



JUNE 2005

# Northern News

NORTHERN SECTION, CALIFORNIA CHAPTER, AMERICAN PLANNING ASSOCIATION

## Finding New Affordable Housing Opportunities While Resolving Traditional “Red Tagged” Problem Properties

by Michael D. Bethke, AICP

At some point in every planner’s career you’ll invariably confront the dreaded duties of code enforcement. These duties may involve nothing more than dealing with a neighbor’s complaint of an oversize fence built within a front yard setback, and may proceed all the way up to an entire new dwelling unit that had been built without permits.

One of my most memorable code enforcement actions occurred when I was the former planning director for the City of East Palo Alto, and involved some creative efforts to shut down a drug & gambling house that

*... Many of these problem properties are now being viewed as the only viable affordable housing option left for new home buyers. . .*

was wrecking havoc on a whole neighborhood. Although this exceptional example of a code violation was eventually resolved to the delight of that affected

neighborhood, many code violations throughout various municipalities are more often placed on the back burner due to limited staffing, limited resources and/or outright lack of any political will to resolve these problems.

When a code violation eventually gets recorded against the title of a given problem property, the stigma of that unresolved “red tag” is then viewed by prospective mortgage lenders as a proverbial scarlet letter, and hence should be avoided at all costs. In some communities, the stigma of recorded and unresolved “red tags” has led to a home loan financing crisis that is now reaching epic proportions.

The rural, unincorporated areas of Santa

Cruz County, home to almost 130,000 citizens, have been especially hard hit with this problem, with literally thousands of problem properties that have been cited with recorded “red tags” for various forms of zoning/building code violations. Many of these code violations date back anywhere from one to twenty years, and have remained unresolved for equally as long.

Despite the exponential growth of property values in the greater Santa Cruz area over the last several years—with the current average home price hovering around \$840,000—one can see that a tremendous affordable housing opportunity for these kind of naturally distressed problem properties may now exist. Given many of the seemingly insurmountable issues that these kind of problem properties may pose for a frustrated seller, and given the limited mortgage financing services available with traditional lenders, many of these problem properties are being discounted significantly to prospective buyers. To be sure, many of these problem properties are now being viewed as the only viable affordable housing option left for new home buyers who have otherwise been priced out of the Santa Cruz housing market.

In turn, a new cottage industry has been evolving in Santa Cruz County to address and resolve problem properties, consisting of various planning, engineering and construction related professionals, who are now being referred to collectively as “Problem Property Resolution Teams.” These teams of professionals are also joining forces with certain lenders that have pledged Real Estate Investment Trust (REIT) monies to help assist in the financing of problem properties that have

*(continued on page 4)*

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### Student Representatives

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### University Liaison

Zack Dahl (831) 465-0677 dahl2002@hotmail.com

### Website Coordinator

Pierce Macdonald (925) 556-4557 pierce.macdonald@ci.dublin.ca.us

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Jennifer Carmen, AICP (510) 215-4330 jcarman@ci.el-cerrito.ca.us

#### Monterey Bay

Michael Bethke, AICP (831) 901-4808 michael@slattcon.com

#### North Bay

Ladd Miyasaki (707) 283-4040 ladd@cajaeir.com

#### Peninsula

Andrea Ouse, AICP (650) 985-2590 aouse@mcplanners.com

#### Redwood Coast

George Williamson (707) 825-8260 georgew@planwestpartners.com

#### San Francisco

Wendy Tinsley (510) 663-7443 wendy@urbanapreservation.com

#### South Bay

Anthony Drummond (408) 277-4282 anthony.drummond@sanjoseca.gov

### Newsletter Designer

Juliana Pennington (415) 824-4375 design@famsf.org  
specializing in visuals for the planning and design professions



**Juliana Pennington**

Graphic Design

Technical Illustration

Communications Design

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## DIRECTOR'S NOTE *by Hing Wong, AICP*

**A**s we are wrapping up the final logistics for the 2005 APA National Conference, I would like to reiterate my sincere appreciation to the members of the Northern Section for putting together the best conference ever! We continue to get accolades from many in the APA National Leadership singing nothing but praise for our teamwork.

