

CITY COUNCIL MEETING

DECEMBER 1, 2020

PRESENTATIONS

PUBLIC HEARING

ITEM #8

PH 20-087

COMMERICAL CANNABIS DISPENSARY

JIVA LIFE LLC

Conditional Use Permit Application

Proposed Commercial Cannabis Retail Dispensary with Ancillary Delivery Services

Located at 22701 Foothill Boulevard and 1055 C Street

City Council Public Hearing
December 1, 2020 (continued from November 17, 2020)
Marcus Martinez, Associate Planner



CANNABIS REGULATIONS OVERVIEW

Nov 2017

Council adopted Land Use Ordinance

- Ordinance authorize establishment of cannabis businesses in Hayward with a maximum of 3 retail dispensaries in Downtown;

Late 2018

Issue of Cannabis Permits

- City Manager's Office conducted RFP process interviews and issues Cannabis Permits for all sectors;

March 2019

Buffer Requirements Amended

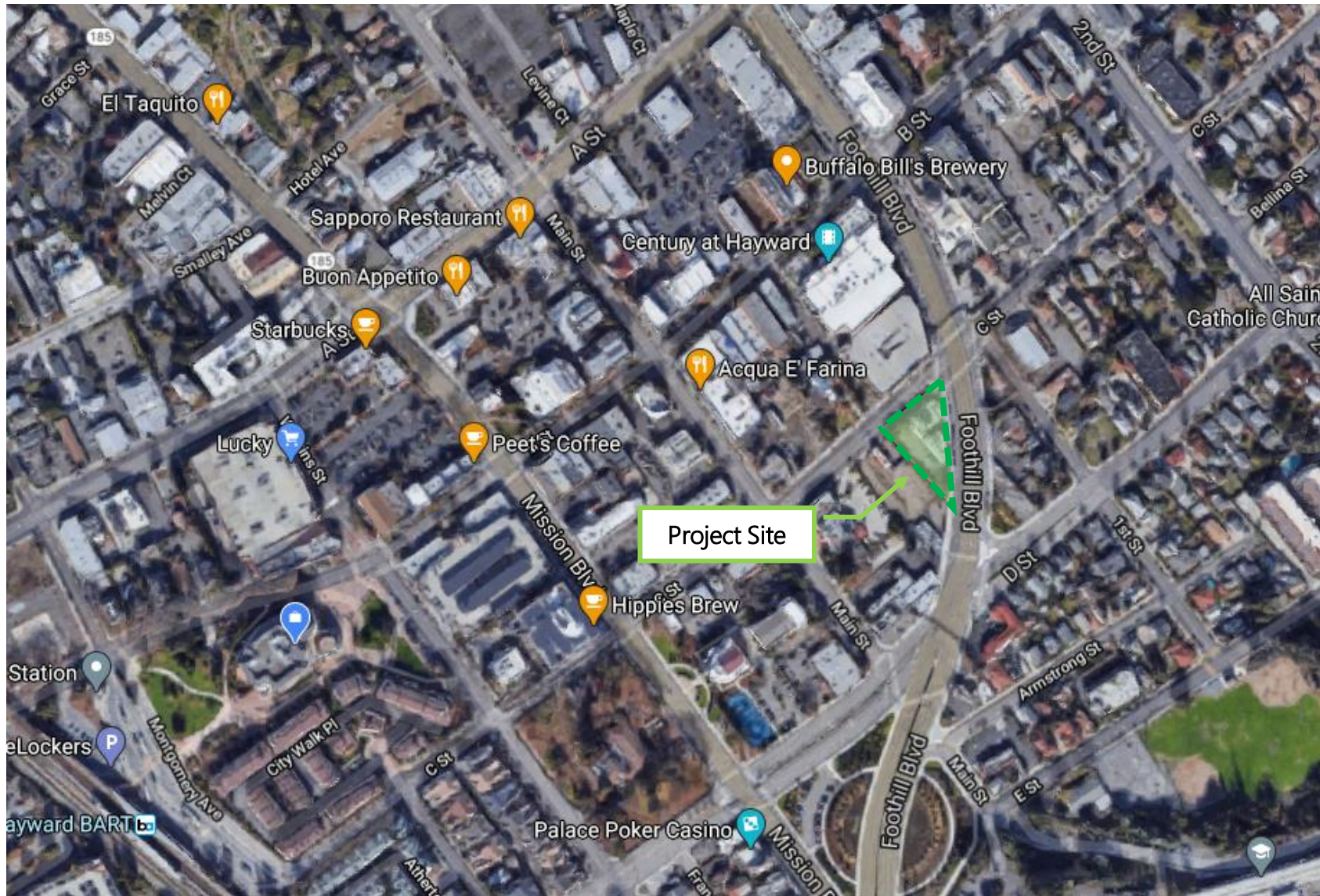
- Council adopted amendments to land use regulations to reduce minimum distances between cannabis dispensaries and between cannabis dispensaries & sensitive uses.

