

**CITY COUNCIL MEETING  
TUESDAY, OCTOBER 18, 2016**

**DOCUMENTS RECEIVED AFTER PUBLISHED AGENDA**

**Item #2 MIN 16-086**

**Amendment to City Council Minutes of September 20, 2016**



**OFFICE OF THE CITY CLERK**

DATE: October 18, 2016  
TO: City Council  
FROM: City Clerk  
RE: Amendment to City Council Minutes of September 20, 2016

---

This serves to amend the draft minutes of the City Council meeting on September 20, 2016. Item No. 2 (**MIN 16-086**) of the City Council packet for October 18, 2016.

Seventh paragraph on Page 2 currently reads:

“Ms. Betty DeForest, Hayward resident, congratulated Hayward for bringing Downtown Streets Team to Hayward and requested that the Hayward Hunger and Homeless Task Force be polled to address the winter shelter.”

Proposed to read:

“Ms. Betty DeForest, Hayward resident, congratulated Hayward for bringing Downtown Streets Team to Hayward and requested that the Hayward Hunger and Homeless Task Force be **convened** to address the winter shelter.”

With the change noted above, I respectfully request approval of the amended minutes.

**Responses to the Following Agenda Items:**

**Item #4 CONS 16-520**

**Item #5 CONS 16-623**

Date: 10/18/16

<p><b>ITEM 4: Filing Nuisance Abatement/Municipal Code Liens with the County Recorder's Office for Non-Abatable Code Violations</b></p>	<p><b>Responses from Development Services - Deputy Director Bristow</b></p>
<p>Property Liens, Is the unpermitted business at 23986 Foley St. still in operation?</p>	<p>Yes, this property remains in violation. Upon recent City Council direction and approval of "egregious penalties" for those properties that are classified as non-abatable, staff has adopted a new policy and procedures for certain cases that meet the adopted criteria as a new enforcement tool to gain compliance. This policy is applicable to properties that have received a title cloud, continue to operate in violation of City Ordinances, and are determined to be a significant and negative impact to the community.</p> <p>See 2017 Master Fee Schedule, page 14, Development Service Department: Egregious Violation(s) Penalties For significant or on-going health and safety violations, public nuisances and illegal uses, including but not limited to: Garage conversion, room additions, accessory structures, construction without permits, home occupation, use permits or site plan review, unpermitted uses related to environmental hazards.</p> <ul style="list-style-type: none"> <li>• Tier 1: \$1,500 for first verified violation</li> <li>• Tier 2: \$3,000 for second verified violation</li> <li>• Tier 3: \$5,000 for third and subsequent verified violation(s)</li> </ul>
<p><b>ITEM 5: Resolution Appropriating Funding for Replacement Street Sweeper</b></p>	<p><b>Response from Maintenance Services - Director Rullman</b></p>
<p>Street Sweeper, We have received multiple community concerns that we are being overly assertive with our Street Sweeping citations. If that is the case and our practice changes, will we still have the revenue for this fifth position?</p>	<p>The operation and practices of the sweeping program are for the most part exactly as they've been for the last 10 years. As we add new streets to the program at the request of residents, we also hear from a select few that don't like it. This is not uncommon based on past experiences. Considering we issue in excess of 20,000 citations per FY, the handful of unhappy recipients is extremely low.</p> <p>The added position assumes zero growth in revenue from last year. It's important to understand that nearly all surrounding jurisdictions enforce sweeping zones, with increased scrutiny related to our clean water program. This serves as a method to satisfy storm water requirements and resident requests alike.</p> <p>The 5th operator position existed in the department for 40 years before it was eliminated during the Great Recession. It was added back based on need, not on new found revenues. We continue to refine our processes when adding new streets to the program to ease the burden on residents as was highlighted in the memo shared with Council a couple weeks ago. All staff positions are ultimately a City Manager/City Council decision, this one along with all others are weighed on operational requirements vs cost. In this case, it was a net zero cost to Enterprise or General Fund.</p>

## **PUBLIC COMMENTS**

**Charlie Peters**



***Clean Air Performance Professionals***

# **Department of Motor Vehicles**

## **Autonomous Vehicle Public Workshop**

**Wednesday, October 19, 2016**

**9:30 a.m.**

**Capitol Room 4203**

**1315 10th St, Sacramento, CA 95814**

<http://www.govtech.com/fs/automation/California-DMV-Embraces-Fully-Driverless-Cars-in-Proposed-Rules.html>

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

# **Telematics 101: How Much Your Car Knows About You**

*By Charlie Peters / CA Senate Informational Hearing / March 15, 2016*

*We have a gentleman from the public who would like to say a few words.*

**We will give you a minute or two at the most, if you will give us your name and affiliation and your thoughts.**

**Yes I am Charlie Peters, Clean Air Performance Professionals; we are a coalition of motorists.**

**And we are very interested in this subject matter.**

**And I think the issue here that comes to mind to me very significantly is what has not been said here today.**

**An issue of the process being an appropriate oversight. And People to correct the problem. Seems to be the part that maybe needs a little more of your consideration.**

**As an example in California we have something called a PZEV, Partial Zero Emissions vehicle, I have in my hand my testimony at the Air Resources Board in 2003 indicating this was a free service by the car manufacturers and it was going to get done perfect every time with every car and it is going to be a perfect world because it was free.**

**Our experience is that we have never found an instance where a car has**

**had a problem that was a PZEV vehicle that failed a Smog Check with the check engine light on that required a repair, that is guaranteed by the manufacturer for diagnosis and repair at no charge, where that has been done correctly ever never been done ever.**

**So the issue is who is responsible and how do you get a complaint so it can be even considered. In our system the complaint the oversight is California Air Resources Board, CARB will not take a complaint unless it has a written rejection by the manufacturer stating this particular car of this this customer that needs a PZEV repair they are refusing to do the repair.**

**They are never going to do that. The consumer will take the car to the dealer or aftermarket. The car never gets fixed.**

**These problems are absolutely solvable they can be done today we can start fixing this now but somebody needs to pay attention to what are we doing here.**

**Is this an argument over who gets to do the business or do people matter?**

<http://senate.ca.gov/media/joint-hearing-senate-transportation-and-housing-and-judiciary-committee?type=video>

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