Congratulations to the Northern Section Award Winners (see below). We would like to thank our Awards Program Director Pat Collins along with her fellow jurors (Jennifer Andersen, Juan Monsanto, and Kevin Riley) in deliberating the nominations and then selecting the best in our Section. The registration went smoothly through the coordination of Jerry Haag and Ladd Miyasaki. The award certificates were nicely framed by Wendy Tinsley and the program designed by Ryoko Furuichi.

Please note that the California Chapter APA Conference will be in beautiful Yosemite on October 30 to November 2. Because of space limitation to both the conference site and the lodging facilities, they recommend signing up soon if you plan to attend! Go to [www.calapa.org](http://www.calapa.org) to register. You'll also notice the new look of the California Chapter APA website!



## AWARDS BANQUET

Northern Section Awards Banquet was held at The City Club of San Francisco on Friday, May 20, 2005. The Awards Jury consisted of Patricia Collins, Senior Project Manager, Winzler & Kelly, Kevin Riley, AICP, Director of Planning and Inspection, City of Santa Clara, Jennifer Anderson, AICP Redevelopment Project Manager, City of Fremont, Juan Monsanto, Planning and Program Development Manager, Housing Development and Modernization Department, San Francisco Housing Authority

The following awards were given for noteworthy projects and exemplary service in the year 2005.

### NEWSLETTER INFORMATION

#### EDITORIAL

Ann Welsh, AICP

Tel: 415/8453-1584

Fax: 415/8453-1618

e-mail: [planningdirector@townoffairfax.org](mailto:planningdirector@townoffairfax.org)

142 Bolinas Road

Fairfax, CA 94930

#### ADVERTISING/JOBS

Marta Self, AICP

Tel: 925/988-9188

e-mail: [mself@mms-inc.net](mailto:mself@mms-inc.net)

### ADDRESS CHANGES

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APA National Hqtrs.

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Ste. 1600

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312/431-9100



# AWARD WINNERS

## Outstanding Planning

### Focused Issue Planning

“Safety Element of the Oakland General Plan”

City of Oakland, Planning and Zoning Division

Niko Letunic, Dyett & Bhatia

### Focused Issue Planning (Award of Merit)

“Hillsborough Residential Design Guidelines”

Town of Hillsborough and

Design, Community & Environment

### Planning Project

“Enea Properties Starward Residential Row Project”

City of Dublin

Mayor Janet Lockhart & Dublin City Council,

Enea Properties, Craig + Grant Architects, DeBolt Civil Engineering

### Planning Implementation—Small Jurisdiction

“Arcata Economic Development Strategic Plan”

City of Arcata, Planwest Partners, Dr. Steven Hackett,

Center for Environmental Economic Development, and Net Gain

### Planning Implementation—Large Jurisdiction

“Solano Countywide Pedestrian Plan”

Solano Transportation Authority

### Planning Implementation—Large Jurisdiction (Award of Merit)

“NCLOG Housing and Land Use Strategy Committee and County of Napa, Cities of Napa and American Canyon Housing Agreements”

Napa County League Of Governments, County of Napa, Cities of Napa and American Canyon

### Comprehensive Planning—Small Jurisdiction

“East 14th Street South Area Development Strategy”

City of San Leandro and Community Design & Architecture

### Comprehensive Planning—Large Jurisdiction

“Transbay Redevelopment Area Design for Development”

URBAN DESIGN/PLANNING TEAM

Skidmore, Owings & Merrill LLP

Alfred Williams Consultancy LLC, BMS Design Group,

Bosselmann, Jacobs MacDonald Cityworks,

Dowling Associates, Sedway Group,

Urban Explorer, Wilbur Smith Associates

CLIENT

San Francisco Redevelopment Agency

San Francisco Planning Department

Transbay Joint Powers Authority

## Leadership and Service

### Academic

“Planning in San Jose: A Community Guide”