Fall 2020

Process Land Use Applications

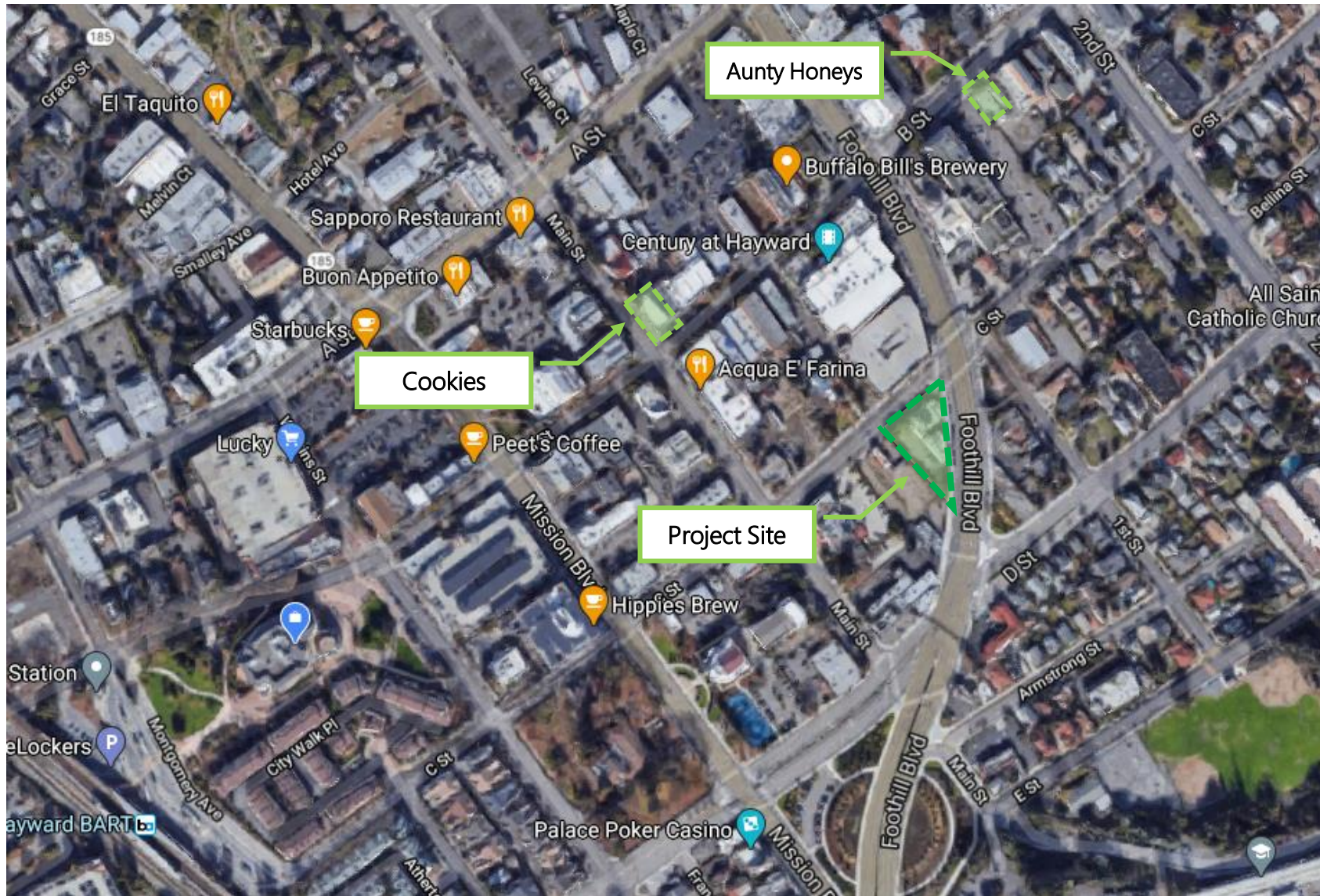
- Public hearings for JIVA





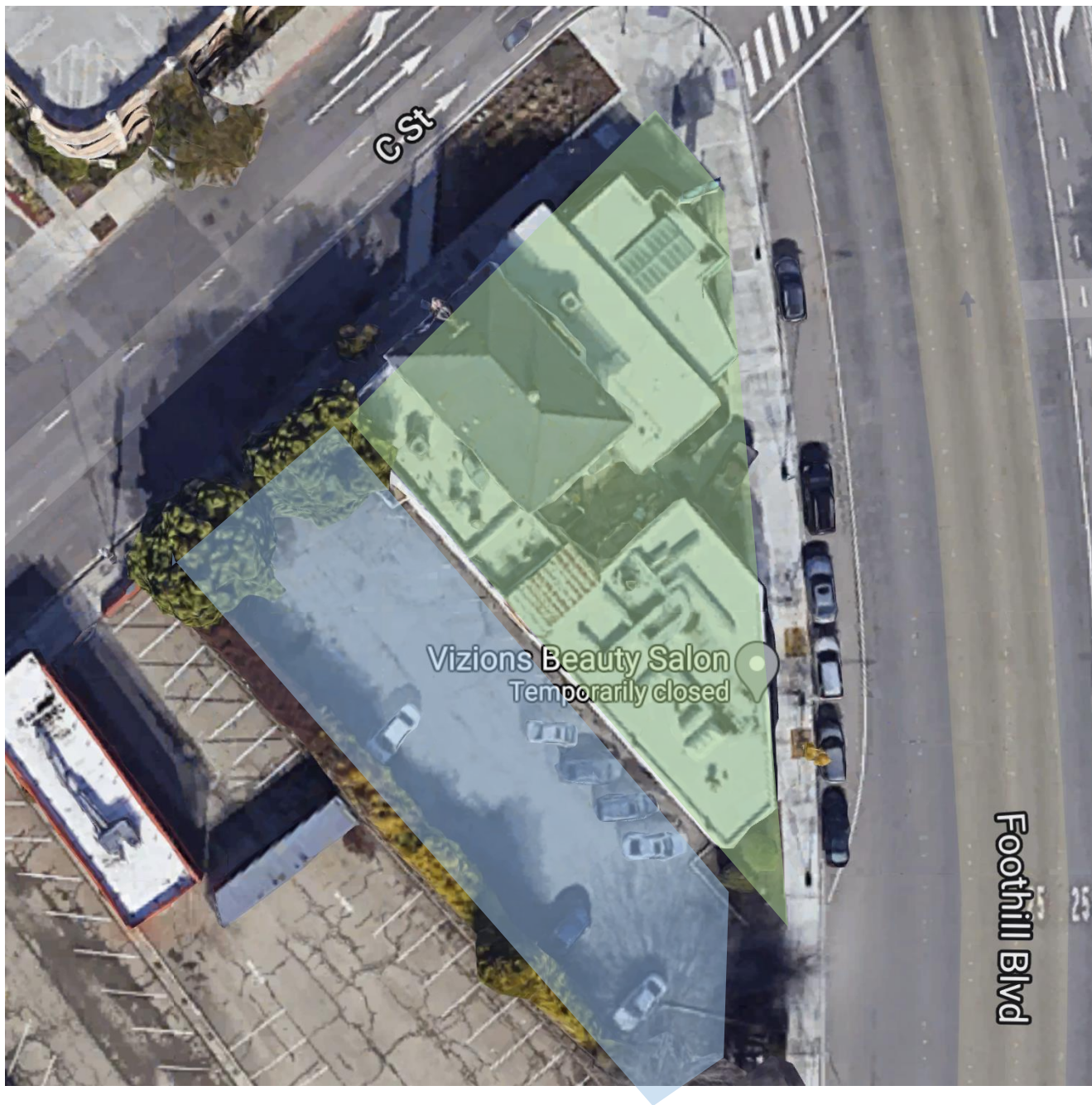
VICINITY MAP

- ✓ Downtown Specific Plan Area
- ✓ Prominent Corner of C Street and Foothill Boulevard
- ✓ Last of 3 Retail Dispensary Locations in Downtown



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PROJECT SITE

- ✓ Two Parcels; One Building Used
- ✓ 22701 Foothill Boulevard (Building) and 1055 C Street (Parking Lot)
- ✓ 0.45-Acre Total Site

Zoning District:

- ✓ Downtown Main Street (DT-MS)

General Plan Land Use Designation:

- ✓ City Center Retail and Office Commercial (CC-ROC)



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PROJECT SUMMARY



Requested Approval (Application Type)

- Conditional Use Permit
- Reduction in Sensitive Land Use Buffer

Project Scope

- New commercial cannabis retail dispensary with ancillary delivery services;
- Significant exterior remodel and tenant improvement for existing commercial building; and
- Related site improvements included new landscaping, parking upgrades, exterior lighting, etc.

