emotionally or sexually abused by a relative, or another person you have stayed with?	Yes	69	29%
	No	168	70%
	Refuse	4	2%
	<b>Total</b>	<b>241</b>	<b>100%</b>



Section I: Services and Assistance		Count	N %
If new money came into Alameda County to end homelessness, how should it be spent?	24/7 Basic sanitation	68	28%
	Safe parking for persons living in vehicles	38	16%
	Emergency shelter	41	17%
	Daytime drop-in centers	64	26%
	Permanent help with rent/subsidy	108	44%
	Affordable rental housing	126	52%
	Shared housing	11	5%
	Assisted living/24-hour care	12	5%
	Housing with supportive services	31	13%
	Domestic violence shelters	20	8%
	Employment training and job opportunities	73	30%
	Substance use and/or mental health services	48	20%
	Family reunification	33	14%
	Short-term financial assistance	27	11%
	Other	17	7%
	Short-term help with rent	27	11%
	<b>Total</b>	<b>244</b>	<b>100%</b>
What prevents you from using shelter services?	They are full	56	24%
	Far away	34	15%
	Too crowded	65	28%
	Germ	119	51%
	Bugs	132	57%
	Can't stay with my partner/family	49	21%
	Can't stay with my friends	36	15%
	Nowhere to store my stuff	55	24%
	Too many rules	107	46%
	Don't accept my pet	26	11%
	Concerns for personal safety (violence, sexual assault)	60	26%
	Don't accept my gender or sexual orientation	8	3%
	Curfews	73	31%
	Hours of operation	18	8%
	Not enough staff	12	5%
	Lack of privacy	66	28%
	Refuse	25	11%
	<b>Total</b>	<b>233</b>	<b>100%</b>



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Have you used Coordinated Entry?	Yes	135	56%
	No	72	30%
	Refuse	6	2%
	Don't know	28	12%
	<b>Total</b>	<b>241</b>	<b>100%</b>



# Appendix F: Table of Figures

FIGURE 1. Total Number of Persons Experiencing Homelessness in the City of Hayward During the Point-in-Time Count .....	12
FIGURE 2. Total Number of Persons Experiencing Homelessness in the City of Hayward with County Comparison .....	13
FIGURE 3. Total Number of Persons Experiencing Homelessness by Shelter Status .....	13
FIGURE 4. Total Number of Persons Experiencing Homelessness in the City of Hayward by Location.....	14
FIGURE 5. Total Number of Persons Experiencing Homelessness by Household Type, Age, and Shelter Status.....	14
FIGURE 6. Total Number of Persons Experiencing Homelessness by Gender .....	15
FIGURE 7. Total Number of Persons Experiencing Homelessness by Household Type, Gender, and Shelter Status.....	15
FIGURE 8. Total Number of Persons Experiencing Homelessness by Hispanic/Latinx Ethnicity .....	16
FIGURE 9. Total Number of Persons Experiencing Homelessness by Race.....	16
FIGURE 10. Total Number of Persons Experiencing Homelessness by Jurisdiction and Shelter Status ....	17
FIGURE 11. Total Number of Persons Experiencing Homelessness by Jurisdiction .....	18
FIGURE 12. Total Number of Unsheltered Persons in the City of Hayward by Census Tract .....	19
FIGURE 13. Federally Reported Subpopulations .....	20
FIGURE 14. Place of Residence at Time of Housing Loss.....	22
FIGURE 15. Length of Time Spent in Alameda County .....	22
FIGURE 16. Reason for Staying in Current Location (Specific Place).....	23
FIGURE 17. Living Arrangements Immediately Prior to Experiencing Homelessness.....	24
FIGURE 18. Current8 Living Arrangements .....	25
FIGURE 19. Experiencing Homelessness for the First Time .....	26
FIGURE 20. Number of Episodes of Homelessness in the Past Three Years .....	26
FIGURE 21. Length of Current Episode of Homelessness.....	27
FIGURE 22. Age at First Experience of Homelessness.....	27
FIGURE 23. Primary Cause of Homelessness (Top Six Responses) .....	28
FIGURE 24. Support That Might Have Prevented Homelessness (Top Five Responses).....	29
FIGURE 25. Sexual and Gender Identity .....	30
FIGURE 26. History of Foster Care .....	31
FIGURE 27. Criminal Justice Involvement .....	32
FIGURE 28. School Enrollment .....	33
FIGURE 29. Health Conditions.....	34
FIGURE 30. Domestic Violence .....	35
FIGURE 31. How Any New Funding to End Homelessness in Alameda County Should be Spent (Top Six Responses).....	36
FIGURE 32. Coordinated Entry Use .....	37
FIGURE 33. Reasons for Not Using Shelter Services (Top Five Responses).....	37



