

**CITY COUNCIL MEETING
THURSDAY, FEBRUARY 25, 2020**

**DOCUMENTS RECEIVED
AFTER PUBLISHED AGENDA**

AGENDA QUESTIONS & ANSWERS

Items 3, 7, and 9

**AGENDA QUESTIONS & ANSWERS
MEETING DATE: February 25, 2020**

GHAD Item #3 [PH 20-013](#) Resolution Authorizing the Change in Treasurer Designation from Watermark Asset Management, Inc. to GHAD Treasurer, Inc. and Authorizing the Board Chair to Execute a Contract with GHAD Treasurer, Inc. (Report from GHAD Manager Harrell)

<p>On item 7 of Addendum A, the new Treasurer scope of work for the GHAD, is the following statement accurate? If so, what checks and balances does it provide?</p> <p>“GHAD Managers shall only submit check requests for vendors approved by the GHAD Manager.”</p>	<p>The statement is correct. As an example, we have attached (see Attachment I) an approved vendor list for a GHAD that is managed by ENGEO with Watermark Asset Management (GHAD Treasurer, Inc.) as the treasurer. The approved vendor list must be signed by two employees of ENGEO acting as the GHAD Manager. There are only three employees authorized to sign a vendor list:</p> <ol style="list-style-type: none"> 1. Uri Eliahu, President 2. Lora Dominick, Controller 3. Eric Harrell, Principal <p>As provided in Appendix A, the GHAD Treasurer will verify that any disbursements are consistent with the budget approved by the GHAD Board of Directors and the Board of Directors will receive quarterly financial reports. An example of a quarterly GHAD financial report prepared by Watermark Asset Management is attached (see Attachment II.) The disbursements and comparison of actual expenditures to the Board approved budget are included in the quarterly financial reports.</p>
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Item #7 [CONS 20-087](#): Adopt a Resolution Approving Plans and Specifications and Call for Bids for the Fiscal Year 2020 Pavement Improvement Project Nos 05222, 05224, 05226, 05232, and 05289

<p>The Clawiter Road I880 overpass is slated to be completely rebuilt in the not-too-distant future. Given that fact, does it make sense to rehabilitate the pavement of that overpass, at this time?</p>	<p>While a portion of the paving project will be at the current overpass, the project should not be postponed. The Clawiter paving project, which will cover from Industrial Blvd. to Eden Landing Road, is in poor shape and must be paved soon. The Clawiter interchange improvement project, which has relatively limited scope, is not likely to occur for at least several more years.</p>
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<p>Regarding the proposed pavement repairs on Huntwood (and other streets) (Item 7), is there a plan to add pipes for highspeed internet and recycled water during the repairs?</p>	<p>Not for Huntwood. However, there is an existing project to add fiber conduits on Clawiter; staff will coordinate the work of the two contractors to schedule the fiber construction to take place first. There are no future plans to add recycled water pipes or fiber optic conduits in the pavement project areas.</p>
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Item #9 [WS 20-006](#) Affordable Housing: Review of a Potential Financing Model that Supports the Development of Middle-Income Housing (Report from City Manager McAadoo and Deputy City Manager Ott)

<p>I would like to know why the unit numbers for the Very Low and Low Income Categories in Table 1 on page 3 do not add up to the totals in the Estimated Compliance column. The Very Low</p>	<p>You are correct. When staff last updated the table to shift units from pending approval to approved, we mistakenly adjusted the estimated compliance/deficiencies by the number of units approved. There should have been no adjustments to those columns. The corrected table is below.</p>
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<p>number should be 367 instead of 444, and the Low number should be 282 instead of 314. The Moderate and Above Moderate numbers add up correctly.</p>	<p>2023 RHNA Goal Progress in the City of Hayward</p> <table border="1"> <thead> <tr> <th rowspan="2">Income Category</th> <th rowspan="2">Unit Goal</th> <th colspan="2">Reported 2018</th> <th colspan="2">Approved</th> <th colspan="2">Pending Approval</th> <th colspan="2">Estimated Compliance</th> <th colspan="2">Estimated Deficiency</th> </tr> <tr> <th>Units</th> <th>% of goal</th> <th>Units</th> <th>% of goal</th> <th>Units</th> <th>% of goal</th> <th>Units</th> <th>% of goal</th> <th>Units</th> <th>% of goal</th> </tr> </thead> <tbody> <tr> <td>Very low</td> <td>851</td> <td>40</td> <td>5%</td> <td>224</td> <td>26%</td> <td>103</td> <td>12%</td> <td>367</td> <td>43%</td> <td>484</td> <td>57%</td> </tr> <tr> <td>Low</td> <td>480</td> <td>19</td> <td>4%</td> <td>241</td> <td>50%</td> <td>22</td> <td>5%</td> <td>282</td> <td>59%</td> <td>198</td> <td>41%</td> </tr> <tr> <td>Moderate</td> <td>608</td> <td>0</td> <td>0%</td> <td>40</td> <td>7%</td> <td>21</td> <td>3%</td> <td>61</td> <td>10%</td> <td>547</td> <td>90%</td> </tr> <tr> <td>Above Moderate</td> <td>1981</td> <td>873</td> <td>44%</td> <td>2,617</td> <td>132%</td> <td>318</td> <td>16%</td> <td>3,808</td> <td>192%</td> <td>0</td> <td>N/A</td> </tr> </tbody> </table>	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%	367	43%	484	57%	Low	480	19	4%	241	50%	22	5%	282	59%	198	41%	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
Income Category	Unit Goal			Reported 2018		Approved		Pending Approval		Estimated Compliance		Estimated Deficiency																																																											
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<p>In the CalCHA facilitated model for affordable housing, is it possible for the right to purchase to transfer to the tenants?</p>	<p>It is possible. The City would need to request approval from CalCHA if the City wants to assign its option. If CalCHA does not approve, the City could acquire the property at its expense and then transfer the property to whomever it wants, although staff would recommend that any such arrangement only be made with an established and experienced organization that would help tenants take ownership. This organization would need to help the tenants secure financing to purchase the property and establish the ownership mechanism (cooperative, tenants in common, land trust, condo conversion-subject to the condo conversion ordinance).</p>																																																																						

**Santiago GHAD Approved Vendor List
As of January 17, 2020**

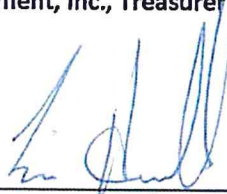
Account No.