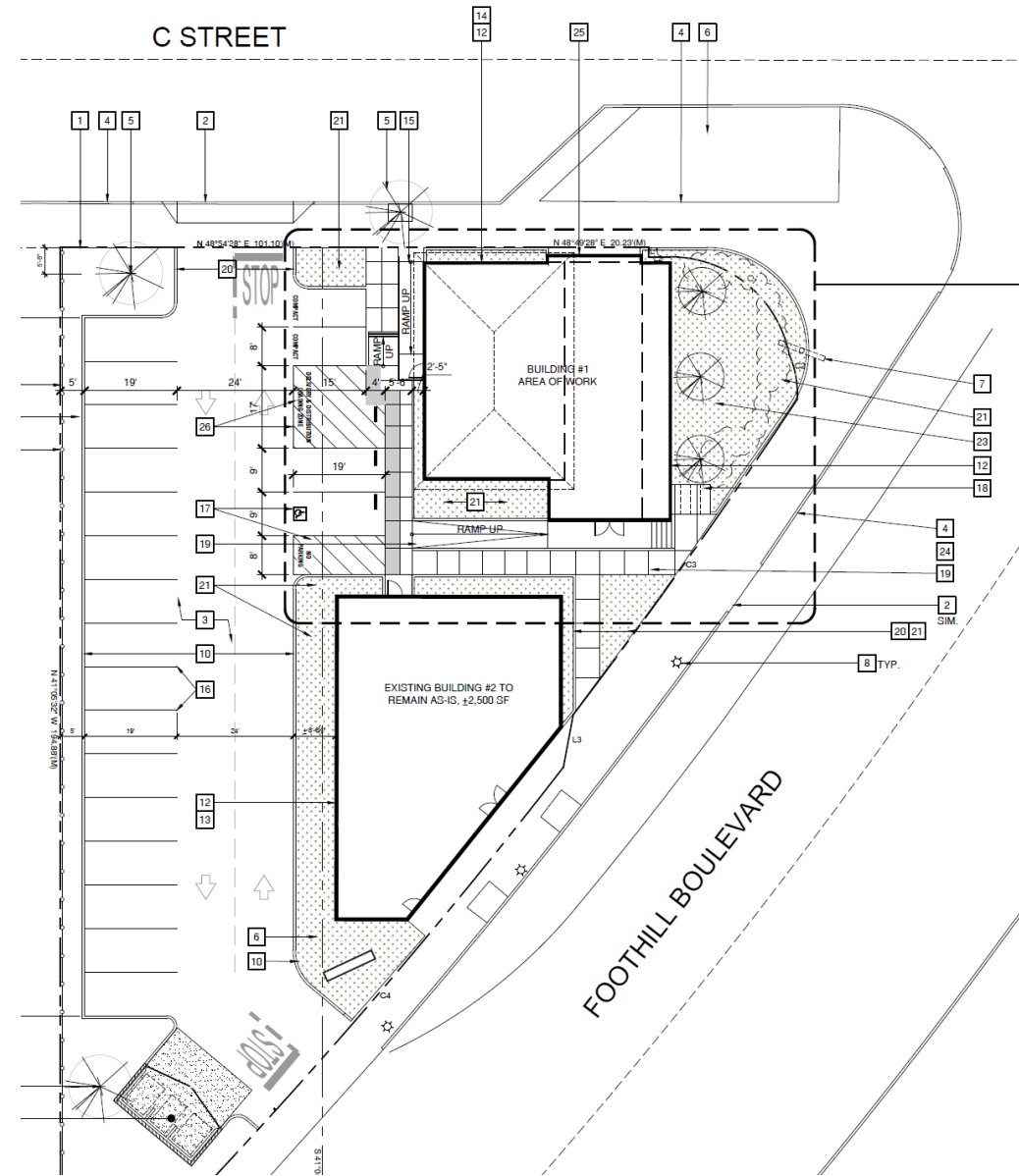


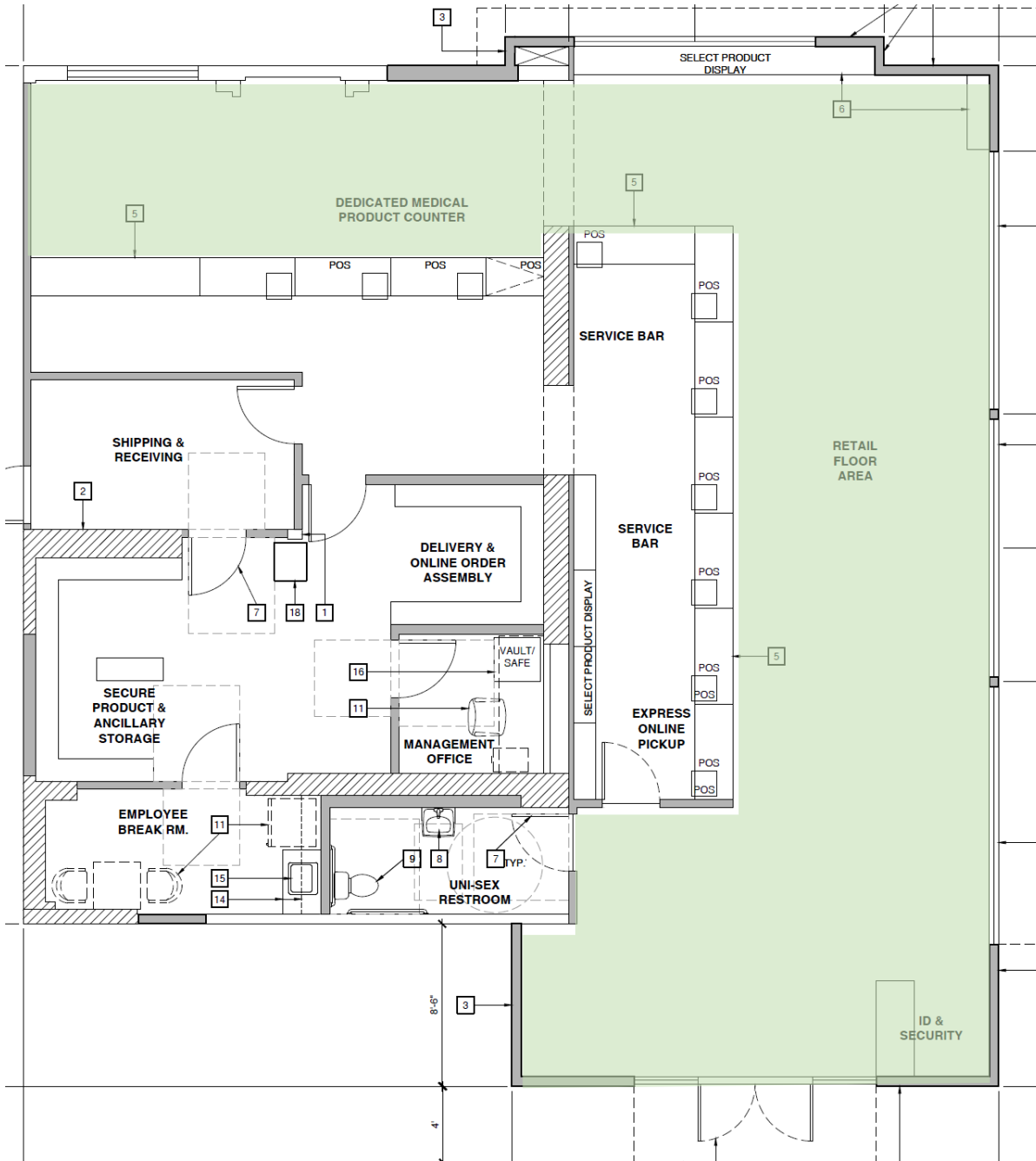
BUSINESS OPERATIONS

- ✓ Proposed cannabis retail dispensary with ancillary delivery services within the existing commercial building;
- ✓ Retail sales of cannabis and cannabis-related products such as flowers, concentrates, beverages, edibles, etc. for individuals of legal age (21 for recreational and 18 for medical use)
- ✓ Hours of Operation: 9 a.m. to 9 p.m., daily
- ✓ Two security guards on-site during business hours
- ✓ Required to implement security plan and odor mitigation plan

PROJECT SITE PLAN

- Demolition of dilapidated portions building (i.e. patio enclosure and rear of building towards parking lot)
- Create new entrance and paseo linking parking lot and Foothill Boulevard
- Site Parking and Circulation
 - Modified parking lot from one-way traffic to two-way;
 - 20 off-street automobile spaces;
 - 4 bicycle parking spaces; and
 - Dedicated delivery and distribution loading zone for business





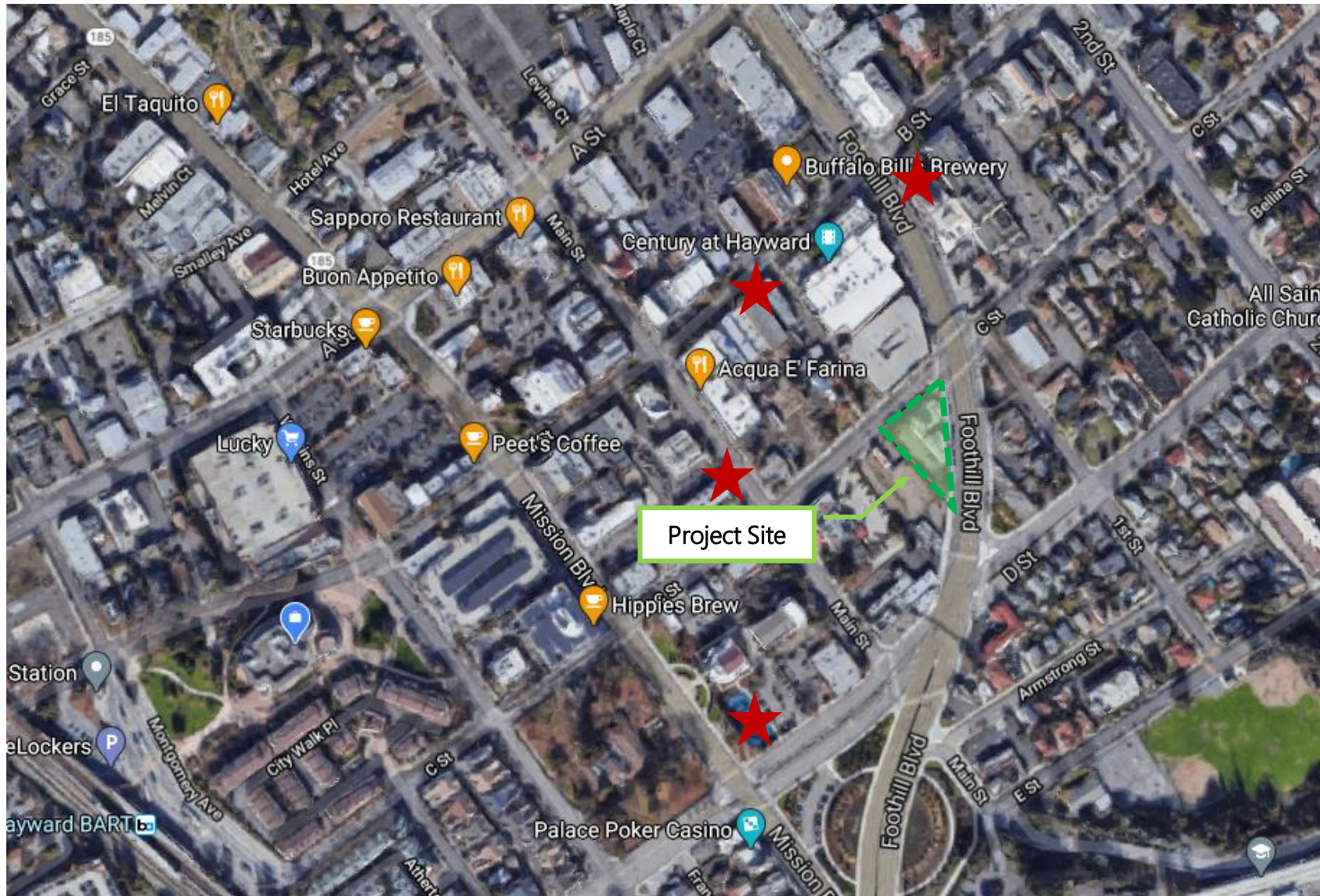
Interior Floor Plan

- 2,500 square-foot commercial tenant space:
 - Customer area (50%)
 - Back of house operations (50%)
- Back of house operations include secured storage, order assemblies, management office, and shipping and receiving
- One primary entrance and exit for customers
- Second floor to be abandoned during renovation



