

# **CITY OF HAYWARD**

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



CITY OF  
**HAYWARD**  
HEART OF THE BAY

## **Agenda**

**Tuesday, April 23, 2024**

**7:00 PM**

**Council Chambers**

**City Council**

**CITY COUNCIL MEETING**  
**City Hall, Council Chambers**

NOTICE: The City Council will hold a hybrid meeting in the Council Chambers and virtually via Zoom.

*PUBLIC PARTICIPATION*

*How to observe the Meeting:*

1. Comcast TV Channel 15
2. Live stream <https://hayward.legistar.com/Calendar.aspx>
3. YouTube Live stream: <https://www.youtube.com/user/cityofhayward>

*How to submit written Public Comment:*

1. Use eComment on the City's Meeting & Agenda Center webpage at:  
<https://hayward.legistar.com/Calendar.aspx>. eComments are directly sent to the iLegislate application used by City Council and City staff. Comments received before 3:00 p.m. the day of the meeting will be exported into a report, distributed to the City Council and staff, and published on the City's Meeting & Agenda Center under Documents Received After Published Agenda.

2. Send an email to [List-Mayor-Council@hayward-ca.gov](mailto:List-Mayor-Council@hayward-ca.gov) by 3:00 p.m. the day of the meeting. Please identify the Agenda Item Number in the subject line of your email. Emails will be compiled into one file, distributed to the City Council and staff, and published on the City's Meeting & Agenda Center under Documents Received After Published Agenda. Documents received after 3:00 p.m. through the adjournment of the meeting will be included as part of the meeting record and published the following day.

*How to provide live Public Comment during the City Council Meeting:*

Participate in the Council Chambers or click link below to join the meeting:

[https://hayward.zoom.us/j/87586792861?  
pwd=SoD\\_sD4cGu40PYdK2AAelO8ERFt-07clctY.vmspkJjshmyWuIKm](https://hayward.zoom.us/j/87586792861?pwd=SoD_sD4cGu40PYdK2AAelO8ERFt-07clctY.vmspkJjshmyWuIKm)

Meeting ID: 875 8679 2861

Password: CC4/23@7pm

or

Dial: +1 669 900 6833 or +1 646 931 3860

Meeting ID: 875 8679 2861

Password: 8620335424

**CITY COUNCIL MEETING**  
**777 B Street, Hayward, CA 94541**  
**City Hall, Council Chambers**

**CALL TO ORDER: Mayor Salinas**

**Pledge of Allegiance: Council Member Syrop**

**AB 2449 TELECONFERENCE NOTIFICATIONS AND CONSIDERATION**

**ROLL CALL**

**CLOSED SESSION ANNOUNCEMENT**

**PRESENTATIONS**

National Public Safety Telecommunicators Week Proclamation

Arts, Culture, and Creativity Month Proclamation

Fair Housing Month Proclamation

Bruce Roberts - Hayward's First Poet Laureate Certificate of Commendation

**PUBLIC COMMENTS**

*The Public Comments section provides an opportunity to address the City Council on items not listed on the agenda or Informational Staff Presentation items. The Council welcomes comments and requests that speakers present their remarks in a respectful manner, within established time limits, and focus on issues which directly affect the City or are within the jurisdiction of the City. As the Council is prohibited by State law from discussing items not listed on the agenda, items will be taken under consideration and may be referred to staff. The City Council welcomes comments, including criticism, about the policies, procedures, programs, or services of the City, or of the acts or omissions of the City Council. Speakers shall not use threatening, profane, or abusive language which disrupts, disturbs, or otherwise impedes the orderly conduct of a City Council. The City is committed to maintaining a workplace free of unlawful harassment and is mindful that City staff regularly attend Council meetings. Discriminatory statements or conduct that is hostile, intimidating, oppressive, or abusive – are per se disruptive to a meeting and will not be tolerated. ration and may be referred to staff.*

**CITY MANAGER'S COMMENTS**

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

**ACTION ITEMS**

The Council will permit comment as each item is called for the Consent Calendar, Public Hearings, and Legislative Business. In the case of the Consent Calendar, a specific item will need to be pulled by a Council Member in order for the Council to discuss the item or to permit public comment on the item. Please notify the City Clerk any time before the Consent Calendar is voted on by Council if you wish to speak on a Consent Item.

**CONSENT**

1.     [MIN 24-052](#)     Approve the Minutes of the City Council Meeting on April 2, 2024  
  
      **Attachments:**   [Attachment I Draft Minutes of 4/2/2024](#)
  
2.     [CONS 24-183](#)     Adopt a Resolution Approving the Project List for FY 2025 Road Repair and Accountability Act (RRAA) Funding for the FY 2025 Pavement Improvement Project  
  
      **Attachments:**   [Attachment I Staff Report](#)  
                          [Attachment II Resolution](#)  
                          [Attachment III Project Limits](#)
  
3.     [CONS 24-184](#)     Adopt a Resolution Authorizing the City Manager to Accept and Appropriate Funds from the California Water and Wastewater Arrearage Payment Program (CWWAPP) for Drinking Water and Wastewater Arrearages in an Amount Not-to-Exceed \$1,514,975.36  
  
      **Attachments:**   [Attachment I Staff Report](#)  
                          [Attachment II Resolution](#)
  
4.     [CONS 24-201](#)     Adopt a Resolution Approving the FY 2025 Measure BB Annual Paratransit Program Plan and Authorizing the City Manager to Execute FY 2025 Service Agreements for the Continued Provision of Measure BB Funded Paratransit Services  
  
      **Attachments:**   [Attachment I Staff Report](#)  
                          [Attachment II Funding Recommendations](#)  
                          [Attachment III Paratransit Program Plan Application](#)  
                          [Attachment IV Resolution](#)

5.      [CONS 24-204](#)      Adopt a Resolution Authorizing the City Manager to (1) Accept and Appropriate \$6,206,508 in Grant Funding from the California Air Resource Board; and 2) Approve a Resource Contribution of \$3,500 from Transportation System Improvement Fund 460 for the Safe Routes and Active Transportation for Schools and Underserved Communities in Hayward Project Nos. 06937 and 06941

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

6.      [CONS 24-211](#)      Adopt a Resolution Affirming the Appointment of a New Hayward Poet Laureate and Establishing Protocol for the Selection of Hayward Poet Laureates Effective April 23, 2024

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

7.      [CONS 24-214](#)      Adopt a Resolution Awarding a Contract to MCK Services, Inc., for the FY24 Pavement Improvement Project, Project No. 05242, in the Amount of \$12,365,204.50 and Authorizing an Administrative Change Order Budget of \$969,795.50

**Attachments:**      [Attachment I Staff Report](#)  
                                  [Attachment II Resolution](#)  
                                  [Attachment III Project List](#)  
                                  [Attachment IV Location Map](#)

8.      [CONS 24-218](#)      Adopt a Resolution Authorizing the City Manager to Execute Amendment No. 6 to Increase Professional Services Agreement with Pavement Engineering, Inc., by \$409,460, for a Total Not-to-Exceed Amount of \$2,682,495 to Provide Engineering Services for the FY25 Pavement Improvement Project, Project No. 05338

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

## WORK SESSION

*Work Session items are non-action items. Although the Council may discuss or direct staff to follow up on these items, no formal action will be taken. Any formal action will be placed on the agenda at a subsequent meeting in the action sections of the agenda.*

9.     [WS 24-009](#)     HHTF Continuation: Work Session Regarding the Term of Homelessness-Housing Taskforce (HHTF) (Report from Director of Development Services Buizer)
- Attachments:**   [Attachment I Staff Report](#)
10.    [WS 24-011](#)     FY 2025 Strategic Roadmap: Discussion of Updates to Strategic Roadmap for FY 2025 (Report from City Manager McAdoo)
- Attachments:**   [Attachment I Staff Report](#)  
                          [Attachment II Council Feedback and Staff Comments](#)

#### PUBLIC HEARING

11.    [PH 24-019](#)     Community Agency Funding: Approval of FY 2025 Community Agency Funding Recommendations and the FY 2025 Annual Action Plan (Report from Assistant City Manager Youngblood)
- Attachments:**   [Attachment I Staff Report](#)  
                          [Attachment II Funding Recommendations](#)  
                          [Attachment III Resolution General Fund](#)  
                          [Attachment IV Resolution CDBG](#)  
                          [Attachment V Public Comments Overview](#)

#### LEGISLATIVE BUSINESS

12.    [LB 24-012](#)     Council-Appointed Officer's Employment Agreement: Adopt a Resolution Approving a New Employment Agreement between the City of Hayward and the Interim City Manager and Authorize the Mayor to Execute the Agreement (Report from Director of Human Resources Frye)
- Attachments:**   [Attachment I Staff Report](#)  
                          [Attachment II Resolution](#)  
                          [Attachment III Agreement](#)

#### COUNCIL REPORTS AND ANNOUNCEMENTS

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

**COUNCIL REFERRALS**

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

**ADJOURNMENT****NEXT SPECIAL MEETING, March 30, 2024, 7:00 PM****PUBLIC COMMENT RULES**

*Any member of the public desiring to address the Council shall limit their comments to three (3) minutes unless less or further time has been granted by the Presiding Officer or in accordance with the section under Public Hearings. The Presiding Officer has the discretion to shorten or lengthen the maximum time members may speak. Speakers will be asked for their name before speaking and are expected to honor the allotted time.*

**PLEASE TAKE NOTICE**

*That if you file a lawsuit challenging any final decision on any public hearing or legislative business item listed in this agenda, the issues in the lawsuit may be limited to the issues that were raised at the City's public hearing or presented in writing to the City Clerk at or before the public hearing.*

**PLEASE TAKE FURTHER NOTICE**

*That the City Council adopted Resolution No. 87-181 C.S., which imposes the 90-day deadline set forth in Code of Civil Procedure section 1094.6 for filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure section 1094.5.*

*\*\*\*Materials related to an item on the agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office, City Hall, 777 B Street, 4th Floor, Hayward, during normal business hours. An online version of this agenda and staff reports are available on the City's website. Written comments submitted to the Council in connection with agenda items will be posted on the City's website. All Council Meetings are broadcast simultaneously on the City website, Cable Channel 15 - KHRT, and YouTube.\*\*\**

*Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request the accommodation at least 48 hours in advance of the meeting by contacting the City Clerk at (510) 583-4400 or [cityclerk@hayward-ca.gov](mailto:cityclerk@hayward-ca.gov).*

*Assistance will be provided to those requiring language assistance. To ensure that interpreters are available at the meeting, interested persons must request the accommodation at least 48 hours in advance of the meeting by contacting the City Clerk at (510) 583-4400.*



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**File #:** MIN 24-052

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**DATE:** April 23, 2024

**TO:** Mayor and City Council

**FROM:** City Clerk

**SUBJECT**

Approve the Minutes of the City Council Meeting on April 2, 2024

**RECOMMENDATION**

That the Council approves the City Council meeting minutes of April 2, 2024.

**SUMMARY**

The City Council held a meeting on April 2, 2024.

**ATTACHMENTS**

Attachment I Draft Minutes of 4/2/2024





**CITY COUNCIL MEETING**  
**777 B Street, Hayward, CA 94541**  
**Council Chambers and Zoom**  
<https://hayward.zoom.us/j/83639328548?pwd=ZUdDZE5lM2R1dHNFbVJoVXJBckdmQT09>  
**Tuesday, April 2, 2024, 7:00 p.m.**

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The City Council meeting was called to order by Mayor Salinas at 7:02 p.m. The City Council held a hybrid meeting in the Council Chambers and virtually via Zoom.

**Pledge of Allegiance:** Council Member Bonilla Jr.

Present: COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche, Syrop, Zermeño  
MAYOR Salinas  
Absent: None

**CLOSED SESSION**

The City Council convened in closed session at 5:30 p.m., with all members present and no public speakers, regarding the City Attorney's annual evaluation pursuant to Government Code section 54957. Mayor Salinas announced the Council met regarding the item and took no reportable action.

**PUBLIC COMMENTS**

Beatrice Morales, Carpenters Local Union 713 representative, voiced the values of Carpenters Local Union 713, emphasizing the importance of fair wages, medical and retirement benefits, and commitment to apprenticeship programs.

Paul Taylor, Rental Housing Association (RHA) Executive Director, highlighted the role of RHA in providing information, advice, and education to members, and its efforts to resolve issues between housing providers and Eden Council for Hope and Opportunity (ECHO) housing.

Public Speaker A, Hayward resident, expressed concerns about tenant rights and alleged neglect and malpractices by landlords, particularly mentioning the Leisure Terrace apartments.

Public Speaker B criticized the City's approach to tenant rights and housing, alleging favoritism towards landlords and property management companies at the expense of tenants; and called for more equitable policies and protections for vulnerable tenants.

Shubbie Aishida, Peace Haven Executive Director, expressed dissatisfaction with the treatment received from City commissioners during the Community Agency Funding interview for the Freedom Store application; and raised concerns about the fairness of the grant allocation process.

Sandra Archuleta advocated for better accessibility for public meetings, including Zoom options and interpretation services, to reduce barriers of access.

## CITY MANAGER'S COMMENTS

City Manager McAdoo provided two announcements: 1) the Hayward Police Department will be hosting a recruiting event for collegiate athletes interested in law enforcement careers on April 6, 2024; and 2) the Hayward Area Recreation and Park District (HARD) Board of Directors held a study session on April 1, 2024 regarding the La Vista Park project where HARD Board members expressed concerns about the project costs and reached consensus that City and HARD staff would meet to address concerns raised, finalize plans and proceed with bidding the project.

## CONSENT

1. Approve the Minutes of the City Council Meeting on March 19, 2024 **MIN 24-043**  
It was moved by Council Member Andrews, seconded by Council Member Roche, and carried by the following roll call vote, to adopt the City Council meeting minutes of March 19, 2024.
2. Adopt a Resolution Authorizing the City Manager to Purchase Two 135 hp Variable Frequency Drive (VFD) Systems from Intec Solutions, Inc., for Use at the Valle Vista Lift Station, CIP Project No. 07739, in an Amount Not-to-Exceed \$152,000 **CONS 24-157**

Staff report submitted by Public Works Director Ameri, dated April 2, 2024, was filed.

It was moved by Council Member Andrews, seconded by Council Member Roche, and carried by the following roll call vote, to adopt the resolution.

AYES: COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche,  
Syrop, Zermeño  
MAYOR Salinas  
NOES: None  
ABSENT: None  
ABSTAIN: None

Resolution 24-060 "Resolution Authorizing the City Manager to Purchase Two 135 HP Variable Frequency Drive (VFD) Systems from Intec Solutions Inc. for use at the Valle Vista Lift Station, CIP Project No. 07739, in an Amount Not-To- Exceed \$152,000"

3. Adopt a Resolution Declaring the City of Hayward's Intention to Issue Tax-Exempt Obligations and Preserving the Ability for the City to Reimburse Itself for Expenses Associated with the Water Resource Recovery Facility (WRRF) Project **CONS 24-158**

Staff report submitted by Finance Director Gonzales and Public Works Director Ameri, dated April 2, 2024, was filed.



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<https://hayward.zoom.us/j/83639328548?pwd=ZUdDZE5lM2R1dHNFbVJoVXJBckdmQT09>  
**Tuesday, April 2, 2024, 7:00 p.m.**

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It was moved by Council Member Andrews, seconded by Council Member Roche, and carried by the following roll call vote, to adopt the resolution.

AYES: COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche,  
Syrop, Zermeño  
MAYOR Salinas

NOES: None

ABSENT: None

ABSTAIN: None

Resolution 24-061“Resolution of the City Council of the City of Hayward Declaring Intention to Reimburse Expenditures from the Proceeds of Obligations to be Issued by the City to Finance the Water Resource Recovery Facility (WRRF) Improvements Phase II Project, the WRRF New Administration and Lab Project and the Primary Effluent Equalization Facility Project, and Providing Other Matters Related Thereto”

4. Adopt a Resolution Approving Plans and Specifications and Calling for Bids for the FY24 Sidewalk Rehabilitation and Wheelchair Ramp Project, Project No. 05324 **CONS 24-177**

Staff report submitted by Public Works Director Ameri, dated April 2, 2024, was filed.

It was moved by Council Member Andrews, seconded by Council Member Roche, and carried by the following roll call vote, to adopt the resolution.

AYES: COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche,  
Syrop, Zermeño  
MAYOR Salinas

NOES: None

ABSENT: None

ABSTAIN: None

Resolution 24-062, “Resolution Approving Plans and Specifications for the FY24 Sidewalk Rehabilitation and Wheelchair Ramps, Project No. 05324 and Call for Bids”

5. Adopt an Ordinance Amending the Zoning Map and Chapter 10, Article 1 (Zoning Ordinance) of the Hayward Municipal Code to Establish an Affordable Housing Overlay District to Allow Ministerial Design Review of New Residential Development Subject to Minimum Affordability Criteria and to Rezone Three Properties Subject to the Overlay District **CONS 24-169**

Staff report submitted by City Clerk Lens, dated April 2, 2024, was filed.

It was moved by Council Member Andrews, seconded by Council Member Roche, and carried by the following roll call vote, to adopt the resolution.

AYES:	COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche, Syrop, Zermeño MAYOR Salinas
NOES:	None
ABSENT:	None
ABSTAIN:	None

## **WORK SESSION**

6. Community Agency Funding: Fiscal Year 2025 Community Agency Funding Recommendations for Services, Arts & Music, and Economic Development and Infrastructure and Overview of the FY 2025 Annual Action Plan **WS 24-007**

Staff report submitted by Assistant City Manager Youngblood, dated April 2, 2024, was filed.

Community Services Manager Cole-Bloom announced the item, acknowledged the work by members of the Community Services Commission, and introduced Management Analyst Hwang who provided an overview of the FY 2025 Community Development Block Grant (CDBG) Annual Action Plan.

Members of the City Council made disclosures as follows: Mayor Salinas and Council Member Zermeño both hold positions on the St. Rose Foundation Board; Council Member Goldstein has an ongoing business relationship with the Chief Executive Officer of Be A Mentor; Council Member Syrop's mother serves on the Hayward Arts Council Board; and Council Member Bonilla Jr.'s mother is a childcare provider affiliated with Community Child Care Council (4Cs).

Mayor Salinas and Mayor Pro Tempore Zermeño recused themselves from the presentation and discussion of Community Agency Funding recommendations under the CDBG Economic Development and Infrastructure category because while St. Rose Hospital Foundation was not recommended for funding, the Foundation had applied for funds. They both left the Council Chamber at 7:32 p.m.

Former and Interim Mayor Pro Tempore Andrews took over the proceedings.



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<https://hayward.zoom.us/j/83639328548?pwd=ZUdDZE5lM2R1dHNFbVJoVXJBckdmQT09>  
**Tuesday, April 2, 2024, 7:00 p.m.**

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Management Analyst Hwang provided an overview of the Community Agency Funding recommendation under the CDBG Economic Development and Infrastructure category.

CSC members Austin Bruckner-Carrillo, Jesse Gunn, Calvin Wong and Lenita Wheeler were in attendance as they had participated in the Application Review Committees (ARCs).

Discussion ensued among members of the City Council, City staff, CSC members, and the following clarifications were made: South Hayward Parish and St. Rose Foundation both have unspent funds from previous fiscal years that need to be spent before receiving additional funding; the five agencies recommended for full funding were Centro Community Partners, 4Cs of Alameda County, Love Never Fails, Habitat for Humanity East Bay/Silicon Valley Inc., and the rehabilitation and repair program; staff will follow up with the Downtown Streets agency to expand their service to other parts of Hayward such as West Hayward and Hesperian Boulevard; staff will work with other vendors to allocate the funds for home rehabilitation and repair program, ensuring no gap in services; and the possibility of reallocating funds from underutilized projects to organizations such as La Familia.

Interim Mayor Pro Tempore Andrews opened the public comment section at 7:44 p.m.

Carlos Archuleta expressed concern over funding significant allocations to agencies located outside Hayward's jurisdiction such as Eden United Church of Christ; and suggested a potential conflict of interest with the church's role in hosting candidate forums.

Sandra Archuleta advocated for funding the Family Emergency Shelter Coalition (FESCO) project the full request, emphasizing their critical role in not only providing emergency shelter services, but also in supporting economic development through job assistance and resource finding.

Interim Mayor Pro Tempore Andrews closed the public comment section at 7:51 p.m.

In response to Council Member Roche's inquiry about the rationale behind FESCO's funding recommendation, Community Services Commissioner Wong clarified the decision to allocate \$15,000 for FESCO was to fund their security system, citing the amount as proportionate to the project's scope and the organization's size.

Council Member Bonilla Jr. raised concerns about the adequacy of \$15,000 for FESCO's security system, and suggested any available funds in the category be considered for increasing funds in the future.

Council Member Syrop expressed support for the funding recommendations, highlighted the diversity and representativeness of the Commission's work, and asked if other funding options were pursued for FESCO's security cameras to which Manager Cole-Bloom stated staff would investigate it.

Council Member Goldstein agreed with the funding recommendations.

Council Member Roche supported the recommendations but suggested that, should additional funding become available, FESCO should receive full or increased funding for its security system to ensure the project's feasibility.

Council Member Andrews stated that the \$15,000 allocated to FESCO seemed insufficient for a commercial building's security system and suggested further review by staff to assess the adequacy of the funding.

Interim Mayor Pro Tempore Andrews re-opened the public comment at 7:57 p.m.

Public Speaker 1 expressed concern about the lack of an evaluation system for public funding of agencies or to provide feedback on the services; and emphasized the need for audits to ensure agencies are benefiting the community.

In response to Council Member Roche's request to address the last speaker's comment, Manager Cole-Bloom detailed the comprehensive monitoring process in place for funding recipients.

Interim Mayor Pro Tempore Andrews closed public comment at 8:03 p.m.

Interim Mayor Pro Tempore Andrews called for a recess and the meeting reconvened at 8:09 p.m. Mayor Salinas and Mayor Pro Tempore Zermeño returned to the Council Chamber.

Management Analyst Hwang provided an overview of the Community Agency Funding recommendations for funding across three categories: CDBG, Public Services; General Fund, Social Services; and General Fund, Arts and Music.

Management Analyst Hwang highlighted the next steps noting the public comment period extended until May 2, 2024, the public hearing was scheduled for April 23, 2024, and the FY 2025 Annual Action Plan submission to CDBG scheduled for May 15, 2024.

Mayor Salinas opened the public comment section at 8:14 p.m.

Members of the CSC expressed gratitude towards the Council, City staff, applicants, and fellow commissioners.

Austin Bruckner-Carillo, CSC Chair, acknowledged the evolving and sometimes burdensome nature of the application process, noted improvements such as the elimination of site visits and the implementation of an online portal to streamline applications, and encouraged the Council to develop guidelines for individuals who might have conflicts of interest.

Jesse Gunn, CSC Commissioner, expressed the process marked his first involvement chairing in funding recommendations; and highlighted the value of differing opinions and the resultant discussions and compromises as signs of a healthy process.

Calvin Wong, CSC Commissioner, emphasized the importance of supporting projects that offer dignity and opportunities across all ages and circumstances; and detailed the CSC's focus on enriching community culture and supporting microenterprise environments, especially in critical services like childcare and career development.



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Shubbie Aishida thanked all for their support; and highlighted her agency's drastic increase in service demand, from serving 40-50 individuals daily to over 400, making it clear that the current funding level is insufficient to sustain operations.

Mayor Salinas closed the public comment section at 8:25 p.m.

Members of the City Council thanked the Community Services Commission for its work making recommendations for the distribution of CDBG and General Fund allocations to programs in the Infrastructure and Economic Development (CDBG), Public/Social Services (CDBG/General Fund), and Arts and Music (General Fund) categories; and to City staff for helping with the FY 2025 Community Agency Funding (CAF) process.

Discussion ensued among members of the Council, members of the CSC, and City staff; and the following clarifications were made: 05 Sikh Seva's \$10,000 recommended allocation was due to concerns about the organization's data tracking, its ability to prove services target low-income residents in Hayward, and the cap established for various services; the Peace Haven Corporation's Freedom Store applied for funding beyond the available \$50,000 and is recommended to receive \$10,000 from the General Fund; the City opted to participate in national settlement agreements, receiving over \$100,000 to date, for opioid distributor settlement funds; the school district's funding mechanism for licensed vocational nurse (LVN) positions at two Hayward high schools (Hayward High and Tennyson) is based on reimbursements, and the City's funding allocation was sought to initiate payment, allowing time for the Hayward Unified School District to secure reimbursements; CSC prioritized agencies focusing on housing, food security, youth, and family support services, with evaluations based on provided information and a rubric that guided funding decisions; the evaluation process was equitable but there were challenges in assessing new applicants such as Daily Bowl and 05 Sikh Seva; while some funded agencies might not operate directly in Hayward, they are required to serve Hayward residents, such as the Eden United Church of Christ's Newcomer Navigation Service which is located in South Hayward; and the Sun Gallery's funding was capped based on operational years and compliance with funding requirements.

Council Member Syrop encouraged the public to engage with the City regarding any issues or inquiries about funded organizations; suggested that staff include more PPT slides in future presentations to better inform the community about the funding process and its timeline; pleaded the Council on how to consider increasing Community Agency Funding; and acknowledged the positive impact of the Peace Haven Corporation's Freedom Store for unhoused individuals, and suggested potential future support as allocations are finalized.

Council Member Zermeño acknowledged the significant increase in funding requests this year and anticipated even greater demand in the future; and highlighted the positive feedback from the community, noting minimal complaints and viewing this as a testament to the CSC's effectiveness.

Council Member Andrews advocated for seeking additional funding beyond the \$100,000 allocation from the national opioid use settlement agreement to address the opioid crisis's broader impacts on the community and suggested a collective letter of advocacy from the Council, supported increasing funds for Peace Haven Corporation and South Hayward Parish as they provide services to communities experiencing homelessness, and recommended giving any additional funds to FESCO.

Council Member Bonilla Jr. encouraged staff to work with the 05 Sikh Seva agency and provide technical assistance to overcome administrative barriers and improve data reporting, emphasizing the need for increased funding in the future for essential services such as food provision.

Council Member Roche raised concerns about funding for agencies under the food security category, noting that agencies were not recommended for the full funding of \$50,000 with exceptions such as Spectrum Community Services' Meal Programs for Seniors and recommended that any extra funds be allocated to food security organizations.

Mayor Salinas noted Council Member Syrop's request for flexibility in presentation slides, acknowledging some topics might require more slides; highlighted the need for clearer conflict of interest guidelines, especially when community members are engaged in multiple local organizations; mentioned the complexities of food distribution and storage; noted organizations, such as 5 Sikh Seva, that are successful at delivering meals; and expressed his appreciation for the CSC's work.

CSC Chair Brucker-Carrillo suggested a refresher on anti-bias training for the CSC before the next year's funding process to enhance sensitivity and competence in their deliberations; encouraged the public to review the application of Eden United Church of Christ, noting its significant contributions in Alameda County and the leadership of Reverend Dr. Arlene Nering; and commented on the funding and operational challenges faced by organizations like 05 Sikh Seva.

## **PUBLIC HEARING**

7. Hayward Hangars Project TEFRA Hearing: Public TEFRA Hearing as Required by the Internal Revenue Code of 1986, and Adoption of a Resolution Approving the Issuance of Industrial Revenue Bonds by the California Public Finance Authority in an Amount Not-to-Exceed \$5,253,000 to Finance or Refinance the Construction Improvement of the Hayward Executive Airport Located at 20995-22049 Skywest Drive, Hayward, California  
**PH 24-018**

Staff report submitted by Finance Director Gonzales, dated April 2, 2024, was filed.

Finance Director Gonzales provided a synopsis of the staff report, highlighting that Hayward Hangars LLC had requested the City to hold a Tax and Equity Fiscal Responsibility Act (TEFRA) hearing to consider the issuance of tax-exempt industrial revenue bonds.