939627615

Vendor No	PAYEE	Check Mailing Address	
1	California Association of GHADs	2010 Crow Canyon Pl. Suite 250	San Ramon, CA 94583
2	ENGEO, Inc.	2010 Crow Canyon Pl. Suite 250	San Ramon, CA 94583
3	Francisco & Associates, Inc.	231 Market Place Suite 543	San Ramon, CA 94583
4	Edgewood Partners Insurance Center	EPIC Trust PO Box 102160	Pasadena, CA 91189-2160
5	Charles King Company	2841 Gardena Avenue	Signal Hill, CA 90755
6	Wood Environment & Infrastructure Solutions Inc.	PO Box 74008618	Chicago, IL 60674-8618
7	Cardinal Property Management	825 North Park Center Drive, Suite 101	Santa Ana, CA 92705
8	CAPTRUST	2010 Crow Canyon Place, Suite 210	San Ramon, CA 94583
9	City of Anaheim	201 South Anaheim Blvd. Attn: 9th floor	Anaheim, CA 92803-3069
10	East Anaheim Community Center	8201 East Santa Ana Canyon Road	Anaheim, CA 92808
11	Anaheim Community Services	200 South Anaheim Boulevard	Anaheim, CA 92805
12	Colantuono, Highsmith & Whatley, PC	420 Sierra College Drive, Ste 140	Grass Valley, CA 95945-5091

INSTRUCTIONS TO ISSUE CHECKS TO THIRD PARTY VENDORS

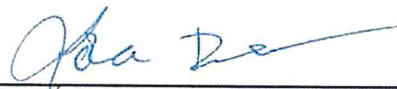
We, Eric Harrell and Lora Dominick, Managers of Santiago Geologic Hazard Abatement District (GHAD), hereby authorize Watermark Asset Management, Inc., Treasurer of Santiago GHAD, to request check distribution to the third party vendors listed above.



Authorized Signer

Eric Harrell
Printed Name

1-17-2020
date



Authorized Signer

Lora Dominick
Printed Name

1/20/2020
date

GHAD Orinda

Dave Fernandez
Vice President | Financial Advisor

PORTFOLIO REVIEW

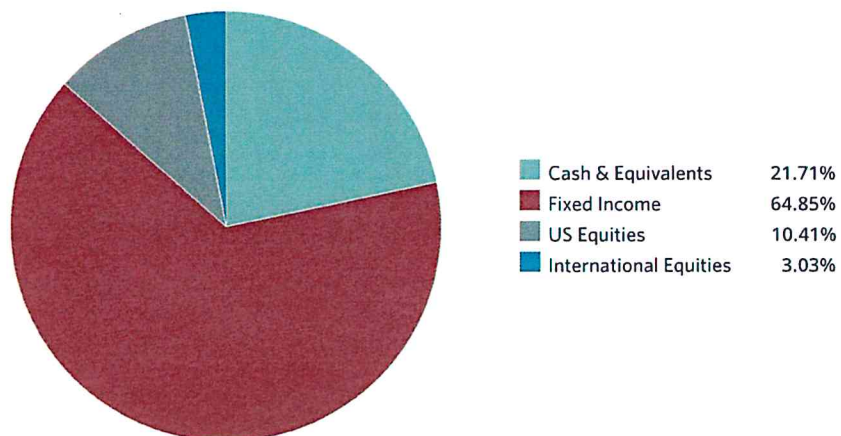
As of 6/30/2019

CAPTRUST FINANCIAL ADVISORS

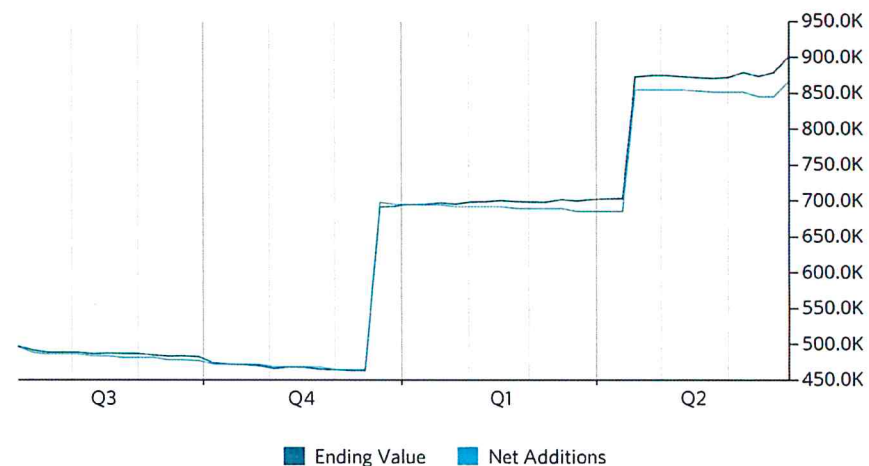
2010 Crow Canyon Pl, Suite 210
San Ramon, CA 94583

Our mission is to enrich the lives of our clients, colleagues, and communities through sound financial advice, integrity, and a commitment to service beyond expectation.