Urban and Regional Planning Department, San Jose State University

Matthew Paoni, Karen Babbitt, Debbie Chan, Dieckmann Cogill, Darcy Forsell, Tiffin Goodman, Sarah Kirchgessner, Jason Naess, Shruti Namjoshi, Ellen Ofori, Jeremiah Pitakwong, Erin Walters

City of San Jose Department of Planning, Building and Code Enforcement

Stephen Haase, Laurel Prevetti, Britta Buys

### Education Project

“The Comprehensive Environmental Plan 2004”

The Sea Ranch Association

*(continued on page 4)*

## Affordable Housing Opportunities . . . *(continued from page 1)*

already secured an approved resolution plan/permit to remedy all cited code violations.

Working in concert with County planning staff, and with policy direction provided by the Board of Supervisors, special concessions

are being made by the County to subordinate recorded “red tags” on a case by case basis once a resolution plan and permit have been approved for a given problem property, in deference to a lender’s requirement to keep their respective loan in a safe first position.

(Said loans can range from short term construction loans, second mortgages, or complete refinance packages. Cash and/or hard money interim financ-

ing is also secured to help bridge all requisite front-end predevelopment/entitlement costs.)

In conclusion, the recent proactive efforts by the County and “Problem Property Resolution Teams” have inadvertently created a WIN-WIN-WIN situation for all parties

concerned: (1) By finally addressing and resolving the myriad problem properties with recorded “red tags,” the County’s costly code enforcement duties are being dramatically decreased; (2) By securing



approved resolution plans and permits for a given problem property, the County now realizes increased development/permit fees, and increased property taxes due to reassessed property values; and (3) By working in good faith with willing lenders to subordinate recorded “red tags” on problem properties, the County is facilitating the ability of new entry level home buyers to purchase these distressed

problem properties as classic “fixer-uppers,” and to hopefully provide our fellow planners, police & firemen, nurses, teachers, etc., the last opportunity to get their feet into the crazy Santa Cruz housing market.

## Web Pick of the Month

### City-Planners-Network Links Planning Professionals Worldwide



San Francisco planner Andy Nash has founded an organization called the International City Planners Network to help planners develop and implement creative solutions by facilitating contacts with planners throughout the world.

This ICPN’s website ([www.city-planners-network.org](http://www.city-planners-network.org)) creates a forum where all types of planners can identify and contact planners in other cities to learn more about planning issues in these cities. The ICPN is based on the belief that we can learn more through personal contacts than by simply reading reports and books. The website is intended to facilitate direct communications between planners and perhaps meetings when planners travel—most planners would love to share a coffee or lunch with a planner in another city to compare notes on planning.

The website’s “Find a Planner” page is designed to help planners identify planners with similar interests from throughout the world. The “City Pages” present information about planning organizations and planning oriented tours in participating cities (currently: San Francisco, Zurich, Paris, and Vienna). The “Conferences Page” presents information and links to planning conferences and allows planners registered with our website to identify and contact other planners attending the conferences.

The International City Planners Network is a non-profit project based in San Francisco, California. Initially sponsored by the San Francisco Planning and Research Association (SPUR) and San Francisco Zurich Initiative, the new effort seeks volunteers and additional sponsorships.

For more information contact Andy at [andrewnash@city-planners-network.org](mailto:andrewnash@city-planners-network.org) or log-in to the site at: <http://www.city-planners-network.org>.

## AWARD WINNERS *(continued from page 3)*

### Distinguished Leadership—Student Planner

Gavin Moynahan

San Jose State University

### Section Activity

“2005 APA National Conference Local Host Committee”

### Local Host Committee Members

Alex Amoroso, Vivian Kahn, Mark Rhoades, Hing Wong, Alec Bash, Elizabeth Adam, Juan Borrelli,

Marti Brown, Wendy Cosin, Erin Dando, Jeanette Dinwiddie-Moore, Dave Dowswell, Anthony Drummond, Joanna Gomes, Billy Gross, Darcy Kremin, David Lipsetz, Natalie Macris, Mika Miyasato, Steve Noack, Andrea Ouse, Sharon Priest, Erika Spencer, Laura Thompson, Phil Trom