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**Council Chambers and Zoom**  
<https://hayward.zoom.us/j/83639328548?pwd=ZUdDZE5lM2R1dHNFbVJoVXJBckdmQT09>  
**Tuesday, April 2, 2024, 7:00 p.m.**

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In response to Council Member Roche’s request for clarification on the financial implications of the TEFRA hearing, City staff confirmed the bond issuance would not impact the General Fund and was solely for leveraging the City’s tax-exempt status for the project and noted the Council had already approved the project, which involves the expansion of executive hangars at the Hayward Airport and the need for a TEFRA hearing was prompted by a change in the financial institution involved.

There being no public comment, Mayor Salinas opened and closed the public hearing at 9:13 p.m.

Council Member Zermeño made a motion to approve the staff report and Council Member Goldstein seconded the motion.

In response to Council Member Syrop’s request for clarification on the capacity of the new hangar units in terms of airplane storage, Jim Altschul, representing Hayward Hangars LLC, responded by noting the construction of eight new units, with leases already signed for seven, and added that most units will accommodate one plane.

It was moved by Council Member Zermeño, seconded by Council Member Goldstein, and carried by the following roll call vote, to adopt the resolution.

AYES:	COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche, Syrop, Zermeño MAYOR Salinas
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution 24-063 “Resolution Approving the Issuance of Industrial Revenue Bonds by the California Public Finance Authority in an Amount Not to Exceed \$5,253,000 for the Hayward Hangars Project Located at the Hayward Executive Airport”

## **COUNCIL REPORTS AND ANNOUNCEMENTS**

Mayor Salinas commended the Mt. Eden High School’s Puente Project students and Hayward police officers for helping the Kids Breakfast Club at Burbank Elementary School to prepare and serve breakfast to children and families every weekday morning.

Council Member Andrews made the following announcements: the upcoming Disposal Day on April 13, 2024, with information available on Hayward’s website; the Keep Hayward Cleaning

and Green Task Force initiative, which includes a front yard assistance program for seniors with a May 24, 2024, application deadline; the Earth Day event on April 20, 2024, at Weekes Park; and thanked the Hayward Area Recreation and Park District for organizing successful Easter egg hunts at Kennedy Park.

Council Member Bonilla Jr. thanked Council Member Zermeño for organizing a successful event commemorating Cesar Chavez Day on March 30, 2024, at City Hall.

## **COUNCIL REFERRAL**

### **8. City Council Referral: Public Art RPT 24-025**

Council referral memorandum submitted by Council Member Andrews and Council Member Roche, dated April 2, 2024, was filed.

Council Member Andrews spoke about the referral proposing a streamlined approach for developers to include public art in their projects, suggesting a policy where developers contribute 1 to 2% of project costs either directly into public art within their developments or into a fund dedicated to citywide art initiatives; and thanked City staff for the staff analysis completed.

Council Member Roche supported Council Member Andrews's proposal, acknowledging her long-standing advocacy for public art; and highlighted the positive impacts of public art policies observed in other cities, such as fostering economic development and enhancing public spaces.

Mayor Salinas expressed support for the referral, acknowledging public art generates economic development and brings community together.

Council Member Andrews made a motion to approve the referral and Council Member Roche seconded the motion.

Council Member Syrop advocated for administering the potential art fund toward permanent public art and culture staffing.

There being no public speakers, Mayor Salinas opened and closed the public comment section at 9:25 p.m.

It was moved by Council Member Andrews, seconded by Council Member Roche, and carried by the following roll call vote, to approve the Council referral.

AYES:	COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche, Syrop, Zermeño MAYOR Salinas
NOES:	None
ABSENT:	None
ABSTAIN:	None



**CITY COUNCIL MEETING**  
**777 B Street, Hayward, CA 94541**  
**Council Chambers and Zoom**  
<https://hayward.zoom.us/j/83639328548?pwd=ZUdDZE5lM2R1dHNFbVJoVXJBckdmQT09>  
**Tuesday, April 2, 2024, 7:00 p.m.**

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**ADJOURNMENT**

Mayor Salinas adjourned the City Council meeting at 9:29 p.m.

**APPROVED**

\_\_\_\_\_  
Mark Salinas  
Mayor, City of Hayward

**ATTEST:**

\_\_\_\_\_  
Miriam Lens  
City Clerk, City of Hayward



# CITY OF HAYWARD

Hayward City Hall  
777 B Street  
Hayward, CA 94541  
www.Hayward-CA.gov

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**File #:** CONS 24-183

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**DATE:** April 23, 2024

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT**

Adopt a Resolution Approving the Project List for FY25 Road Repair and Accountability Act (RRAA) Funding for the FY25 Pavement Improvement Project

**RECOMMENDATION**

That the Council adopts a resolution (Attachment II) approving the project list for RRAA FY2025 (FY25) funding for the FY25 Pavement Improvement Project (PIP).

**SUMMARY**

A yearly application must be submitted to the California Transportation Commission (CTC) to continue receiving RRAA funding, which must include a resolution approving a project list of street segments or defined regions of the City for the estimated revenue. The RRAA revenue estimate for FY25 is \$4,000,000 and the project list includes the Hayward neighborhoods within the limits of I-880, SR-92, Harder Rd, Mission Blvd, Calhoun St, and City Limits, as shown on Attachment III.

**ATTACHMENTS**

- Attachment I Staff Report
- Attachment II Resolution
- Attachment III Project Limits Map



**DATE:** April 23, 2024

**TO:** Mayor and City Council

**FROM:** Director of Public Works

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### **BACKGROUND**

On April 28, 2017, the Governor signed Senate Bill 1 (SB1), the RRAA of 2017, to address basic road maintenance, rehabilitation, and critical safety needs through an increase in per gallon fuel excise taxes and vehicle registration fees.

To receive each year's SB1 apportionments, cities must apply to the CTC for the funds by submitting a tentative project list approved by resolution to the CTC. The project list must contain either a list of street segments or defined regions of the City undergoing rehabilitation, an estimated completion date for the project, and the estimated useful life of the paving methods utilized.

### **DISCUSSION**

This project is part of the larger FY25 PIP. This project is scheduled to finalize a street list by September 2024, call for bids in winter 2025, start construction in Spring 2025, and complete construction in Fall of 2025.

The RRAA revenue estimate of \$4,000,000 will be used to treat the Hayward neighborhoods within the limits of I-880, SR-92, Harder Rd, Mission Blvd, Calhoun St, and City Limits. This

area includes streets in very poor condition with high number of resident requests in order to improve and increase equity in distribution of City services (E 12 St, Webster St, Zypher Ave, Wiegman Rd, Santana St, etc.). Preventative maintenance treatment estimated useful life is 5-10 years and pavement rehabilitation treatment estimated useful life is 10-15 years.

### **ECONOMIC IMPACT**

This project will economically benefit the City by decreasing motorist travel time via reduced potholes, increase curb appeal and the desirability of residential neighborhoods, and attracting business to the City.

### **FISCAL IMPACT**

This project is fully funded by the City's CIP through RRAA and has no impact on the General Fund. The estimated revenue from RRAA for FY25 is \$4,000,000. This amount will be budgeted in the recommended FY25-FY33 CIP which is scheduled to be presented to Council for adoption later this spring.

### **STRATEGIC ROADMAP**

This agenda item supports the FY24 to FY25+ Strategic Roadmap of Invest in Infrastructure. Specifically, this item relates to the implementation of the following project(s):

Project N6 - Continue to add approximately 10 miles of bike lanes annually, with a focus on protected bike lanes and intersections that have high traffic/incidents.

### **SUSTAINABILITY FEATURES**

The project requires the contractor to recycle all construction and demolition debris generated from the project. This project is consistent with City's Complete Streets Policy and improves travel for all users including:

- Improved pavement for motorists and bicyclists
- Additional bike lanes and sharrows for bicyclists
- More visible pavement markings for pedestrians, including near school zones
- New or upgraded curb ramps to meet the recently revised Caltrans standards for pedestrians

The project satisfies the following General Plan policies:

- PFS-7.10 Recycled Products or Processes for Capital Projects
- HQL-2.5 Safe Routes to School
- HQL-2.6 Education on Sharing the Road
- M-1.7 Eliminate Gaps (in pedestrian networks)
- M-3.1 Serving All Users

- M-5.1 Pedestrian Needs
- M-5.6 Safe Pedestrian Crossings
- M-6.2 Encourage Bicycle Use

**PUBLIC CONTACT**

Immediately after the construction contract is awarded, a preliminary notice explaining the project will be posted and distributed to all residents and businesses along the affected streets. After the construction work has been scheduled, signs on barricades will be posted seventy-two hours prior to commencement of work indicating the date and time of work for each street. Residents will be advised to park their vehicles on side streets outside of the work area during the period when the streets are being treated.

**NEXT STEPS**

If Council approves this recommendation, staff will submit the defined regions in the City and resolution to the CTC.

May 2024	Submit RRAA funding application to CTC
Summer 2024	Finalize project list of streets
Fall 2025	Call for bids & bid opening
Spring 2025	Begin construction
Fall 2025	Complete construction

*Prepared by:* Yama Farouqi, Associate Civil Engineer  
 Kathy Garcia, Deputy Director of Public Works

*Recommended by:* Alex Ameri, Director of Public Works

*Approved by:*




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Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 24-\_\_\_\_

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

RESOLUTION APPROVING PROJECT LIST FOR FY25 ROAD REPAIR AND ACCOUNTABILITY ACT (RRAA) FUNDING FOR THE FY25 PAVEMENT IMPROVEMENT PROJECT

WHEREAS, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and Signed into law by the Governor in April 2017 in order to address the significant multi-modal transportation funding shortfalls statewide; and

WHEREAS, SB 1 includes accountability and transparency provisions that will ensure the residents of Hayward are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and

WHEREAS, the City must approve a list of all projects or defined regions of the City proposed to receive funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

WHEREAS, the City will receive an estimated \$4,000,000 in RMRA funding in Fiscal Year 2025 from SB1; and

WHEREAS, this is the seventh year in which the City of Hayward is receiving SB 1 funding and will enable the City of Hayward to continue essential road maintenance and rehabilitation projects, safety improvements, repairing and replacing aging bridges, and increasing access and mobility options for the traveling public that would not have otherwise been possible without SB 1; and

WHEREAS, the City has undergone a robust public process to ensure public input into our community's transportation priorities; and

WHEREAS, the City will use a Pavement Management System to develop the SB 1 project list to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the community's priorities for transportation investment; and

Whereas, the funding from SB 1 will help the City maintain and rehabilitate street sections in the defined region of the City listed below in Fiscal Year 2025 and dozens of similar projects into the future; and



WHEREAS, the 2018 California Statewide Local Streets and Roads Needs Assessment found that the City’s streets and roads are in “good” condition and this revenue will help us increase the overall quality of our road system and over the next decade will help maintain our streets and roads in “good” condition.

THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that:

1. The foregoing recitals are true and correct.
2. The fiscal year 2024-25 list of projects planned to be funded with Road Maintenance and Rehabilitation Account revenues include:
  - Hayward neighborhoods within I-880, SR-92, Harder Rd, Mission Blvd, Calhoun St, and City Limits.
  - Preventative maintenance treatment estimated useful life is 5-10 years.
  - Pavement rehabilitation treatment estimated useful life is 10-15 years.
  - Begin construction: Spring 2025
  - End construction: Fall 2025

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2024

ADOPTED BY THE FOLLOWING VOTE:

AYES:           COUNCIL MEMBERS:  
                  MAYOR:

NOES:           COUNCIL MEMBERS:

ABSTAIN:       COUNCIL MEMBERS:

ABSENT:        COUNCIL MEMBERS:

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

APPROVED AS TO FORM:

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

**ATTACHMENT III**



**Project Limits for FY25 Road Repair and Accountability Act (RRAA) Funding for the FY25 Pavement Improvement Project**



# CITY OF HAYWARD

Hayward City Hall  
777 B Street  
Hayward, CA 94541  
www.Hayward-CA.gov

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**File #:** CONS 24-184

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**DATE:** April 23, 2024

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT**

Adopt a Resolution Authorizing the City Manager to Accept and Appropriate Funds from the California Water and Wastewater Arrearage Payment Program (CWWAPP) for Drinking Water and Wastewater Arrearages in an Amount Not-to-Exceed \$1,514,975.36

**RECOMMENDATION**

That the City Council adopts a resolution (Attachment II) authorizing the City Manager to accept and appropriate funds from the California Water and Wastewater Arrearage Payment Program (CWWAPP) for Drinking Water and Wastewater Arrearages in an Amount Not to Exceed \$1,514,975.36.

**SUMMARY**

In December 2023, staff applied for funding through the CWWAPP, a program administered by the State Water Resources Control Board (SWRCB), to reduce delinquent water and wastewater balances for customers experiencing financial hardships related to the pandemic. Staff requested funding to cover all of Hayward residential and commercial customers' eligible delinquent bill amounts and the City has been awarded 100% of the request. Staff is now seeking authorization to accept and appropriate the awarded funds in an amount not-to-exceed \$1,514,975.36 in Water Operating Fund 605 and Wastewater Operating Fund 610. Awarded funding must be used to credit commercial and residential accounts that still have outstanding bills from the extended pandemic period, defined as June 16, 2021, to December 31, 2022.

**ATTACHMENTS**

Attachment I Staff Report  
Attachment II Resolution



**DATE:** April 23, 2024

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT:** Adopt a Resolution Authorizing the City Manager to Accept and Appropriate Funds from the California Water and Wastewater Arrearage Payment Program (CWWAPP) for Drinking Water and Wastewater Arrearages in an Amount Not to Exceed \$1,514,975.36

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### **SUMMARY**

In December 2023, staff applied for funding through the CWWAPP, a program administered by the State Water Resources Control Board (SWRCB), to reduce delinquent water and wastewater balances for customers experiencing financial hardships related to the pandemic. Staff requested funding to cover all of Hayward residential and commercial customers' eligible delinquent bill amounts and the City has been awarded 100% of the request. Staff is now seeking authorization to accept and appropriate the awarded funds in an amount not-to-exceed \$1,514,975.36 in Water Operating Fund 605 and Wastewater Operating Fund 610. Awarded funding must be used to credit commercial and residential accounts that still have outstanding bills from the extended pandemic period, defined as June 16, 2021, to December 31, 2022.

### **BACKGROUND AND DISCUSSION**

The economic impacts resulting from the COVID-19 pandemic left many Californians unable to pay their water and wastewater bills. In response, nearly \$1 billion in Federal American Rescue Plan Act (ARPA) funding was allocated to the SWRCB to administer a program to reduce delinquent water and wastewater balances for customers experiencing financial hardships related to the pandemic. In February 2022 and June 2022, the City received \$1,853,487 for drinking water arrearages and \$744,389 for wastewater arrearages to credit customers for the period of March 4, 2020, to June 15, 2021.

In October 2023, California community water systems were given another opportunity to report their residential and commercial customers' delinquent bill amounts during the extended pandemic period, defined as June 16, 2021, to December 31, 2022, as a remaining \$600 million were still available after the original implementation of the CWWAPP. In late 2023, staff applied for the extended period CWWAPP funding to credit those delinquent customers' accounts, thereby forgiving their debt. Hayward commercial and residential customers' delinquent bills for drinking water during the extended pandemic period totaled \$985,689.34. This amount is owed by 2,267 residential accounts and 100 commercial accounts. Hayward commercial and residential customers' delinquent bills for wastewater during the extended pandemic period totaled \$485,160.53 owed by 2,228 residential accounts and 103 commercial accounts. Staff requested funding through the extended CWWAPP period to cover this entire amount, plus an additional 3%, or \$44,125.49, for costs associated with administering the program.

Administrative requirements include posting funds to customer accounts within sixty days of receipt, notifying customers of the posted funds, and direct noticing to customers who still have remaining debt, offering to enroll them in a payment plan. Additional program requirements can be found in the Program Guidelines, posted on the SWRCB website.

### **ECONOMIC IMPACT**

People of color and low-income communities have and continue to be disproportionately impacted by COVID-19, and these funds will provide much-needed relief to local residents and commercial business owners who were hit hardest by the crisis. The assistance will aid both Hayward water and wastewater customers and the local economy in its continued recovery from the pandemic.

### **FISCAL IMPACT**

A total of \$1,514,975.36 has been awarded to the City to offset customer's drinking water arrearages and administer this program. If approved by Council, this amount will be accepted as revenue in Water Operating Fund 605 and Wastewater Operating Fund 610, and will then be appropriated so it may be posted to eligible customers' accounts and spent on eligible administrative costs. It is important to note that any pandemic-period water and wastewater debt which a customer has paid between the date this amount was calculated and the date funds would be posted to their account becomes ineligible for coverage under the program and must be returned to the State. For this reason, it is possible that the total amount accepted and appropriated within Fund 605 and Fund 610 may be less than the award amount reflected in this report.

### **STRATEGIC ROADMAP**

This agenda item is an operational item and does not relate to any of the six priorities outlined in the Council's Strategic Roadmap.

## **SUSTAINABILITY FEATURES**

This item does not involve any sustainability features.

## **PUBLIC CONTACT**

The CWWAPP has several public contact requirements, including that the City must notify customers when funds are posted to their accounts. The City must also send a direct notice to customers who still have remaining debt, offering to enroll them in a payment plan. A full list of the program requirements can be found in the Program Guidelines, posted on the SWRCB website<sup>1</sup>.

## **NEXT STEPS**

If Council authorizes this action, staff will accept and appropriate the CWWAPP funds in Water Operating Fund 605 and Wastewater Operating Fund 610 to administer the program per the program requirements.

*Prepared by:* Marissa Matta, Management Analyst

*Recommended by:* Alex Ameri, Director of Public Works

Approved by:



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Kelly McAdoo, City Manager

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<sup>1</sup> [https://www.waterboards.ca.gov/arrearage\\_payment\\_program/](https://www.waterboards.ca.gov/arrearage_payment_program/)

HAYWARD CITY COUNCIL

RESOLUTION NO. 24-\_\_\_\_\_

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

RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT AND APPROPRIATE FUNDS FROM THE CALIFORNIA WATER AND WASTEWATER ARREARAGE PAYMENT PROGRAM FOR DRINKING WATER AND WASTEWATER ARREARAGES IN AN AMOUNT NOT TO EXCEED \$1,514,975.36

WHEREAS, nearly \$1 billion in Federal American Rescue Plan Act (ARPA) funding has been allocated to the California State Water Resources Control Board (SWRCB) to administer a program to reduce delinquent water and wastewater balances for customers experiencing financial hardships related to the COVID-19 pandemic; and

WHEREAS, the SWRCB used this funding to establish the California Water and Wastewater Arrearage Payment Program (CWWAPP), a program intended to provide relief to community water and wastewater systems for unpaid customer bills during the pandemic; and

WHEREAS, in December 2023, staff applied for funding through the CWWAPP a program administered by the SWRCB, to reduce delinquent water and wastewater balances for customers experiencing financial hardships related to the pandemic.

WHEREAS, the SWRCB provided community water systems the opportunity to apply for funding through the CWWAPP to cover their commercial and residential customer's drinking water arrearages incurred during the extended pandemic period, defined as June 16, 2021, to December 31, 2022; and

WHEREAS, Hayward commercial and residential customers' eligible delinquent bills for drinking water totaled \$985,689.34; and

WHEREAS, Hayward commercial and residential customers' eligible delinquent bills for wastewater totaled \$485,160.53; and

WHEREAS, Hayward requested a total of \$1,514,975.36 through the CWWAPP, which included an additional 3%, or \$44,125.49, for costs to administer the program; and







# CITY OF HAYWARD

Hayward City Hall  
777 B Street  
Hayward, CA 94541  
www.Hayward-CA.gov

**File #:** CONS 24-201

**DATE:** April 23, 2024

**TO:** Mayor and City Council

**FROM:** Assistant City Manager

**SUBJECT**

Adopt a Resolution Approving the FY 2025 Measure BB Annual Paratransit Program Plan and Authorizing the City Manager to Execute FY 2025 Service Agreements for the Continued Provision of Measure BB Funded Paratransit Services

**RECOMMENDATION**

That Council:

1. Adopts a resolution (Attachment IV) authorizing the FY 2025 Measure BB Annual Paratransit Program Plan, including the continued provision of the Hayward Operated Paratransit (HOP) programs.
2. Authorize the City Manager to execute FY 2025 service agreements for the continued provision of Measure BB funded Paratransit services.

**SUMMARY**

This report provides an overview of the Hayward Operated Paratransit program’s FY 2025 Annual Paratransit Program Plan, estimated program costs, and next steps. With the sunset of Measure B in FY 2023, the program will be funded exclusively via Measure BB through 2045. The Measure BB funding recommendations are summarized by category and service provider in Table 1 below.

**Table 1. FY 2025 Estimated Program Cost**

<b>PROGRAM</b>	<b>PROVIDER</b>	<b>AMOUNT</b>
Program Administration	Staff	\$ 516,000
Marketing & Data Collection	Staff	15,400
Service Providers		
Eden Information & Referral (Eden I&R)	VIP ZIP/Means-Based Fare Program	275,000
Service Opportunity for Seniors (SOS)	Meals on Wheels	100,000

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**File #:** CONS 24-201

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Alzheimer's Services of the East Bay (ASEB)	Specialized Van Services	75,000
Community Resources for Independent Living (CRIL)	Mobility Management/Travel Training	50,000
Service Enhancement Pilots		
TBD	Wheelchair Accessible Van (WAV)	75,000
TBD	Group Trips	75,000
TBD	Door-through-Door Transportation	75,000
TBD	Self-Serve/App-Based Scheduling	50,000
<b>TOTAL</b>		<b>\$ 1,306,400</b>

**ATTACHMENTS**

Attachment I            Staff Report  
Attachment II          Funding Recommendations  
Attachment III        FY 2025 Measure B/BB Paratransit Program Plan Application  
Attachment IV        Resolution



**DATE:** April 23, 2024

**TO:** Mayor and City Council

**FROM:** Assistant City Manager

**SUBJECT:** Adopt a Resolution Approving the FY 2025 Measure BB Annual Paratransit Program Plan and Authorizing the City Manager to Execute FY 2025 Service Agreements for the Continued Provision of Measure BB Funded Paratransit Services

**RECOMMENDATION**

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2. Authorize the City Manager to execute FY 2025 service agreements for the continued provision of Measure BB funded Paratransit services.

**SUMMARY**

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Service Providers		
Eden Information & Referral (Eden I&R)	VIP ZIP/Means-Based Fare Program	275,000
Service Opportunity for Seniors (SOS)	Meals on Wheels	100,000
Alzheimer’s Services of the East Bay (ASEB)	Specialized Van Services	75,000
Community Resources for Independent Living (CRIL)	Mobility Management/Travel Training	50,000
Service Enhancement Pilots		

<b>PROGRAM</b>	<b>PROVIDER</b>	<b>AMOUNT</b>
TBD	Wheelchair Accessible Van (WAV)	75,000
TBD	Group Trips	75,000
TBD	Door-through-Door Transportation	75,000
TBD	Self-Serve/App-Based Scheduling	50,000
<b>TOTAL</b>		<b>\$ 1,306,400</b>

**BACKGROUND**

The City of Hayward submits an Annual Paratransit Program Plan to the Alameda County Transportation Commission (Alameda CTC) detailing the proposed parameters of paratransit service for seniors (70+) and people with certified disabilities. The Hayward Operated Paratransit (HOP) program, administered by the City’s Community Services Division, provides paratransit and related services to eligible enrolled riders and their attendants who live in Hayward and the surrounding unincorporated areas.

In 2000, Alameda County voters approved Measure B, a half-cent transportation sales tax which would be in effect for twenty years beginning on April 1, 2002. The transportation sales tax was augmented in November 2014 with the passing of Measure BB. Measure BB would implement an additional half-cent sales tax beginning April 1, 2015, then increase to a full cent on April 1, 2022. The increase to Measure BB was designed to coincide with the sunset of the original Measure B and ensure a continuous source of funding for local transportation projects through March 31, 2045. Measure B and BB funds, along with Vehicle Registration Fees, are awarded by Alameda CTC to Cities through Direct Local Distribution (DLD) payments to support Bicycle and Pedestrian; Local Streets and Roads; Transit; and Paratransit programs.

In February each year, the City of Hayward submits an Annual Paratransit Program Plan to the Alameda CTC detailing the proposed parameters of eligible paratransit service for seniors (70+) and people with certified disabilities. Alameda CTC staff reviews the City’s program plan and provides feedback. In FY 2024 the proposed Annual Paratransit Program Plan will be presented to the Alameda CTC’s Paratransit Advisory and Planning Committee (PAPCO) on April 22, 2024 and to the Council for review and approval on April 23, 2024.

**DISCUSSION**

In 1990, the Americans with Disabilities Act (ADA) established the requirement that all public transit agencies provide paratransit services to eligible users with disabilities. ADA paratransit programs are intended to complement fixed-route public transit, with hours and routes designed to match existing bus and rail services. In Alameda County, ADA-mandated paratransit services are provided by Alameda County Transit and BART through East Bay Paratransit to residents within 3/4 of a mile from an AC Transit bus route or BART station.

HOP is designed to supplement East Bay Paratransit when it is unable to provide service or meet the needs of HOP participants, particularly residents that require additional flexibility or reside outside a 3/4 mile radius of an existing transit stop. HOP also expands service availability by offering its programs to any individual over the age of 70, regardless of disability status. As a City

program, HOP is uniquely positioned to extend flexible and creative solutions to meet the unique needs of its riders. HOP is funded by Alameda County Measure B/BB DLD, administered by the Alameda CTC. In FY 2024, the HOP program fully expended all funds provided through the original Measure B transportation sales tax. As of FY 2025, all HOP operations will be funded by Measure BB DLD payments and reserves accumulated from prior years' DLDs.

HOP engages community partners to carry out all services through the Annual Paratransit Program Plan, subject to Measure BB funding availability. Several partners assist the City in implementing HOP:

#### *Transportation for Seniors*

HOP partners with Eden I&R (EIR) to offer transportation network company (TNC) based rides, such as Lyft Concierge and Uber Health, to eligible residents via the Alameda County 211 referral line. EIR arranges the ride with the TNC on behalf of clients through a web-based platform, eliminating the need for a smart phone to access the service.

#### *Specialty Transit*

Alzheimer's Services of the East Bay (ASEB) provides services for individuals with dementia and their families. ASEB provides Adult Day Care, family support, and education to enable individuals to remain living in their home for as long as possible. ASEB hires specially trained drivers to operate lift-equipped vehicles to provide transportation to its Adult Day Care program.

#### *Travel Trainer*

Community Resources for Independent Living (CRIL) provides mobility management workshops and classes through its Hayward on the Go! Program. CRIL Travel Trainers conduct two quarterly workshops and four quarterly group trips to provide seniors and residents with disabilities with travel skills and practice in navigation of public transit services, including BART, AC Transit, and HOP.

#### *Meals-on-Wheels*

Service Opportunities for Seniors (SOS) Meals on Wheels provides homebound seniors with dietician designed meals that comply with the Older Americans Act. Meals are delivered by volunteer drivers who also provide homebound seniors with daily wellness checks and referrals to other support services.

More detailed information about each of these programs is available in the Paratransit Program Application (Attachment IV).

### **Existing Project Updates**

1. **Transportation for Seniors:** In FY 2024, HOP continued to contend with the challenges presented by the COVID-19 pandemic. Compliance with physical distancing public health recommendations prompted many in-person programs to stop operations. As of FY 2024, certain partner organizations had either not resumed these programs, discontinued programs entirely, or went out of business.