CURRENT ALLOCATION



MARKET VALUE AND NET ADDITIONS SINCE INCEPTION

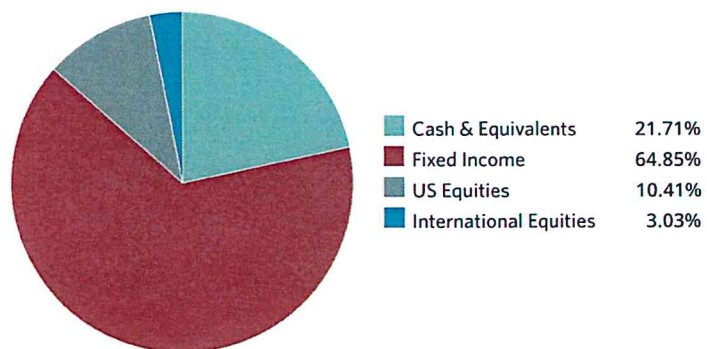


PERFORMANCE

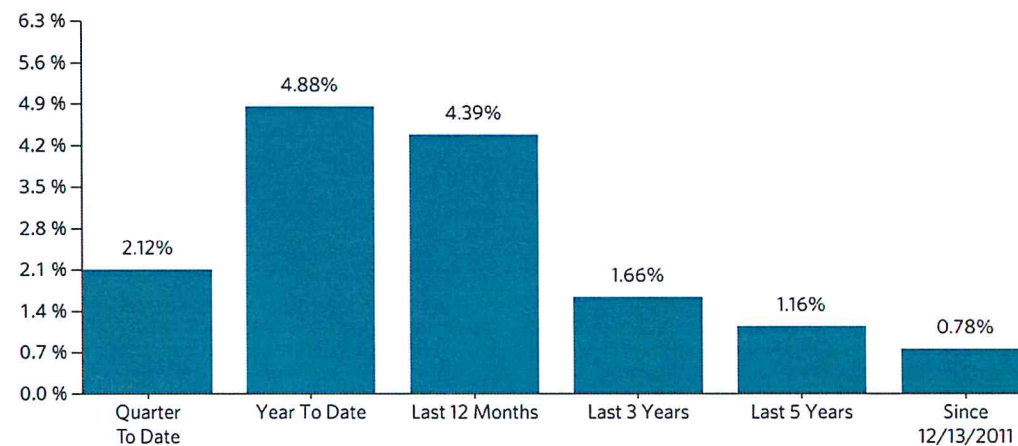
	Quarter To Date	Year To Date	Last 12 Months	Since 12/13/2011
Beginning Value	701,701.60	692,795.91	497,861.51	0.00
Net Additions	181,349.68	171,668.85	368,731.88	863,826.25
Net Gain	18,005.57	36,592.09	34,463.46	37,230.60
Ending Value	901,056.85	901,056.85	901,056.85	901,056.85
Return	2.12%	4.88%	4.39%	0.78% ^{1 2}
Standard Deviation	2.68%	2.48%	2.28%	1.37%

¹ Level contains historical performance data, ² Annualized return

CURRENT ASSET ALLOCATION



ANNUALIZED RETURNS (%)

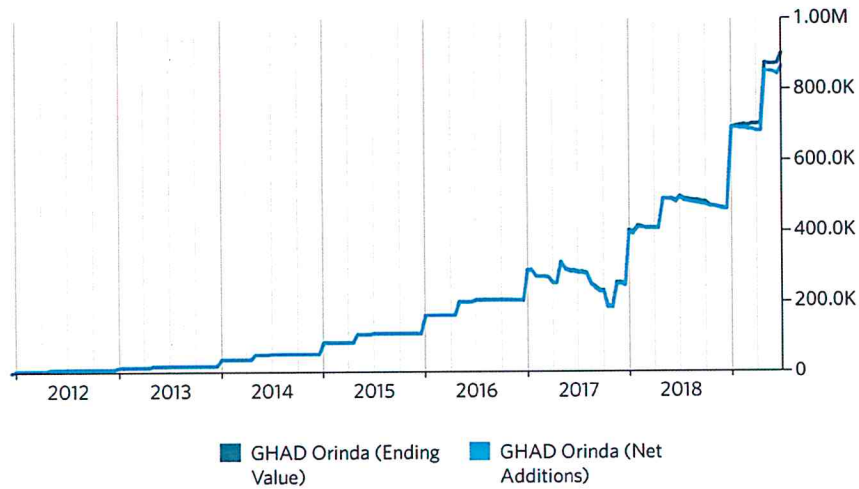


PERFORMANCE

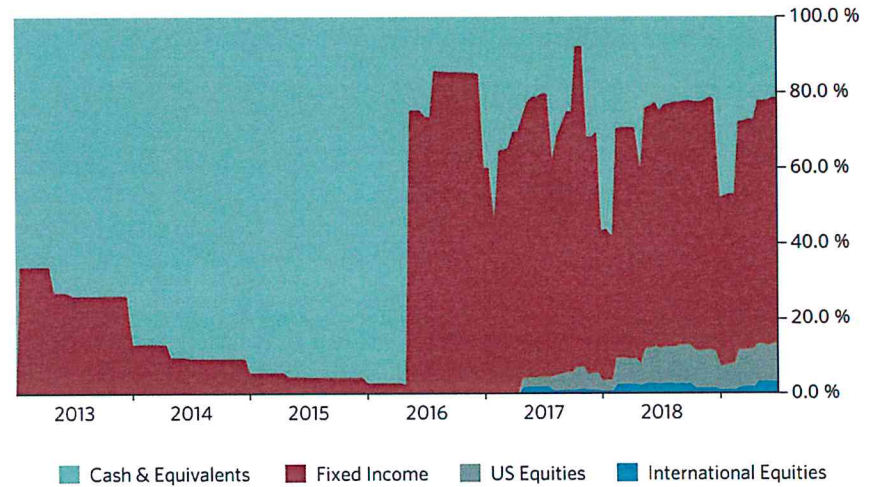
	Quarter To Date	Year To Date	Last 12 Months	Last 3 Years	Last 5 Years	Since 12/13/2011
Beginning Value	701,701.60	692,795.91	497,861.51	205,813.97	52,553.52	0.00
Net Additions	181,349.68	171,668.85	368,731.88	659,571.39	811,330.65	863,826.25
Net Gain	18,005.57	36,592.09	34,463.46	35,671.49	37,172.69	37,230.60
Ending Value	901,056.85	901,056.85	901,056.85	901,056.85	901,056.85	901,056.85
Return (Net of Fees)	2.12%	4.88%	4.39%	1.66% ¹	1.16% ¹	0.78% ^{1 2}