PROJECT RENDERINGS

- New paseo entrance between two existing commercial buildings;
- New modern architecture for the building including storefront windows, wooden slats, and metal awnings facing the streets; and
- Enhanced site landscaping along project frontages



SENSITIVITY BUFFER

- ✓ As proposed, the project would be within 600 feet of four sensitive uses:
 - Team Brewers Karate
 - High Scores Arcade
 - Children's Park at Giuliani's Plaza
 - Kumon Learning Center
- ✓ Pursuant to § 10-1.3603 of the HMC 600-foot buffer requirement may be reduced: **Applicant is requesting reduction.**



STAFF ANALYSIS

- ✓ Applicant has proposed a significant investment and remodel a long-time vacant building that will overall improve the area
- ✓ Proposed use will create more pedestrian traffic and will support other downtown businesses;
- ✓ Applicant will be required to implement a security plan (reviewed by Police Department) to prevent theft, loitering, on-site consumption, and maintain proper records according to state and local regulations;
- ✓ Complies with standards of the Hayward Municipal Code except for sensitive buffers

PLANNING COMMISSION HEARING

- ✓ October 8, 2020 – The Commission voted 6-1 to recommend approval of the Conditional Use Permit with added Conditions of Approval:
 - 1) incorporating public art, 2) participating in “adopt-a-block” program, and 3) participating in volunteer efforts with Hayward Clean and Green Task Force



CALIFORNIA ENVIRONMENTAL QUALITY ACT

The proposed project of remodeling and occupying an existing commercial building is considered *categorically exempt* from CEQA per Section 15301 for existing facilities;

- ✓ No additional environmental review is required.

A nighttime photograph of the San Francisco Bay Bridge, illuminated with lights, spanning the water. In the background, the city of San Francisco is visible with its lights reflecting on the water. The foreground shows a dark, silhouetted hillside.

STAFF RECOMMENDATION

That the City Council:

- ✓ Adopt the Resolution approving the Conditional Use Permit application based on the required Findings and subject to the Conditions of Approval.



Questions?

APPLICANT PRESENTATION



CITY OF HAYWARD
COMMERCIAL CANNABIS BUSINESS
RETAIL STOREFRONT & DELIVERY SERVICE



LOCAL ENTERPRISE



MINORITY OWNED



DIVERSITY HIRES



RAJIV "RAJ" POTTABATHNI
PRINCIPAL & MANAGING DIRECTOR



CALIFORNIA ASSETS



7 CCB Retail Storefronts w/Delivery Permits / Licenses

6 Associated Commercial Real Estate Properties

Leases w/Extendable Terms or Purchase Options (Stockton Property TBD)



City of
Santa Rosa



City of
Union City



City of
Hayward



City of
Stockton



City of
San Bernardino



City of
San Francisco



City of
Napa

OBJECTIVE

Strategically secure coveted **Commercial Cannabis Business** ("CCB") permits/licenses and stimulate growth through successful operations utilizing market research to allow for expansion and continued business development.

ETHOS

Elevate the CCB movement as a company founded on integrity, transparency and responsibility to customers and the community.



MEDICAL IDENTITY

Establish an alternative and integrative medical first approach in a recreational marketplace by providing access to dedicated patient/customer care, consumption safety and therapeutic education.



RECREATIONAL VISION

Curate an approachable enhanced retail experience ensuring customer satisfaction from "park to purchase" through exemplary service, seamless operational infrastructure, product value and brand selection.



OWNER	ENTITY	USE TYPE	CITY/COUNTY/STATE	PERMIT/LICENSE #
Rajiv J. Pottabathni	Jiva Life LLC Jiva SBD LLC	Retail Storefront & Delivery	San Bernardino, San Bernardino County, CA	CCB18-0033 C10-20-0000064
Rajiv J. Pottabathni	Jiva Life LLC Jiva UC LLC	Retail Storefront & Delivery	Union City, Alameda County, CA	RES. NO. 5564-20
Rajiv J. Pottabathni	Jiva Life INC Jiva Life LLC Jiva HWD LLC	Retail Storefront & Delivery	Hayward, Alameda County, CA	CUP 201806775
Rajiv J. Pottabathni	Jiva Life LLC Jiva SR LLC	Retail Storefront & Delivery	Santa Rosa, Sonoma County, CA	CUP 18-075 RES. NO. 11930
Rajiv J. Pottabathni	Mahleah Holdings Inc. Jiva Life LLC Jiva SF LLC	Retail Storefront & Delivery, On-Site Consumption	San Francisco, San Francisco County, CA	DBI 201907085297
Rajiv J. Pottabathni	Jiva SCK LLC	Retail Storefront & Delivery	Stockton, San Joaquin County, CA	RE-332
Rajiv J. Pottabathni	Jiva NPA LLC	Retail Storefront & Delivery	Napa, Napa County, CA	MMD20-0004
Rajiv J. Pottabathni	The Greenhouse Group LLC	Retail Storefront	Renton, King County, WA	430622 (WSLCB)
Rajiv J. Pottabathni	The Greenhouse Group LLC Casita Verde LLC	Retail Storefront	Renton, King County, WA	420407 (WSLCB)

LOCAL EQUITY COMMITMENT

Volunteer services, monetary donations to local non-profit organizations, sponsorships for City programs or local organizations, annual charitable contribution, and/or any other economic incentives to the City.

ANNUAL CHARITABLE CONTRIBUTION

Funds Targeted to specific programs including but not limited to: Improvement and business grant making for the benefit of Hayward residents, and homeless services/programs.

1% of Gross

VOLUNTEER EFFORTS

Offering professional and general volunteering services to local Hayward organizations and non-profits annually.

500 Hours

SPONSORSHIPS & DONATIONS

Jiva intends to sponsor programs and/or provide monetary donations to local non-profit organizations and associations.

2% of Profit

DIVERSE LOCAL HIRES

In alignment with the City's desire for a local hire preference, Jiva intends to hire up to 75% of its employees or staff with diverse backgrounds from the City of Hayward and/or Alameda County.

75%

LABOR & EMPLOYMENT

EMPLOYEE RETENTION

Jiva will offer employees \$18-\$20 per hour, exceeding the City and State minimum living wage.

BENEFITS

- Health Insurance Benefits
- Vacation Benefits
- Paid & Unpaid Leave
- Retirement Package
- Bonus Package

LABOR PEACE AGREEMENT

Jiva intends to create up to eighteen (18) jobs in year one (1), and over twenty (20) full and part time jobs within the first three (3) years of operations.



BROTHERHOOD OF TEAMSTERS LOCAL UNION NO. 70
ALAMEDA COUNTY, CALIFORNIA
Auto Truck Drivers, Line Haulers, Car Haulers and Helpers
Affiliated with the International Brotherhood of Teamsters



Jiva will utilize, Wurk, which is a workforce management platform for cannabis software that features payroll, timekeeping, schedule, 280E management, onboarding, HR consulting, and more.

Equality & Inclusion Policies | Social Equity Hires | Diversity | Non-Discrimination Policy
Equal Opportunity Employment | Workers Compensation | Anti-Harassment Policy | Accommodations

Date: July 3rd 2018

To: Mayor, City Council, City Manager

Re: Hayward Retail Cannabis Permit;

Sincerely,

Richard Fierro

(510) 673-0731

rfierro@teamsterslocal70.org

This letter is to certify that we have entered into a bonafide Labor Peace Agreement with Jiva Life LLC. In our conversations with their leadership team, they have expressed a desire to include workers in the potential benefits of operating in Hayward.

For these reasons we strongly encourage the Mayor and Council to approve their retail permit. If there are any questions my contact information is below.

Position	Wage Rate
General Manager	\$75,000 - \$85,000 (Salaried)
Assistant Operations Manager	\$65,000 - \$70,000 (Salaried)
Inventory Controller	\$60,000 - \$65,000 (Salaried)
Head of Security	\$60,000 - \$65,000 (Salaried)
Security Specialists	\$18 - \$20 (Hourly)
Hospitality & Operations Associates	\$18 - \$20 (Hourly)
Customer Experience Specialists	\$18 - \$20 (Hourly)
Fulfillment Specialists	\$18 - \$20 (Hourly)
Delivery Operations Associates	\$18 - \$20 (Hourly)
Neighborhood Liaison	\$18 - \$20 (Hourly)

EMPLOYEE TRAINING

EMPLOYEE HANDBOOK

Our number one goal is to provide outstanding customer service. Set both your personal and professional goals high. We have great confidence in your ability to achieve them, so our employee handbook is very simple. We have only one rule...