LIFE Eldercare, which had previously provided volunteer door-through-door transportation services opted not to resume the program. RydeTrans, HOP's provider for group trips, opted to no longer partner with the City beginning in FY 2023 and the program has, thus far, been unable to secure a new vendor. While services such as Specialized Accessible Vans and Wheelchair Accessible Vehicles have continued to be offered, community partners have reported that their services have been impacted by staffing and equipment shortages.

As a result of these circumstances, in FY 2024 the TNC-based curb-to-curb transportation program, known as VIP ZIP, has become HOP's primary means of providing transportation services to seniors and disabled residents. Initiatives to enhance the VIP ZIP program in FY 2025 include expansion to weekend hours and efforts to increase access to wheelchair accessible vehicles (WAVs) to riders.

*Status: Continuing in FY 2024-2025 with plans for restoring discontinued services.*

- 2. Safe Routes for Seniors Program:** In FY 2020, HOP executed an MOU with the City of Hayward Public Works Department to allocate Measure BB funds for Americans with Disabilities Act (ADA) street improvements at or near senior/disabled housing developments. On January 18, 2022<sup>1</sup>, Council approved the plans and specifications, and call for bids for the Safe Routes for Seniors (SR4S) Project. The Project consisted of streetscape improvements including the expansion of ADA curbs-cuts and sidewalk bulb-outs (widening) to accommodate various mobility devices at intersections in the Downtown and South Hayward areas. As of April 2024, the Downtown portion of the project is complete, with the South Hayward portion expected to begin construction in late FY2024. The South Hayward SR4S project will be funded from Measure B/BB reserves transferred to Public Works in prior years, with no additional funds expected to be transferred in FY 2025.

*Status: Continuing in FY 2024-2025 utilizing existing funding.*

- 3. Consulting Services:** As part of the FY 2023 Program Plan, Council authorized funding for consulting services to conduct a comprehensive program evaluation to address ongoing challenges and potential long-term impacts of COVID-19 to public transportation and paratransit services. The evaluation, conducted by Nelson\Nygaard Consulting Associates, Inc. was completed in March 2024 and included a comprehensive inventory of identified needs as well as recommendations for program improvements. In FY 2025, the HOP will continue to work with Nelson\Nygaard to implement the changes recommended in their report.

*Status: Continuing in FY 2024-2025.*

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<sup>2</sup> September 20, 2022, City Council Staff Report and Attachments  
<https://hayward.legistar.com/LegislationDetail.aspx?ID=5844300&GUID=E15BD613-3440-4CD0-A242-3B2771713769&Options=&Search=>

## **FY 2023 Outcomes**

In FY 2023, the City expended \$595,698 on direct services provided by local non-profits and paratransit service partners to HOP participants. In addition, HOP supported \$1.3 million in infrastructure improvements through allocation of Measure B/BB DLD to the Safe Routes for Seniors (SR4S) program. In FY 2023, HOP served 1,455 individuals, providing participants over 11,000 rides and delivering 86,470 meals to homebound seniors. Note that these results include 257 individuals provided with 3,181 rides by LIFE Eldercare as part of the door-through-door assisted ride program that was discontinued in FY 2024.

## **Future Projects**

In FY 2023, Council authorized funding to engage a consultant to conduct a comprehensive evaluation of HOP services. On September 20, 2022<sup>2</sup>, Council authorized a professional services agreement with Nelson Nygaard to perform this evaluation. The evaluation identified unmet needs among HOP users, particularly around services that have been discontinued over the last few years as a result of the COVID-19 pandemic. In its FY 2025 Paratransit Program Plan, HOP has proposed implementing the following service improvements over the next five years:

1. **Self-Serve/App-Based Scheduling:** Increase the accessibility and efficiency of VIP ZIP rides through TNCs by allowing users to request HOP-subsidized rides directly through their mobile devices. Users booking through their mobile device would be those who do not require the high-touch service associated with the current telephone-based “concierge” service. This would allow for a greater volume of trips while not significantly impacting EIR’s current workload and for users to request rides outside of business hours.
2. **Weekend and Expanded Weekday Hours for TNC Concierge:** Expand the availability of the VIP ZIP services in order to provide users with additional flexibility for when they can schedule and use rides. Because the telephone-based “concierge” service also includes real-time support for riders at the time of pickup and drop-off, VIP ZIP has traditionally been confined to business hours of 8:15am to 5:30pm. Beginning in February 2024, EIR began piloting offering weekend hours on Saturdays and Sundays from 8:15am to 4pm. Based on the results of this effort, HOP may seek to add additional early morning, late evening, or weekend afternoon hours.
3. **Wheelchair Accessible Vehicle (WAV) Service Expansion:** Partner with a new or additional vendor to augment or replace Uber Health’s currently limited number of WAV drivers. Uber Health currently offers WAV services, however, limitations in the number of both available vehicles and trained drivers have resulted in significant

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<sup>2</sup> September 20, 2022, City Council Staff Report and Attachments

<https://hayward.legistar.com/LegislationDetail.aspx?ID=5844300&GUID=E15BD613-3440-4CD0-A242-3B2771713769&Options=&Search=>

gaps in both rider acceptance and ride completion rates.

4. **Group Trips Service Relaunch:** Group Trips service was suspended in 2020 in response to the COVID-19 pandemic. Staff worked to reinstate services in FY 2024, but HOP was unable to secure an agreement with its prior provider, RydeTrans. Staff will issue an RFP for a new vendor to relaunch service in FY2024-25.
5. **Door-through-Door Service Pilot:** In FY 2023-24, LIFE ElderCare, the City's existing vendor for volunteer door-through-door paratransit service, realigned its business and discontinued its program. Door-through-door programs serve riders whose mobility limitations make it difficult for them to exit or enter their homes or other facilities without assistance, and are typically staffed by specially-trained drivers. The City will explore reinstating door-through-door service, including both volunteer-based and employee-based driver options.

## **ECONOMIC IMPACT**

HOP is supported exclusively by Alameda County Measure BB funds. The service offers cost-effective transportation alternatives for eligible residents on fixed incomes. Reliable mobility options for seniors and residents with disabilities may also allow for greater economic participation by caregivers. HOP's limited service area for shopping, entertainment, and recreational travel may also benefit local businesses.

## **FISCAL IMPACT**

The proposed FY 2025 Annual Paratransit Program Plan has no impact to the City's General Fund. The program costs, including City staff and administrative costs, are entirely offset by the City's Measure BB Paratransit reserves and special revenue funds derived from Measure BB sales tax revenues. Estimated FY 2025 program costs are fully supported by the combination of an estimated \$5,113,858 in reserves and \$2,152,084 in FY 2025 DLD payments. Funding details can be found in Attachment III.

## **STRATEGIC ROADMAP**

This agenda item is a routine operational item and does not directly relate to any specific project outlined in the Strategic Roadmap. However, the HOP program supports quality of life for residents more generally.

## **SUSTAINABILITY FEATURES**

Several paratransit programs promote the use of public transportation and vehicle sharing, thereby reducing the number of vehicles on the road, as well as associated emissions.

## **PUBLIC CONTACT**

The Paratransit Program Plan is typically presented at various organizations that serve seniors and people with disabilities throughout the year. Public feedback is received, and based on the



feedback collected, staff evaluates the program and recommends changes in order to meet the unique needs of the community.

The Annual Program Plan is also posted on the City's website for viewing. Interested parties were invited to provide feedback until the HOP FY 2025 presentation to PAPCO on April 22, 2024.

**NEXT STEPS**

Staff recommends that Council adopts the attached resolution approving the FY 2025 Annual Paratransit Program Plan and authorizing the City Manager to negotiate and execute all agreements necessary for program implementation. Should Council adopt the resolution, staff will meet with representatives from each contracting agency to facilitate contract execution so that there will be a continuation of delivery of Paratransit services.

*Prepared by:* Rick Rivera, Management Analyst

*Recommended by:* Amy Cole-Bloom, Community Services Manager  
Regina Youngblood, Assistant City Manager

Approved by:



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Kelly McAdoo, City Manager

Hayward Operated Paratransit Program  
 FY 2025 Measure BB Annual Paratransit Program Funding Recommendations

CATEGORY	AGENCY	PROGRAM	FY24 FUNDING	FY 2025 RECOMMENDED
Capital Expenditure	City of Hayward (Public Works Transportations Division)	Safe Route for Seniors Project (Capital)	\$750,000	\$0
Management/Overhead	City of Hayward	Program Administration	\$500,000	\$516,000
Customer Service/Outreach	City of Hayward	Research, Marketing & Data Collection	\$125,000	\$15,400
HOP Program Evaluation	Nelson\Nygaard Consulting Associates	HOP Evaluation Pilot(s)	\$100,000	\$0
Same-Day Transportation Program	Eden Information & Referral	VIP ZIP (On-demand rides in partnership with TNCs)	\$272,619	\$275,000
Meal Delivery	SOS Meals on Wheels	Meal Delivery	\$100,000	\$100,000
Specialized Accessible Van Service	Alzheimer's Services of the East Bay (ASEB)	Specialized Transportation	\$75,000	\$75,000
Mobility Management and/or Travel Training	Community Resources for Independent Living (CRIL)	Travel Training	\$50,000	\$50,000
Means-Based Fare Programs	City of Hayward	Means-Based Fare Program	\$50,000	\$0
Door-through-Door/Volunteer Driver Pilot	TBD	Door-through-Door	\$154,574	\$75,000
Group Trips Pilot	TBD	Group Trips	\$75,000	\$75,000
Wheelchair Accessible Vehicle Service Pilot	TBD	HOP WAV Service	\$0	\$75,000
Self-Serve/App-Based Scheduling Pilot	TBD	HOP App	\$0	\$50,000
<b>TOTAL</b>			<b>\$2,252,193</b>	<b>\$1,306,400</b>

Note: Means-Based Fare Program Subsidy has been budgeted as a separate line-item in previous years, but is included in the contract for VIP ZIP.



# FY 2024-25 Annual Paratransit Program Plan Application for Measure BB Funding

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• [www.AlamedaCTC.org](http://www.AlamedaCTC.org)

The Alameda County Transportation Commission (Alameda CTC) requires recipients of Measure BB Direct Local Distribution (DLD) paratransit funding to participate in an Annual Program Plan Review process. Recipients are required to complete and submit a program plan application to Alameda CTC that outlines their prior expenditures and anticipated revenues and expenditures related to delivering paratransit services to older adults and people with disabilities in Alameda County.

## Requirements and Instructions

The Annual Paratransit Program Plan Application includes the following documents:

1. Paratransit Program Plan Application (this MS Word document)
2. Paratransit Program Plan Attachments A-D (Tables A, B, C, and D of the provided MS Excel workbook) *NOTE: The FY 2024-25 Program Plan Excel workbook contains a tab to report on FY 2022-23 performance and budget (Attachment Table A). The FY 2022-23 program information entered into Table A will be used to monitor program performance and, where applicable, should align with program information included in the FY 2022-23 compliance report.*
3. References:
  - a. FY 2024-25 Measure BB Paratransit DLD Revenue Projections, (distributed to ParaTAC, January 2024)
  - b. Alameda CTC Special Transportation for Seniors and People with Disabilities (Paratransit) Implementation Guidelines and Performance Measures (revised October 2023)
  - c. Alameda CTC Timely Use of Funds Policy (updated March 2022)

**Submit the Word and Excel files listed above electronically via email by February 29, 2024 to Krystle Pasco at [kpasco@alamedactc.org](mailto:kpasco@alamedactc.org).**

*Be sure to include your agency name and FY 24-25 in the file name of both the Word document and the Excel workbook (e.g., Albany\_FY24-25\_Paratransit\_Program\_Application.doc).*

If you have questions, please contact Krystle Pasco via email or phone at (510) 208-7467 or [kpasco@alamedactc.org](mailto:kpasco@alamedactc.org).

## FY 2024-25 Annual Paratransit Program Plan Application Due by February 29, 2024

CONTACT INFORMATION	
Agency:	
Contact Name:	
Title:	
Phone Number:	
E-mail Address:	

**Date Submitted:** \_\_\_\_\_

### TYPES OF SERVICES PROVIDED

- 1. What type of paratransit projects and programs will be funded, fully or partially, with Measure BB Direct Local Distribution (DLD), Measures B and BB reserves, and/or paratransit discretionary grant funds?** To answer this question, complete Attachment Table B (Table B tab of the Microsoft Excel workbook).

Below is a list of the types of services/programs that are eligible for Alameda CTC funding. For detailed information about these eligible services, including minimum service requirements and performance measures, refer to the Alameda CTC's Special Transportation for Seniors and People with Disabilities (Paratransit) Implementation Guidelines, revised October 2023 (provided with the application materials).

- **Management/Overhead:** Program oversight, planning, budgeting, participation in regional/countywide meetings. Include admin/labor even if it is paid by the City/transit agency for accurate reporting of full program expenses.
- **Customer Service/Outreach:** Activities associated with educating consumers about services that are available to them, answering questions from consumers and taking, tracking and responding to complaints and commendations. Include costs even if paid by the City/transit agency for accurate reporting of full program expenses.
- **ADA Paratransit:** Paratransit services provided by fixed-route transit operators to fulfill requirements under the Americans with Disabilities Act (ADA).

- **Same-Day Transportation Service:** Provides a same day, curb-to-curb service intended for situations when consumers cannot make their trip on a pre-scheduled basis; allows eligible consumers to use taxis or Transportation Network Companies (TNCs) (at program discretion) at a reduced fare.

**Important Implementation Guidelines requirements:** Eligible populations include: People 18 and above with disabilities who are unable to use fixed route services. Cities may, at their discretion, also provide services to consumers with disabilities under the age of 18. Older adults 70 years or older without proof of a disability. ADA-mandated providers that are not also city providers (East Bay Paratransit and LAVTA) are not required to provide service to older adults 70 years or older without ADA eligibility.  
Programs must subsidize at least 50% of the fare.

- **Specialized Accessible Van Service:** Specialized van service provides accessible, door-to-door trips on a pre-scheduled or same-day basis. These services are generally implemented as a supplement to a same-day program that does not meet critical needs for particular trips in accessible vehicles in certain communities.

**Important Implementation Guidelines requirements:** Specialized Accessible Van programs must demonstrate that they are providing trips at an equal or lower cost to the provider than the ADA-mandated provider on a cost per trip basis, except if providing "premium" service (e.g. same-day).

- **Accessible Shuttle Service:** Generally accessible vehicles that operate on a fixed route and schedule to serve common trip origins and destinations, e.g. senior centers, medical facilities, grocery stores, BART stations, other transit stations, community centers, commercial districts, and post offices.

**Important Implementation Guidelines requirements:** By end of the second fiscal year of service, the City's cost per one-way trip per person cannot exceed \$30, including transportation and direct administrative costs. Shuttles are required to coordinate with the local fixed route transit provider.

- **Group Trips Program:** Round-trip accessible van rides for pre-planned outings or to attend specific events or go to specific destinations for fixed amounts of time, e.g. shopping trips or religious services. Trips usually originate from a senior center or housing facility.
- **Door-through-Door/Volunteer Driver Program:** Pre-scheduled, door-through-door services that are generally not accessible; rely on volunteers

to drive eligible consumers for critical trip needs, such as medical trips. May also have an escort component.

- **Mobility Management and/or Travel Training:** Covers a wide range of activities, such as travel training, trip planning, and brokerage. Does not include provision of trips. (This is considered "non-trip provision"). If your program is using DLD funds, but not discretionary grant funds, you may be required to submit further information.
- **Means-Based Fare Programs:** Program to subsidize any service for customers who are low-income and can demonstrate financial need.

**Important Implementation Guidelines requirements:**

Outreach/communication plans related to means-based fares must be submitted to Alameda CTC staff annually.

If program sponsors include subsidized East Bay Paratransit (EBP) tickets in this program, no more than 3% of a program sponsor's Alameda CTC distributed funding may be used for the ticket subsidy.

- **Meal Delivery:** Program to fund meal delivery to the homes of individuals who are transportation disadvantaged.

**Important Implementation Guidelines requirements:** Program sponsors may not use more than 5% of their Alameda CTC DLD Paratransit program funds expended in a given fiscal year for transportation-related meal delivery program costs.

Funding for traditional meal delivery provided by a local community-based organization must be limited to no more than \$3 per meal delivered.

Mileage reimbursement for volunteer delivery drivers must be limited to no more than \$8 per meal delivered (not to exceed Federal General Services Administration (Privately Owned Vehicle) Mileage Reimbursement Rates).

- **Capital Expenditure:** Capital purchase or other capital expenditure.

**A. Explain the impact of the COVID-19 pandemic on your FY 2022-23 program.**

**B. Provide a short narrative description of your agency's FY 2024-25 program.**

**C. Explain how the suite of services offered is targeted towards the older adults and people with disabilities in your community. Why have these services been selected to meet the trip needs of your consumers over other eligible service types? How do these services enhance their quality of life and help them meet basic life needs?**

**D. List the most common trip destinations for older adults and people with disabilities in your community that your services are designed to serve, e.g. dialysis centers, hospitals, major shopping complexes, senior centers. Please report separately, if available, for ADA paratransit, Same-Day Transportation (taxi and TNC), Specialized Accessible Van, and/or Accessible Fixed-Route Shuttle if applicable.**

**E. Please provide your average trip length, if available, and any interesting outliers, e.g. a significantly short or long trip associated with one of the common trip destinations above.**

**2. Will your agency's program for FY 2024-25 conform to the Paratransit Program Implementation Guidelines, as required?**

Yes

No

**A. If "No", explain below and contact Alameda CTC staff to discuss.** (prior to February 22, 2024)

**3. If proposing any service or program changes in FY 2024-25 from the current year, FY 2023-24, describe the changes and explain why they are proposed.** Describe how these changes will impact the ability of older adults and people with disabilities in your community to meet their basic life needs.



- 4. Looking ahead, beyond FY 2024-25, do you anticipate major service changes? Please briefly describe.** Describe major changes such as beginning or ending a type of service anticipated within the next five years.

#### **NEW PROGRAM ELEMENTS REQUIRING ALAMEDA CTC STAFF REVIEW**

- 5.** The October 2023 Paratransit Program Implementation Guidelines require Alameda CTC staff review of several program elements ***prior to implementation***. The program elements requiring staff review are listed as items 5A – 5G below and for each item, further explanation is requested. **If your FY 2024-25 program plan includes any of the elements listed, in the box provided below, list the elements and the requested explanation for each. It is not necessary to include elements that were included in the FY 2023-24 Plan and are unchanged.**

Applicants must address any applicable paratransit projects and programs listed in Attachment Table B.

- A. Planned capital expenditure** (describe planned capital expenditures, such as purchase of vehicles or durable equipment)
- B. Same-Day Transportation Program that includes use of Transportation Network Companies (TNCs)** (describe the proposed service including how subsidies will be provided and how capacity will be managed)
- C. Same-Day Transportation Program that includes incentives to drivers and/or transportation providers** (describe the proposed incentives)
- D. Accessible Shuttle Service** (for new shuttles – describe service plan and how city is coordinating with the local fixed route transit provider)
- E. New mobility management and/or travel training programs** (describe the well-defined set of activities)
- F. Low-income requirements and outreach for any means-based fare programs** (describe the proposed subsidy and the means that will be used)

to determine and verify eligibility and the method of outreach for the program)

- G. Proposed new Meal Delivery Funding Program** (describe the proposed service – traditional or mileage reimbursement – and the population(s) it serves)

**DEVELOPMENT OF PROGRAM PLAN**

- 6. How was consumer input sought in development of the program and selection of the services offered?** Describe all general outreach activities undertaken in connection with this plan, including consumer or public meetings; meetings with other agencies; presentations to boards, commissions, or committees. If possible, provide dates for these activities. Note below if this plan was reviewed by a local advisory committee, including the name of the committee, and the date of the meeting.

- 7. Describe any outreach, surveys and/or analysis conducted to develop this plan and to determine the types of services the program offers.**

- A. Describe how the outreach addressed equity and inclusion.** (e.g. translations/interpretation, culturally significant locations, select stakeholders, etc.)

**8. Describe how results from the community outreach, surveys and/or analysis described in Questions 6 and 7 were used to guide the development of the program plan.**

**9. Describe any innovative, emerging technology or non-traditional elements integrated into the program plan.**

**10. Was this program plan approved by a governing body (or is it scheduled for action)?** *This is not required by the Alameda CTC. Jurisdictions should follow their established internal process.*

Yes

No

**A.** If "Yes", provide the name of the governing body and planned or actual approval date.

**INFORMATION**

**11. How do community members and potential users learn about the Alameda CTC-funded services provided in your community?** Specify for each of the paratransit projects and programs listed in Attachment Table B.

**ELIGIBILITY AND ENROLLMENT**

**12. What are your requirements for eligibility? (e.g., age, residency, income, ADA-certification status, or other verification of disability).**

**13. How do consumers enroll in your program? Include how long the enrollment process takes, and how soon newly enrolled applicants can use the services offered.**

**CUSTOMER SATISFACTION**

**14. Describe your complaint and commendation process.** Describe your process from beginning to end, including instructions you provide to customers for filing

program suggestions, complaints or commendations, your documentation procedures, and your follow up.

**A. Describe any common or recurring service complaints, commendations and/or suggestions your program has received.** Specify for each of the paratransit projects and programs listed in Attachment Table B. *(Complaints are defined as phone calls, letters, or emails received for the specific purpose of making a complaint.)*

**B. Describe any changes you have made to your program as a result of these customer complaints, commendations and suggestions.**

**EXPECTED DEMAND/USE OF SERVICES**

**15. How many people are/have been/will be registered in the program during the following time periods?** Fill in the boxes below.

<b>Registrants at beginning of FY 2022-23</b>	
<b>Registrants at end of FY 2022-23</b>	
<b>Current Registrants for FY 2023-24</b>	
<b>Projected Registrants for FY 2024-25</b>	

**A. Based on the registration projection provided, explain why you expect your program registration to increase, decrease or stay the same compared to the current year.**

**16. What are the current program registrant demographics for FY 2023-24, if available? Fill in the boxes below.**

<b>Race/Ethnicity (include all that apply, individuals may be listed in multiple categories)</b>	
American Indian or Alaska Native	
Asian	
Black or African American	
Hispanic or Latino	
Native Hawaiian or Other Pacific Islander	
White	
Other	
<b>Disability (include all that apply, individuals may be listed in multiple categories)</b>	
Mobility/Physical	
Spinal Cord (SCI)	
Head Injuries (TBI)	
Vision	
Hearing	
Cognitive/Learning	
Psychological	
Invisible	
<b>Household Income</b>	
< \$29,750	
\$29,751-\$49,600	
\$49,601-\$59,520	
\$59,521-\$78,850	
> \$78,851	

**A. Based on the current program demographics, describe any demographic trends you foresee for FY 2024-25.**

**17. Do you expect the total number of one-way trips provided by your program in FY 2024-25 to increase, decrease or stay the same compared to the current year, FY 2023-24? Why?**

**18. Do the ridership numbers reported in Attachments Table A and Table B include companions and/or attendants?**

Yes

No

**A.** If "Yes", and if known, what percent of total ridership are companions/attendants? *(If providing an estimate, please clearly indicate it as such.)*

**19. Please provide the number of trips provided to consumers who required an accessible vehicle, if available.** If trips were provided in more than one service (e.g. taxi, TNC, specialized accessible van, etc.), please specify for each.

<b>Number of trips provided to consumers who require an accessible vehicle in FY 2022-23</b>	
<b>Number of trips provided to consumers who require an accessible vehicle in FY 2023-24 as of Dec. 31, 2023</b>	
<b>Number of trips projected to consumers who require an accessible vehicle in FY 2024-25</b>	

**VEHICLE FLEET**

**20. Provide details regarding your vehicle fleet.** To answer this question, complete Attachment Table D (Table D tab of the Excel workbook).



## SAFETY AND PREPAREDNESS

**21. Describe any safety incidents recorded by your program in FY 2022-23, or to date in FY 2023-24.** Specify for each of the paratransit projects and programs listed in Attachment Table B. *(Report incidents resulting in any of the following: a fatality other than a suicide; injuries requiring immediate medical attention away from the scene for two or more persons; property damage equal to or exceeding \$7,500; an evacuation due to life safety reasons; or a collision at a grade crossing.)*

**22. If possible, describe your city's or your program's emergency preparedness plan.** Specify when the plan was last prepared or updated. Does the plan include the paratransit program? Indicate if it is available online or can be provide upon request. If available online, please include a link in the comment box below.

## FINANCES: PROGRAM REVENUE AND COST

**23. Detail your FY 2024-25 program's total estimated revenue (all fund sources) and total cost by completing Attachment Table C (Table C tab of the Excel workbook).** For program components funded all or in part with a Measure B/BB discretionary grant, segregate the grant funding by entering it in the "Other Measure B/BB" column.

**24. Describe below the "Management/Overhead" and "Customer Service and Outreach" costs included in Attachment C and how these cost allocations were determined?** (These two categories are defined under Question 1.) *The amount spent on Customer Service/Outreach and Management/Overhead is to be included as part of the total program cost, even if it is not funded with Alameda CTC funding. This includes city/agency staff time paid for by a city's general fund.*

### A. Management/Overhead Costs

**B. Customer Service and Outreach Costs**

**PROGRAM FUNDING RESERVES**

**25. If your paratransit program is anticipated to have a remaining balance of Measure B/BB DLD funding at the end of FY 2024-25, as shown in Attachment Table C, please explain. How do you plan to expend these funds and when?**

**MISCELLANEOUS**

**26. Use this space to provide any additional notes or clarifications about your program plan.**

HAYWARD CITY COUNCIL

RESOLUTION NO. 24-\_\_\_\_

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

RESOLUTION AUTHORIZING THE CITY MANAGER TO IMPLEMENT AN ANNUAL PARATRANSIT PLAN AND NEGOTIATE AND EXECUTE ALL DOCUMENTS RELATED TO AND IN SUPPORT OF PARATRANSIT ACTIVITIES INCLUDING THE ADMINISTRATION OF THE HAYWARD OPERATED PARATRANSIT (HOP) PROGRAM

WHEREAS, voters approved the 20-year Measure BB half-cent transportation sales tax on November 4, 2014 and the funding agreement of the measure between the Alameda County Transportation Commission and the City of Hayward; and

WHEREAS, the full one-cent sales tax authorized by Measure BB began April 1, 2022, and will extend through March 31, 2045; and

WHEREAS, the Hayward Operated Paratransit (HOP) program is funded in its entirety by Alameda County Measure BB Direct Local Distribution, administered by Alameda County Transportation Commission (Alameda CTC); and

WHEREAS, East Bay Paratransit (operated by AC Transit and BART) is the primary paratransit service for Alameda County residents; and

WHEREAS, the City's program is designed to complement and supplement the East Bay Paratransit service when it is unable to provide service or meet the needs of HOP participants who are seniors (70+) and people with certified disabilities; and

WHEREAS, HOP engages community partners to carry out all services through the Annual Paratransit Program Plan subject to Measure BB funding availability; and

WHEREAS, the City of Hayward submits an Annual Paratransit Program Plan to the Alameda CTC detailing the proposed parameters of eligible paratransit service for seniors (70+) and people with certified disabilities.

NOW, THEREFORE BE IT RESOLVED that the Hayward City Council authorizes and directs the City Manager or her designee on behalf of the City of Hayward to implement the FY 2025 Annual Paratransit Plan submitted to the Alameda County Transportation Commission in according with the terms of the City's contract with the Alameda County Transportation Commission (ACTC) for Measure BB paratransit funds.