¹ Annualized return, ² Level contains historical performance data

MARKET VALUE AND NET ADDITIONS SINCE INCEPTION



CLASS ALLOCATION DRIFT SINCE INCEPTION



PERFORMANCE

	Ending Value	Start Date	Quarter To Date Return	Year To Date Return	Last 12 Months Return	Last 3 Years Return	Since 12/13/2011 Return
XXXXX5157 - GHAD Orinda TD, Brokerage	901,056.85	12/13/2011	2.12%	4.88%	4.39%	1.66% ¹	0.78% ^{1 2}
GHAD Orinda	901,056.85	12/13/2011	2.12%	4.88%	4.39%	1.66%¹	0.78%^{1 2}

¹ Annualized return, ² Level contains historical performance data

Portfolio Holdings and Performance Summary

As of 6/30/2019

GHAD Orinda TD, Brokerage - XXXXX5157

	Symbol	Ending Value	Allocation	Quarter To Date		Year To Date		Last 12 Months	
				Net Gain	Return	Net Gain	Return	Net Gain	Return
XXXXX5157 - GHAD Orinda TD, Brokerage		901,056.85	100.00%	18,005.57	2.12%	36,592.09	4.88%	34,463.46	4.39%
■ Cash & Equivalents		195,623.45	21.71%	195.57	0.09%	490.60	0.19%	650.71	0.31%
90 DAY TREASURY BILL					0.57%		1.15%		2.25%
CASH	CASH	-13,379.75	-1.48%	0.00	0.00%	0.00	0.00%	0.00	0.00%
FDIC INSURED DEPOSIT ACCOUNT IDA12 NOT COVERED BY SIPC	MMDA12	209,003.20	23.20%	195.57	0.09%	490.60	0.19%	650.71	0.31%
■ Fixed Income		584,325.09	64.85%	14,725.69	2.66%	26,815.30	6.18%	29,280.87	7.02%
BBG BARC AGGREGATE BOND INDEX					3.08%		6.11%		7.87%
ISHARES FLOATING RATE BOND ETF	FLOT	16,552.25	1.84%	114.95	0.81%	360.98	2.40%	336.08	2.25% ¹
ISHARES GS CORP BOND	LQD	51,489.18	5.71%	2,604.62	5.38%	4,647.84	11.96%	4,821.36	12.67%
ISHARES IBOX \$ HIGH YIELD CORPORATE BOND ETF	HYG	16,825.74	1.87%	296.48	2.10%	875.63	9.75%	762.17	8.00%
ISHARES INTERMEDIATE CREDIT BOND ETF	IGIB	79,274.40	8.80%	3,126.08	4.20%	5,534.26	10.29%	6,235.72	11.30%
ISHARES JPMORGAN EMERG MARKETS BOND	EMB	17,446.66	1.94%	731.40	4.21%	2,361.32	11.26%	2,606.04	12.45%
ISHARES MBS ETF	MBB	50,787.20	5.64%	984.10	1.89%	1,340.22	4.11%	1,581.37	6.12%
ISHARES SHORT MATURITY BOND ETF	NEAR	100,609.67	11.17%	813.84	0.89%	1,555.21	2.14%	1,821.74	2.92%
ISHARES U.S. TREASURY BOND ETF	GOVT	123,498.96	13.71%	3,505.14	2.72%	4,618.94	5.71%	4,845.94	7.10%
SPDR PORTFOLIO SHORT TERM CORPORATE BOND ETF	SPSB	73,309.68	8.14%	1,071.78	1.48%	2,381.60	3.36%	3,423.88	4.90%
UNITED STATES TREAS NTS 0.375% 07/15/2025	912828XL9	54,531.35	6.05%	1,477.30	2.78%	3,139.30	6.11%	2,767.33	5.35%
■ US Equities		93,806.77	10.41%	3,381.73	4.52%	9,357.90	18.06%	6,478.34	10.75%
RUSSELL INDEX 3000 WITH/DIV					4.10%		18.71%		8.98%
ISHARES CORE S&P 500 ETF	IVV	70,768.89	7.85%	2,012.04	4.16%	4,800.18	18.43%	3,618.33	10.78%
ISHARES EDGE MSCI MIN VOL USA ETF	USMV	23,037.88	2.56%	1,080.27	5.27%	2,501.62	18.63%	2,515.46	18.79%
■ International Equities		27,301.54	3.03%	141.14	2.17%	803.41	12.92%	-457.05	-3.47%
MSCI ACWI EX USA IMI NET IN USD					2.74%		13.33%		0.26%
ISHARES CORE MSCI EAFE ETF	IEFA	16,395.64	1.82%	335.68	2.93%	997.94	13.75%	201.97	0.36%

Asset Class returns are gross of fees.

	Symbol	Ending Value	Allocation	Quarter To Date		Year To Date		Last 12 Months	
				Net Gain	Return	Net Gain	Return	Net Gain	Return
ISHARES CORE MSCI EMERGING MARKETS ETF	IEMG	10,905.90	1.21%	-194.53	-1.75% ¹	-194.53	-1.75% ¹	-659.02	-8.18% ¹