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David Schellinger, Ann Cheng, Kay Cheng, Gary Hsueh, Rick Kos



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A degree from a four year college or university in Planning, Engineering, Architecture, Landscape Architecture or a closely related field. Min. four years directly related professional urban planning experience. A Master's Degree in Urban Planning or a closely related field may be substituted for one year of required experience. Final filing 5:00 pm., Monday, June 27, 2005. Request a City Application by calling Personnel at 925/372-3507 or 925/372-3522, or visit the City(s) web site at [www.cityofmartinez.org](http://www.cityofmartinez.org), or request an application and supplemental questionnaire by email at [jobs@cityofmartinez.org](mailto:jobs@cityofmartinez.org), or apply in person at Personnel Dept., 525 Henrietta St. Martinez. EOE.

**“What’s Happening in San Francisco?”***by Wendy Tinsley*

For those wondering ‘What’s happening in San Francisco’ here is a brief highlight of current planning issues and activities taking place in San Francisco.

*Blue Greenway Initiative.* Sponsored by the San Francisco Neighborhood Parks Council (NPC), the Blue Greenway Initiative calls for creating a green recreational corridor along San Francisco’s undeveloped southeast portion of the San Francisco Bay Trail. The trail would connect existing parks and open space areas and would provide an alternative recreation path around the bay for cyclists and pedestrians. On Saturday March 12, 2005, I along with approximately forty other cyclists took a guided bicycle tour of a portion of the southeast waterfront area to learn more about the goals of the Blue Greenway Initiative. Photographs of the bicycle tour and more information about the initiative are available the NPC’s website [www.sfneighborhoodparks.org](http://www.sfneighborhoodparks.org).

*EDAW 25th Annual Intern Program.* International land use planning and design firm EDAW is holding its annual two-week summer intern program at San Francisco’s historic Pier 70 from June 05-18, 2005. The program is mutually beneficial to its student and professional participants, who are able to form new relationships with fellow planning and design colleagues, as well as to the host community, which receives the focused attention of a select group of individuals from across the United States. Pier 70 fronts a portion of the Blue Greenway Initiative’s southeast waterfront, and also presents a number of other challenging planning issues including: environmental remediation, adaptive reuse of historic buildings, coastal area regulatory and land use restrictions, exiting maritime uses in the area, and the financial cost of undertaking a revitalization effort in the area. The two-week program schedule of events and more information about the summer intern program is available on the EDAW website [www.edaw.org](http://www.edaw.org).

*20th Anniversary of the Downtown Plan.* This year’s National APA conference featured a session on the 20th Anniversary of the San Francisco’s Downtown Plan. The session panelists, Dean Macris, Amit Ghosh and George Williams, key planners involved in creating the Downtown Plan in the early 1980s, presented an overview of the plan, shared their thoughts on its implementation over the last twenty years, and what the next steps are for San Francisco relative to the plan. Audio of the session is available for purchase at [www.planning.org](http://www.planning.org).

*SPUR Urban Planning Committee.* The Urban Planning Committee of the San Francisco Planning and Research Association (SPUR) meets each 4th Wednesday at 11:00 a.m. The purpose of the committee is to coordinate the organization’s involvement in local community planning efforts and citywide planning issues. For information on SPUR or any of the organization’s committees and calendar of events see the SPUR website and [www.spur.org](http://www.spur.org).

*Market & Octavia Community Plan.* On February 17, 2005 the City and County of San Francisco hosted a community meeting to share the latest developments in the Market & Octavia Community Plan. Originally published in draft form in December 2002, the plan has undergone a series of revisions based on community input received at 10 workshops held over the last several years. In February 2004 revisions to the plan were released. According to the San Francisco Planning Department’s ‘Market and Octavia Neighborhood Update’ website, the plan is scheduled for adoption in Fall 2005, at which time the plan’s Draft Environmental Impact Report is scheduled for a certification hearing. The next community meeting for the Market & Octavia Community Plan is scheduled for June 21, 2005 to discuss zoning concepts presented in the plan. See the City’s website [www.sfgov.org/planning](http://www.sfgov.org/planning) for additional information including copies of the draft plan, plan updates, and community notices.