BE IT FURTHER RESOLVED that the City Manager or her designee shall have the authority to approve and amend current service contracts and execute purchase orders as necessary to deliver the service to Central Alameda County participants as identified in the staff report and the Annual Paratransit Program Plan.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2024

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:  
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

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

APPROVED AS TO FORM:

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



# CITY OF HAYWARD

Hayward City Hall  
777 B Street  
Hayward, CA 94541  
www.Hayward-CA.gov

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**File #:** CONS 24-204

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**DATE:** April 23, 2024

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT**

Adopt a Resolution Authorizing the City Manager to (1) Accept and Appropriate \$6,206,508 in Grant Funding from the California Air Resource Board; and 2) Approve a Resource Contribution of \$3,500 from Transportation System Improvement Fund 460 for the Safe Routes and Active Transportation for Schools and Underserved Communities in Hayward Project Nos. 06937 and 06941

**RECOMMENDATION**

That Council adopts a resolution (Attachment II) authorizing the City Manager to accept and appropriate \$6,206,508 in Grant Funding from the California Air Resource Board and approve a resource contribution of \$3,500 from Fund 460 for the Safe Routes and Active Transportation for Schools and Underserved Communities in Hayward Project.

**SUMMARY**

The City has been awarded funding from the California Air Resource Board's (CARB's) Clean Mobility in School (CMIS) and Sustainable Transportation Equity Project (STEP) Grant Programs for Fiscal Year 2022-2023 to implement Safe Routes and Active Transportation for Schools and Underserved Communities in Hayward (Project). CMIS and STEP are state programs that aim to increase transportation equity by identifying and addressing communities' transportation needs, increasing access to key destinations and services, and reducing greenhouse gas emissions and vehicle miles traveled. Staff recommends adopting a resolution to accept and appropriate \$6,206,508 of grant funding awarded to the City from CARB and approve a resource contribution of \$3,500 from Fund 460 Transportation System Improvement.

**ATTACHMENTS**

Attachment I Staff Report  
Attachment II Resolution



**DATE:** April 23, 2024

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT:** Adopt a Resolution Authorizing the City Manager to (1) Accept and Appropriate \$6,206,508 in Grant Funding from the California Air Resource Board; and 2) Approve a Resource Contribution of \$3,500 from Transportation System Improvement Fund 460 for the Safe Routes and Active Transportation for Schools and Underserved Communities in Hayward Project Nos. 06937 and 06941

### **RECOMMENDATION**

That Council adopts a resolution (Attachment II) authorizing the City Manager to accept and appropriate \$6,206,508 in Grant Funding from the California Air Resource Board and approve a resource contribution of \$3,500 from Fund 460 for the Safe Routes and Active Transportation for Schools and Underserved Communities in Hayward Project.

### **SUMMARY**

The City has been awarded funding from the California Air Resource Board's (CARB's) Clean Mobility in School (CMIS) and Sustainable Transportation Equity Project (STEP) Grant Programs for Fiscal Year 2022-2023 to implement Safe Routes and Active Transportation for Schools and Underserved Communities in Hayward (Project). CMIS and STEP are state programs that aim to increase transportation equity by identifying and addressing communities' transportation needs, increasing access to key destinations and services, and reducing greenhouse gas emissions and vehicle miles traveled. Staff recommends adopting a resolution to accept and appropriate \$6,206,508 of grant funding awarded to the City from CARB and approve a resource contribution of \$3,500 from Fund 460 Transportation System Improvement.

### **BACKGROUND**

In July 2023, CARB issued a statewide competitive joint request for applications under the Planning and Capacity Building (Planning), CMIS, and STEP programs with an overarching goal of increasing transportation equity in disadvantaged (DAC) communities throughout California. Through the Low Carbon Transportation Investment Fiscal Year 2022-23 Funding Plan, CARB has allocated \$3 million to Planning, \$14.8 million to CMIS, and \$14.85 million to STEP grants.

The CMIS program focuses on supporting public school communities by funding innovative and holistic projects with the potential to benefit the school communities and nearby residents. The STEP program supports projects that have the potential to reduce passenger vehicle miles traveled (VMT) and that prioritize long-term mode shifts toward sustainable mobility and VMT reduction. The grant requires partnerships between a lead applicant, sub-applicants, and community partners. Sub-applicants collaborate with the lead applicant (City) to implement the project and community partners serve as key stakeholders and representatives of the community potentially impacted by the project. The grant included a two-phase process: Concept Phase and Full Phase; the eligible applicants selected during the Concept Phase were invited to the Full Phase.

On September 8, 2023, the City submitted a Concept Phase application for both CMIS and STEP grants in partnership with Hayward Unified School District (HUSD), Bike East Bay (BEB), Teach Earth Action (TEA), and Bike Hayward to implement Safe Routes to School (SR2S) project, a citywide bike voucher program, bike parking installations near key destinations, and bike education program and workshops. HUSD is a public educational agency and BEB is a nonprofit organization that advocates for improved bicycle safety and increased bicycle infrastructure in Hayward. TEA is a nonprofit comprised of faculties across disciplines to reimagine teaching to confront the climate crisis. Bike Hayward is a local group that supports improved bike infrastructure in Hayward.

The City was invited to apply for the Full Phase Application on September 25, 2023, with the final application submitted on November 3, 2023. The project scope in the Full Phase application was expanded to include bike parking installations at school sites, school crossing guard training, and additional active transportation engagements and activities for students. Partnership with TransForm, a nonprofit organization that has been working on SR2S implementation for the Alameda County Transportation Commission, was also added to collaborate on school community outreach and bike voucher program developments.

On January 4, 2024, the City was notified by CARB that the City's grant application was selected for partial award funding of \$5,257,087. Subsequently, CARB reassessed the remaining available funding and announced on March 1, 2024, that the City's full requested amount of \$6,206,508 will be awarded to the City.

## **DISCUSSION**

The purpose of the grant project, Safe Routes and Active Transportation for Schools and Underserved Communities in Hayward, is to provide and promote safe, affordable active transportation while reducing transportation-related emissions for residents, especially in DAC and low-income (LI) communities. Based on the City's Bicycle and Pedestrian Master Plan (2020), the majority of residents travel by car and have expressed a lack of safe infrastructure and secure bike parking as barriers to walking and biking. The proposed project will address the community's concerns and encourage active transportation by providing (1) an SR2S implementation project for 12 schools, (2) a Citywide bike voucher program, (3) bike parking installations near the City's key destinations and school sites,

and (4) active transportation education and promotion including bike classes, engagement events, and crossing guard training. The following is the list of twelve schools for the SR2S implementation project:

- Burbank Elementary School
- Faith Ringgold
- Impact Academy
- Longwood Elementary School
- Martin Luther King Jr. Middle School
- Park Elementary School
- Schafer Park Elementary School
- Southgate Elementary School
- Tennyson High School
- Tyrrell Elementary School
- Winton Middle School
- Palma Ceia Elementary School

It is noted that the school safety assessments have been conducted at the above schools through Alameda County's SR2S program. The grant project includes infrastructure updates for these schools based on recommendations from the SR2S safety assessments.

The City partnered with a local agency and nonprofit organizations to collectively develop and implement the project that addresses the needs of the community residents. The sub-applicants for the grant project are HUSD (public agency), TransForm (nonprofit), TEA (nonprofit), and BEB (nonprofit). Bike Hayward (local group) is the Community Partner. HUSD and TransForm will help facilitate engagement with schools, students, and student families based on their existing relationships for the SR2S implementation project, active transportation education and promotion, and bike parking installations at school sites. TransForm will also assist the City with the bike voucher program development based on their expertise. BEB will host bicycle educational classes and events for students and community members and provide any feedback related to bike parking and the bike voucher program. TEA will hire Chabot College student interns to help with community outreach and conduct surveys for the bike voucher program. Additionally, Bike Hayward will also assist with community outreach and will be consulted about the implementation of the project.

As required by CARB, at least 50 percent of the total proposed budget will fund projects located within LI and DAC census tracts in the City. The grant project will be in compliance with this requirement as the majority of schools for SR2S infrastructure improvements are within LI census tracts and the bike voucher program will include larger bike subsidies for LI and DAC residents.

The funding agreement with CARB will need to be executed following the approval of this resolution. The total budget for the City's scope of work for the grant project is \$6,210,008, which is reimbursement-based after the contract is executed with CARB. The City



contribution amount will be \$3,500. The resource contribution was not required by CARB but was added to the budget to cover ineligible expenses for the community outreach.

**ECONOMIC IMPACT**

City residents, including students and their families, will benefit from improved active transportation infrastructure, bike subsidies, and active transportation education.

**FISCAL IMPACT**

The City’s grant funding match is \$3,500 which will come from the Fund 460 Transportation System Improvement. The \$6,206,508 in CARB funding and City grant funding match will be split among two projects as shown below:

<b>Project Description</b>	<b>Project Number</b>	<b>Estimated Cost</b>
Safe Routes to School Implementation Project	06941	\$2,258,288
Active Transportation Incentive and Promotion Program	06937	\$3,951,720

**STRATEGIC ROADMAP**

This agenda item supports the Strategic Priority of Confront Climate Crisis & Champion Environmental Justice and Invest in Infrastructure. Specifically, this project relates to the implementation of the following projects:

*Confront Climate Crisis & Champion Environmental Justice*

Project C6: Improve e-bike adoption through the creation of an e-bike rebate program and ensuring that electric transit infrastructure such as EV chargers also serve e-bike and not just electric cars

*Invest in Infrastructure*

Project N1: Continue to implement major corridor traffic calming initiatives.

Project N2: Develop a micro-mobility policy (eBikes, eScooters)

Project N4: Implement Safe Routes for School, with a focus on Cesar Chavez and Palma Ceia.

**SUSTAINABILITY FEATURES**

The implementation of the project would encourage and incentivize walking and biking for the residents thereby reducing automobile dependency and greenhouse gas emissions over time.

## **PUBLIC CONTACT**

Robust public outreach and engagement will be implemented as the project moves forward. All necessary stakeholders and affected neighborhoods, agencies, community-based organizations, and businesses will have opportunities for input and be done in a way that is equitable.

## **NEXT STEPS**

If Council approves this request, the City Manager will enter into a funding agreement with CARB for a total amount of \$6,206,508 of state fund and \$3,500 local matching fund. Once the funding agreement is executed, staff will begin the process to perform the scope of work.

*Prepared by:* Jade Kim, Assistant Transportation Engineer  
Byron Tang, Senior Transportation Engineer  
Erik Pearson, Environmental Services Manager  
Hugh Louch, Deputy Director of Public Works

*Recommended by:* Alex Ameri, Director of Public Works

Approved by:



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Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 24-\_\_\_

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

RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT AND APPROPRIATE \$6,206,508 IN GRANT FUNDING FROM THE CALIFORNIA AIR RESOURCE BOARD'S CLEAN MOBILITY IN SCHOOL AND THE SUSTAINABLE TRANSPORTATION EQUITY PROJECT GRANT PROGRAMS; AND 2) APPROVE A RESOURCE CONTRIBUTION OF \$3,500 FROM FUND 460 FOR THE SAFE ROUTES AND ACTIVE TRANSPORTATION FOR SCHOOLS AND UNDERSERVED COMMUNITIES IN HAYWARD PROJECT No. 06937 and 06941

WHEREAS, City of Hayward, as Lead Applicant, submitted a grant application on November 3, 2024, to the Planning and Capacity Building (Planning), Clean Mobility in School (CMIS), and the Sustainable Transportation Equity Project (STEP) Request for Applications for Safe Routes and Active Transportation for Schools and Underserved Communities Project in Hayward; and

WHEREAS, the City Council of the City of Hayward is eligible to receive funding through the CMIS and STEP programs that are administered by California Air Resources Board (CARB); that focuses on increasing transportation equity via funding for planning, clean transportation, and supporting projects; and that is part of California Climate Investments, a statewide initiative that puts billions of Cap-and-Trade dollars to work reducing greenhouse gas emissions, strengthening the economy, and improving public health and the environment—particularly in disadvantaged communities; and

WHEREAS, the purpose of the grant project is to provide and promote safe, affordable active transportation while reducing transportation-related emissions for residents, especially in disadvantaged communities. The project includes (1) Safe Routes to School implementation project for 12 schools, (2) a Citywide bike voucher program, (3) bike parking installations near the City's key destinations and school sites, and (4) active transportation education and promotion including bike classes, engagement events, and crossing guard training; and

WHEREAS, the City of Hayward will comply with the requirements stated in the grant agreement; will accept the grant funds from CARB; and will allocate and authorize the amount of \$3,500 that the City of Hayward has committed as part of the application to be used as resource contributions for the project; and

WHEREAS, the City of Hayward will work with CARB to amend the grant agreement when and as necessary to adapt to project and community needs and lessons learned during grant implementation; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward, that the City Manager is hereby authorized and directed to accept and appropriate \$6,206,508 in Grant Funding from the California Air Resource Board to the Transportation System Improvement Fund.

BE IT FURTHER RESOLVED, that the City Manager is authorized to execute the approval of CMIS and STEP funds of \$6,206,508 and potential future grant amendments.

BE IT FURTHER RESOLVED, that the City of Hayward shall comply with program requirements.

BE IT FURTHER RESOLVED, that the City of Hayward shall provide committed resource contributions of \$3,500 from Fund 460 Transportation System Improvement to the project.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2024

ADOPTED BY THE FOLLOWING VOTE:

AYES:           COUNCIL MEMBERS:  
                  MAYOR:

NOES:           COUNCIL MEMBERS:

ABSTAIN:       COUNCIL MEMBERS:

ABSENT:        COUNCIL MEMBERS:

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

APPROVED AS TO FORM:

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



# CITY OF HAYWARD

Hayward City Hall  
777 B Street  
Hayward, CA 94541  
www.Hayward-CA.gov

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**File #:** CONS 24-211

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**DATE:** April 23, 2024

**TO:** Mayor and City Council

**FROM:** Director of Library Services

**SUBJECT**

Adopt a Resolution Affirming the Appointment of a New Hayward Poet Laureate and Establishing Protocols for the Selection of Hayward Poet Laureates Effective April 23, 2024

**RECOMMENDATION**

That Council adopts a resolution (Attachment II) to establish Leticia Guzman as the Hayward Poet Laureate from April 23, 2024, through March 31, 2026 and to establish protocols for the selection of Hayward Poet Laureates moving forward.

**SUMMARY**

Based on the success of the Hayward Poet Laureate Program (“Program”) since its inception in 2015, Hayward Public Library staff was directed by the Mayor to create a competitive process by which future Poet Laureate appointments would be made with the approval of the City Council. Following the application process and the review of written and video material, Leticia Guzman has been selected to be the next Poet Laureate of Hayward and shall serve in this capacity through March 31, 2026. Leticia shall receive a stipend in the amount of \$1,000 for the entire 2-year tenure.

**ATTACHMENTS**

Attachment I	Staff Report
Attachment II	Resolution



**DATE:** April 23, 2024

**TO:** Mayor and City Council

**FROM:** Director of Library Services

**SUBJECT:** Adopt a Resolution Affirming the Appointment of a New Hayward Poet Laureate and Establishing Protocols for the Selection of Hayward Poet Laureates Effective April 23, 2024

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### **SUMMARY**

Based on the success of the Hayward Poet Laureate Program (“Program”) since its inception in 2015, Hayward Public Library staff was directed by the Mayor to create a competitive process by which future Poet Laureate appointments would be made with the approval of the City Council. Following the application process and the review of written and video material, Leticia Guzman has been selected to be the next Poet Laureate of Hayward and shall serve in this capacity through March 31, 2026. Leticia shall receive a stipend in the amount of \$1,000 for the entire 2-year tenure.

### **BACKGROUND AND DISCUSSION**

The City Council established the Hayward Poet Laureate Program in 2015 to raise awareness of the power of poetry and other forms of literature. The title of Poet Laureate of Hayward has been held by the same person since the inception of the program. At Council’s direction, HPL staff established a competitive process to select Hayward Poet Laureates moving forward. Using the newly established protocol, an application process was open from March 12, 2024 through March 22, 2024 to find the next Poet Laureate of Hayward.

As detailed below, the protocol established requirements for the application process and for prospective candidates and identified duties to be performed by the Hayward Poet Laureate. The newly established has been successfully used to make a qualified selection for the

Hayward Poet Laureate role, and HPL staff requests that the process be replicated for future selections.

### Application Requirements

Submit between three (3) and five (5) original works of poetry demonstrating commitment to, and mastery of, the art and craft of poetry in any style or form. Submit a brief paragraph not exceeding 300 words describing why applicant wants to be Hayward's Poet Laureate and who or what inspires them to write poetry. Submit a video no longer than five (5) minutes of one poem read aloud as if to a large audience. Submittals must not include gratuitous violent or sexual content, hate speech, or slander.

### Candidate Requirements

Selected candidate must be willing to fulfill the Poet Laureate duties. Candidates must live within the city limits of incorporated Hayward at the time of applying and during their tenure as Poet Laureate if selected. Candidates must be 18 years of age or older as of April 1, 2024. Selected candidate must be willing to submit a W-9 form to the City of Hayward in order to receive stipend.

### Poet Laureate Duties

Promote creativity and appreciation of poetry and the literary arts. Write at least two (2) poems annually dedicated to Hayward or major occasions or current events affecting Hayward residents, as and when mutually agreed upon. Attend between one (1) and four (4) City of Hayward and/or literary events annually and read or otherwise perform their poetry at these events and may attend additional events at their discretion. Create and share original content (such as poems, videos of poetry readings, etc.) for the City of Hayward's social media platforms or other forms of marketing and/or outreach, as mutually agreed upon. Act as an ambassador representing the City of Hayward in the local literary arts community and representing poetry in the wider arts community. Represent the City in a professional and positive manner while in their official role as Poet Laureate.

### Selected Candidate: Leticia Guzman

Leticia Guzman was selected from a field of applicants to be the next Poet Laureate of Hayward because of the quality, range, and breadth of her poetry, her experience with inspiring future poets and working with youth, as well as the quality and confidence of her delivery in the video that was submitted.

## **STRATEGIC INITIATIVES**

This agenda item relates to the Council's Strategic Initiative to Enhance Community Safety and Quality of Life by Implementing Community Enrichment.

## **FISCAL IMPACT**

The appointed Hayward Poet Laureate shall receive a \$1,000 stipend for their 2-year tenure to help defray the cost of travel and materials and to recognize the significant contribution of time and service the Poet Laureate makes to the Hayward community. This stipend is included in Mayor and Council operating budget.

*Prepared by:* Melissa Burkley, Management Analyst I

*Recommended by:* Jayanti Addleman, Director of Library Services

Approved by:



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Kelly McAdoo, City Manager



HAYWARD CITY COUNCIL

RESOLUTION NO. 24-\_\_\_\_

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

RESOLUTION TO ESTABLISH PROTOCOL FOR THE SELECTION OF HAYWARD  
POET LAUREATES MOVING FORWARD AND TO AFFIRM THE APPOINTMENT  
OF A NEW HAYWARD POET LAUREATE FOR TWO-YEAR TENURE BEGINNING  
APRIL 23, 2024

WHEREAS, the Hayward City Council established the Hayward Poet Laureate Program in 2015 to raise awareness of the power of poetry and other forms of literature; and

WHEREAS, based on the past success of the Hayward Poet Laureate Program, the Mayor directed Hayward Public Library staff to create a competitive process by which future Poet Laureate appointments would be made with the approval of the City Council; and

WHEREAS, the Hayward Public Library staff created such a process, establishing application and candidate requirements and identifying duties of the Hayward Poet Laureate; and

WHEREAS, Hayward Public Library staff requests that Council approve the established protocol for selection of all future Hayward Poet Laureates; and

WHEREAS, following the acceptance of applications from poets living within City limits of incorporated Hayward, Leticia Guzman has been selected to be the next Poet Laureate of Hayward; and

WHEREAS, the Hayward Poet Laureate will act as an ambassador representing the City of Hayward in the local literary arts community and representing poetry in the wider arts community; and

WHEREAS, the Hayward Poet Laureate will represent the City in a professional and positive manner; and

WHEREAS, the Hayward Poet Laureate will attend between one and four City of Hayward or literary events annually, and they will read or otherwise perform their poetry at these events and may attend additional events at their discretion; and

WHEREAS, the Hayward Poet Laureate will write at least two poems annually dedicated to Hayward or major occasions or current events affecting Hayward residents; and

WHEREAS, the Hayward City Council approves that a stipend in the amount of \$1,000 for the entire 2-year tenure be provided to the appointed Poets Laureate to help defray the cost of the Poet Laureate’s travel and materials, and to recognize the significant contribution of time and service that the Poet Laureate makes to the Hayward community; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby affirms the continuance of the Hayward Poet Laureate Program and adopts the protocol recommended by Library staff for the selection of future Hayward Poets Laureate, effective April 23, 2024; and

BE IT FURTHER RESOLVED that the City Council of the City of Hayward hereby appoints Poet Leticia Guzman to serve as the Hayward Poet Laureate through March 31, 2026.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2024.

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:  
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

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

APPROVED AS TO FORM:

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



# CITY OF HAYWARD

Hayward City Hall  
777 B Street  
Hayward, CA 94541  
www.Hayward-CA.gov

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**File #:** CONS 24-214

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**DATE:** April 23, 2024

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT**

Adopt a Resolution Awarding a Contract to MCK Services, Inc., for the FY24 Pavement Improvement Project, Project No. 05242, in the Amount of \$12,365,204.50 and Authorizing an Administrative Change Order Budget of \$969,795.50

**RECOMMENDATION**

That the Council adopts a resolution (Attachment II) approving Addendum No. 1 and 2 consisting of revisions to the plans and specification for the FY24 Pavement Improvement Project (PIP) and awarding the contract for the project to MCK Services, Inc., (MCK) in the amount of \$12,365,204.50 and authorizing an administrative change order budget of \$969,795.50 for a total not to-exceed contract amount of \$13,335,000.

**SUMMARY**

The FY24 PIP calls for the rehabilitation of eighty-seven (87) street segments and preventive maintenance of thirty-eight (38) street sections for a total of one hundred and twenty-five (125) street segments (Attachment III). The proposed improvements will repair failed pavement segments and improve street surfaces.

On March 23, 2024, the project received five (5) bids. Only one of the five bids was under the Engineer's Estimate of \$12,425,000. At \$12,365,204.50, the low bid received is \$59,795.50 or 0.48% under the Engineer's Estimate.

Staff recommends award of the contract to the responsible low bidder, MCK, in the amount of \$12,365,204.50 and authorizing a potential administrative change order budget of \$969,795.50 to be used at the discretion of the Director of Public Works for potential change order work.

The project budget of \$14,300,000 is funded via the Gas Tax, Road Repair and Accountability Act (RRAA) (SB1), Measure BB, Vehicle Registration Fees, Measure C, and Street System Improvement funds.

**ATTACHMENTS**

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**File #:** CONS 24-214

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Attachment I	Staff Report
Attachment II	Resolution
Attachment III	Project List
Attachment IV	Location Map



**DATE:** April 23, 2024

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT** Adopt a Resolution Awarding a Contract to MCK Services, Inc., for the FY24 Pavement Improvement Project, Project No. 05242, in the Amount of \$12,365,205 and Authorizing an Administrative Change Order Budget of \$969,795

**RECOMMENDATION**

That the Council adopts a resolution (Attachment II) approving Addendum No. 1 and 2 consisting of revisions to the plans and specification for the FY24 Pavement Improvement Project (PIP) and awarding the contract for the project to MCK Services, Inc., (MCK) in the amount of \$12,365,205 and authorizing an administrative change order budget of \$969,795 for a total not to-exceed contract amount of \$13,335,000.

**SUMMARY**

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On March 23, 2024, the project received five (5) bids. Only one of the five bids was under the Engineer’s Estimate of \$12,425,000. At \$12,365,205, the low bid received is \$59,795 or 0.48% under the Engineer’s Estimate.

Staff recommends award of the contract to the responsible low bidder, MCK, in the amount of \$12,365,205 and authorizing a potential administrative change order budget of \$969,795 to be used at the discretion of the Director of Public Works for potential change order work.

The project budget of \$14,300,000 is funded via the Gas Tax, Road Repair and Accountability Act (RRAA) (SB1), Measure BB, Vehicle Registration Fees, Measure C, and Street System Improvement funds.

## BACKGROUND

On April 25, 2023<sup>1</sup>, staff recommended Council approve a project list for the SB1 FY24 PIP Funding. A resolution was required to submit an application to the California Transportation Commission (CTC) to receive an estimated \$4,000,000 in funding for pavement improvement.

On April 25, 2023<sup>2</sup>, Council adopted a resolution authorizing the City Manager to execute Amendment No. 5 to the Professional Services Agreement (PSA) with Pavement Engineering, Inc., (PEI) for engineering services associated with the FY24 PIP. The scope of work for PEI is limited to engineering review, pavement evaluation, measurement of field quantities, curb ramp design, and construction support.

On March 5, 2024<sup>3</sup>, Council approved the plans and specifications for the FY24 PIP and called for bids to be received on March 26, 2024.

On March 14, 2024, staff issued Addendum No. 1 to revise plans and specifications and called for bids to be received on April 2<sup>nd</sup>, 2024.

On March 25, 2024, staff issued Addendum No. 2 to revise plans and specifications and called for bids to be received on April 3<sup>rd</sup>, 2024.

On April 3, 2024, five (5) bids were received, one of five bids were under the Engineer's Estimate. At \$12,365,205 the low bid received by MCK Services, Inc., of Concord, is \$59,795, or 0.48%, above the Engineer's Estimate of \$12,425,000. DeSilva Gates Construction LLC of Concord, submitted the second lowest bid in the amount of \$12,677,970 which is 2.04% above the Engineer's Estimate.

The PIP involves one of four types of treatments:

### Pavement Rehabilitation:

- 1) Standard overlay of the existing street pavement with new Hot Mix Asphalt surfacing.
- 2) Cold-In-Place Recycling (CIR), which involves removing the top layer of asphalt, mixing the removed aggregates with a recycling agent and other additives on-site, replacing this pavement material onto the same roadway, then applying a Hot Mix Asphalt overlay.
- 3) Full Depth Reclamation (FDR), which consists of pulverizing and mixing distressed asphalt and underlying pavement materials with or without the addition of stabilizing agents; using the resulting material as a base for the renewed pavement structure and adding a new Hot Mix Asphalt cap.

### Preventive Maintenance:

- 4) Varying combinations of: crack sealing, 6" spot repair and micro-surfacing.

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<sup>1</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=6187472&GUID=C0AC963F-3981-4D57-A874-6874160A119B&Options=&Search=>

<sup>2</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=4548864&GUID=6506EE24-A2C3-455B-92E1-8A42B60887B1&Options=&Search=>

<sup>3</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=6561050&GUID=CD1E5F91-5892-483D-B4D0-F51FD96391CC&Options=&Search=>

Street selection for the PIP is based on staff's analysis using several criteria described below:

- **Technology** – The Pavement Management Program (PMP)<sup>4</sup> evaluates current and predicts future roadway conditions. It provides logical and efficient methods of identifying street rehabilitation needs. It also determines the most cost-effective allocation of funds to the street segments needing preventive maintenance, rehabilitation or reconstruction. Staff utilized the PMP to compile an initial list of recommended streets. This list is then revised to consider other criteria and project budget allocation parameters.
- **Social Equity** – Whether a particular area of the City has received its fair share of improvements in the past.
- **Internal Reports** - Reports from the City's Maintenance Services staff on streets needing repair were considered.
- **Council Members Input** – Council member requests for selecting streets were considered.
- **Public Input** - Public requests for selecting streets were considered.
- **Geographic Location** – Selecting streets in close vicinity to help lower construction bids was considered.
- **Funding Availability** – Available funding and potential for obtaining outside grant funding was evaluated.

The Pavement Condition Index (PCI) is an overall rating of road conditions. The PCI of each arterial and collector street segment is evaluated by an independent third-party every other year, and each residential street segment is evaluated every five years.