¹ Not held for the entire period

Portfolio Holdings and Performance Summary

As of 6/30/2019

GHAD Orinda TD, Brokerage - XXXX5157

	Ending Value	Allocation	Open Date	Units	Cost Basis	Since 12/13/2011			Projected Income	Yield
						Start Date	Net Gain	Return		
XXXX5157 - GHAD Orinda TD, Brokerage	901,056.85	100.00%			883,399.80	12/13/2011	37,230.60	0.78%^{1 2}	18,494.36	2.05%
■ Cash & Equivalents	195,623.45	21.71%			195,623.45	1/2/2013	1,825.87	0.25% ^{2 3}	0.00	0.00%
CASH	-13,379.75	-1.48%	6/28/2019	-13,379.75	-13,379.75	1/2/2013	0.00	0.00% ^{2 3}	0.00	0.00%
FDIC INSURED DEPOSIT ACCOUNT IDA12 NOT C...	209,003.20	23.20%	6/28/2019	209,003.20	209,003.20	2/1/2013	820.35	0.07% ^{2 3}	0.00	0.00%
■ Fixed Income	584,325.09	64.85%			571,472.61	1/3/2013	31,887.66	1.52% ^{2 3}	15,831.59	2.71%
ISHARES FLOATING RATE BOND ETF	16,552.25	1.84%	8/20/2018	325.00	16,571.75	8/20/2018	336.08	2.25% ³	477.02	2.88%
ISHARES GS CORP BOND	51,489.18	5.71%	4/25/2017	414.00	48,676.14	4/25/2017	4,372.74	5.86% ^{2 3}	1,767.06	3.43%
ISHARES IBOXX \$ HIGH YIELD CORPORATE BOND...	16,825.74	1.87%	4/25/2017	193.00	16,701.10	4/25/2017	820.26	4.31% ^{2 3}	887.21	5.27%
ISHARES INTERMEDIATE CREDIT BOND ETF	79,274.40	8.80%	4/25/2017	1,392.00	75,470.03	4/25/2017	6,106.15	5.06% ^{2 3}	2,933.84	3.70%
ISHARES JPMORGAN EMERG MARKETS BOND	17,446.66	1.94%	4/25/2017	154.00	17,347.76	4/25/2017	1,315.24	4.46% ^{2 3}	950.31	5.45%
ISHARES MBS ETF	50,787.20	5.64%	4/25/2017	472.00	49,808.04	4/25/2017	1,706.57	2.88% ^{2 3}	1,414.19	2.78%
ISHARES SHORT MATURITY BOND ETF	100,609.67	11.17%	4/25/2017	1,999.00	100,344.20	4/25/2017	1,991.16	2.10% ^{2 3}	2,665.31	2.65%
ISHARES U.S. TREASURY BOND ETF	123,498.96	13.71%	2/1/2018	4,784.00	119,467.61	2/1/2018	4,961.99	5.31% ^{2 3}	2,488.87	2.02%
SPDR PORTFOLIO SHORT TERM CORPORATE BO...	73,309.68	8.14%	5/5/2016	2,381.73	73,000.30	5/5/2016	5,875.77	2.22% ^{2 3}	2,045.84	2.79%
UNITED STATES TREAS NTS 0.375% 07/15/2025	54,531.35	6.05%	2/2/2017	50,000.00	54,085.68	2/2/2017	3,620.00	2.90% ^{2 3}	201.95	0.37%
■ US Equities	93,806.77	10.41%			88,253.84	4/25/2017	7,904.92	11.76% ^{2 3}	1,856.21	1.98%
ISHARES CORE S&P 500 ETF	70,768.89	7.85%	4/25/2017	240.10	67,843.54	4/25/2017	3,956.16	12.13% ^{2 3}	1,428.38	2.02%
ISHARES EDGE MSCI MIN VOL USA ETF	23,037.88	2.56%	4/25/2017	373.20	20,410.30	4/25/2017	3,040.60	13.88% ^{2 3}	427.83	1.86%
■ International Equities	27,301.54	3.03%			28,049.90	4/25/2017	-886.06	1.84% ^{2 3}	806.56	2.95%
ISHARES CORE MSCI EAFE ETF	16,395.64	1.82%	5/2/2018	267.03	16,846.28	5/2/2018	32.13	-2.63% ^{2 3}	520.34	3.17%
ISHARES CORE MSCI EMERGING MARKETS ETF	10,905.90	1.21%	4/30/2019	212.01	11,203.62	7/24/2017	-1,045.19	-4.82% ^{2 3}	286.22	2.62%

¹ Level contains historical performance data, ² Annualized return, ³ Not held for the entire period

IMPORTANT INFORMATION

Please contact your CAPTRUST Financial Advisor if your Investment Objectives or your personal or financial situation has changed, or if you want to place reasonable restrictions on the management of your investment account(s) or portfolio. If you have elected to receive your custodial account statements electronically, you may access your custodian's portal at <https://captrust.com/your-account/>. Please contact your Financial Advisor if you did not receive statements from your custodian or you need to change your contact information. You may call direct at 800.216.0645 or email compliance@captrustadvisors.com.

This material has been prepared solely for information purposes and is not a solicitation. Total Portfolio and Account Performance returns are net of fees. Asset Class returns on the Portfolio Holdings and Performance Summary page are gross of fees. Similarly, performance is calculated gross of fees when including a proportionate share of account(s) with more than one beneficial owner (such as family LLCs). When reporting on a gross of fee basis, the difference between the actual return and reported return is the investment advisory fee. Any depiction of account value/performance is not warranted to be accurate or complete. Please refer to your official monthly/quarterly custodial statements for verification. Past performance does not guarantee future results. CAPTRUST Financial Advisors does not render legal, accounting, or tax advice.

GHAD Orinda
Check Register
 April through June 2019

Date	Num	Name	Memo	Paid Amount
			Q1 Disbursement Total	-21,028.48
			Q2 Disbursement Total	-15,359.94
			Q3 Disbursement Total	-10,117.39
04/26/2019		Watermark Asset Management, Inc.		-438.56
05/14/2019	15318486	ENGEO, Inc.	243183	-1,525.46
05/24/2019	15344489	City of Orinda	AR5242	-1,500.00
06/11/2019	15410936	ENGEO, Inc.	243887	-6,128.00
			Q4 Disbursement Total	-9,592.02
			FYTD Disbursement Total	-56,097.83