FIGURE 34. Types of Housing Wanted .....	38
FIGURE 35. Shelter Status of Single Adults 25 Years and Older Experiencing Homelessness .....	40
FIGURE 36. Length of Current Episode of Homelessness Among Single Adults 25 years and Older .....	41
FIGURE 37. Living Arrangements Immediately Prior to Becoming Homeless Among Single Adults 25 Years and Older (Top Five Responses) .....	41
FIGURE 38. Primary Cause of Homelessness Among Single Adults 25 Years and Older (Top Five Responses).....	42
FIGURE 39. Support Needed to Prevent Housing Loss Among Single Adults 25 Years and Older (Top Five Responses).....	42
FIGURE 40. Health Conditions Among Single Adults 25 Years and Older.....	43
FIGURE 41. Types of Housing Wanted Among Single Adults 25 Years and Older.....	43
FIGURE 42. Shelter Status of Families with Children Experiencing Homelessness .....	44
FIGURE 43. Primary Cause of Homelessness Among Families With Children .....	45
FIGURE 44. Health Conditions Among Families With Children .....	45
FIGURE 45. Shelter Status of Unaccompanied Children and Transition-Age Youth Experiencing Homelessness .....	47
FIGURE 46. Primary Cause of Homelessness Among Unaccompanied Children and Transition-Age Youth (Top Five Responses) .....	48
FIGURE 47. Health Conditions Among Unaccompanied Children and Transition-Age Youth .....	49
FIGURE 48. LGBTQ+ Status Among Unaccompanied Children and Transition-Age Youth .....	50
FIGURE 49. History of Foster Care Among Unaccompanied Children and Transition-Age Youth .....	51
FIGURE 50. Shelter Status of Persons Experiencing Chronic Homelessness.....	53
FIGURE 51. Primary Cause of Homelessness Among Chronically Homeless Persons .....	54
FIGURE 52. Health Conditions Among Chronically Homeless Persons .....	55
FIGURE 53. Shelter Status of Veterans Experiencing Homelessness .....	56
FIGURE 54. Primary Cause of Homelessness Among Veterans .....	57
FIGURE 55. Health Conditions Among Veterans.....	57





## Appendix G: Figure Sources

**All Point in Time Count Data 2017-2019:** The figure source for the data is *Applied Survey Research, (2017-2019) Alameda Homeless Census and Survey*.

**All Homeless Survey Findings 2017-2019:** The figure source for the data is *Applied Survey Research, (2017-2019) Alameda Homeless Census and Survey*.

**All Subpopulation Data 2017-2019:** The figure source for the data is *Applied Survey Research, (2017-2019) Alameda Homeless Census and Survey*.

**All Point in Time Count and Survey Data 2009-2015:** The figure source for the data is *Focus Strategies. (2009 – 2015). Alameda Countywide Homeless Count and Survey Report*.

**All U.S. Census Data:** The figure source for the data is *U.S. Census Bureau. (May 2017). American Community Survey 2017 1 Year Estimates, Table DP05: ACS Demographic and Housing Estimates. Retrieved from <http://factfinder2.census.gov>*.





# City of Hayward

HOMELESS COUNT & SURVEY

COMPREHENSIVE REPORT

2019



HAYWARD CITY COUNCIL

RESOLUTION NO. 20-

Introduced by Council Member \_\_\_\_\_

RESOLUTION ENDORSING THE EVERYONE HOME PLAN TO END  
HOMELESSNESS: 2018 STRATEGIC UPDATE

WHEREAS, EveryOne Home is the collective impact organization formed to address and end homelessness in Alameda County, uniting the efforts of city and county government partners, nonprofit service providers, homeless consumers, and community members;

WHEREAS, in 2018, EveryOne home undertook a year-long, inclusive community process to update the Strategic Plan (“Plan”) to better reflect the current realities of the Bay Area’s housing market and resource needs;

WHEREAS, the Plan analyzes countywide homelessness data to determine the extent of need across Alameda County and the size and cost of interventions to address that need;

WHEREAS, more than 12,000 people experience homelessness in Alameda County annually and for every person who exits homelessness, two new people enter it. If trends continue, this rate would increase the homeless population by 1,500 annually; and

WHEREAS, the Plan offers strategies and actions to reduce the Alameda County nightly homeless count to 2,200—meaning no one would have to sleep without shelter.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hayward supports this Plan and agrees to take bold action whenever and wherever possible so that together we will bring the necessary capacity, investment, partnership and collective impact to achieve that goal.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2020

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. 20-

Introduced by Council Member \_\_\_\_\_

RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT AND APPROPRIATE \$83,000 FROM THE ROTARY CLUB OF HAYWARD AND TO NEGOTIATE AND EXECUTE THE AGREEMENT BETWEEN THE CITY AND THE ROTARY CLUB OF HAYWARD

WHEREAS, the Rotary Club of Hayward made available \$83,000 in one-time funds for use at the Hayward Housing Navigation Center; and

WHEREAS, these funds are to be used exclusively towards the purchase of a residential modular unit at the Hayward Housing Navigation Center; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hayward authorizes the City Manager to accept and appropriate \$83,000 from the Rotary Club of Hayward and to negotiate and execute the agreement between the City and the Rotary Club of Hayward.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2020

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