<u>PCI Rating</u>	<u>Description</u>
100	This rating is given to newly constructed or rehabilitated roadways.
85 - 99	Highly functional roadway. No action required.
70 - 85	Roadway can be maintained ("preventive maintenance") with crack sealing, slurry seals, micro-surfacing, and some minor, localized pothole repairs. As the roadway pavement ages, preventive maintenance may not be effective after a few maintenance cycles.
40 - 70	Extensive "dig-outs," grinding, fabric, or asphalt overlays may be required to maintain (or "rehabilitate") roadways.

<sup>4</sup> The PMP is a Metropolitan Transportation Commission (MTC) recommended software program.

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0 - 40	Roadway requires complete reconstruction using full depth reconstruction, cold in place recycling, or hot in-place recycling methods. If a street deteriorates beyond certain points, it becomes progressively more expensive to bring that street back to the desired standard.
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As part of the 2018 Capital Improvement Program (CIP) agenda item at the September 26, 2017<sup>5</sup> CIP meeting, Council reviewed and agreed to the following budget allocations for annual pavement improvement projects:

- Minimum 20% for preventive maintenance (streets with PCI of 70-85).
- Minimum 15% for streets located in Industrial Hayward as recommended by the Economic Development Strategic Plan in 2014.
- Minimum 10% for deteriorated streets (streets with PCI of 0-30).

## DISCUSSION

Based on staff's analysis using the criteria described above, the project parameters are as follows:

<b>Project Budget Allocation</b>	<b>Goal</b>	<b>Current Performance</b>	<b>Difference</b>
Preventive Maintenance Treatment	20% minimum	20%	0%
Streets Located in Industrial Hayward	15% minimum	5%	-10%
Streets with PCI Less than 30	10% minimum	55%	45%

The project budget allocation is skewed away from industrial streets due to heavy emphasis in previous years (FY22 PIP and FY23 PIP) to pave industrial streets including: West Winton Ave, Cabot Blvd, Depot Rd, Mack St, Investment Blvd, Eden Landing Rd, Corporate Ave, etc.

The project budget allocation is skewed towards streets in very poor condition (PCI less than 30) due to various reasons:

- Increasing social equity by paving streets in lower socioeconomic neighborhoods. FY24 PIP is emphasizing streets in the Mt Eden and Glen Eden neighborhoods and have numerous streets which have not been paved in 25+ years, including West Tennyson Rd, Thayer Ave, Portsmouth Ave, and Panama St.

This selection requires both judgement and experience. Staff has engaged an experienced consultant, PEI to confirm the selection of streets segments, the approximate level of treatment for each and provide engineering support services.

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<sup>5</sup> [CITY OF HAYWARD - File #: CONS 17-588 \(legistar.com\)](#)



11.6 miles of bike lane striping will be installed at the following locations:

6.6 centerline miles of Class II Bike Lanes:

- Corsair Blvd, West Winton Ave to Sabre St (0.5 miles)
- Corsair Blvd, Sabre St to Barricade (1.1 miles)
- Cryer St, Industrial Blvd to Adrain Ave (0.9 miles)
- Gettysburg Ave, Cryer St to Depot Rd (0.8 miles)
- Portsmouth Ave, West Tennyson Rd to Baumberg Ave (0.7 miles)
- Sleepy Hollow Ave, Industrial Pkwy to Hesperian Blvd (1.2 miles)
- Tyrell Ave, Tennyson Rd to Shafer Ave (1.4 miles)

5.0 centerline miles of Class III Bike Lanes:

- Adrian Ave, Cryer St to Depot Rd (0.2 miles)
- Baumberg Ave, Arf Ave to Industrial Pkwy (0.5 miles)
- C St, Fifth St to Seventh St (0.4 miles)
- Everglade St, Florida St to Orlando Ave (0.6 miles)
- Fourth St, B St to D St (0.4 miles)
- Harder Rd, Westview Wy to Cal State Campus (0.4 miles)
- Palisade St, Mission Blvd to Overlook Ave (0.8 miles)
- Thayer Ave, Gettysburg Ave to Trafalgar Ave (0.4 miles)
- West Tennyson Rd, Industrial Blvd to Hesperian Blvd, (1.2 miles)

This project is categorically exempt from environmental review under Section 15301(c) of the California Environmental Quality Act (CEQA) Guidelines for the operation, repair, maintenance, or minor alteration of existing facilities.

On November 15, 2016, Council passed a resolution authorizing a Community Workforce Agreement (CWA) with the Alameda County Building Trades Council (BTC), which applies to City projects with construction costs of \$1,000,000 or more. The agreement requires contractors to use local union hiring halls, encourages contractors to employ Hayward residents or Hayward Unified School District graduates, and requires hired workers to pay union dues and other benefit trust fund contributions, etc. The construction cost estimate for the FY23 PIP is more than \$1,000,000, the CWA agreement applies to this project.

## **ECONOMIC IMPACT**

Repaving City streets is beneficial for both residents and people travelling within the City, reducing damage to vehicles and creating an environment that is well maintained. This maintenance may spur further investment in the City.

## FISCAL IMPACT

Estimated project costs are as follows:

• Design and Contract Administration	\$715,000
• Construction Inspection and Testing	\$250,000
• MCK's Construction Bid	\$12,365,205
• Construction Contingency	<u>\$969,795</u>
	Total: \$14,300,000

The project is funded by City's CIP Program with Direct Local Distribution (Gas Tax, Measure BB, Measure B, and vehicle registration fees) and State RRAA (SB1) funds and there is no impact on the General Fund.

The estimated project funding sources are as follows:

• 210 - Gas Tax	\$1,550,000
• 211 - RRAA (SB1)	\$4,000,000
• 212 - Measure BB - Local Transportation	\$3,118,940
• 218 - Vehicle Registration Fee	\$800,000
• 406 - Measure C Capital	\$2,000,000
• 450 - Street System Improvements	<u>\$2,831,060</u>
	Total: \$14,300,000

FY 2024 PIP Project No. 05242 currently has a total available budget of \$11,568,940. The additional funds required to support the total project cost are included in the Recommended FY 2025 Capital Improvement Program, which will be brought before Council for consideration at the May 7 Work Session, and again during the Public Hearing and Adoption, tentatively scheduled for June 4.

## STRATEGIC ROADMAP

This agenda item supports the FY24 to FY25+ Strategic Roadmap of Invest in Infrastructure. Specifically, this item relates to the implementation of the following project(s):

### *Invest in Multi-Modal Transportation*

Project N6 - Continue to add approximately 10 miles of bike lanes annually, with a focus on protected bike lanes and intersections that have high traffic/incidents.

## SUSTAINABILITY FEATURES

The project requires the contractor to recycle all construction and demolition debris generated from the project.

This project is consistent with City's Complete Streets Policy and improves travel for all users including:

- Improved pavement for motorists
- Additional bike lanes and sharrows for bicyclists

- More visible pavement markings for pedestrians, including near school zones
- New or upgraded curb ramps to meet the recently revised Caltrans standards for pedestrians

The project satisfies the following 2040 General Plan policies:

- PFS-7.10 Recycled Products or Processes for Capital Projects
- HQL-2.5 Safe Routes to School
- HQL-2.6 Education on Sharing the Road
- M-1.7 Eliminate Gaps (in pedestrian networks)
- M-3.1 Serving All Users
- M-5.1 Pedestrian Needs
- M-5.6 Safe Pedestrian Crossings
- M-6.2 Encourage Bicycle Use

**PUBLIC CONTACT**

Immediately after the construction contract is awarded, a preliminary notice explaining the project will be posted and distributed to all residents and businesses along the affected streets. After the construction work has been scheduled, signs on barricades will be posted seventy-two hours prior to commencement of work indicating the date and time of work for each street. Residents will be advised to park their vehicles on side streets outside of the work area during the period when the streets are being treated.

**NEXT STEPS**

Summer 2024	Start of Construction
October 2024	End of Construction

*Prepared by:* Yama Farouqi, Associate Civil Engineer  
 Kathy Garcia, Deputy Director of Public Works

*Recommended by:* Alex Ameri, Director of Public Works

*Approved by:*




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Kelly McAadoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 24-\_\_\_\_

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

RESOLUTION AWARDING A CONTRACT TO MCK SERVICES, INC., FOR THE FY24 PAVEMENT IMPROVEMENT PROJECT, PROJECT NO. 05242 IN AN AMOUNT NOT-TO-EXCEED \$13,335,000

BE IT RESOLVED by the City Council of the City of Hayward as follows:

WHEREAS, by resolution on February 27, 2024, the City Council approved the plans and specifications for the FY24 Pavement Improvement Project, Project No. 05242 and called for bids to be received on March 26, 2024; and

WHEREAS, on March 14, 2024, Addendum No. 1 was provided to revise the plans and specifications and revised call for bids to be received on March 26, 2024; and

WHEREAS, on March 25, 2024, Addendum No. 2 was provided to revise the plans and specifications and revised call for bids to be received on April 3, 2024; and

WHEREAS, on April 3, 2024, five (5) bids were received, ranging from \$12,365,204.50 to \$14,581,131.65; MCK Services, Inc., of Concord, California submitted the low bid in the amount of \$12,365,204.50, which is 0.48% below the engineer's estimate of \$12,425,000; and

WHEREAS, the Administrative Change Order (ACO) or contingency budget of \$969,795.50 was not disclosed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that MCK Services, Inc. is hereby awarded the contract for the FY24 Pavement Improvement Project, Project No. 05242, in the amount of \$12,365,204.50 in accordance with the plans and specifications adopted therefore and on file in the office of the City Clerk of the City of Hayward at and for the price named and stated in the bid of the hereinabove specified bidder, and all other bids are hereby rejected.

BE IT FURTHER RESOLVED that the expenditure of \$969,795.50 for Administrative Change Orders is hereby authorized.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute the contract with MCK Services, Inc., in the name of and for and on behalf of the City of Hayward, in a form to be approved by the City Attorney.



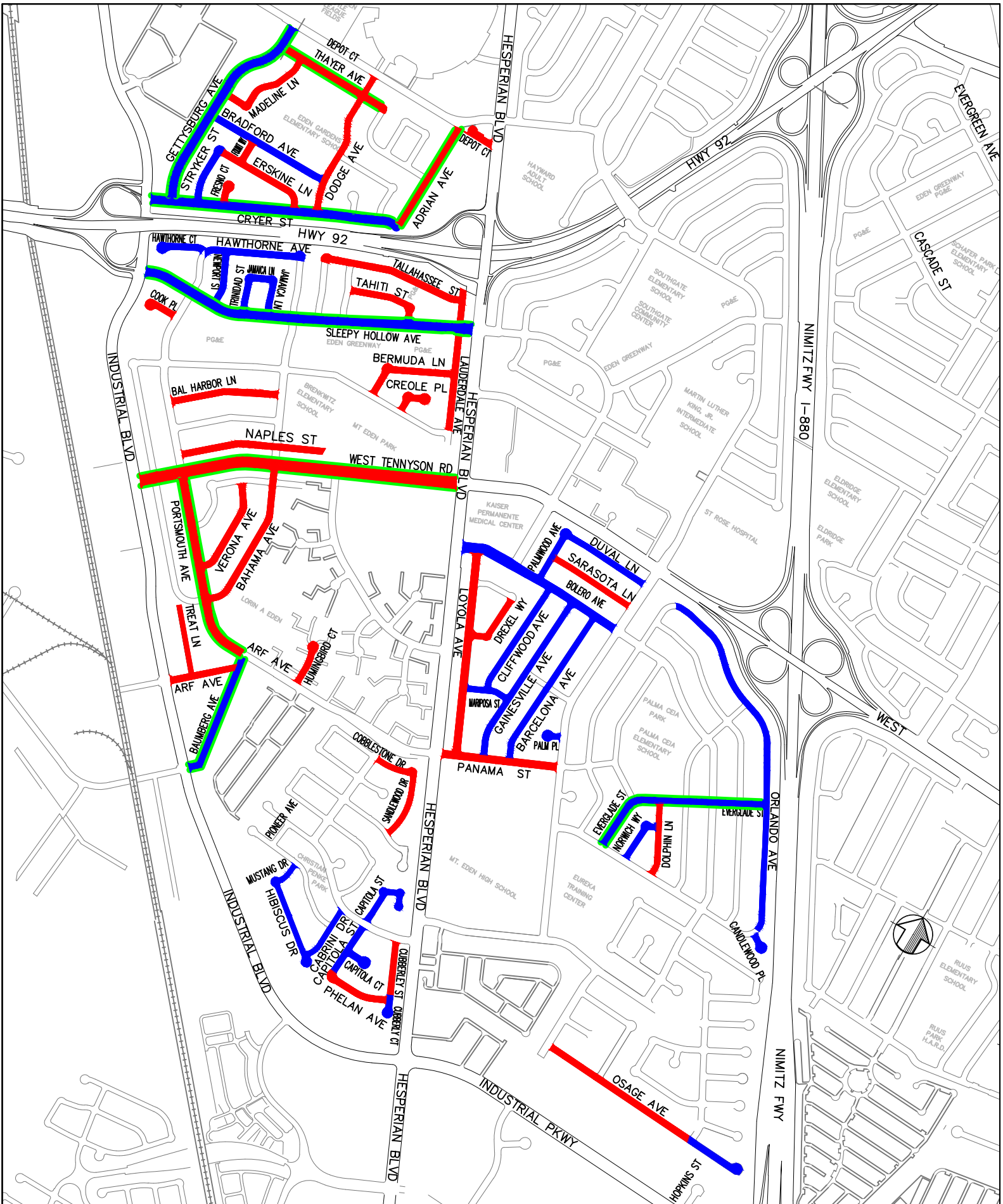
<b>Preventive Maintenance</b>			
	<b>Street</b>	<b>From</b>	<b>TO</b>
1	APPLE AVE	FOOTHILL BLVD	OAK ST
2	ARF AVE	BAUMBERG AV	HESPERIAN BLVD
3	BAUMBERG AVE	ARF AVE	INDUSTRIAL PKWY
4	BELLINA ST	2ND ST	3RD ST
5	BOLERO AVE	HESPERIAN BLVD	PALMWOOD AVE
6	BOLERO AVE	PALMWOOD AVE	CALAROGA AVE
7	BRADFORD AVE	GETTYSBURG AV	DODGE AV
8	C ST	FIRST ST	SECOND ST
9	CABRINI DR	TAHOE AVE	HIBISCUS DR
10	CANDLEWOOD PL	ORLANDO AV/FLORIDA AV	CUL DE SAC
11	CAPITOLA ST	TAHOE AVE	CUL-DE-SAC
12	CAPITOLA ST	PHELAN AV	TAHOE AVE
13	CAPITOLA CT	CUL DE SAC	CAPITOLA ST
14	CLIFFWOOD AVE	MARIPOSA ST	BOLERO AV
15	CRYER ST	GETTYSBURG AV	ADRIAN AV
16	CUBBERLEY CT	PHELAN AV	END
17	DRACENA ST	LOYOLA AVE	DREXEL WY
18	DUVAL LANE	PALMWOOD AVE	CALAROGA AVE
19	EVERGLADE ST	FLORIDA ST	ORLANDO AV
20	FIRST ST	E ST	C ST
21	GAINESVILLE AVE	PANAMA ST	BOLERO AV
22	GETTYSBURG AVE	CRYER ST	DEPOT RD
23	HAWTHORNE AVE	PORTSMOUTH AV	BAHAMA
24	HAWTHORNE CT	PORTMOUTH AVE	END
25	HIBISCUS DR	MUSTANG DR	CUL-DE-SAC
26	JAMAICA LN	TRINIDAD ST	SLEEPY HOLLOW AVE
27	MARIPOSA ST	LOYOLA AVE	GAINESVILLE AVE
28	MUSTANG DR	HIBISCUS DR	MISTLETOE DR
29	NEWPORT ST	SLEEPY HOLLOW AV	HAWTHORNE AV
30	NORWICH AVE	FLORIDA ST	DOLPHIN LN
31	ORLANDO AVE	CORONADO ST	CANDLEWOOD CT
32	PALISADE ST	MISSION BLVD	MARGARET DR
33	PALM PLACE	CUL DE SAC	CALAROGA AVE
34	PALMWOOD AVE	BOLERO AV	DUVAL LN
35	SLEEPY HOLLOW AVE	INDUSTRIAL PKWY	HESPERIAN BLVD
36	STAFFORD AVE	FIFTH ST	SIXTH ST
37	STRYKER ST	CRYER ST	ERSKINE LN
38	TRINIDAD ST	SLEEPY HOLLOW	JAMAICA LN

<b>Rehabilitation</b>			
	<b>Street</b>	<b>From</b>	<b>TO</b>
39	ADRIAN AVE	DEPOT RD	TRAFALGAR AVE
40	ADRIAN AVE	TRAFALGAR AVE	CRYER ST
41	ARF AVE - ARFAVE	INDUSTRIAL PKWY	BAUMBERG AVE
42	BAHAMA AVE	PORTSMOUTH AVE	TENNYSON RD
43	BAL HARBOR LN	PORTSMOUTH AVE	BAHAMA AVE
44	BAYVIEW AVE	KELLY ST	COUNTY LINE
45	BEECH ST	CEDAR ST	B ST
46	BERMUDA LN	DARWIN ST	LAUDERDALE AVE
47	BOWHILL RD	RUUS LN	CUL DE SAC
48	CEDAR ST	LINDEN ST	BEECH ST
49	CHESTNUT ST	B ST	DEAD END
50	CLAREMONT CT	HOPKINS ST	CUL DE SAC

<b>Rehabilitation</b>			
	<b>Street</b>	<b>From</b>	<b>TO</b>
51	COBBLESTONE DR	MORNINGSIDE DR	SANDLEWOOD DR
52	COOK PL	PORTSMOUTH AVE	END
53	CORSAIR BLVD	WEST WINTON AVE	SABRE ST
54	CORSAIR BLVD	SABRE ST	BARRICADE
55	CREOLE PL	DARWIN ST	CUL DE SAC
56	CUBBERLEY ST	PHELAN AVE	TAHOE AVE
57	DEPOT CT	HESPERIAN BLVD	END
58	DIXON ST	INDUSTRIAL PKWY WEST	COPPERFIELD AVE
59	DODGE AVE	CRYER ST	DEPOT RD
60	DOLE WY	A ST	RUSSELL WY
61	DOLPHIN LANE	FLORIDA ST	EVERGLADE ST
62	DREXEL WY	DRACENA ST	LOYOLA AVE
63	ERSKINE LANE	STRYKER ST	CRYER ST
64	FIFTH ST	B ST	STAFFORD AVE
65	FLETCHER LN	MISSION BLVD	WATKINS ST
66	FOUNT WAY	ERSKINE LN	BRADFORD AVE
67	FOURTH ST	C ST	D ST
68	FOURTH ST	B ST	C ST
69	FRESNO CT	CRYER ST	CUL DE SAC
70	GROVE WAY	LOCUST ST	FOOTHILL BLVD
71	HARDER RD	WESTVIEW WY	CAL STATE CAMPUS
72	HENNINGS CT	B ST	CUL DE SAC
73	HERMOSA TER	BAYVIEW AVE	MAROLYN CT
74	HILL AVE	TEMPLETON ST	COUNTY LINE
75	HOPKINS ST	INDUSTRIAL PKWY	NORTH END
76	HOPKINS ST	INDUSTRIAL PKWY	CLAREMONT CT
77	HUMMINGBIRD CT	ARF AV	CUL DE SAC
78	KINGS CT	"D" ST	DEAD END
79	LAUDERDALE AVE	DARWIN ST	SLEEPY HOLLOW AVE
80	LAUDERDALE AVE	SLEEPY HOLLOW AVE	END
81	LOYOLA AVE	PANAMA ST	BOLERO AV
82	MADLINE LANE	GETTYSBURG AV	THAYER AV
83	MADRONE ST	CEDAR ST	B ST
84	MAROLYN CT	CUL DE SAC	HEROMOSA TERR
85	NAPLES ST	PORTSMOUTH AVE	DEAD END
86	NORTH THIRD ST	KNOX ST	END
87	NORWOOD DR	B ST	CUL DE SAC
88	OAK ST	APPLE AV	COUNTY LINE (POLE #5639)
89	OLIVE PL	KELLY ST	CUL-DE-SAC
90	OSAGE AVE	CARDINAL ST	HESSE DR
91	OSAGE AVE	SPARROW RD	CARDINAL ST
92	OSAGE CT	HESSE DR	END
93	OVERLOOK AVE	CARLOS BEE BLVD	BARRICADE
94	PALISADE ST	OVERLOOK AV	END
95	PALISADE ST	MARGARET DR	OVERLOOK AV
96	PANAMA ST	HESPERIAN BLVD	CALAROGA AV
97	PEARCE ST	GRACE ST	SIMON ST
98	PHELAN AVE	CUBBERLEY CT	CAPITOLA ST
99	PORTSMOUTH AVE	W TENNYSON RD	BAUMBERG AVE
100	PROSPECT TERRACE	HOTEL AVE	WARREN ST

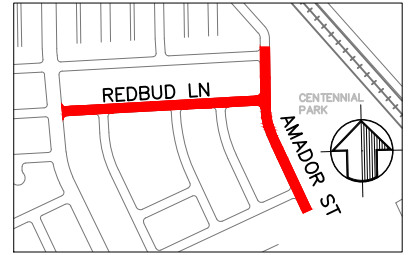
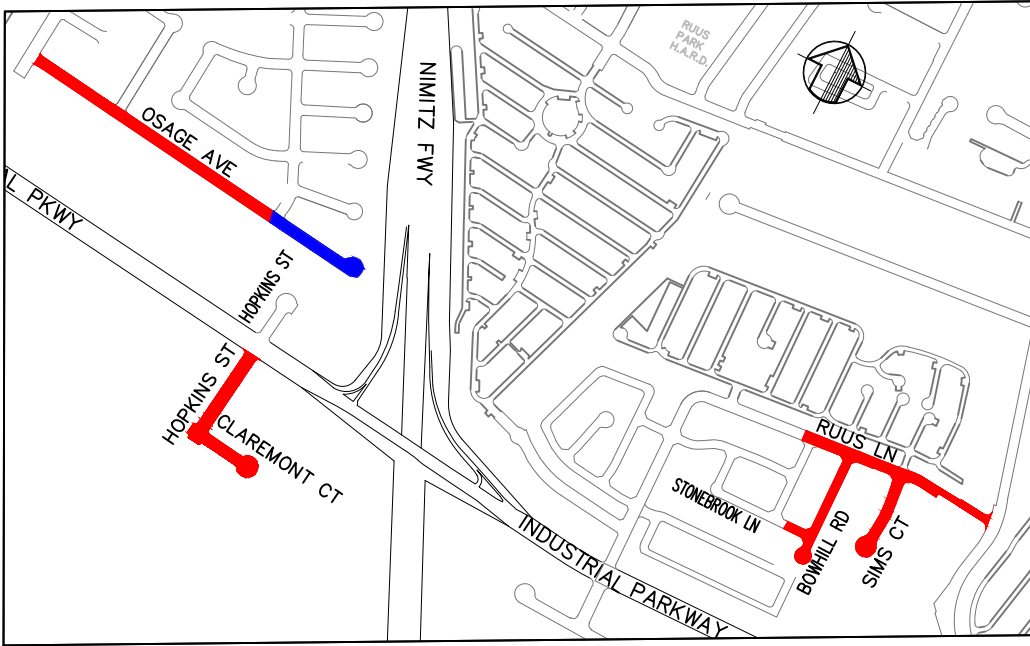
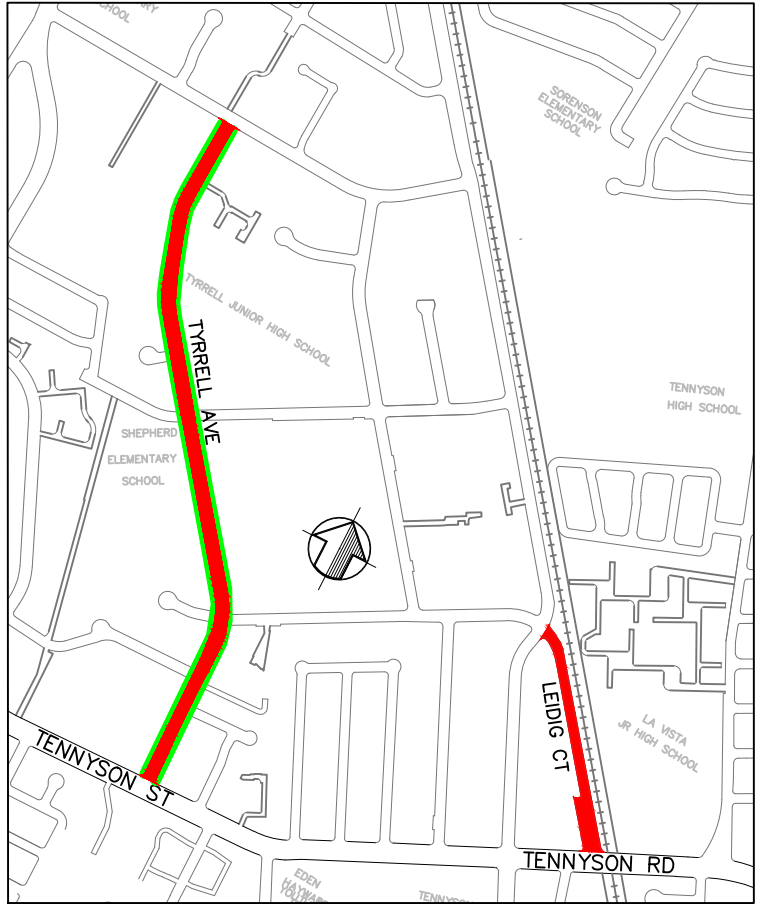
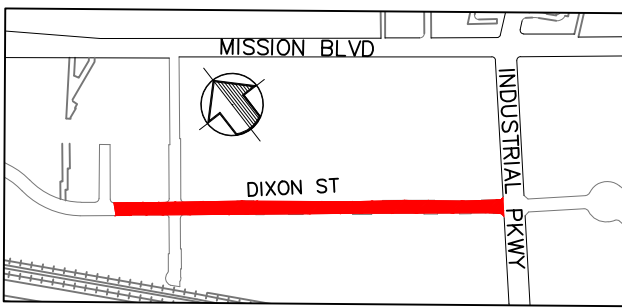
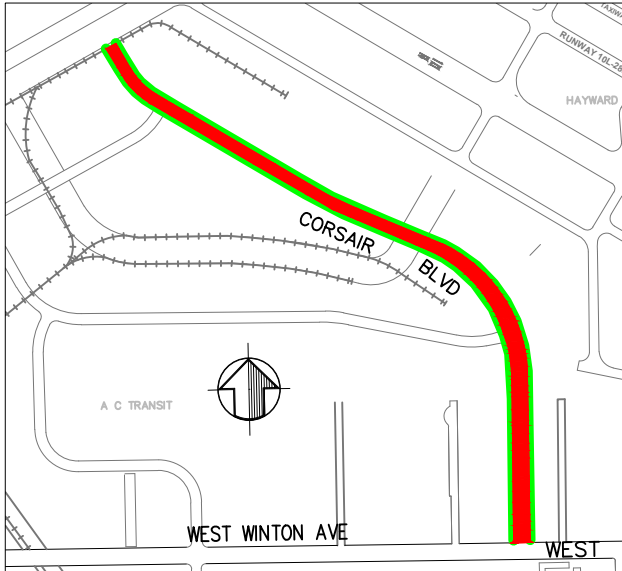
<b>Rehabilitation</b>			
	<b>Street</b>	<b>From</b>	<b>TO</b>
101	REDBUD LN	FULLER AV	AMADOR ST
102	REDSTONE PL	PALISADE ST	END
103	REX RD	FOOTHILL BLVD	END OF PAVEMENT
104	REX RD	FOOTHILL BLVD	RIO VISTA DR
105	RICHARD PL	A ST	SECOND ST
106	ROCKAWAY LN	A ST	DEAD END
107	RUUS LN	RUUS RD	SIMS
108	SANDLEWOOD DR	CABRILLO DR	COBBLESTONE DR
109	SARASOTA LANE	PALMWOOD AVE	CALAROGA AV
110	SIMON ST	MISSION BLVD	PROSPECT ST
111	SIMS CT	RUUS LN	END
112	TAHITI ST	AMAPALA ST	SLEEPY HOLLOW AVE
113	TALLAHASSEE ST	CAMPECHE ST	LAUDERDALE AVE
114	TAMALPIAS PL	PALISADE ST	END
115	TENNYSON RD WEST	INDUSTRIAL BLVD	HESPERIAN BLVD
116	TERRACE AVE	HIGH ST	DEAD END
117	THAYER AVE	GETTYSBURG AVE	TRAFALGAR AVE
118	THIRD ST	D ST	A ST
119	TYRELL AV	TENNYSON RD	SHEPHERD AVE
120	TYRELL AVE	SHEPHERD AVE	SCHAFFER RD
121	VALLEY ST	"D" STREET	"C" STREET
122	VERONA AVE	PORTSMOUTH AVE	OCALA ST
123	WARD ST	FOURTH ST	DEAD END
124	WARD ST	SIXTH ST	END
125	WILDWOOD ST	KELLY ST	CUL DE SAC