GHAD Orinda
Profit & Loss Budget vs. Actual
July 2018 through June 2019

	Jul 18 - Jun 19	Budget	% of Budget
Income			
Property Tax Collected	423,340.30	394,930.00	107.19%
Investment Income	13,141.77	10,086.00	130.3%
Total Income	436,482.07	405,016.00	107.77%
Gross Profit	436,482.07	405,016.00	107.77%
Expense			
PREVM&O Prevent Maint & Op 2282	437.96	25,000.00	1.75%
OSTRN Outside Services	1,656.25	5,000.00	33.13%
SCMON Open Spaces Scheduled Mon	3,860.71	20,000.00	19.3%
SEDRE Sediment Removal - Concre	500.00	5,000.00	10.0%
SLOPE Slope Stabilization-Erosi	0.00	35,000.00	0.0%
SUBDN Subdrain Outlets	461.00	1,500.00	30.73%
SWIMP Stormwater Improvements	0.00	20,000.00	0.0%
SWMGT Stormwater Management Imp	0.00	14,000.00	0.0%
TRANS Transfer of Open Space-Or	2,376.52	11,000.00	21.61%
Total PREVM&O Prevent Maint & Op 2282	9,292.44	136,500.00	6.81%
ADMIN Administration Acct 2310		3,000.00	
ADACC Administration&Accounting	27,000.00	30,000.00	90.0%
ASSESS Assess Role&Levy Update	2,675.00		
BDGET Annual Report and Budget	6,030.00	3,000.00	201.0%
CCCAS CCC Assessor's Fees	0.00	400.00	0.0%
CGHAD Calif Association of GHAD	134.75	150.00	89.83%
CITYSVC City Services	1,500.00	1,500.00	100.0%
INSUR Insurance	708.33	6,200.00	11.43%
LEGAL Legal Counsel	7,267.90	12,000.00	60.57%
TREAS Treasurer			
TREAS Treasurer - Other	1,489.41	1,500.00	99.3%
Total TREAS Treasurer	1,489.41	1,500.00	99.29%
Total ADMIN Administration Acct 2310	46,805.39	57,750.00	81.05%
Total Expense	56,097.83	194,250.00	28.88%
Net Income	380,384.24	210,766.00	

ITEM #3 WS 20-088

**ADOPT AN ORDINANCE ADDING ARTICLE 15
TO CHAPTER 6 OF THE HAYWARD MUNICIPAL
CODE RELATING TO PAYMENT OF MINIMUM
WAGES BY EMPLOYERS**

Public Comment Kim Hugget



February 24, 2020

Hayward City Council
777 B St.
Hayward, CA 94541

Members of the Council:

On behalf of the Hayward Chamber of Commerce, we would like to express the dismay of the business community at the vote of the Hayward City Council to accelerate the city's minimum wage in advance of the state timeline. Please re-consider your vote and, instead, adopt the timeline for implementation recommended by the staff of your Economic Development Division.

Four chamber committees were polled by the city's staff: the board of directors, Government Relations Council, Latino Business Roundtable and Hayward Nonprofit Alliance. Every member of the Downtown Hayward Business Improvement Association board representing a private business (all chamber members) were in agreement with the chamber that if the city was determined to accelerate the state's timetable, they preferred the alternative that proposed a January increase, not mid-year.

If the council was so committed to increase the hourly wage rate faster than the state timetable, then why spend two months of city staff time and that of representatives from countless Hayward businesses on alternatives it wouldn't consider?

Representatives from two of Hayward's biggest manufacturers, more than 1,000 employees between them, have expressed to us their astonishment that the council rejected the city staff recommendation. The effect of this unexpected mid-year mandate means they must consider price increases for customers because, for example, the mid-year payroll spike will cause a ripple effect in their payroll structure. Implications for missing their budget targets in 2020 include a loss of credibility with lenders. Ultimately, they attest, this will cost local jobs and cause positions to not be filled.

The effect on small business will be similar to Emeryville's experience in accelerating the timetable. There will be business hardship, job loss and a decrease in employment for youth and seniors. And the lack of transparency in reaching this decision is creating a loss of confidence in our city council by the business community.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Kim Huggett', written over a horizontal line.

Kim Huggett
President & CEO

A handwritten signature in blue ink, appearing to read 'Jorge Espinosa', written over a horizontal line.

Jorge Espinosa
Chair of the Board

ITEM #10 WS 20-009

**MISSION BOULEVARD PHASE 2
CONSTRUCTION AND MISSION BOULEVARD
PHASE 3 DESIGN: RECEIVE AN UPDATE ON THE
CONSTRUCTION AND DESIGN PHASES OF THE
MISSION BLVD PROJECT AND PROVIDE
COMMENTS**

Public Comment Susie Hufstader



February 21, 2020

To: Mayor and Council
City of Hayward
777 B Street
Hayward, CA 94541

Re: **February 25 Council Agenda Item 10: Mission Boulevard Phase 3**

Dear Mayor Halliday and Councilmembers,

On behalf of Bike East Bay, I am writing to express strong support for the raised cycle track design that staff has developed for Mission Boulevard Phase 3, and to share some comments that offer additional insight into the design process.

As members of the Council Infrastructure Committee are aware, the design process for Mission Phase 3 has been quite a challenge due to the somewhat constrained right of way between Rose and A St. Bike East Bay has remained committed to supporting Hayward in developing a design that provides access for bike riders of all ages and abilities, while also prioritizing transit service and safety for everyone walking and rolling along the corridor.

The last option, which narrowed the sidewalk space significantly to provide a minimum-width bike lane between traffic and parked cars, was not a solution that met those needs. The current raised, sidewalk-grade bike lane design is an innovative compromise that provides a safe and separated bikeway, dedicated bus boarding areas, and improved access for people using wheelchairs, mobility devices, and strollers. By organizing bicycle and pedestrian space using an asphalt bike lane and adjacent concrete sidewalk, this design addresses sidewalk riding issues and will significantly improve safety for all users.

Alameda County Public Works is developing a similar design for their portion of Mission Boulevard. When both projects are done, there will be a continuous protected bikeway from Downtown Hayward to Ashland. This will be a great achievement for our communities.

Because the raised cycle track design is so new to our region, Bike East Bay has been working closely with staff and community partners to ensure that the final design is of the highest quality. I would like to share some details of this process:

1. On May 7, 2019, Bike East Bay met with Hayward staff and consultants along with AC Transit and Community Resources for Independent Living. The goal was to align design features to serve Hayward's most vulnerable street users: people with disabilities, pedestrians, transit riders, and people on bikes. As a result of the collaborative design review, staff and consultants have added accessibility and transit improvements
2. The City of Fremont just completed our region's first raised bike lanes on Walnut Avenue. The facility is state of the art, and we are working with staff there to host a field visit for local engineers, including from Hayward. Fremont has been working with the California School for the Blind on accessibility feedback, and Hayward staff will benefit from this input in time to adjust Mission Phase 3 using best practices from our region.



3. As Hayward designs and implements complete streets projects along Mission Boulevard, the Alameda County Transportation Commission has been conducting a regional study of multi-modal transportation along the corridor. Bike East Bay has been advocating for a continuous protected bikeway concepts that also allow for future bus improvements, which could include bus rapid transit. This design aligns with those regional goals and has been incorporated into ACTC's draft recommendations.