OUR ONE RULE
Use good judgment
in all situations.

STEP ONE (1)
EMPLOYEE HANDBOOK

STEP TWO (2)
SAFETY & HEALTH ORIENTATION

STEP THREE (3)
CANNABIS PRODUCT &
INVENTORY EDUCATION

**EMPLOYEE
TRAINING**

STEP FOUR (4)
JIVA HOSPITALITY
STANDARDS

STEP FIVE (5)
REGULATORY COMPLIANCE
& BEST PRACTICES

STEP SIX (6)
ACCOMPANIED SHIFTS

NEIGHBORHOOD COMPATIBILITY



The Hayward Chamber of Commerce is pleased to have in its membership Jiva Life, a partnership organization with considerable experience in the cannabis industry, including retail and delivery, manufacturing, distribution, cultivation, and ancillary services.

Jiva Life is a member of the Hayward Chamber of Commerce, in large part, because it is an organization with a reputation for professionalism in the industry with expertise in staff training, quality control, safety and security. We have worked with company representatives such as managing director Raj Pottabathni and are pleased at his team's eagerness to be an active member of Hayward's business community.

The chamber is impressed with the high professional standards of Jiva Life's business plan and how the company will use sound, ethical business principles. In addition, meeting with Mr. Pottabathni has given me assurance that Jiva Life will be an excellent corporate citizen in Hayward and committed to appropriate community support.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kim Huggett', with a long horizontal flourish extending to the right.
Kim Huggett
President & CEO



NO NUISANCE

Desirable for Public
Convenience & Harmonious
with City Policies, Intent,
Purpose of Zoning District



NO IMPAIRMENT

No Impairment to the
Character & Integrity of the
Zoning District



NO DETRIMENT

No Detriment to Public Health,
Safety, or General Welfare



INCREASED SECURITY

Crime Prevention that shall
Enhance for the



NEIGHBORHOOD INTEGRATION: PROACTIVE APPROACH & ASSIMILATION STRATEGY

- ⤵ Neighborhood Liaison
- ⤵ Compliant Response Management
- ⤵ Noise Reduction
- ⤵ Light Pollution Reduction
- ⤵ Medical Patient Wellness
- ⤵ No Loitering
- ⤵ No On-site Consumption
- ⤵ Odor Mitigation & Air Quality
- ⤵ Vehicle & Pedestrian Access
- ⤵ No Traffic Impact
- ⤵ Sidewalk Security
- ⤵ Discrete Business Operations
- ⤵ Parking Access
- ⤵ Bicycle Rack
- ⤵ Aesthetic Compatibility
- ⤵ Waste Management



GOOD NEIGHBOR POLICY & NUISANCE AVOIDANCE

- ⤵ Institute & Train Employees To Embody “The Good Samaritan”
- ⤵ Role Train Employees To Contribute To Neighborhood Security
- ⤵ Establish & Introduce Customers To Community Agreement
- ⤵ Enforce Disturbance Prevention Responsibility
- ⤵ Establish A Community Dispute Resolution Procedure



COMMUNITY BENEFITS

“The greatness of a community is most accurately measured by the compassionate actions of its members.”

-Coretta Scott King:
American author, activist, civil rights leader,
and the wife of Martin Luther King Jr.

COMMUNITY IDEOLOGY

- ⌕ Respect And Support For The Community
- ⌕ Responsiveness To The Public
- ⌕ Quality Of Residential Life
- ⌕ Promote Economic Development
- ⌕ Public Safety
- ⌕ Responsibility For The Environment

CHARITABLE CONTRIBUTION

- ⌕ Champion The City’s Most Important Goals
- ⌕ Provide Charitable Contributions/Funding Towards Nonprofits
- ⌕ Contribute & Volunteer Competent Professional Services Annually

COMMUNITY POLICY OVERVIEW

- ⌕ Generative Relationship: Establish A Generative Relationship With The Community
- ⌕ Good Neighbor Policy: Develop Responsible Community Benefit Strategies
- ⌕ Economic Incentives : Stimulate Economic Prosperity Within The Community
- ⌕ Charitable Contributions: Champion The Community’s Most Important Causes
- ⌕ Health Education: Advance The Holistic Wellness Of The Community

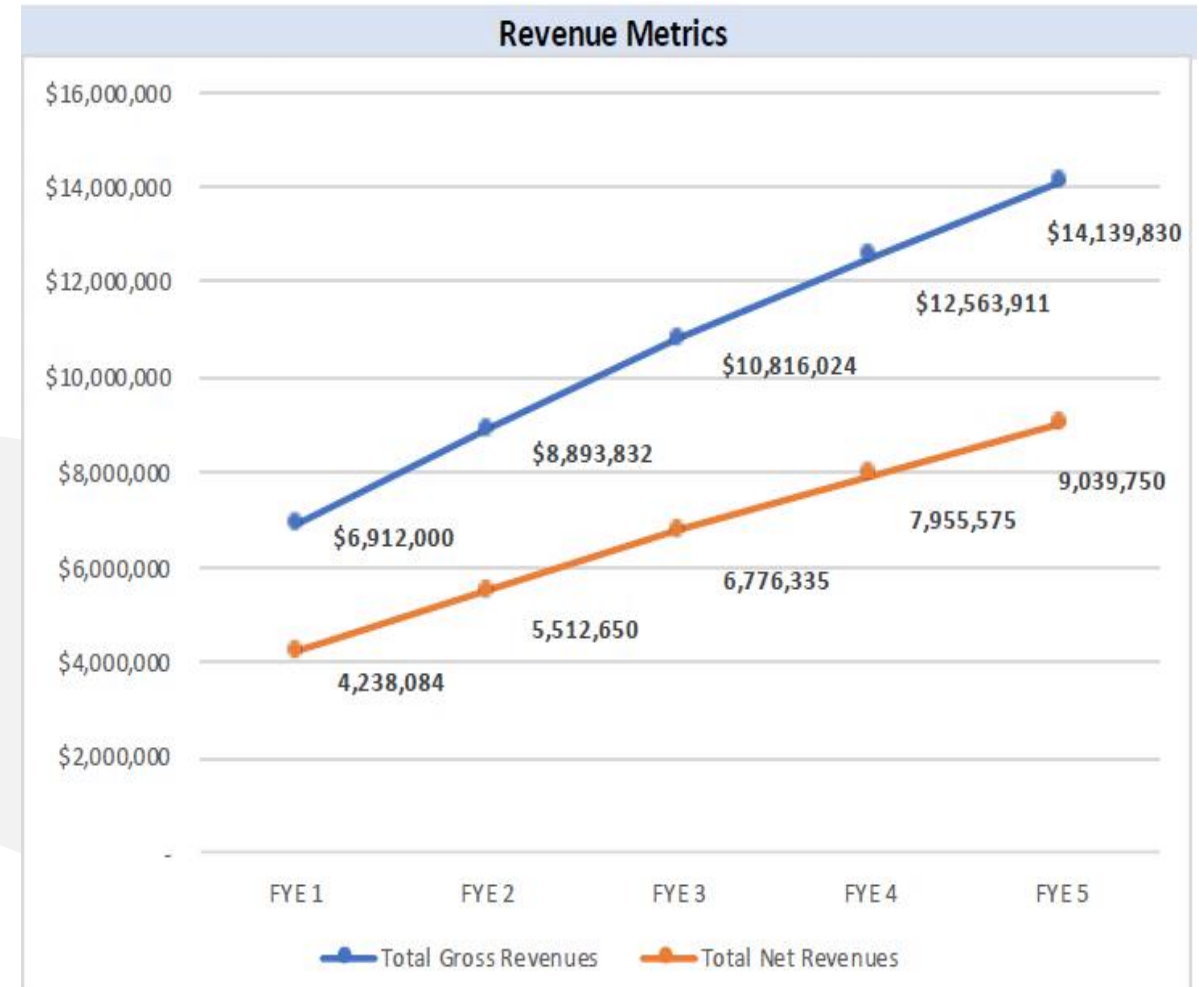
ANNUAL CHARTIABLE CONTRIBUTION	YR 1	YR 2	YR 3	YR 4	YR 5
1% (Inclusive of the City’s 7% Cannabis Tax Measure Rate)	\$64,282	\$83,602	\$102,752	\$120,614	\$137,029



BUSINESS “BRASS TAX”