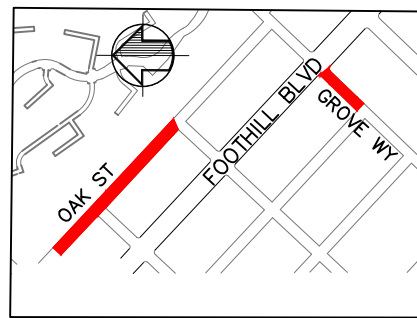
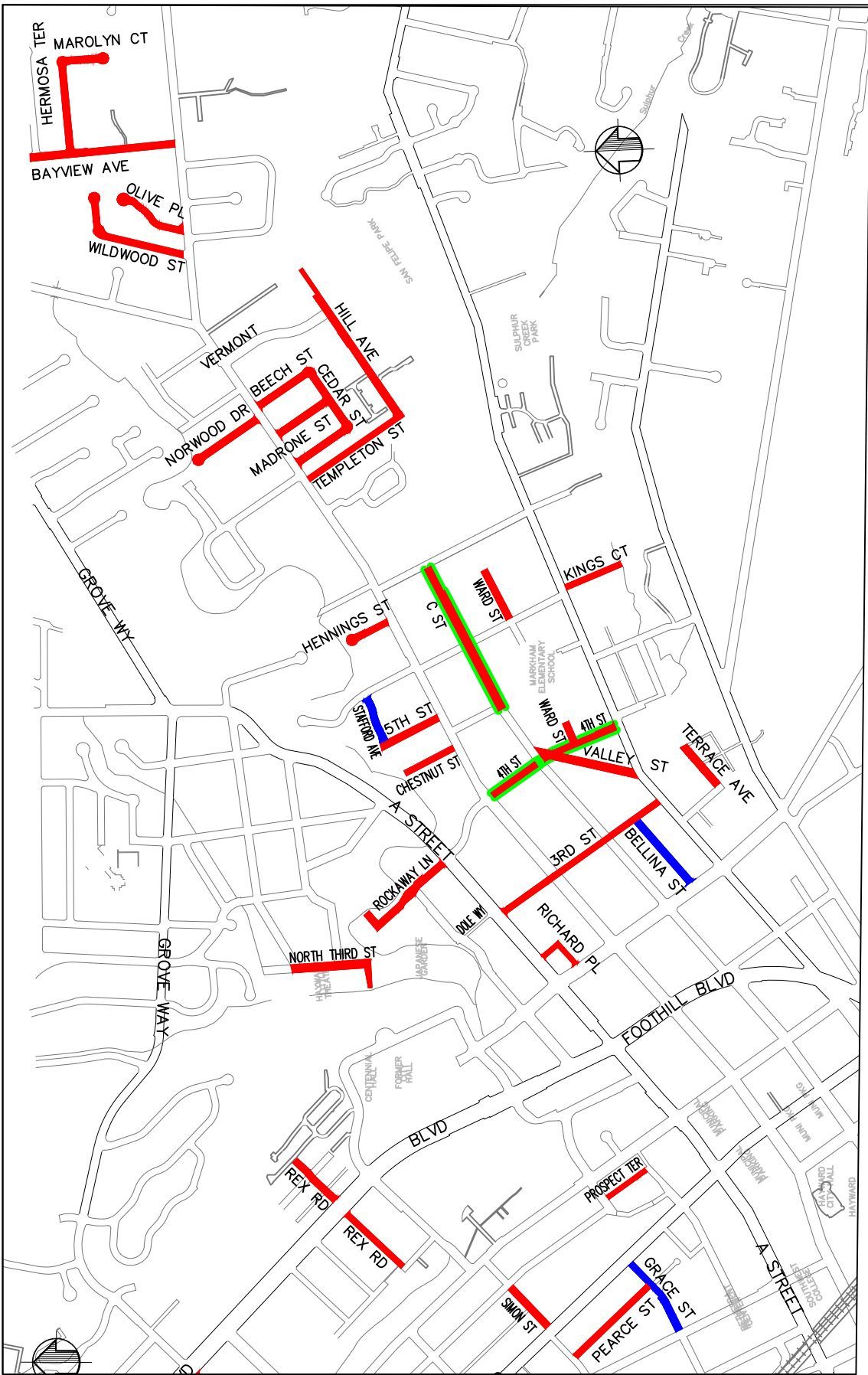
**FY24 PAVEMENT IMPROVEMENT PROJECT**  
**PROJECT NO. 05242**

- PAVEMENT REHABILITATION** █
- PREVENTIVE MAINTENANCE** █
- BIKE LANE** █



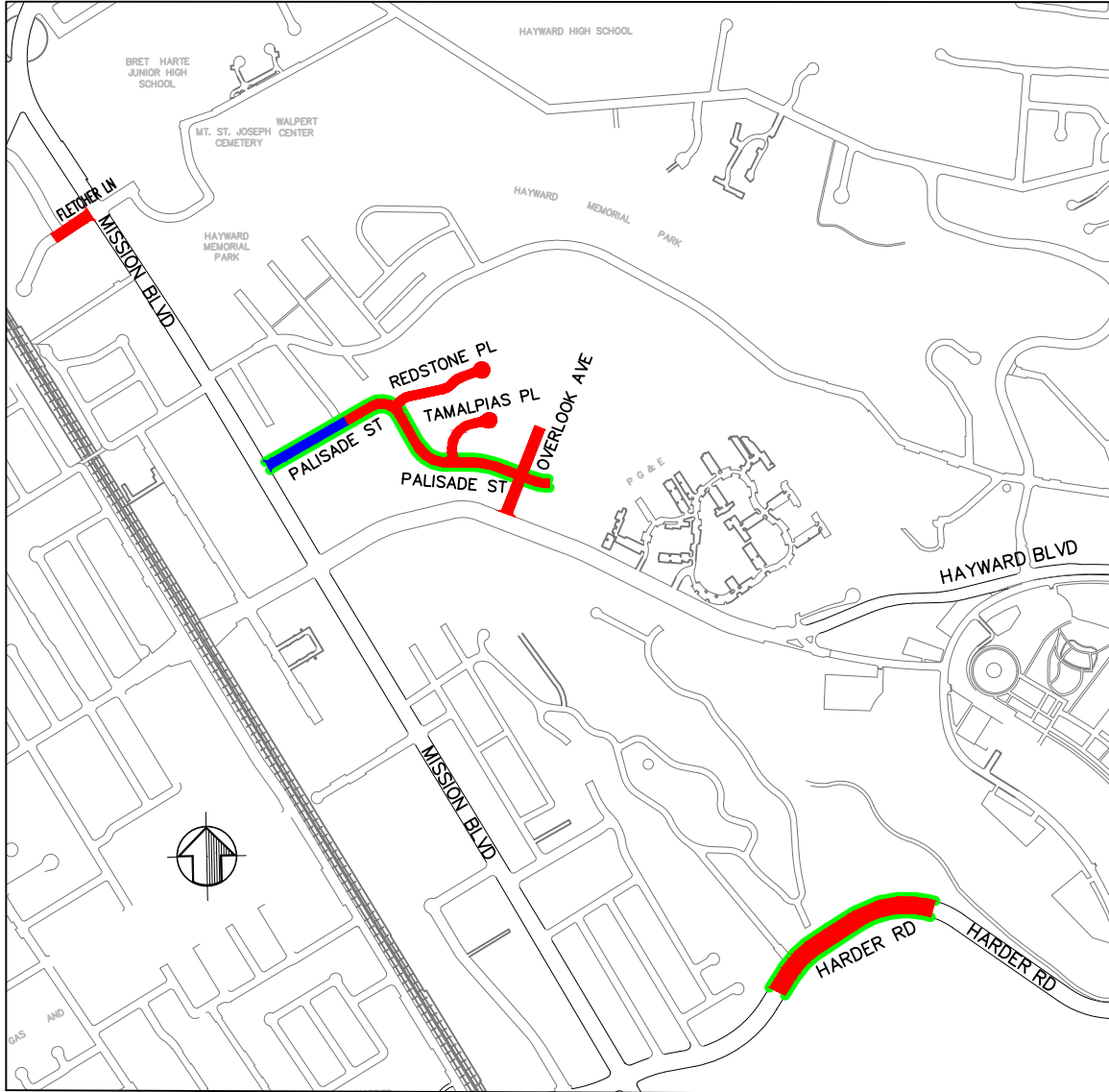
**FY24 PAVEMENT IMPROVEMENT PROJECT  
PROJECT NO. 05242**

- PAVEMENT REHABILITATION
- PREVENTIVE MAINTENANCE
- BIKE LANE



**FY24 PAVEMENT IMPROVEMENT PROJECT**  
**PROJECT NO. 05242**

PAVEMENT REHABILITATION	<span style="display:inline-block; width:20px; height:10px; background-color:red; border:1px solid black;"></span>
PREVENTIVE MAINTENANCE	<span style="display:inline-block; width:20px; height:10px; background-color:blue; border:1px solid black;"></span>
BIKE LANE	<span style="display:inline-block; width:20px; height:10px; background-color:green; border:1px solid black;"></span>



**FY24 PAVEMENT IMPROVEMENT PROJECT**  
**PROJECT NO. 05242**

**PAVEMENT REHABILITATION**  
**PREVENTIVE MAINTENANCE**  
**BIKE LANE**





# CITY OF HAYWARD

Hayward City Hall  
777 B Street  
Hayward, CA 94541  
www.Hayward-CA.gov

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**File #:** CONS 24-218

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**DATE:** April 23, 2024

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT**

Adopt a Resolution Authorizing the City Manager to Execute Amendment No. 6 to Increase Professional Services Agreement with Pavement Engineering, Inc., by \$409,460, for a Total Not-to-Exceed Amount of \$2,682,495 to Provide Engineering Services for the FY25 Pavement Improvement Project, Project No. 05338

**RECOMMENDATION**

That Council adopts a resolution (Attachment II) authorizing the City Manager to execute Amendment No. 6 to the Professional Services Agreement (PSA) with Pavement Engineering, Inc., (PEI), in an amount of \$409,460, for a total amount not-to-exceed \$2,682,495.

**SUMMARY**

Under the existing PSA, PEI provides engineering services for City pavement projects. An Amendment No. 6 to the existing PEI PSA is needed to extend the scope of the Agreement to include engineering services for the upcoming FY25 Pavement Improvement Project.

**ATTACHMENTS**

Attachment I	Staff Report
Attachment II	Resolution



**DATE:** April 23, 2024

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT** Adopt a Resolution Authorizing the City Manager to Execute Amendment No. 6 to Increase Professional Services Agreement with Pavement Engineering, Inc., by \$409,460, for a Total Not-to-Exceed Amount of \$2,682,495 to Provide Engineering Services for the FY25 Pavement Improvement Project, Project No. 05338

## **RECOMMENDATION**

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## **SUMMARY**

Under the existing PSA, PEI provides engineering services for City pavement projects. An Amendment No. 6 to the existing PEI PSA is needed to extend the scope of the Agreement to include engineering services for the upcoming FY25 Pavement Improvement Project.

## **BACKGROUND**

On May 22, 2018<sup>1</sup>, Council authorized the City Manager to execute a PSA with PEI in an amount not-to-exceed \$219,920 for engineering services for the FY19 Pavement Rehabilitation & Preventive Maintenance Project.

On July 9, 2019<sup>2</sup>, Council authorized the City Manager to execute Amendment No. 1 to the PSA with PEI in an amount not-to-exceed \$652,455 for engineering services for the FY20 Pavement Improvement Project.

On June 2, 2020<sup>3</sup>, Council authorized the City Manager to execute Amendment No. 2 to PSA with PEI in an amount not-to-exceed \$1,014,705 for engineering services for the FY21 Pavement Improvement Project.

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<sup>1</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=3508588&GUID=417E3DF1-452A-49F9-9DA5-4E9A2F6B4675&Options=&Search=>

<sup>2</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=4056927&GUID=3AE9FAB4-B3D2-485F-8360-126E81AC20CD&Options=&Search=>

<sup>3</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=4548864&GUID=6506EE24-A2C3-455B-92E1-8A42B60887B1&Options=&Search=>

On June 1, 2021<sup>4</sup>, Council authorized the City Manager to execute Amendment No. 3 to PSA with PEI in an amount not-to-exceed \$1,362,670 for engineering services for the FY22 Pavement Improvement Project.

On June 7, 2022<sup>5</sup>, Council authorized the City Manager to execute Amendment No. 4 to PSA with PEI in an amount not-to-exceed \$1,755,495 for engineering services for the FY23 Pavement Improvement Project.

On April 25, 2023<sup>6</sup>, Council authorized the City Manager to execute Amendment No. 5 to PSA with PEI in an amount not-to-exceed \$2,273,035 for engineering services for the FY24 Pavement Improvement Project.

Staff is currently undertaking the street selection for the FY25 Pavement Improvement Project where Pavement Condition Index (PCI), location equity, public input, and funding availability are considered. Staff recommends PEI to provide engineering services for analysis, design, and construction support for the project.

## **DISCUSSION**

Amendment No. 6 to the existing PSA with PEI would allow continuation of engineering services for the FY25 Pavement Improvement Project.

PEI has extensive experience with City pavement management and rehabilitation projects including the following:

- FY24 Pavement Improvement Project
- FY23 Pavement Improvement Project
- FY22 Pavement Improvement Project
- FY21 Pavement Improvement Project
- FY20 Pavement Improvement Project
- FY19 Pavement Rehabilitation & Preventive Maintenance Project

Staff is requesting an amendment to keep the project on schedule to start in summer 2025. This will be the last amendment to the contract for PEI, City will issue a new request for proposal for the FY26 Pavement Improvement Project.

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<sup>4</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=4968964&GUID=D49FD41C-BC73-4E3A-8CCF-AE9B9B69C4A2&Options=&Search=>

<sup>5</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=5677682&GUID=F7E34BE3-6BB6-42D8-9F1E-C2882E67CEC1&Options=&Search=>

<sup>6</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=6187472&GUID=C0AC963F-3981-4D57-A874-6874160A119B&Options=&Search=>

The scope of work for this Amendment No. 6 to PEI's Agreement consists of the following six tasks:

**Task 1 – Project Management/Coordination:**

PEI will manage deliverables and overall project schedule in addition to ongoing communication with the City of Hayward.

**Task 2 - Street Investigation / Engineering Review:**

PEI will visually evaluate the pavement condition of each of the proposed project streets. The review will confirm the appropriate pavement treatment for each street, such as pavement rehabilitation, preventive maintenance and resurfacing, among other options. This task will allow PEI to refine the project budgets and identify any specific problem areas.

**Task 3 – Pavement Evaluation on Pavement Rehabilitation:**

PEI will perform a pavement evaluation on each street segment to determine the most cost-effective rehabilitation treatments based on structure requirements, reflective cracking requirements, longevity, and economy.

**Task 4 – Measurement of Field Quantities:**

PEI will provide field site evaluations for each of the locations identified on the project streets list to measure and record all pertinent field quantities, such as location of crack sealing, dig-outs, and other pavement repairs.

**Task 5 – Curb Ramp Design:**

PEI will assist the City with curb ramp designs related to this project. This task involves designing ADA ramps in the field to provide limits of removal and quantities of work.

**Task 6 – Construction Support / Mark Pavement Repairs:**

After the project bids and before construction begins, PEI will mark all required pavement repairs in the field. PEI will annotate any changed quantities and provide a revised quantity summary to the City at the completion of the field work.

PEI has provided a cost proposal of \$409,460 based on City staff's tentative list of streets.

**ECONOMIC IMPACT**

The project is funded by Gas Tax, Measure B, Measure BB, Vehicle Registration Fees, State Road Repair and Accountability Act (SB1), and Street System Improvement.



This project will economically benefit the City by decreasing motorist travel time via reduced potholes, increase curb appeal and the desirability of residential neighborhoods, and attracting business to the City.

## **FISCAL IMPACT**

The estimated project funding sources are as follows:

• 210 - Gas Tax	\$50,000
• 211 - RRAA (SB1)	\$4,000,000
• 212 - Measure BB – Local Transportation	\$5,300,000
• 218 – Vehicle Registration Fee	\$840,000
• 450 – Street System Improvements	<u>\$1,500,000</u>
Total:	\$11,690,000

There is sufficient funding in the project budget to cover the cost of the amendment to the professional services agreement with Pavement Engineering, Inc.

## **STRATEGIC ROADMAP**

This agenda item supports the FY24 to FY25+ Strategic Roadmap to Invest in Infrastructure. Specifically, this item relates to the implementation of the following project(s):

Project N6 - Continue to add approximately 10 miles of bike lanes annually, with a focus on protected bike lanes and intersections that have high traffic/incidents.

## **SUSTAINABILITY FEATURES**

The project requires the contractor to recycle all construction and demolition debris generated from the project.

This project is consistent with City’s Complete Streets Policy and improves travel for all users including:

- Improved pavement for motorists
- Additional bike lanes and sharrows for bicyclists
- More visible pavement markings for pedestrians, including near school zones
- New or upgraded curb ramps to meet the recently revised Caltrans standards for pedestrians

The project satisfies the following General Plan policies:

- PFS-7.10 Recycled Products or Processes for Capital Projects
- HQL-2.5 Safe Routes to School
- HQL-2.6 Education on Sharing the Road
- M-1.7 Eliminate Gaps (in pedestrian networks)
- M-3.1 Serving All Users

- M-5.1 Pedestrian Needs
- M-5.6 Safe Pedestrian Crossings
- M-6.2 Encourage Bicycle Use

**PUBLIC CONTACT**

Immediately after the construction contract is awarded, a preliminary notice explaining the project will be posted and distributed to all residents and businesses along the affected streets. After the construction work has been scheduled, signs on barricades will be posted seventy-two hours prior to commencement of work indicating the date and time of work for each street. Residents will be advised to park their vehicles on side streets outside of the work area during the period when the streets are being treated.

**NEXT STEPS**

Spring 2024	Begin Design
Fall 2024	Complete Design
Winter 2025	Call for Bids
Spring 2025	Bid Opening
Summer 2025	Begin Construction
Fall 2025	Complete Construction

*Prepared by:* Kathy Garcia, Deputy Director of Public Works

*Recommended by:* Alex Ameri, Director of Public Works

*Approved by:*




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Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 24-\_\_\_

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

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 6 TO PROFESSIONAL SERVICES AGREEMENT WITH PAVEMENT ENGINEERING, INC., TO PROVIDE ENGINEERING SERVICES FOR THE FY24 PAVEMENT IMPROVEMENT PROJECT, PROJECT NO. 05338

WHEREAS, the City of Hayward and Pavement Engineering, Inc., entered into that certain Agreement for Professional Services on June 13, 2018 for engineering services for pavement rehabilitation and preventive maintenance; and

WHEREAS, the aforesaid parties have entered into that certain Amendment No. 1 to the Professional Services Agreement with Pavement Engineering, Inc., dated the 28th day of August 2019, for engineering services related to the FY20 Pavement Rehabilitation and Preventative Maintenance Project; and

WHEREAS, the aforesaid parties have entered into that certain Amendment No. 2 to the Professional Services Agreement with Pavement Engineering, Inc., dated the 22<sup>nd</sup> day of June 2020, for engineering services related to the FY21 Pavement Improvement Project; and

WHEREAS, the aforesaid parties have entered into that certain Amendment No. 3 to the Professional Services Agreement with Pavement Engineering, Inc., dated the 1<sup>st</sup> day of June 2021, for engineering services related to the FY22 Pavement Improvement Project; and

WHEREAS, the aforesaid parties have entered into that certain Amendment No. 4 to the Professional Services Agreement with Pavement Engineering, Inc., dated the 7<sup>th</sup> day of June 2022, for engineering services related to the FY23 Pavement Improvement Project; and

WHEREAS, the aforesaid parties have entered into that certain Amendment No. 5 to the Professional Services Agreement with Pavement Engineering, Inc., dated the 18<sup>th</sup> day of May 2023, for engineering services related to the FY24 Pavement Improvement Project; and

WHEREAS, the City and the Consultant desire to further amend the Agreement by extending the scope to include engineering services for the FY25 Pavement Improvement Project.

NOW, THEREFORE, BE IT RESOLVED NOW, by the City Council of the City of Hayward that the City Manager is hereby authorized and directed to execute, on behalf of the City of Hayward, an amendment to the agreement with Pavement Engineering, Inc., for additional services of \$409,460 for a total amount not-to-exceed \$2,682,495 associated with the FY25 Pavement Improvement Project, in a form approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2024

ADOPTED BY THE FOLLOWING VOTE:

AYES:           COUNCIL MEMBERS:  
                  MAYOR:

NOES:           COUNCIL MEMBERS:

ABSTAIN:       COUNCIL MEMBERS:

ABSENT:        COUNCIL MEMBERS:

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

APPROVED AS TO FORM:

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



# CITY OF HAYWARD

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[www.Hayward-CA.gov](http://www.Hayward-CA.gov)

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**File #:** WS 24-009

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**DATE:** April 23, 2024

**TO:** Mayor and City Council

**FROM:** Director of Development Services

**SUBJECT**

HHTF Continuation: Work Session Regarding the Term of Homelessness-Housing Taskforce (HHTF)

That the City Council discusses the continuation and term of the expired Homelessness-Housing Task Force (HHTF).

**SUMMARY**

Staff recommends that the City Council discuss whether the HHTF should be maintained as a temporary taskforce and extend the term, convert it to a standing committee of the City Council, or allow the term of the HHTF to lapse without further action.

**ATTACHMENTS**

Attachment I Staff Report



**DATE:** April 23, 2024  
**TO:** Mayor and City Council  
**FROM:** Director of Development Services  
**SUBJECT:** HHTF Continuation: Work Session Regarding the Term of Homelessness-Housing Taskforce (HHTF)

**RECOMMENDATION**

That the City Council discusses the continuation and term of the expired Homelessness-Housing Task Force (HHTF).

**SUMMARY**

Staff recommends that the City Council discuss whether the HHTF should be maintained as a temporary taskforce and extend the term, convert it to a standing committee of the City Council, or allow the term of the HHTF to lapse without further action.

**BACKGROUND**

On January 29, 2019,<sup>1</sup> the City Council established the Homelessness-Housing Council Task Force (HHTF) to address the housing and homeless-housing crisis. The HHTF met on a quarterly basis for a two-year period. Council extended the timeframe of the HHTF twice. The first extension occurred on December 8, 2020,<sup>2</sup> in which Council approved a two-year extension through March 2023. On February 7, 2023,<sup>3</sup> Council approved a one-year extension of HHTF through March 2024. The HHTF had scheduled to discuss the future of the task force at the March 2024 meeting; however, due to the cancellation of the March 2024 HHTF

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<sup>1</sup> January 29, 2019 City Council Meeting Agenda and Materials:  
<https://hayward.legistar.com/LegislationDetail.aspx?ID=3846296&GUID=CA787A4B-E77D-4818-BC82-B022B6B4649D>

<sup>2</sup> December 8, 2020 City Council Meeting Agenda and Materials:  
<https://hayward.legistar.com/LegislationDetail.aspx?ID=4711809&GUID=0131C7CC-7CF2-4D08-B76D-6979B7979BEA&Options=&Search=>

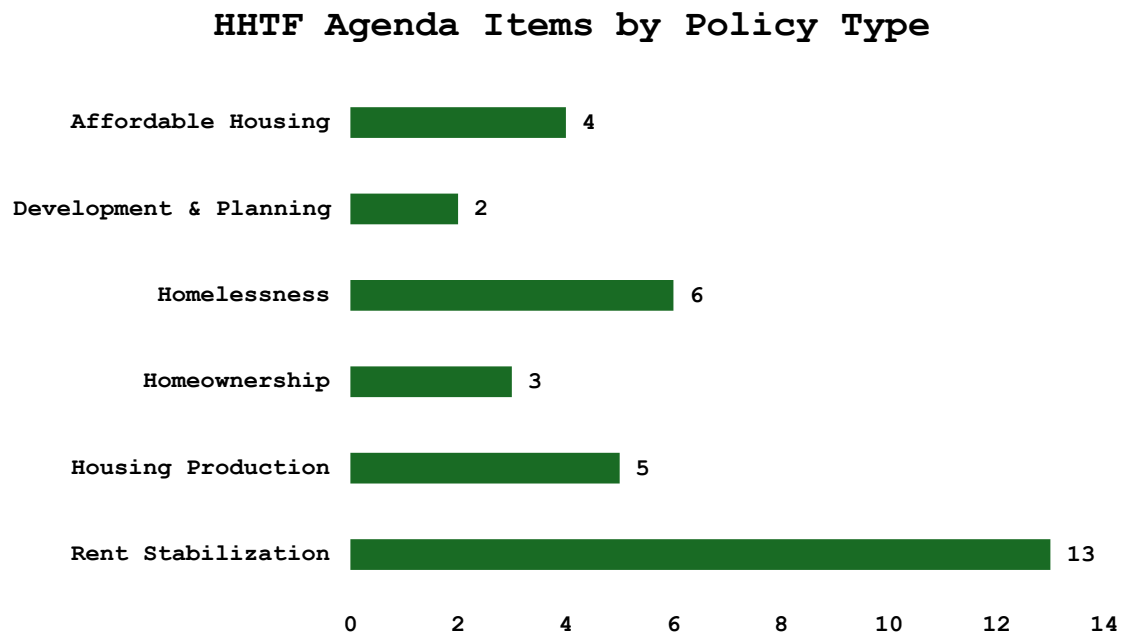
<sup>3</sup> February 7, 2023 City Council Meeting Agenda and Materials  
<https://hayward.legistar.com/LegislationDetail.aspx?ID=6016042&GUID=C496D77A-40FE-428C-A02A-8857121D52B9&Options=&Search=>

quarterly meeting, HHTF members did not have an opportunity to discuss the body's future. Consequently, the term of the task force has since lapsed.

## DISCUSSION

Since its formation, the HHTF has met quarterly and convened three (3) additional special sessions to address the housing issues faced by City residents and stakeholders for a total of 21 meetings. In total, the HHTF has reviewed and provided recommendations on 33 agenda items that include issues of rent stabilization, housing production, homeownership, homelessness, affordable housing, and development and planning. **Figure 1** below shows a breakdown of HHTF meeting agenda items by policy type.