Thank you, as always, for your support of safe, complete streets and multi-modal transportation in Hayward. Mission Boulevard will set an example for our region, prioritizing accessibility, safety, and sustainability for generations to come. Please be in touch with any questions.

Sincerely,

Susie Hufstader
Advocacy Manager
Bike East Bay

PUBLIC COMMENT

CHARLIE PETERS

Alcohol-Linked Deaths Soaring in U.S., Women Hit Hardest

By Dennis Thompson / U.S. News / February 21, 2020

FRIDAY, Feb. 21, 2020 (HealthDay News) -- Americans are drinking themselves to death at ever-increasing rates, with women in particular hitting the bottle hard, a new study shows.

The rate of alcohol-induced deaths among women increased between 3.1% and 3.6% a year from 2000 to 2016, while deaths among men increased 1.4% to 1.8% each year, according to the findings.

What's worse, the rates have accelerated in recent years -- the average annual increase for women was 7.1% between 2013 and 2016, and for men it was 4.2% between 2012 and 2016.

"The opioid crisis has generated the most attention in the media, and certainly in Washington as well, but this study demonstrates that America has had a serious alcohol problem for decades," said Dr. Timothy Brennan, director of the Addiction Institute of Mount Sinai West and Mount Sinai St. Luke's in New York City.

"This study really underlines the ongoing public health menace of alcohol use disorder and risky and dangerous drinking," added Brennan, who was not involved with the study.

This is just the tip of the iceberg when it comes to drink-related fatalities. The deaths documented here were solely due to illness caused by drinking, mainly alcoholic liver disease, said lead researcher Susan Spillane, a former fellow with the U.S. National Cancer Institute's Division of Cancer Epidemiology and Genetics.

"We excluded causes known to be alcohol-related but not 100% alcohol-attributable, such as road traffic accidents, alcohol-associated cancers, and infections and organ system diseases known to be associated with alcohol use," Spillane explained.

"Rates of alcohol-induced deaths, as documented in our study, are bellwethers of a far larger public health problem, as these rates capture only a portion of all alcohol-related deaths and say nothing of alcohol-related morbidities," she added.

For the study, Spillane and her colleagues examined death certificate data maintained by the U.S. Centers for Disease Control and Prevention, as well as population statistics from the U.S. Census Bureau.

Breaking it down into subgroups, the largest average increases in alcohol-induced deaths were observed among American Indian and Alaska Native men (3.3%) and women (4.2%), as well as white women (4.2%).

In 2016, alcoholic liver disease accounted for 60% of alcohol-induced deaths in males and 69% in females. Deaths due to alcohol poisoning or alcohol-related mental and behavioral disorders accounted for 36% of deaths in males and 28% in females.

"Notably, these increased rates occurred throughout the U.S., including among urban, rural, wealthier and poorer counties," Spillane said. "Our findings document an urgent public health crisis calling for concerted public health action."

The findings were published Feb. 21 in the journal JAMA Network Open.

No one can say for sure why more Americans are dying from drink, but experts have a few theories.

"We know that stress, anxiety and wealth inequality are correlated with higher drinking levels, especially among women as the gender gap closes," said Pat Aussem, director of clinical content and development for the Center on Addiction.

Women are also at higher risk for alcohol poisoning due to their physiology, according to the U.S. National Institute on Alcohol Abuse and Alcoholism.

On average, women weigh less than men. In addition, alcohol tends to reside in the body's water, and women pound for pound carry less water in their bodies than men. That means women will reach higher blood alcohol levels than men of comparable weight, even though they've drunk the same amount of alcohol.

"Women and older adults are also more likely to be prescribed medications that are known to be contraindicated with the consumption of alcohol, such as benzodiazepines like Xanax and painkillers like Vicodin and Percocet," Aussem added.

Larger societal shifts also have taken place that makes alcohol more available to people, Brennan said.

"Where one can purchase alcohol has really dramatically increased in the last few decades," Brennan said. "Many of us grew up in towns where there might be a liquor store, but you didn't have alcohol for sale in the grocery store. Now we see a ubiquity of alcohol-purchasing opportunities.

"We've also seen a whole ton of innovations in the alcohol industry," Brennan continued. "You're now able to purchase things far beyond beer, liquor and wine. There are all sorts of alcohol-based teas and lemonades and seltzers. As consumers, we're more and more inundated with different types of alcohol and different opportunities to purchase alcohol."

Aussem said there are a number of actions that could be taken to stem this trend:

- * Doctors can regularly screen patients for alcohol use, addiction, mental health disorders or family violence.
- * The public should be educated on CDC guidelines that limit daily alcohol consumption to one drink for women and two drinks for men.
- * The availability of affordable treatment for alcoholism should be supported.
- * State and local laws can tax alcohol, limit the number of liquor stores in a community, or hold businesses more accountable for selling booze to minors or people who are already intoxicated.
- * The stigma related to alcoholism should be addressed, so people can seek care without being labeled or shamed.

<https://www.usnews.com/news/health-news/articles/2020-02-21/alcohol-linked-deaths-soaring-in-us-women-hit-hardest>

CAPP contact: Charlie Peters (510) 537-1796 cappcharlie@earthlink.net



BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR

Executive Office

1625 North Market Blvd., Suite S-308, Sacramento, CA 95834
P (916) 574-8200 F (916) 574-8613 | www.dca.ca.gov



February 18, 2020

Nikki Ayers
Treasurer
California Automotive Business Coalition
P.O. Box 254456
Sacramento, CA 95865

Dear Ms. Ayers:

Thank you so much for your letter following our meeting on January 23, 2020. I appreciated the opportunity to meet with you and California Automotive Business Coalition (CalABC) president Bud Rice and Charlie Peters with Clean Air Performance Professionals (CAPP) to discuss issues of interest to the automotive repair industry and California consumers. Let me take this occasion to address the concerns shared in our meeting that also included Patrick Dorais, Chief of the Bureau of Automotive Repair (BAR).