- ⤵ CapEx (Tenant Improvements & Furniture, Fixtures, & Equipment) = \$1M
- ⤵ CapEx + OpEx (3 Months of Pre-Launch Duration Expenses) = \$1.5M
- ⤵ Well capitalized, demonstrating access of up to \$2M
- ⤵ 250 Transactions per Day (200 Retail Storefront & 50 Delivery)
 - ⤵ \$75 Retail Storefront (70%-58%)
 - ⤵ \$80 Delivery (20%-33%)
 - ⤵ \$85 Medical Product (9%)
- ⤵ Annual Growth: YR1 to YR2 = 24% | YR2 to YR3 = 16% | Y3 to Y4 = 9% | Y4 to Y5 = 5%

TAX RATE %	YR 1	YR 2	YR 3	YR 4	YR 5
7%	\$449,971	\$585,214	\$719,266	\$844,295	\$959,205



DAY - TO - DAY

STANDARD OPERATING PROCEDURES

- ⌵ Opening & Closing Procedures
- ⌵ Customer Reception & Check-in
- ⌵ ID Verification
- ⌵ Sale Of Cannabis Products
- ⌵ Description Director(s) Roles
- ⌵ Description of Employee(s) Roles
- ⌵ Customer Education
- ⌵ Product Offerings
- ⌵ Customer Retail Experience
- ⌵ Product Quality Control
- ⌵ Delivery Service Procedures
- ⌵ Marketing Strategy (**FOOTTRAFFIK**)
- ⌵ Customer Relationship Management (**BAKER**)



metrc[™]



COVA[™]



dutchie



BAKER

PRODUCT MANAGEMENT

- ⌵ Product Procurement
- ⌵ Product Deliveries & Intake Manifests
- ⌵ Accepting Cannabis Goods
- ⌵ Review Of Product Labels & Quality
- ⌵ Limited Access Areas
- ⌵ Product Access Protocols
- ⌵ Vendor/Distributor Qualifications
- ⌵ Product Access Protocols
- ⌵ Customer Product Handling

INVENTORY CONTROL

- ⌵ Inventory Records
- ⌵ Record Retention
- ⌵ Reporting & Monitoring
- ⌵ Tax Payments
- ⌵ Records Software
- ⌵ Private Medical Records
- ⌵ Track-and-Trace (**METRC**)
- ⌵ “POS” Point Of Sales (**COVA**)
- ⌵ Online Order Platform (**DUTCHIE**)

FOOT **TRAFFIK**

PRODUCT SALES MIX

55%

FLOWER

55% of products that are pre-packaged branded dried cannabis flower and/or pre-rolls



25%

CONCENTRATES

25% of sales to be made from purchases of manufactured products (concentrates, extracts, vapes, preparations & topical)



15%

EDIBLES

15% of sales to be made from purchases of manufactured products (edibles)



5%

NON-CANNABIS

5% of sales generated from paraphernalia and/or cannabis delivery/consumption devices



CASH MANAGEMENT



STEP ONE

Client prepares for deposit



STEP TWO

Hardcar pickup deposit



PROSPECTIVE BANKING/CIT CLIENT INTAKE FORM		
LEGAL BUSINESS INFORMATION		
NDA on File: <input type="checkbox"/> <input type="checkbox"/>	How did you hear about us?	Date:
Contact Name:	Title:	
Phone:	Email:	Do you have authority to sign on behalf of the business: <input type="checkbox"/> <input type="checkbox"/>
Legal Business Name:		
Business Address: (only required for NDA)		
City:	State:	Zip Code:
Website:		

STEP THREE

Hardcar processes cash

STEP FOUR

Deliver to FRB



SECURITY

- Qualified Security Consultant
- Industry Best Practices (City & BCC Compliance)
- Architectural Security
 - Site And Building Perimeter Protection
 - Crime Prevention Through Environmental Design ("CPTED")
 - Exterior Lighting
 - Physical Barriers
 - Secure Storage
- Electronic Security System ("ESS")
 - Access Control System
 - Intrusion Alarm System
 - Closed Circuit Television ("CCTV")
 - Surveillance System
 - Remote Monitoring & Notification Capabilities
- Operational Security
 - Policies, Procedures, & Protocols
 - Employees And Visitors
 - Background Checks
 - Remote Monitoring Of Employees Using ESS
 - Internal and Third-party Security Experts And Resources
- Information Technology Security
- Premises Security Diagram
- Limited Access Areas
- On-site Security Services
 - Guards ("Security Specialists")
- Delivery Service Security Protocols
- Cash Management & Armored Vehicle Services



Matt Carroll
 Carroll Security Consulting, LLC
 (916) 997-7329
 Matt@CarrollSecurityConsulting.com
 www.CarrollSecurityConsulting.com
www.CSCRMS.com



CC8160(HS)
 Height Strip Network Camera

2MP • Height Strip Housing • Smart Stream II • PoE •
 Eye-level 180° Panoramic View

FD8369A-V
 Fixed Dome Network Camera

2MP • 30M IR • IP66 • IK10 • Smart Stream II • SNV •
 Defog • VIVOCloud

IB8379-H
 Bullet Network Camera

4MP • 30M IR • WDR Pro • Smart Stream II • IP66 •
 IK10 • Video Rotation • Defog



HARDCAR
 NEXT GENERATION SECURITY




**SOUTH COUNTY SECURITY
 AND INVESTIGATIVE SERVICES, INC.**

22551 Second Street, Suite #240, Hayward, California 94541
 (510) 783-2696 FAX (510) 783-0481
 PPO #7221 PI #7727
<http://www.southcountysecurity.net>



FIRE & LIFE SAFETY

- Qualified Fire Prevention & Suppression Consultant
- Fire Alarm System
- Fire Prevention Diligence
- Fire Monitoring System
- Accident & Incident Reporting Procedures
- Building Evacuation
- Location Of Fire Extinguishers/Fire Suppression Equipment
- Fire & Medical Emergency Training
- No Use Of Flammable Or Other Combustible Materials
- No Smoking Policy

eshconsultants 

Elliot Gittleman, F.P.E
ESH Consultants
415-751-9461
esh.fire@sbcglobal.net
www.eshconsultants.com

PRE-OPERATIONS TIMELINE

POST DECLARATION OF INTENT TO AWARD A COMMERCIAL
CANNABUS BUSINESS PERMIT & CONDITIONAL USE PERMIT

CONDITIONAL USE PERMIT

**PLANNING COMMISSION
& CITY COUNCIL HEARINGS**

BUILDING PERMIT

WEEKS 1-10

Upon issuance of Conditional Use Permit from the Planning Commission, Submit Final Plans to Building & Engineering Division Services.

Prepare for launch of operations: secure insurance and workers' compensation; meet with local labor union representatives; began process to hire Managers, finalize interviews and begin hiring support staff.

CONSTRUCTION

WEEKS 11-27

Upon issuance of a Building Permit, begin construction and conduct necessary tenant improvements. Submit for BCC State License. Schedule inspection for Certificate of Occupancy.

Develop and circulate marketing materials: fact sheets, website, training seminars, patient presentations, community outreach, etc.

PRE-LAUNCH

WEEKS 28-32

Finish hiring and training all staff on all Applicant SOPs; receive unique product identifiers and begin inventory control.

Once available from the BCC, acquire mandatory electronic track-and-trace system software. Test internally and identify users to report for State-mandated training. Compliance commitment: internally finalize standard operating procedures and prepare on-site manual; verify compliance; monitor the State website on scheduled publication dates for updates to regulations.