**Figure 1: HHTF Agenda Items by Policy Type**



During the initial years, as the HHTF was discussing residential rent stabilization and tenant protection policies, the HHTF created a space for bringing together the various perspectives of stakeholders for consideration. It continued to discuss important housing policies and programs but with less participation from the community. Over the last five years, the HHTF has reviewed the following polices, programs, and plans:

- Residential rent stabilization and tenant protections
- Rent increase threshold
- Tenant relocation assistance
- Incentives to housing production workplan
- The Housing Element
- The Let's House Hayward Plan to End Homelessness
- Various Homeownership Strategies

- Updates to the Affordable Housing Ordinance
- State Housing Legislation
- Federal Stimulus fund for Housing
- Potential HomeKey Applications
- Density Bonus Update
- Social impact bonds to acquire and rehabilitate vacant and blighted properties
- Hardship policies related to payment of fees
- Rent registries

Reestablishing the HHTF as a taskforce would be appropriate if the Council determines that additional work specific to homelessness and housing policy development is required and should be accomplished within a defined timeframe not to exceed an additional small number of years. Reorganizing the HHTF into a standing committee would be appropriate if the Council determines that the conversations regarding homelessness and housing policy should be ongoing without a clear end with no term limit. Both pathways, reestablishing the HHTF as a taskforce or converting it to a standing committee, would require approval from the full City Council. Staff recommends that Council discuss whether there is a need to maintain the body as a permanent committee, maintain the body as a Task Force on a limited basis, or allow the task force to lapse as objectives of the group have been met.

Staff has identified a list of pros and cons below with respect to allowing the HHTF’s term to lapse versus reestablishing the task force or creating a standing committee.

**Pros & Cons**

**PROS (Reasons to Maintain)**

- Provide preliminary review for agenda items before full Council consideration
- Policy-focused governing body dedicated to housing
- Smaller governing body provides additional avenues for public participation and engagement
- Quarterly meetings provide direction for policy priorities
- Allows for expanded conversations of more focused agendas on housing and homelessness related topics

**CONS (Reasons to Eliminate)**

- Full City Council desires detailed input in many housing-related agenda items in addition to HHTF
- Actions pertaining to homelessness are typically expedited to the full Council and reviewed by the HHTF as informational items
- Diminishing community participation over the last year
- Inconsistent meeting schedule over the last year



## **ECONOMIC IMPACT**

There is no immediate economic impact with the consideration of this report.

## **FISCAL IMPACT**

There is no initial fiscal impact with the consideration of this report. Although staff has been able to absorb the workload for staffing the HHTF and preparation of reports to date, staffing impacts will continue to be tracked and assessed to determine whether a fiscal or resource consideration may be necessary.

## **STRATEGIC ROADMAP**

This agenda item pertains to the Strategic Priority of Preserve, Protect & Produce Housing in general.

## **PUBLIC CONTACT**

On January 29, 2019, the Council reviewed and discussed staff's recommendation to establish the HHTF. No public comments were received on this agenda item. Over the duration of the task force's terms, public participation has diminished.

## **NEXT STEPS**

If the Council determines that the HHTF should lapse, no further action is needed. However, if the Council desires the creation of a Homelessness-Housing Committee or Task Force, Staff will return to Council with a recommendation for the full City Council to issue a formal approval.

*Prepared by:* Ayush Patel, Management Analyst I

*Recommended by:* Dustin Claussen, Assistant City Manager  
Sara Buizer, AICP, Director of Development Services  
Christina Morales, Housing Division Manager

Approved by:



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Kelly McAdoo, City Manager



# CITY OF HAYWARD

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777 B Street  
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**File #:** WS 24-011

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**DATE:** April 23, 2024

**TO:** Mayor and City Council

**FROM:** City Manager

**SUBJECT**

FY 2025 Strategic Roadmap: Discussion of Updates to Strategic Roadmap for FY 2025

**RECOMMENDATION**

That Council receives this report on the proposed Strategic Roadmap metrics and projects for FY 2025 and provides feedback.

**SUMMARY**

Each year starting in 2020, the City Council has adopted a Strategic Roadmap to help the City prioritize projects and initiatives and to help staff understand where to focus resources. This year, Council held a retreat on February 10 to discuss and provide direction on the Strategic Roadmap for FY 2025. Staff has prepared the attached document with responses to Council's comments at the retreat (Attachment II). At this work session, staff is seeking another round of feedback on FY 2025 priorities before the budget work session on May 11, 2024.

**ATTACHMENTS**

Attachment I Staff Report

Attachment II Council Feedback and Staff Comments



**DATE:** April 23, 2024  
**TO:** Mayor and City Council  
**FROM:** City Manager  
**SUBJECT:** FY2025 Strategic Roadmap: Discussion of Updates to Strategic Roadmap for FY 2025

## **RECOMMENDATION**

That Council receives this report on the proposed Strategic Roadmap metrics and projects for FY 2025 and provides feedback.

## **SUMMARY**

Each year starting in 2020, the City Council has adopted a Strategic Roadmap to help the City prioritize projects and initiatives and to help staff understand where to focus resources. This year, Council held a retreat on February 10 to discuss and provide direction on the Strategic Roadmap for FY 2025. Staff has prepared the attached document with responses to Council's comments at the retreat (Attachment II). At this work session, staff is seeking another round of feedback on FY 2025 priorities before the budget work session on May 11, 2024.

## **BACKGROUND AND DISCUSSION**

### **Vision Statement and Priority Areas**

Based on Council comments at the February retreat, staff has made the following updates. Staff is seeking Council feedback confirming these edits:

- Added to the vision statement: "a regional leader in addressing the housing & homelessness crises."
- Added to the vision statement: "vibrant neighborhoods across the city."
- Split the Quality of Life priority into two priorities: Community Safety and Vibrant Neighborhoods.
- Updated the language for the climate/environment priority to read "Champion Climate Resilience & Environmental Justice."

### **Proposed Updated Vision Statement**

The City of Hayward is a place where people want to be. It has a growing economy, good housing options, cradle-to-career educational opportunities, an inviting downtown, and

vibrant neighborhoods across the city. Its diverse and inclusive community is well supported with robust city services and is kept healthy and safe through innovative programs. It is a regional leader in addressing the housing & homelessness crises. It is also a leader in climate resilience and environmental justice to prepare residents to face the impacts of climate change. City staff have what they need to thrive in their work and take pride in helping Hayward continually improve.

### Proposed Updated Priority Areas



### Special Projects and Metrics

The Strategic Roadmap includes special projects that support Council’s priority areas. Starting in FY25, the Roadmap will also include metrics that measure the City’s progress at advancing Council’s priority areas. Attachment II includes a summary of comments that Council provided at the February 10 retreat, along with staff’s responses.

At this work session, staff is seeking another round of feedback from Council Members on the proposed metrics and projects before finalizing a draft of the Roadmap for adoption. In some cases, staff does not recommend adding an item as a project due to competing priorities (noted in the “staff comments” column in Attachment II). If Council members express a desire on April 23 to move forward with any of these items, staff will present a tradeoff analysis at the next work session.

## **FY 2025 Context**

As Council considers individual projects for FY 2025, staff encourages Council to keep the following items in mind. These will require extensive input from Council, the community, and other stakeholders. These items will also require focus from top leadership and key staff.

- Recruitment for the next City Manager
- Contract negotiations with several bargaining units
- Establishing district maps and elections
- Consideration of an extension of the ½ cent sales tax

## **Added Projects**

Based on Council feedback at the retreat and Council actions taken over the past two months, staff has added the following special projects for FY25:

- Launched a Downtown Working Group to focus on immediate improvements that can be taken on Foothill Blvd and B Street.
- Added a work session on August 20 on special events, which includes implementation steps based on Council feedback.
- Added a work session in November on a public art impact fee, which includes implementation steps based on Council feedback.
- Added the creation of an ad hoc committee to review the scope and bylaws of Council appointed bodies.
- Added a report to CBFC on visioning for Cinema Place on April 29, which includes any follow up steps and a possible report to the full Council.

## **Seeking Prioritization**

There are three divisions that are seeking prioritization from Council on their work tasks: Code Enforcement, Economic Development, and Planning. Staff will be sending Council a brief pre-survey to rank these priorities, the results of which will be shared at the Work Session.

Code Enforcement: Code Enforcement staff have finite staff capacity for special program work on top of their regular duties of the rental housing inspection program and community preservation program compliance. Staff is requesting that Council rank the below special program work for the coming months to help the division know where to focus efforts first. Note that the below items are in addition to the additional enforcement needed for the Fireworks ban.

- Street Vendor Enforcement
- Vacant Property Enforcement
- Tobacco/Cannabis Enforcement (Smoke-Free Housing)

Economic Development/Planning: The following projects impact Economic Development and Planning. In each case, Council has requested an informational report with recommendations. Researching and creating an informational report can take staff anywhere between 20-80 hours. However, most reports result in recommendations on next steps, which can take hundreds of hours on top of other priority projects and daily tasks. Staff is requesting that Council rank the items below. Staff is comfortable committing to one to two items in FY 2025, which can be revisited at midyear.

- Ordinances that may have an adverse impact on our local economy (such as Cabaret Ordinance and alcohol and entertainment uses)
- Recommendations for encouraging development of worker-cooperatives in Hayward
- Amenities and branding in the industrial area
- Zoning changes to better allow popups and small businesses in residential areas
- How other midsized cities around the nation have revitalized their downtowns

In addition to the divisions above, Environmental Services may seek Council's feedback at a future date on priorities for the Climate Action Plan and Environmental Justice Element implementation. The related projects included in Attachment II assume the approval of proposed position requests. If these are not included in the FY 2025 budget, Environmental Services will conduct a analysis of which items are feasible.

### **FISCAL IMPACT**

There is no fiscal impact from receiving this report. Staff will incorporate feedback from this work session into the budget work session on May 11.

*Prepared by:* Mary Thomas, Assistant to the City Manager

Approved by:



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Kelly McAdoo, City Manager

## Attachment II Council Feedback and Staff Comments

### Enhance Community Safety

Grey = Council comments at 2/10/24 Retreat  
(projects will be renumbered for the final version)

#### Objective 1: Provide first-rate emergency response services

#	Proposed Metrics	Comments	Division
SM1	Police response numbers, time (dispatch to on-scene), and incident types	Staff is prepared to report quarterly	Police
SM2	Fire response numbers, time (dispatch to on-scene), and incident types	Staff is prepared to report quarterly	Fire
SM3	Request to include recruitment efforts as a project or metrics	PD and HR report on recruitment metrics annually as it is part of the CALEA Accreditation Process. Staff can will send this data to Council. The PD website also has a link to the final CALEA report with these metrics included.	Police

#	Proposed Special Projects	Comments	Division
SP1	Expand physical dispatch space	This project is on staff's work plan	Police & Fire
SP2	Implement Emergency Medical Dispatch	This project is on staff's work plan	Police & Fire
SP3	Fill vacant Dispatch positions	This project is on staff's work plan	Police & Fire
SP4	Discussion about wage theft and white-collar crime	Wage theft is not within the purview of Police Department. Staff can provide data on white collar crime statistics can be provided routinely at the Public Safety Committee.	Police
SP5	Request to continue catalytic converter program with EAROP	Staff recommends revisiting this request at midyear. The planning, coordination, and execution of this item requires staff time from the District Command Unit, who is also tasked with a variety of other community concerns (e.g. homelessness, long term neighborhood issues, crime prevention, etc.).	Police
SP6	Request for a report on insurance – why are businesses losing it and how can we support them?	Staff has brought up this issue with State representatives in the most recent meetings and has added it to the City's legislative program for the City's lobbyist firms. Unfortunately, this is not something that can be addressed at the local level.	City Manager Administration

SP7	Request for a briefing on vandalism and property damage issues at the Public Safety Committee	Police can provide updates on this issue at a future Public Safety Committee meeting. Staff does not recommend adding this as a stand alone project.	Police
SP8	Request for a report on the Cadette/Explorer program	Police can provide a memo to Council on the Explorer Program as well as internship partnerships through HUSD and CSUEB. There is no formal, paid Cadet Program although it has been discussed and would require PD and HR staff time to develop. Staff does not recommend adding this as a stand alone project at this time, due to competing priorities.	Police

**Objective 2: Strengthen Community Resilience**

#	Proposed Metric	Comments	Division
SM4	% of City of Hayward employees trained to FEMA standards for appropriate position qualifications	Staff is prepared to report annually	Fire
SM5	Number of CERT members trained annually	Staff is prepared to report annually	Fire

#	Proposed Special Projects	Comments	Division
SP9	Complete update to the comprehensive Emergency Management Plan	This project is on staff's work plan	Fire
SP10	Provide a training on Council's role in an emergency	This project is on staff's work plan	Fire
SP11	Implement Community Emergency Response Team (CERT) program changes	This project is on staff's work plan	Fire

**Objective 3: Enhance community access to mental and physical health services through strategic partnerships**

#	Proposed Metrics	Comments	Division
SM6	Number and type of HEART response calls and points of contact;	Staff is prepared to report quarterly	CSD
SM7	Number of unique patients receiving preventative care treatment at the Firehouse Clinic	Staff is prepared to report biannually	Fire



SM8	Number of medical responses that result in treat and non-transport (diverted from the emergency room)	Staff is prepared to report biannually	Fire
SM9	Number of families served through Youth and Family Services Bureau	Staff is prepared to report biannually	PD

#	Proposed Special Projects	Comments	Division
SP12	Transition HEART program from pilot to permanent response program, including identifying a permanent local funding source and leveraged grants	This project is on staff's work plan	CSD
SP13	Transition to new County Emergency Medical Services (EMS) system	This project is on staff's work plan	Fire

## Grow the Economy

Grey = Council comments at 2/10/24 Retreat  
(projects will be renumbered for the final version)

### Objective 1: Provide first-rate business support services

	Proposed Metrics	Staff Comments	Division
EM1	# of businesses engaged through programs and outreach	Staff is prepared to report quarterly	Economic Development
EM2	# of concept plans reviewed for priority sites	Staff is prepared to report annually	Economic Development

	Proposed Special Projects	Comments	Division
EP1	Complete remaining ARPA programs including: "Restaurant Relaunch" and "Restore and Reopen" façade assistance programs	This project is on staff's work plan	Economic Development
EP2	Explore partnerships for the Stack Center to create an entrepreneurship hub and commercial kitchen incubator program	This project is on staff's work plan	City Manager Administration
EP3	Request to relook at Cannabis to see if we have streamlined processes as much as possible	Staff does not recommend taking action on this item in FY25 due to competing priorities. The cannabis application process was streamlined significantly in 2020 with the adoption of updated processes and regulations. To date, the City has not experienced significant interest from operators wanting to expand in Hayward due to the City's tax rate and the State's permitting and regulatory framework.	Economic Development and Planning
EP4	Question about what type of development checklists we have for small businesses interested in coming to Hayward	Staff is taking action on this item, but does not recommend adding it as a stand alone project. As part of the Downtown Working Group, ED is producing a quick start guide for entrepreneurs starting their first business in Hayward. ED will share this with Council. DSD already provides checklists for businesses who need use or building permits.	Economic Development and Planning

### Objective 2: Invest in plans and programs that create thriving commercial corridors,

	Proposed Metric	Comments	Division
EM3	# of businesses that received direct financial or technical support	Staff is prepared to report quarterly	Economic Development

	Proposed Special Projects	Comments	Division
EP5	Continue to roll out ARPA-funded Hayward Open for Business program to aid businesses in activating interior and exteriors with points of interest and harness social media to attract customers	This project is on staff's work plan	Economic Development
EP6	Provide an informational report to Council on older ordinances that may have an adverse impact on our local economy (such as the Cabaret Ordinance and Conditions of Approval for alcohol and entertainment uses), and offer recommendations to update them	Staff is seeking feedback from Council on FY25 priorities for this and other ED projects.	Economic Development and Planning
EP7	Create and implement a Foothill Action Plan (Downtown Working Group)	Staff has added this project to their work plan. This project will take significant staff time in the first half of FY25, particularly for the Economic Development Division.	Several
EP8	Request for staff to bring forward a proposal to address the plywood on windows and how to support businesses suffering from multiple window breaks	Staff has reached out to cities that have tried this type of program. All have expressed that the funding is quickly depleted and the problem has persisted. Staff will begin tracking the incidents of broken windows downtown and brainstorm solutions as part of the Downtown Working Group. Staff does not recommend adding this as a stand alone project.	Economic Development
EP10	Request to revisit (or provide a report on) the vacancy ordinance and why it is/isn't working	This project is similar to project NP3 (see the Vibrant Neighborhoods priority). Code provided an update on the vacancy ordinance activity to CEDC in October 2023. An update can be scheduled in 2024 pending Code staff availability.	Code Enforcement

EP15	Request to see an enforcement strategy around street vendors, with a focus on limiting open flames/smoke	Staff is seeking feedback form Council on FY25 priorities for this and other Code Enforcement project, due to limited staff capacity. Staff has created a cross-departmental staff committee to coordinate and implement enforcement strategies. Staff will prepare a memo for Council describing these efforts.	Code Enforcement
EP9	Request to provide a summary of past discussions on the industrial area for new Council members– branding and bringing amenities	Staff is seeking feedback from Council on FY25 priorities for this and other ED projects. ED staff can resend the previous report on marketing and branding to the CEDC. This project would require effort from Maintenance and Public Works on sign placement and design. There is not currently a funding source for this effort.	Economic Development
EP11	Request to look at zoning changes to better allow popup and small businesses in residential areas (like coffee shops)	Staff is seeking feedback from Council on FY25 priorities for this and other ED projects. Planning Division and Economic Development can will begin evaluating the land use framework in late 2024, early 2025 to determine what land use and entitlement changes are necessary and reasonable. This would take staff time away from other projects.	Economic Development and Planning
EP12	Request to provide a report on if/how other midsized cities around the nation have revitalized their downtowns	Staff is seeking feedback from Council on FY25 priorities for this and other ED projects. ED staff would need to bring on a subject matter expert/consultant on this to provide information and lead a discussion. There is not currently a funding source for this effort.	Economic Development and Planning

EP13	Question about if we could contract out weekend enforcement to alleviate overtime stress on HPD staff (mostly related to broken windows)	Police is currently operating on a mandatory overtime schedule to staff Patrol and maintain current operational capacity. Overtime is routinely posted for downtown, but Officers consistently get pulled to fill beat vacancies. Several private security firms have been explored, but none have been a viable long-term option. Staff will continue to evaluate security options as part of the Downtown Working Group.	Police
EP14	Discussion about how to celebrate the success of the Tennyson commercial corridor while also wanting the City to invest there as well as downtown	Staff in Public Works and Maintenance Services have noted the desire for Council to consider Tennyson for improvements, alongside the downtown. Staff recommends using the Stack Center construction as a catalyst for a longer term visioning of upgrades to Tennyson Road. However, staff recommends revisiting this item at midyear, due to low capacity over the next six months.	Economic Development

**Objective 3: Grow educational pathways and workforce pipelines for residents of all backgrounds**

	Proposed Metrics	Comments	Division
EM4	# of Hayward residents receiving Tuition Assistance Grants	Staff is prepared to report annually	Economic Development
EM5	# of Hayward employers participating in Job Fairs	Staff is prepared to report annually	Economic Development
EM6	# of students hosted by the City through internships and career pathway programs	Staff is prepared to report annually	Several

	Proposed Special Projects	Comments	Division
EP16	Develop recommendations for encouraging development of worker-cooperatives in Hayward	Staff is seeking feedback from Council on FY25 priorities for this and other ED projects. ED staff would need to bring on a subject matter expert/consultant on this to provide information and lead a discussion. There is not currently a funding source for this effort.	Economic Development and Planning
EP17	Request to partner with HUSD and HARD on a job fair for teens	Staff is planning to organize and facilitate two job fairs as part of the Tuition Assistance Program. Staff will add this as a project to the Roadmap.	Economic Development and Library

**Objective 4: Strategically manage or dispose of City property to support economic goals**

	Proposed Special Projects	Comments	Division
EP18	Implement a property management strategy for Cinema Place	This project is on staff's work plan	City Manager Administration
EP19	Continue to work on Route 238 Corridor lands dispositions and development	This project is on staff's work plan	City Manager Administration
EP20	Release solicitation for City Center disposition and development	This project is on staff's work plan	City Manager Administration
EP21	Study the options for disposing of Successor Agency parcels on Mission Blvd	This project is on staff's work plan	City Manager Administration
EP22	Request for report at CEDC and then work session at Council to discuss options and strategy for Cinema Place	The discussion at CEDC is happening on April 29, which can be followed by a work session to full Council. Staff is adding this as a project.	City Manager Administration

## Preserve, Protect & Produce Housing for All

Grey = Council comments at 2/10/24 Retreat  
(projects will be renumbered for the final version)

### Objective 1: House and support people experiencing homelessness

#	Proposed Metrics	Comments	Division
HM1	# people served at the Navigating Center and % placed in permanent housing	Staff is prepared to report on this quarterly	Community Services
HM2	# people assisted through shallow rental subsidy	Staff is prepared to report on this annually	Community Services
HM3	# agencies funded through Community Agency Funding Process providing direct and supportive services	Staff is prepared to report on this annually	Community Services

#	Proposed Special Projects	Comments	Division
HP1	Support development of St. Regis Behavioral Health Campus to provide health and housing services to people experiencing homelessness and mental health crises	This project is on staff's work plan	Community Services
HP2	Implement State Homekey funding for Project Reclamation scattered site program	This project is on staff's work plan	Community Services
HP3	Provide a update to Council on the City's homelessness efforts	This project is on staff's work plan	Community Services
HP4	Discussion about St. Regis – wanting to ensure the impact on the neighborhood is minimal.	This will be combined with project HP1. Staff proposes doing an update on St. Regis as part of a broader update to Council on the City's homelessness efforts. This should be aligned with the release of PIT Count data and can include updates on St Regis, HNC, shallow subsidy program, HEART, state of emergency/potentially Housing Element updates related to homelessness (in conjunction with Planning). We anticipate data being released over the summer, so would recommend bringing this item Fall 2024.	Community Services

**Objective 2: Encourage the production of housing for all by creating incentives and removing development barrier**

#	Proposed Metric	Comments	Division
HM4	Issue Building Permits Consistent with Regional Housing Needs Allocation (RHNA) targets	Staff is prepared to report on this biannually	Housing
HM5	# City actions taken in support of housing development (like grants, loans funded, development agreements, ordinance modification)	Staff is prepared to report on this annually	Housing

#	Proposed Special Projects	Comments	Division
HP5	Explore Social Impact Bond Program to convert tax-defaulted or vacant and blighted properties into wealth building ownership opportunities	This project is on staff's work plan	Housing
HP6	Evaluate available funding to issue a Notice of Funding Availability (NOFA) for the development of affordable housing	This project is on staff's work plan	Housing
HP7	Zoning Ordinance Amendments Related to Shelters, Group Homes, Supportive & Transitional Housing	This project is on staff's work plan	Planning
HP8	Zoning Ordinance Amendments Related to Streamlining Housing Entitlements for Qualified Projects	This project is on staff's work plan	Planning
HP9	Adopt Universal Design Guidelines for Accessible Housing	This project is on staff's work plan	Planning

**Objective 3: Protect the stability and sustainability of existing housing**

#	Proposed Metrics	Comments	Division
HM6	# rent review petitions received	Staff is prepared to report on this quarterly	Housing
HM7	# of people served by foreclosure prevention and eviction prevention services	Staff is prepared to report on this annually	Housing
HM8	# of people receiving relocation assistance	Staff is prepared to report on this quarterly	Housing
HM9	# of affordable homeownership opportunities supported	Staff is prepared to report on this annually	Housing
HM10	# of existing affordable housing projects monitored/supported	Staff is prepared to report on this annually	Housing



#	Proposed Special Projects	Comments	Division
HP10	Evaluate the option of creating a rent registry to obtain better data on rent increase, evictions, and occupancy	This project is on staff's work plan	Housing
HP11	Simplify the Relocation Assistance Ordinance to improve compliance and increase funding for Emergency Relocation Assistance	This project is on staff's work plan	Housing
HP12	Provide creative financing like down payment assistance to help more buyers get unrestricted-deed properties	This project is on staff's work plan	Housing
HP13	Request for a "housing rights" pamphlet that could be shared with families through schools	Staff currently works with HUSD to communitate options to partents. Staff will review the materials and approach in FY25, but dos not recommend adding this as a new project. On this topic, it is best practice for City staff to talk to adults through certified translators, rather than rely on children as interpreters or liasons for family members. Staff recommends continuing to target outreach materials to adults and ensuring the City has the resources to translate materials and interpret verbal communications in multiple languages.	Housing
HP14	Request for a report on a possible rental registry – What is happening in other bay area cities? What is the resource request associated with this?	This will be combined with project HP10. This is a reasonable project with current staffing levels. The report will include information about the required staffing levels and budget to implement such a project for Council's consideration.	Housing

## Invest in Infrastructure

Grey = Council comments at 2/10/24 Retreat  
(projects will be renumbered for the final version)

### Objective 1: Invest in multi-modal transportation

	Proposed Metrics	Comments	Division
FM1	# Traffic calming projects installed	Staff is prepared to report annually	Transportation
FM2	# Miles of bike lanes added	Staff is prepared to report annually	Transportation
FM3	# Miles of repaving completed	Staff is prepared to report annually	Transportation
FM4	# registered HOP users	Staff is prepared to report quarterly	Community Services
FM5	# One-way TNC rides provided	Staff is prepared to report quarterly	Community Services
FM6	Request to add traffic collision statistics	Staff is prepared to report quarterly	Police and Transportation
FM7	Request to add a metric to quantify the number of requests for and actions on traffic calming projects	Combine with RM1	Transportation

	Proposed Special Projects	Comments	Division
FP1	Implement recommended program improvements for Hayward Operated Paratransit (HOP) program to support seniors and adults with disabilities	This project is on staff's work plan	Community Services
FP2	Complete construction of Mission Boulevard phase 3	This project is on staff's work plan	Engineering
FP3	Evaluate safety enhancements for the Downtown Loop	This is on staff's work plan: Staff received a Federal grant to fund planning and design of safety improvements on seven corridors, including the Downtown Loop	Transportation
FP4	Complete implementation of "A Bench for Every Stop" project	Staff is making progress on a pilot project, which will continue in FY25	Transportation
FP5	Main Street complete street construction	This project is on staff's work plan	Engineering
FP6	Question about if we can "sponsor" an AC transit bus by wrapping it in green and adding an H, so people know it is a Hayward route	PW staff will explore, but does not believe this would be straightforward given how bus operations work. Staff recommends that the City's ILC member could bring it up at the quarterly meeting, and does not recommend adding this as a new project.	Transportation
FP7	Discussion about what is being done to help people understand how to use busses and pay for bus fare	PW staff will reach out to AC Transit to understand what they are doing and provide a brief memo to CIC. Staff does not recommend adding this as a stand alone project.	Transportation

## Objective 2: Invest in City-owned facilities & property

	Proposed Special Projects	Comments	Division
FP7	Complete Phase I construction of the Stack Center and continue fundraising, with the goal of beginning Phase II in FY25	This project is on staff's work plan	Engineering
FP8	Begin construction of La Vista Park	This project is on staff's work plan	Engineering
FP9	Complete Phase I of Weekes Library beautification	This project is on staff's work plan	Library
FP11	Finish a needs assessment/preliminary feasibility report on a new Police Building, including a funding mechanism	This project is on staff's work plan	Public Works, Police
FP12	Finish a preliminary feasibility report on a new Corporation Yard	This project is on staff's work plan	Public Works, Maintenance
FP13	Complete security upgrades to Watkins Street garage	Staff will return to Council with a proposal in early FY25	Maintenance

## Objective 3: Enhance local water supplies and wastewater systems

	Proposed Metrics	Comments	Division
FM8	Miles of water pipelines and sewer lines replaced annually (target = 2.5 miles)	Staff is prepared to report annually	Utilities
FM9	Request to add metric on water quality	Staff is prepared to report annually	Utilities

	Proposed Special Projects	Comments	Division
FP14	Continue Water Pollution Control Facility Phase II upgrade	This project is on staff's work plan	Utilities
FP15	Complete a Recycled Water Master Plan	This project is on staff's work plan	Utilities
FP16	Implement Sustainable Groundwater Plan	This project is on staff's work plan	Utilities

## Champion Climate Resilience & Environmental Justice

Grey = Council comments at 2/10/24 Retreat  
(projects will be renumbered for the final version)

### Objective 1: Reduce Greenhouse Gases and Dependency on Fossil Fuels

#	Proposed Metrics	Comments	Division
CM1	Annual Communitywide GHG Emissions in MTCO2e (metric tons of carbon dioxide equivalent)	Staff is prepared to report annually	Environmental Services

#	Proposed Special Projects	Comments	
CP1	Implement Year 1 Programs from the adopted GHG Roadmap	This is reliant on outcome of proposed position requests for FY25	Environmental Services
CP2	Continue to collaborate with Ava Community Energy to provide public EV charging facilities	This project is on staff's work plan	Environmental Services
CP3	Present a plan on EV charging for city facilities	This was presented to CSC in January. Staff will take this to the full Council in FY25 and is currently applying for a grant to implement the plan.	Maintenance Services, Environmental Services
CP4	Continue to transition City facilities from natural gas to electric, with a focus on HVAC systems	Staff is working with a vendor to complete a package of energy efficiency improvements, which will continue into FY25	Maintenance Services, Environmental Services
CP5	Improve e-bike adoption through the creation of an e-bike rebate program and ensuring that electric transit infrastructure such as EV chargers also serve e-bike and not just electric cars	The City just received a grant from CARB for this three-year project. Implementation will begin this summer.	Environmental Services
CP6	Request for report on options to provide EV chargers and public transit options for multifamily	Staff can provide a memo to Council with information about options to provide EV chargers for multifamily residents. Staff does not currently have the capacity to investigate public transit options for multifamily and recommends that this request be directed to the Alameda County Transportation Committee liason. Staff does not recommend adding this as a stand alone project.	Environmental Services

CP7	Request for a community bike event/race with a category for e-bikes	Staff has concerns with hosting a bike race and does not recommend adding this as a project at this time. If Council is interested in pursuing this, staff can reach out to Bike East Bay to get their take on bike racing events on city streets. Hosting a community fun ride may be something that Bike East Bay can coordinate for Hayward.	Environmental Services
CP8	Request for an analysis of bike parking and to add more of the simple U-shaped ones, particularly on Foothill	This will be combined with CP5. An analysis of bike parking needs will be completed as part of the work to be funded by the CARB grant that was recently awarded to the City. Regarding Foothill, there are currently no bike lanes but there are bike racks, which are almost totally unused.	Environmental Services

## Objective 2: Reduce waste by promoting a circular economy

#	Proposed Metric	Comments	
CM2	Pounds of waste diverted from the landfill	Staff is prepared to report annually	Environmental Services

#	Proposed Special Projects	Comments	
CP9	Continue to identify opportunities for compost hubs and other distribution mechanisms for compost in Hayward	This project is on staff's work plan	Environmental Services
CP10	Continue to partner with Alameda County All In Eats to encourage food recovery	All In Eats has been paused as an Alameda County initiative, so as of now, there is no direct action in FY25. Staff recommends removing this for project for now and revisiting next year.	