# AICP Adopts New Code of Ethics

by Hanson Hom, AICP, Ethics Review Director

I expect that planners have been waiting with incredible anticipation for the release of the final Star Wars episode and the new AICP Code of Ethics for Professional Development, with no particular preference. Well, the wait is over for both! The new code can be accessed via the APA website at [www.planning.org/ethics](http://www.planning.org/ethics). The previous code was adopted in October 1991 and the new code, adopted on March 19, 2005, became effective on June 1, 2005, after much review by the Ethics Committee and AICP Commission. The new code is a major overhaul of the old code based on a legal assessment done in 2002, commonly referred to as the Salkin Report.

So what has changed? Basically, the core provisions of the old code are still intact. The primary changes pertain to clarifying the grounds for professional misconduct (not unlike going to the "dark side") and elaborating on the procedures and hearing process for addressing misconduct charges. A welcome clarification is that the guiding principles and aspirations of certified planners (i.e., our responsibility to the public, clients, employers, profession and colleagues) have been separated from the "Rules of Misconduct." The Rules are more action specific and are the grounds for filing a misconduct charge which could lead to disciplinary action.

The procedures for enforcement of the code have been clarified and improved from a legal and procedural perspective. An Ethics Officer position has been created (previously responsibility of Executive Director) to administer and evaluate misconduct claims and to process claims onto the Ethics Committee when necessary. (I nominate Jabba the Hutt.) Additionally, the Ethics Committee is now the final decision-maker for disciplinary actions; previously, the AICP Commission had this responsibility. The procedures also include more definitive deadlines to ensure the timely resolution of claims. The role of the Ethics Officer have been clarified and as well as the due process rights of the charging party and the party being charged. All of these changes respond to the recommendations in the Salkin Report and feedback from planners during the review period.

On a related note of relevance to planners is that the Institute for Local Self Government has just published an updated A Local Official's Reference on Ethics Law (2005) that provides an excellent review of California ethics law and issues. The document can be downloaded at [www.ilsg.org](http://www.ilsg.org) through their link to ethics laws.

Meanwhile, have fun being ethical, and enjoy the movie!

  
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**JUNE ISSUE: NORTHERN SECTION CALENDAR**

**June**

**4–12** Affordable Housing Week 2005 by Non-Profit Housing Association (NPH). Visit [www.nonprohousing.org/HousingWeek2005.html](http://www.nonprohousing.org/HousingWeek2005.html) for details.

**9–12** The Urbanism Annual Event: The Polycentric City by the Congress for the New Urbanism, Pasadena. Visit [www.cnu.org](http://www.cnu.org) or contact (800) 788-7077 for more information.

**12–16** American Water Works Association’s Conference and Exposition in Moscone Center, San Francisco. Visit [www.awwa.org/ace2005/](http://www.awwa.org/ace2005/) for more information.

**24** Smart Growth Land Development Regulations Workshop, presented by Local Government Commission, at Hyatt Regency Sacramento. Visit [www.lgc.org](http://www.lgc.org) or contact Leif Christiansen at (916) 448-1198 Ext. 320, [leif@lgc.org](mailto:leif@lgc.org)

**24–28** National Association of Regional Councils 39th Annual Conference and Exhibition “Relevance in the 21st Century, hosted by the Association of Monterey Bay Area Governments Monterey. [www.narc.org](http://www.narc.org)

**July**

**7** Northern Section Board Meeting, the City of San Leandro at 6:30pm.

**14–17** NAHRO’s 2005 Summer Conference, Cornerstone for Success: Innovative Approaches to Sustainable Communities, by National Association of Housing and Redevelopment Officials, at San Francisco Marriott. Visit [www.nahro.org/conferences/summer\\_prog.cfm](http://www.nahro.org/conferences/summer_prog.cfm) for more information.

JUNE						
S	M	T	W	T	F	S
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5	6	7	8	9	10	11
12	13	14	15	16	17	18
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JULY						
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