ADVISORS & CONSULTANTS



PATRICK OROSCO

PROPERTY OWNER



MATT NOHR

FACILITY DEVELOPMENT



ARMANDO GUIDO-LOPEZ

ARCHITECT



MATT CARROLL

SECURITY COMPLIANCE



HECTOR VILLASEÑOR

LICENSING & LOCAL AFFAIRS



ELLIOT GITTLEMAN

FIRE & LIFE SAFETY



GUILLERMO BRAVO

MARKETING STRATEGY



DR. KARTHEEK REDDY

MEDICAL ADVOCACY



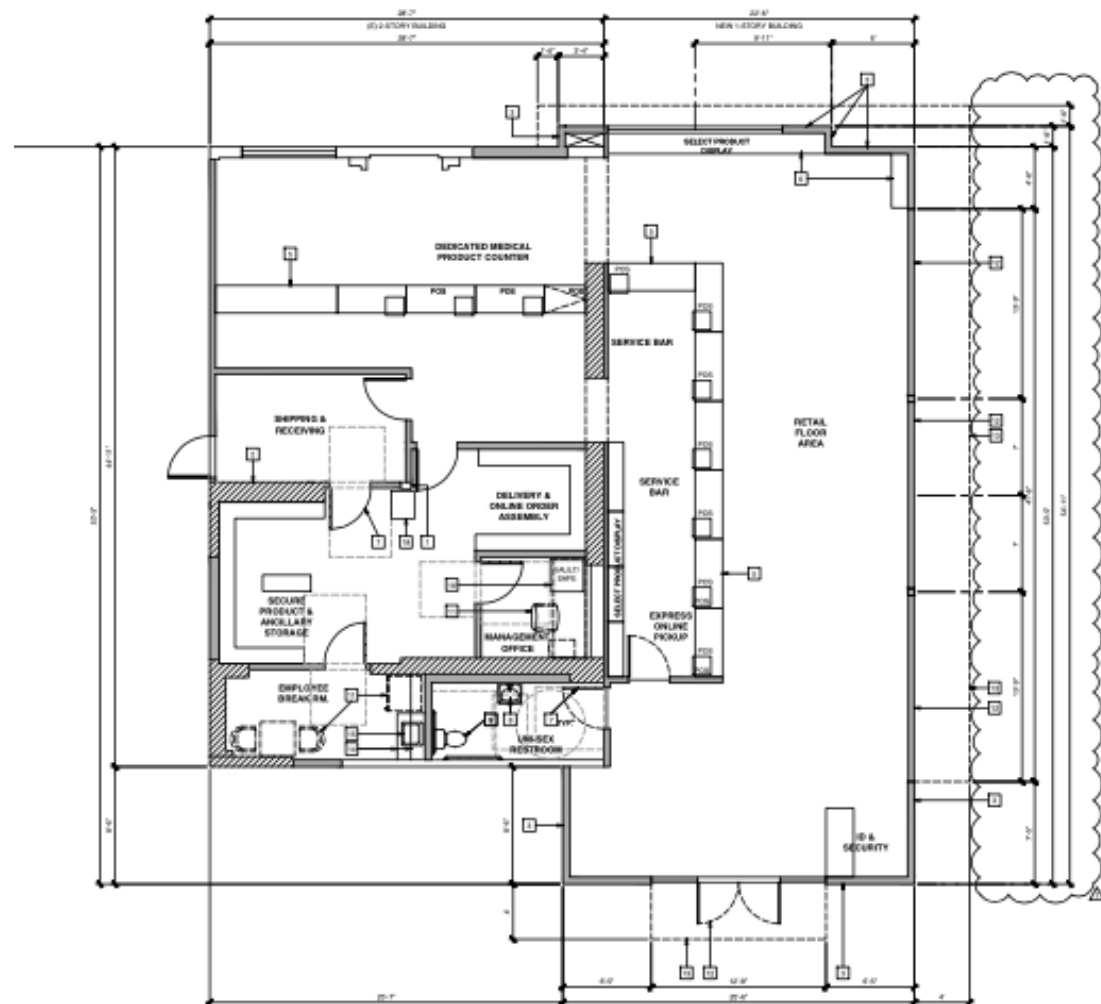
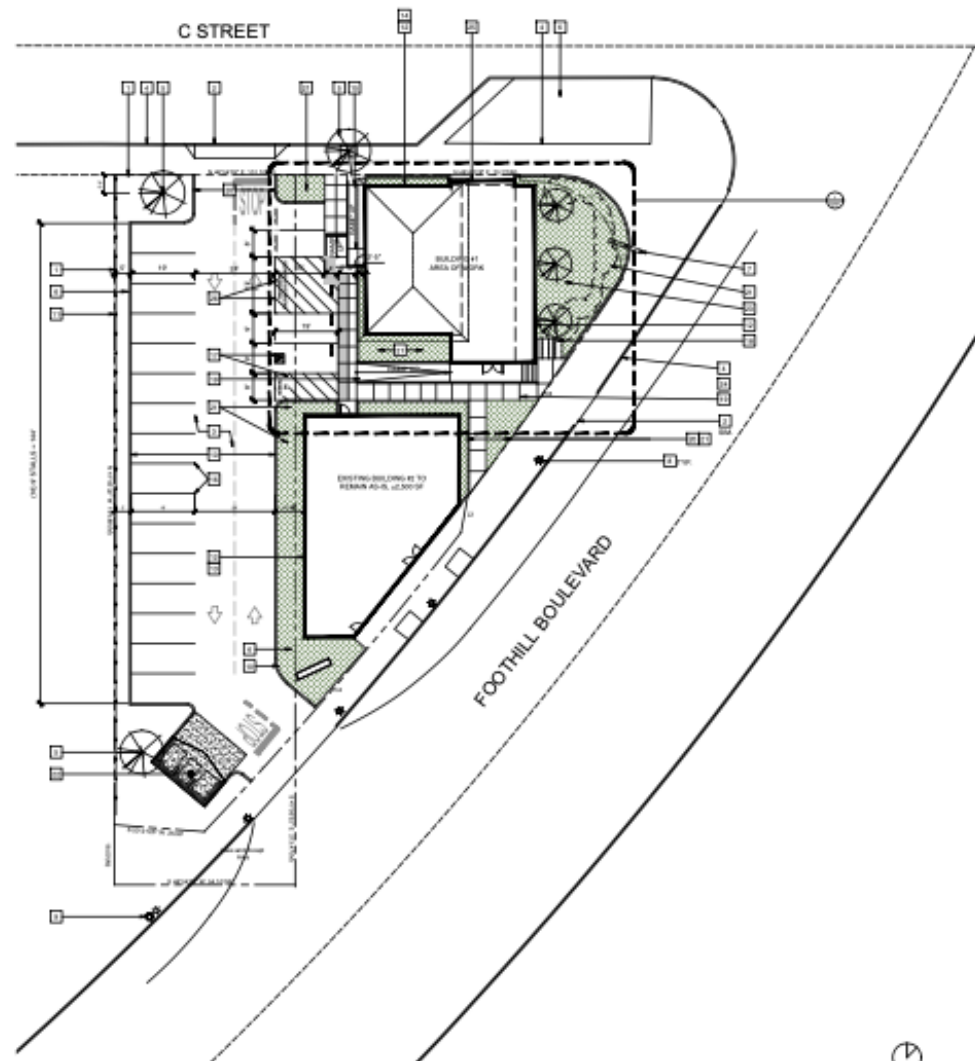
AVINASH MAMIDI