First, I want to assure you that my expectation is that all changes brought to BAR's attention be given due consideration and discussed openly, with an opportunity to provide feedback, before their implementation. From my discussions with Mr. Dorais I believe he has created a collaborative platform to work with all stakeholders and provide transparency to the work that goes on at BAR. This is evidenced, as I am sure you would agree, through regular dialogue on BAR policies and programs at quarterly meetings of the BAR Advisory Group, of which you are a member. In addition, he has been very open to meeting with stakeholders to identify areas of improvement for California consumers.

It is my understanding that BAR has invested a significant amount of time investigating and implementing changes proposed by Mr. Peters over the last several years. Mr. Peters' suggestion for BAR to help raise consumer awareness of Partial Zero Emissions Vehicle (PZEV) warranties resulted in a change to the Vehicle Inspection Report (VIR) produced and provided to consumers with every failing Smog Check. Mr. Peters and Mr. Rice were both involved in the development of the language that was added to the VIR. Concurrently, a study with the California Air Resource Board (CARB) was conducted by the BAR Referee to determine whether it was possible to identify vehicles covered under a PZEV warranty so that consumers could be provided more

targeted and effective information about their vehicle following a Smog Check. The extensive study concluded that this information will require each licensed Smog Check inspector to collect and record "Test Group" during the Smog Check, as the Vehicle Identification Number (VIN) does not provide PZEV-specific information. As a result, BAR is currently developing a change to the inspection procedure to allow for this to happen. These concerted changes are very important to BAR's mission and it is very appreciative of the input provided.

Mr. Peters' other proposed change is to notify a technician through the inspection software, upon a vehicle passing a Smog Check, that the vehicle failed its last Smog Check, presumably in the same inspection cycle. BAR has already made the entire test history of every vehicle registered in California available to anyone – including Smog Check inspectors and repair technicians – through BAR's website. Mr. Peters' proposal would require a software change by equipment manufacturers to the BAR-97 Emissions Inspection System (EIS), which is required to inspect pre-2000 model-year vehicles; as such, it would likely cost the industry several million dollars to implement. Further, BAR does not believe that this proposed change will result in any measurable benefit to the program and could encourage technicians to focus on performing faster and more haphazard inspections instead of quality inspections. Lastly, such a proposal is unnecessary because it would have the same effect as BAR's STAR Program, which includes several performance metrics to change technician inspection behavior and encourage quality inspections on all vehicles, regardless of their inspection history.

During our meeting, Mr. Rice shared legitimate concerns regarding the education and training of service advisors in the industry. BAR's *Write It Right* is a BAR publication to help automotive repair dealers comply with certain documentation and consumer authorization requirements of the Automotive Repair Act. In 2019, BAR updated (and distributed) this guide based on recent legislative and regulatory updates to key provisions of the Act and its regulations. BAR already provides in-person training presentations on *Write It Right* in response to a voluntary request from a station, or as recommended by BAR to educate a station on compliance issues identified during a BAR field office's mediation of a consumer complaint(s). While BAR believes there is no substitute for an in-person *Write It Right* presentation that allows for a two-way dialogue, BAR is currently working to develop an online training program for the *Write It Right* guide and will coordinate with the Department of Consumer Affairs (Department) on any assistance needed. As discussed during the meeting, education of both consumers and the licensees is very important to the Department and I look forward to working with all stakeholders to continue to find those education opportunities.

Nikki Ayers
February 18, 2020
Page 3

Lastly, as you pointed out, legislation signed into law by Governor Brown exempts new vehicles from the Smog Check Program for eight years (AB 1274, O'Donnell, Chapter 633, Statutes of 2017). I agree that the potential impact to consumer protection is concerning as many vehicle warranties expire during the 7th and 8th years, which potentially leaves many consumers responsible for repairs that would have previously been the responsibility of the vehicle manufacturer. It is my understanding that this concern was raised by numerous stakeholders, including the automotive repair industry, prior to this legislation being signed. In response, it appears that the legislation provides a mechanism to bring excepted vehicles back into the biennial inspection program if it is determined that there is a substantial probability that a vehicle has a tampered emission control system or would otherwise fail a smog check test. In July 2019, CARB provided an analysis to the BAR Advisory Group of BAR roadside data, which provided additional insight on this issue. BAR is currently gathering additional data and working with CARB to better quantify the impact of this legislation and will explore ways to mitigate its impacts on consumers and air quality. BAR plans to provide an update on this effort at the April 2020 meeting of the advisory group and looks forward to your and industry representatives' participation in that discussion.

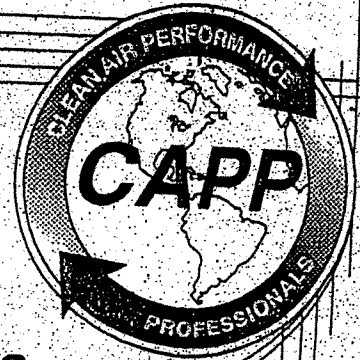
Thank you for your interest in these issues and for the important role you play in facilitating their discussion before the advisory group and industry forums such as CalABC. I look forward to BAR's ongoing efforts to work with you and other industry leaders on these policy matters. If you have any additional questions, please feel free to let us know.

Sincerely,



KIMBERLY KIRCHMEYER
Director

cc: Bud Rice, CalABC President
Johan Gallo, CalABC Executive Director
Charlie Peters, CAPP
Patrick Dorais, BAR Chief



Clean Air Performance Professionals

January 23, 2020 / 3:00 PM
Department of Consumer Affairs
Director Kimberly Kirchmeyer
1-916-574-8200 / fax: 8613

Health and Safety Article 6, Public information program 44070

Good afternoon Ms. Kirchmeyer.

Congratulations for the Appointment to serve the Governor in such a big way.

DCA/BAR Engineering is considering an interesting addition of the car emissions label information in the Smog Check test data.

Also the addition of a flag to notice of a previous test fail result at another location in the previous 60 days.

Thank you for your interest in this consumer information program.

Clean Air Performance Professionals, an award winning coalition of motorists.

A handwritten signature in black ink, appearing to read 'Charlie Peters', with a long, sweeping underline.

Charlie Peters

1-510-537-1796

cc: Interested parties

CAPP contact: Charlie Peters (510) 537-1796 cappcharlie@earthlink.net