PHARMACOTHERAPY



TONY SCHOENBERG

LEGAL COUNSEL





01 EXISTING PARKING LOT

SCALE: NTS



**02 EXISTING FOOTHILL BLVD
DRIVEWAY APRON**

SCALE: NTS



03 EXISTING BUILDING #2

SCALE: NTS



04 EXISTING BUILDING #1

SCALE: NTS



**05 EXISTING BUILDING #1
AND ADJACENT PARKING STRUCTURE**

SCALE: NTS



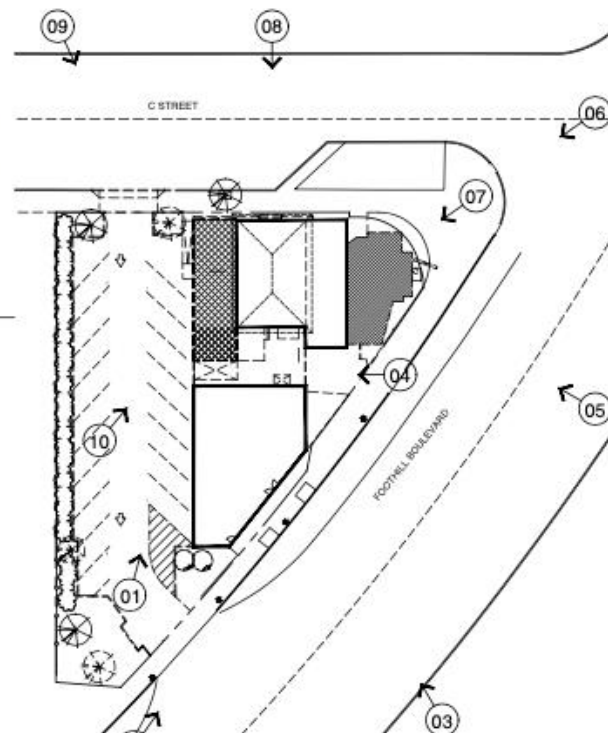
06 EXISTING BUILDING #1

SCALE: NTS



07 EXISTING BUILDING #1 CLOSEUP

SCALE: NTS





01 EXISTING OUTDOOR PATIO ENTRY

SCALE: NTS



02 EXISTING OUTDOOR PATIO INTERIOR

SCALE: NTS



03 EXISTING OUTDOOR PATIO INTERIOR

SCALE: NTS



04 EXISTING OUTDOOR PATIO ENTRY

SCALE: NTS



05 INTERIOR EXISTING CONDITION

SCALE: NTS



06 INTERIOR EXISTING CONDITION

SCALE: NTS



07 INTERIOR EXISTING CONDITION

SCALE: NTS



08 INTERIOR EXISTING CONDITION

SCALE: NTS



09 INTERIOR EXISTING CONDITION

SCALE: NTS



10 INTERIOR EXISTING CONDITION

SCALE: NTS

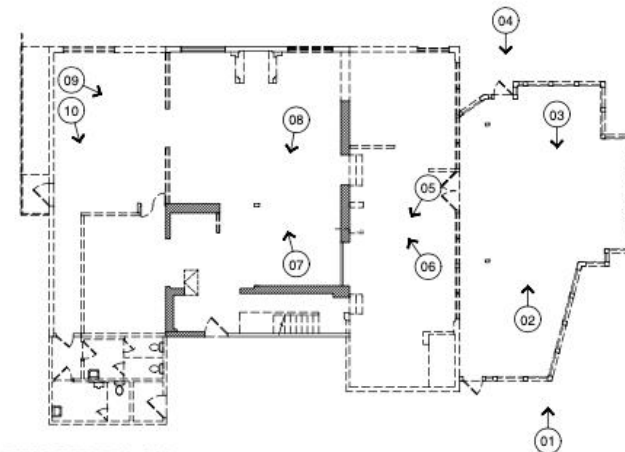


PHOTO KEY SITE PLAN

SCALE: 1/32" = 1'-0"





LEGISLATIVE BUSINESS

ITEM # 9

LB #20-058

CITY ATTORNEY EMPLOYMENT AGREEMENT



City Attorney Employment Agreement:

Adopt a Resolution Approving the Amendment to the Employment Agreement Between the City of Hayward and the City Attorney and Authorizing the Mayor to Execute the Agreement

Maria A. Hurtado, Assistant City Manager
December 1, 2020



Background

- **October 27, 2020:** Council approved the City Attorney's One-Year Employment Agreement through June 30, 2021.
 - Council agreed to consider a salary adjustment based on a market study and other factors.
 - Council expressed a desire to align the term of the employment agreements of the 3 appointed officers to 5 Year Agreements.

Market Study Outcome

10 Comparable Cities

Palo Alto

Santa Clara

Fremont

Alameda

San Mateo

Berkeley

Richmond

Daly City

Vallejo

MARKET AVERAGE

HAYWARD

❖ Market study indicated that the total compensation for the City Attorney position is approximately **7% below the market average**

**Removed City of San Leandro (City Attorney Services are currently contracted out)*

Recommended Modifications

1. **Adjust total City Attorney compensation to mid-market by 7% over 2 years:**

- 1/1/21: 3.5% Equity Adjustment
- 1/1/22: 3.5% Equity Adjustment

Total Fiscal Impact: \$10,778 over 2 years
(\$5,295 in FY21 and \$5,482 in FY22)

2. **Extend Employment Agreement from a 1 to a 5-year term**

- To Align the 3 Council-Appointed officers employment agreement terms **(5 Year Terms)**

Recommendation

That Council Adopts a Resolution

Approving the amendment to the Employment Agreement between the City of Hayward and the City Attorney and Authorizing the Mayor the execute the Agreement

1. Adjust total City Attorney Compensation to Mid-Market (7% over 2 years), and
2. Extend Employment Agreement from a 1 to a 5-year term

LEGISLATIVE BUSINESS

ITEM # 10

LB #20-059

CITY CLERK EMPLOYMENT AGREEMENT



City Clerk Employment Agreement:

Adopt a Resolution Approving the Amendment to the Employment Agreement Between the City of Hayward and the City Clerk and Authorizing the Mayor to Execute the Agreement

Maria A. Hurtado, Assistant City Manager
December 1, 2020



Background

- **September 22, 2020:** Council approved the City Clerk's One-Year Employment Agreement through June 30, 2021.
 - Council agreed to consider a salary adjustment based on a market study and other factors.
 - Council expressed a desire to align the term of the employment agreements of the 3 appointed officers to 5 Year Agreements.

Market Study Outcome

10 Comparable Cities

Berkeley

Alameda

San Mateo

Fremont

Palo Alto

San Leandro

Richmond

Vallejo

Daly City

MARKET AVERAGE

HAYWARD

❖ Market study indicated that the total compensation for the City Clerk position is approximately **12% below the market average**

**Removed City of Santa Clara (effective 12/20/18, City Clerk is elected, PT, no benefits)*

Recommended Modifications

1. **Adjust total City Clerk compensation to mid-market by 12% over 2 years:**

- 1/1/21: 6% Equity Adjustment
- 1/1/22: 6% Equity Adjustment

Total Fiscal Impact: \$11,658 over 2 years
(\$5,657 in FY21 and \$6,001 in FY22)

2. **Extend Employment Agreement from a 1 to a 5-year term**

- To Align the 3 Council-Appointed officers employment agreement terms **(5 Year Terms)**

Recommendation

That Council Adopts a Resolution

Approving the amendment to the Employment Agreement between the City of Hayward and the City Clerk and
Authorizing the Mayor the execute the Agreement

1. Adjust total City Clerk Compensation to Mid-Market (12% over 2 years), and
2. Extend Employment Agreement from a 1 to a 5-year term

LEGISLATIVE BUSINESS

ITEM # 11

LB #20-057

FY 2021 SALARY PLAN AMENDMENT

A photograph of Hayward City Hall at sunset. The building is a large, multi-story structure with a prominent glass-enclosed entrance. The sky is filled with dramatic, colorful clouds in shades of blue, purple, and orange. The city lights are visible in the background and foreground.

FY21 Salary Plan Amendment:

Adopt a Resolution Amending the City of Hayward Salary Plan for FY21

**Anthony Phillip, Human Resources Analyst II
December 1, 2020**



Background

As required by the Hayward Municipal Code, the FY21 Salary Plan has been updated to reflect salary adjustments to the classifications in the City's classified service as a result of the Council approved MOU between the City of Hayward and **SEIU Local 1021, HAME, IFPTE Local 21**, and the Salary/Benefits Resolution for **Unrepresented Non-Executives** (*Management, City Manager, HR & CA Employees*)

On October 29, 2020, the Personnel Commission approved the **Classification Plan**, but a majority vote was not reached to recommend Council approval of the amended FY21 Salary plan (**3 Ayes, 2 Noes, 1 Abstain**)

Salary Survey Equity Adjustments

IFPTE Local 21

# of Classifications Qualified	Adjustment %	Effective Date
35 Classifications	NTE 5%	1/1/20
32 Classifications (2 nd Equity Adjustment)	Varies (1.5% - 5%)	1/1/21

SEIU Local 1021

# of Classifications Qualified	Adjustment %	Effective Date
37 Classifications	NTE 6%	1/1/20
37 Classifications (2 nd Equity Adjustment)	Varies (0.1% - 6%)	1/1/21

**No Fiscal Impact; already included in the FY21 proposed/adopted budget*

Salary Plan Adjustments & Corrections

Salary Adjustments

Classification	Salary Adjustment
Equipment Operator	Increase 6.03%
WPCF Lead Operator	Increase 5%
Administrative Supervisor	Increase 5.65%
Personnel Operations Specialist	Increase 5.65%
Supervising Building Inspector	Increase 1.29%
Supervising Permit Technician	Increase 3.18%
Information Technology Manager	Increase 2.56%
Director of Human Resources	Increase 11%
Comm. & Marketing Officer	Increase 8%
City Attorney	Increase 3.5%
City Clerk	Increase 6%

Salary Plan Corrections

HR Administrative Assistant

- Correction to **salary range**
- **COLA increase to be applied** to the corrected salary range

Property Technician

- **Updated classification title** to *"Property & Evidence Technician"*

Total Fiscal Impact:

\$97,865 General Fund

(incl. Workers' Comp and Internal Services)

\$70,359 Enterprise Fund

Cost-of-Living Adjustments (COLAs)

Employee Group	Percentage Increase
SEIU Clerical	4.5%
SEIU Maintenance	4.5%
IFPTE Local 21	4.0%
HAME	2.0%
Unrepresented (Non-Executive)	2.0%

**No Fiscal Impact; already included in the
FY21 proposed/adopted budget*

Recommendation

That Council Adopt a Resolution

Approving an amendment to the City of Hayward Salary Plan for FY21 which designates all classifications and corresponding salary ranges for employment in the City of Hayward as of December 21, 2020