## Objective 3: Mitigate environmental and climate impacts, with an

#	Proposed Metrics	Comments	
CM3	# of participants in water conservation programs for residential, business, and municipal customers	Staff is prepared to report annually	Utilities

CM4	# of trees planted directly and in partnership with community groups (target = 1,500)	Staff is prepared to report annually	Maintenance Services
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#	Proposed Special Projects	Comments	
CP11	Complete update to Tree Preservation Ordinance	Staff is working on this and a draft will be presented in FY25.	Planning
CP12	Prepare an ordinance to create smoke-free multifamily housing	This project is on staff's work plan. Staff is seeking feedback from Council on FY25 priorities for this and other Code Enforcement project, due to limited staff capacity.	Code Enforcement
CP13	Implement Year 1 Programs from the adopted General Plan Environmental Justice Element, with a focus on mitigating the impact on frontline communities	Reliant on outcome of proposed position requests for FY25	Environmental Services
CP14	Continue to work with HASPA partners to seek grant funding to implement the Shoreline Master Plan	This project is on staff's work plan - The City received a grant to take the next step with the Shoreline Master Plan, which will be rolled out in FY25.	Planning & Environmental Services
CP15	Request for a report on the best strategies around bay area for tackling particulate matter pollution and exposure	Due to competing priorities, staff does not recommend adding this as a project this year, and recommends revisiting this in FY26.	Environmental Services

## Cultivate Vibrant Neighborhoods

Grey = Council comments at 2/10/24 Retreat  
(projects will be renumbered for the final version)

### Objective 1: Invest in Cleanliness and Blight Reduction

	Proposed Metrics	Comments	Division
NM1	% of Access Hayward illegal dumping, graffiti, unlicensed abatement, and landscaping requests are responded to within (target = 98% in 48 hours)	Staff is prepared to report annually	Maintenance Services
NM2	# Households participating in Disposal Days	Staff is prepared to report annually	Maintenance Services
NM3	# of home rehab grants for low-income homeowners	Staff is prepared to report annually	Community Services

	Proposed Special Projects	Comments	Division
NP1	Engage owners of vacant building properties to encourage activation, starting in the downtown, and enforce against owners of empty storefronts	This project is on staff's work plan. Staff is also seeking feedback from Council on FY25 priorities for this and other Code Enforcement project, due to limited staff capacity and competing priorities.	Code Enforcement
NP3	Expand litter collection services (like the Downtown Streets Team) to pick up litter through the City	This project is on staff's work plan	Environmental Services
NP4	Request for more response to dog poop – more waste stations, signs, etc.	Staff can offer dog waste bag dispensers to Adopt-a-Block sponsors. However, staff does not recommend adding this as a stand alone project. The purchase/installation cost is roughly \$2K per station and about \$400/month for maintenance per general location. Existing stations at City sites, like City Hall or Library Plaza, are currently maintained by Facilities staff. Facility staff does not have capacity to service waste stations on city streets.	Maintenance Services
NP5	Request to work more actively with Caltrans to address blight, trees, etc. at freeway exits	Staff can formalize the current working agreement with Caltrans to support a proactive approach to on/off-ramp abatements and provide updates to Council.	Maintenance Services

### Objective 2: Provide Community Enrichment and Educational Programming

	Proposed Metric	Comments	Division
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NM4	# Number of library materials checked out	Staff is prepared to report annually	Library
NM5	# Participants using library cradle to senior programs, by type of program	Staff is prepared to report annually	Library
NM6	# Patrons accessing e-resources	Staff is prepared to report annually	Library
NM7	# Grants awarded to arts and music and social services agencies through Community Agency Funding Process	Staff is prepared to report annually	Community Services
NM8	# Meals delivered through SOS Meals on Wheels	Staff is prepared to report annually	Community Services

### Objective 3: Beautify and Activate Public Spaces

	Proposed Metrics	Comments	Division
NM9	# Event attendees at City-run and City-sponsored events	Staff is prepared to report annually	Community & Media Relations

	Proposed Special Projects	Comments	Division
NP6	Work with Council to determine funding priorities for City-run and City-sponsored events and implement new granting processes	Staff will provide a work session on August 20 and will implement based on Council direction	Community & Media Relations
NP7	Work with partners to launch outdoor programming at the Stack Center Community Event Plaza by fall 2024	This project is on staff's work plan	City Manager Administration
NP8	Complete Jackson Corridor landscape beautification, including monument gateway sign on Jackson at Silva Avenue	This project is in progress. Staff will be bringing a proposal to Council for the moment in early FY25.	Maintenance Services
NP9	Create an analysis of the staffing and funding needs to create a public art program, including the possibility of an art impact fee	Staff will provide a work session November and will implement based on Council direction	Community & Media Relations
NP10	Request to expand the efforts to beautify Tennyson Rd to include streetscape improvements so it feels more walkable and inviting, like the downtown	Staff recommends using the Stack Center construction as a catalyst for a longer term visioning of upgrades to Tennyson Road. However, staff recommends revisiting this item at midyear, due to low capacity over the next six months. Staff in Public Works and Maintenance Services have noted the desire for Council to consider Tennyson for improvements, alongside the downtown.	Public Works, Maintenance Services



NP11	Request to add tree lighting (and other lighting) to Tennyson Rd	As mentioned above, staff recommends these types of improvements be considered holistically as part of a vision for Tennyson Rd with the Stack Center as a catalyst. Wrapping trees with lighting will be costly in installation and long-term maintenance. Staff's preference would be uplighting of median trees and sidewalks.	Public Works, Maintenance Services
NP12	Request for large H sculptures throughout Hayward to mark "districts"	Staff can include this concept as part of the November work session on public art	Community & Media Relations
NP13	Request to explore more green gateway arches around the City to indicate Hayward pride	Staff can also include this concept as part of the November work session on public art. New street improvement projects, such as Mission Blvd Phase 3, will include decorative Welcome to Hayward" signage. Due to budget constraints, they do not currently include the expensive "gateway arches."	Several
NP14	Request to look at decorative fences (like at the former Holiday Bowl site) for Foothill Blvd to create a barrier between the sidewalk and road	This idea will be considered as part of the Downtown Working Group - See Grow the Economy, EP7	Engineering, Maintenance Services
NP15	Request to work more actively with BART to try to activate their parking lots	Staff is working with community partners to launch a pilot farmers market in the South Hayward BART parking lot. In addition, BART's TOD work plan update was presented to staff and Downtown Hayward was prioritized for the next few years. Staff will continue to track that effort, but does not have capacity to take additional actions due to competing priorities.	City Manager Administration

**Objective 4: Support Volunteerism, Civic Leadership, and Community-Led Initiatives**

	Proposed Metrics	Comments	Division
NM10	# of volunteers who participated in a program or event	Staff is prepared to report annually	Library and others
NM11	# of students who participate in the mock City Council program	Staff is prepared to report annually	Community & Media Relations

NM12	Number of reparative justice implementation plans approved by City Council	Staff is prepared to report annually	Office of Racial Equity
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	Proposed Special Projects	Comments	Division
NM16	Increase the access to community meeting rooms and facilities across the city by collaborating with HUSD and HARD to have 2-3 spaces open for public use	Staff will provide an update on community meeting spaces and event spaces as part of the August 20 work session on special events	Several
NM17	Complete interpretive signs and art in Heritage Plaza Art to Honor Indigenous and Russell City Heritage in partnership with community groups	This project is on staff's work plan	City Manager Administration
NM18	Allocate and develop resources to implement approved reparative justice actions resulting from community-led input on the Russell City Reparative Justice Project.	Identification of short-term fiscal resources are needed to both deliver on priority recommendations, and continue the analytical and engagement work needed in the implementation phase.	Office of Racial Equity
NM23	Request to look at City run/sponsored events to provide more support to events like Juneteenth	Staff will include this in the August 20 work session on special events	Community & Media Relations
NM24	Request for a report on continuing the People's Budget program and resources needed to do that sustainability	Staff provided a report to the CBFC on April 17	City Manager Administration
NM25	Request for an annual event in March on Hayward's Birthday (Hayward Day)	Staff will include this in the August 20 work session on special events	Community & Media Relations
NM26	Request to expand teen civic engagement programs, like the mock city council meetings	Staff will report on the participation of this in NM11. Unfortunately staff does not have capacity to expand these efforts due to competing priorities.	Community & Media Relations

## Strengthen Organizational Health

Grey = Council comments at 2/10/24 Retreat  
(projects will be renumbered for the final version)

### Objective 1: Strengthen Fiscal Sustainability and Transparency

	Proposed Metrics	Comments	Division
RM1	% General Fund Reserve	Staff is prepared to report annually	Finance
RM2	\$ Grant Funds received	Staff is prepared to report quarterly	Finance

	Proposed Special Projects	Comments	Division
RP1	Continue to explore the potential early extension of the ½ cent local district sales tax	This project is on staff's work plan	Finance
RP2	Expand financial transparency and data sharing through platforms like OpenGov and ClearPoint	This project is on staff's work plan	Finance, City Manager Administration
RP3	Establish and report on the budget for the Hayward Economic Development Corporation	This project is on staff's work plan. Staff can provide reports twice a year.	Finance
RP4	Requesting for communications strategy to advertise all the grants we get and other ways we save money	Staff recommends combining this request with RM2. Staff can provide Council regular reporting on grants received, which Council can share through their networks.	Finance, City Manager Administration
RP5	Request to include the financial forecast model (or other tools) when discussing large budget asks at Council	Staff supports this request and incorporate this moving forward. Staff does not recommend adding this as a stand alone project.	Finance
RP6	Request to reinstate the spreadsheet to track Council referrals and regularly communicate on this to Council	Staff supports this request and incorporate this moving forward. Staff does not recommend adding this as a stand alone project.	City Manager Administration
RP7	Request to continue attending meetings on Public Banking and add that back into the roadmap as a project	Staff is participating in monthly meetings with the public bank working group, and will give an update to the CBFC on the tentative business plan model in May 2024. Staff can also give an update to the full Council.	Finance

### Objective 2: Strengthen and Streamline Customer Service

	Proposed Metric	Comments	Division
RM3	# Subscribers to and reach of the Stack Newsletter	Staff is prepared to report quarterly	Community & Media Relations

RM4	# Social Media impressions	Staff is prepared to report quarterly	Community & Media Relations
RM6	# of City of Hayward departments with departmental language access plans completed by June 30, 2025	Staff is prepared to report annually	Office of Racial Equity

	Proposed Special Projects	Comments	Division
RP8	Develop and resource departmental language access plans which clarify baseline translation and interpretation practices for language access.	This project is on staff's work plan	Office of Racial Equity
RP9	Conduct an interdepartmental assessment of Access Hayward and implement updates to streamline customer responses	This project is on staff's work plan	City Manager Administration
RP10	Assess additional meeting locations with hybrid capacity for Council and Commission meetings	Staff can commit to supporting one meeting outside of City Hall in FY25. Once Stack Center Phase II is complete, meetings can be held there regularly.	City Clerks Office, Community & Media Relations, Information Technology
RP11	Request to add QR code to encourage people to sign up for the Stack newsletter when tabling at street fairs, etc.	Staff will be doing this moving forward.	Community & Media Relations
RP12	Request to update Access Hayward to make it easier to use and add languages	Combine with RP9	
RP13	Request to have Council meetings in other parts of the City	Combine with RP10	

### Objective 3: Strengthen Employee Engagement, Development, and Retention

	Proposed Metrics	Comments	Division
RM7	New employee experience survey	Staff is prepared to report biannually	Human Resources
RM9	Request to add metrics on employee retention and internal promotions	Staff is prepared to report biannually	Human Resources
RM10	Request to add metrics from employee engagement survey	Staff is prepared to report every other year (when the survey is done)	Human Resources
RM11	Request to add metrics on employee demographics and how long people stay by demographics	Staff is prepared to report biannually	Human Resources, Equity Office

	Proposed Special Projects	Comments	Division
RP14	Interdepartmentally collaborate to formalize, expand, and promote the onboarding program to improve new employee experience.	This project is on staff's work plan	Human Resources
RP15	Audit existing policies and HR processes for compliance including areas for revision and general enhancement	This project is on staff's work plan	Human Resources
RP16	Develop a citywide compensation philosophy with internal benchmarks in alignment with the comparator marketplace	This project is on staff's work plan	Human Resources
RP17	Request to create a discount program for Hayward staff to encourage them to eat in Hayward, and to thank staff	Staff supports this idea, but does not recommend adding it in FY2025 due to competing priorities in Economic Development and Human Resources.	

**Objective 4: Optimize Access to Workforce Technology**

	Proposed Metrics	Comments	Division
RM12	100% of New Technology Investments processed through IT Governance	Staff is prepared to report annually	Information Technology
RM13	Request to add metric about savings generated through tech or consolidating tech	Savings is a difficult item to measure and would require staff capacity to track and calculate. Staff can periodically provide updates to Council about the benefits of recent technology improvements, but does not recommend adding this as a metric.	

	Proposed Special Projects	Comments	Division
RP18	Continue to implement an IT Governance workgroup to ensure business alignment with technology solutions	This project is on staff's work plan	Information Technology
RP19	Implement the Strategic Roadmap project management software and dashboard and create linked performance dashboards for other plans, like the Housing Element and Climate Action plan	This project is on staff's work plan	City Manager Administration

RP20	Request for a report on how we can harness AI	Staff can provide a memo to Council on this, but does not recommend adding this as a stand alone project.	Information Technology
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# CITY OF HAYWARD

Hayward City Hall  
777 B Street  
Hayward, CA 94541  
www.Hayward-CA.gov

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**File #:** PH 24-019

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**DATE:** April 23, 2024

**TO:** Mayor and City Council

**FROM:** Assistant City Manager

**SUBJECT** Community Agency Funding: Approval of Fiscal Year 2025 Community Agency Funding Recommendations and the FY 2025 Annual Action Plan

## RECOMMENDATION

That the Council affirms the Community Services Commission's FY 2025 Community Agency Funding (CAF) recommendations as outlined in Attachment II and adopts the following resolutions, approving and appropriating funds for the FY 2025 operating budget:

1. Adopt a resolution approving and appropriating the CAF recommendations for programs to be funded through the General Fund for Social Services and Arts and Music funding categories (Attachment III);
2. Adopt a resolution approving and appropriating the CAF recommendations for the Community Development Block Grant (CDBG) Economic Development/ Infrastructure and Public Services funding categories and authorizing the City Manager to submit an application for the CDBG Program for U.S. Department of Housing and Urban Development (HUD) Program Year 2024, including the City of Hayward FY 2025 Annual Action Plan (Attachment IV);

## SUMMARY

This report asks Council to take action on the following elements:

1. Approve the funding recommendations made by the Community Services Commission (CSC) and presented for Council Work Session on April 2, 2024
2. Approve the FY 2025 Annual Action Plan

The estimated funding available as part of the FY 2025 Community Agency Funding process is \$1,869,471. Through the Community Agency Funding process, the Community Services Commission (CSC) made recommendations for the allocation of \$1,300,000 in estimated CDBG funds for public services, economic development, and infrastructure activities, and \$686,950 in General Fund funding for social services and arts and music activities. The funding allocations for this year's agency funding process are summarized by category in Table 1 below and in detail in Attachment II. These funding

recommendations have not changed from those presented to Council during the Work Session on April 2, 2024.

**Table 1. Summary of Recommended Funding Allocation by Category**

<b>Funding Source</b>	<b>Category</b>	<b>Amount</b>
General Fund	Arts & Music	\$132,000
General Fund*	Social Services	\$554,950
CDBG	Public Services	\$346,756
CDBG	Economic Development/Infrastructure	\$508,245
<i>Total ARC Recommended Grants</i>		<i>\$1,518,996</i>
CDBG	HUD-Required Fair Housing Services	\$25,475
CDBG	Home Rehabilitation & Infrastructure Project Management	\$325,000
<i>Total Non-Competitive Grants</i>		<i>\$350,475</i>
<b>GRAND TOTAL FY 2025</b>		<b>\$1,869,471</b>
<b>RECOMMENDED FUNDING (ALL SOURCES)</b>		

\*For FY25, General Fund includes Opioid Settlement funds, appropriated by Council on March 5, 2024

Funding allocations for CDBG funds will be included and submitted as part of the FY 2025 Annual Action Plan which is required by the Department of Housing and Urban Development (HUD). Along with defining allocations for agency funding, the Annual Action Plan summarizes the actions, activities, and financial resources to be used in FY 2025 to address the priority needs and goals identified in the 2021-2025 Consolidated Plan. Table 2 lists the proposed allocation of CDBG funding for the FY 2025 Annual Action Plan.

**Table 2. CDBG Program Year 2024 (City of Hayward FY 2025)  
Estimated Annual Action Plan Summary Funding by Project Category**

<b>No.</b>	<b>Project Category</b>	<b>CDBG Program Year 2024 (FY 2025) Funding Allocation</b>
1.	Administration & Planning	\$280,000
2.	Public Facilities & Infrastructure	\$1,192,592
3.	Public Services	\$246,756
4.	Housing Programs	\$325,000
5.	Economic Development	\$460,414
<b>TOTAL</b>		<b>\$2,504,762</b>



**ATTACHMENTS**

Attachment I	Staff Report
Attachment II	Community Agency Funding Recommendations
Attachment III	Resolution General Fund
Attachment IV	Resolution CDBG
Attachment V	Public Comment Overview



**DATE:** April 23, 2024

**TO:** Mayor and City Council

**FROM:** Assistant City Manager

**SUBJECT:** Community Agency Funding: Approval of Fiscal Year 2025 Community Agency Funding Recommendations and the FY 2025 Annual Action Plan

**RECOMMENDATION**

That the Council affirms the Community Services Commission’s FY 2025 Community Agency Funding (CAF) recommendations as outlined in Attachment II and adopts the following resolutions, approving and appropriating funds for the FY 2025 operating budget:

1. Adopt a resolution approving and appropriating the CAF recommendations for programs to be funded through the General Fund for Social Services and Arts and Music funding categories (Attachment III);
2. Adopt a resolution approving and appropriating the CAF recommendations for the Community Development Block Grant (CDBG) Economic Development/ Infrastructure and Public Services funding categories and authorizing the City Manager to submit an application for the CDBG Program for U.S. Department of Housing and Urban Development (HUD) Program Year 2024, including the City of Hayward FY 2025 Annual Action Plan (Attachment IV);

**SUMMARY**

This report asks Council to take action on the following elements:

No.	Topic	Recommended Action
1.	FY 2025 Community Agency Funding Process	Approve the funding recommendations made by the Community Services Commission (CSC) and presented for Council Work Session on April 2, 2024
2.	FY 2025 Annual Action Plan	Approve the FY 2025 Annual Action Plan

The estimated funding available as part of the FY 2025 Community Agency Funding process is \$1,869,471. Through the Community Agency Funding process, the Community Services Commission (CSC) made recommendations for the allocation of \$1,300,000<sup>1</sup> in

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<sup>1</sup> 20% of the annual entitlement is set aside for administration (e.g., staff salaries, fair housing programming) and planning activities (e.g., homelessness point in time count, homelessness reduction strategic plan).

estimated CDBG funds for public services, economic development, and infrastructure activities, and \$686,950 in General Fund funding for social services and arts and music activities. The funding allocations for this year’s agency funding process are summarized by category in Table 1 below and in detail in Attachment II. These funding recommendations have not changed from those presented to Council during the Work Session on April 2, 2024.<sup>2</sup>

**Table 1. Summary of Recommended Funding Allocation by Category**

Funding Source	Category	Amount
General Fund	Arts & Music	\$132,000
General Fund*	Social Services	\$554,950
CDBG	Public Services	\$346,756
CDBG	Economic Development/Infrastructure	\$508,245
<i>Total ARC Recommended Grants</i>		<i>\$1,541,951</i>
CDBG	HUD-Required Fair Housing Services	\$25,475
CDBG	Home Rehabilitation & Infrastructure Project Management	\$325,000
<i>Total Non-Competitive Grants</i>		<i>\$350,475</i>
<b>GRAND TOTAL FY 2025 RECOMMENDED FUNDING (ALL SOURCES)</b>		<b>\$1,892,426</b>

\*For FY25, General Fund includes Opioid Settlement funds, appropriated by Council on March 5, 2024

Funding allocations for CDBG funds will be included and submitted as part of the FY 2025 Annual Action Plan which is required by the Department of Housing and Urban Development (HUD). Along with defining allocations for agency funding, the Annual Action Plan summarizes the actions, activities, and financial resources to be used in FY 2025 to address the priority needs and goals identified in the 2021-2025 Consolidated Plan. Table 2 lists the proposed allocation of CDBG funding for the FY 2025 Annual Action Plan.

**Table 2. CDBG Program Year 2024 (City of Hayward FY 2025)  
Estimated Annual Action Plan Summary Funding by Project Category**

No.	Project Category	CDBG Program Year 2024 (FY 2025) Funding Allocation
1.	Administration & Planning	\$280,000
2.	Public Facilities & Infrastructure	\$1,192,592
3.	Public Services	\$246,756
4.	Housing Programs	\$325,000
5.	Economic Development	\$460,414
<b>TOTAL</b>		<b>\$2,504,762</b>

## BACKGROUND

### The FY 2025 Community Agency Funding Process and Timeline

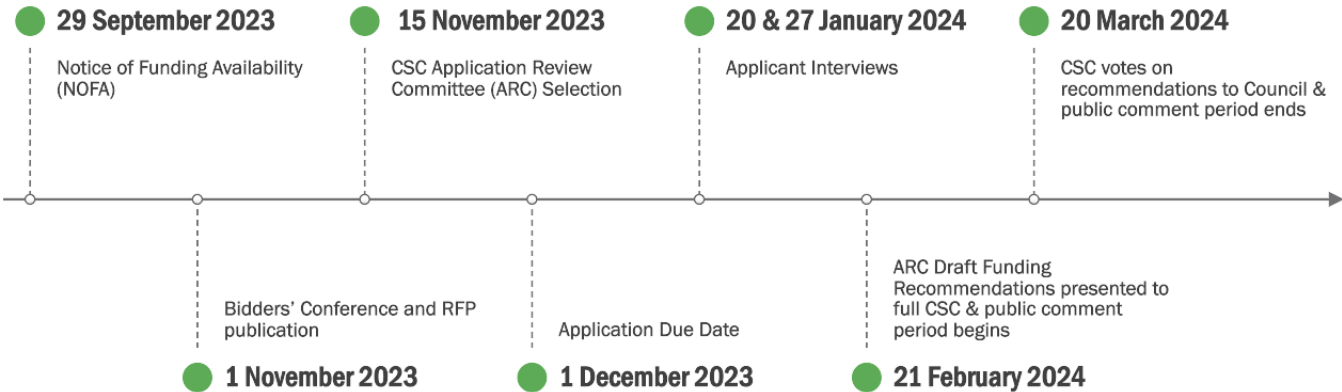
Each year, the City receives applications from community agencies requesting funding through the competitive Community Agency Funding (CAF) process. As the advisory body to the

<sup>2</sup> April 2, 2024, Staff Report and Attachments:  
<https://hayward.legistar.com/LegislationDetail.aspx?ID=6606609&GUID=8121C00E-5ACB-47D2-88A1-B5EF709F112C&Options=&Search=>

Hayward City Council, the CSC makes recommendations to Council for the distribution of CDBG and General Fund allocations to programs in the following categories: Infrastructure and Economic Development (CDBG), Public/Social Services (CDBG/General Fund), and Arts and Music (General Fund).

The CAF process opened with the publication of a Notice of Funding Availability (NOFA) on September 29, 2023. The announcement was published in English and Spanish in the Daily Review, posted to the City’s website, emailed to the Community Services Division’s interested parties mailing list, and shared on the City’s social media channels. Hayward City Council and Commissioners were also encouraged to share the NOFA with their networks. Several broadcast email reminders were also sent in advance of the Mandatory Bidder’s Conference held on November 1, 2023. The Request for Proposals and instructions for applications were published following the Bidder’s Conference on November 1, 2023. All applications were due on December 1, 2023, and the CSC reviewed applications throughout December and January. In January the CSC conducted applicant interviews and drafted their initial funding recommendations which were discussed and finalized at the February and March CSC meetings. More information on the Community Agency Funding process can be found on the [City’s webpage](#).

**Figure 1. FY 2024-2025 Community Agency Funding Timeline**



**Technical Assistance to Agencies**

Before the application due date and during the application review process, staff were available to applicants for technical assistance on submitting their application and responding to questions. This is communicated to all applicants who attended the Mandatory Bidder’s Conference and through email communications. Staff also initiated targeted outreach to agencies that started an application but did not appear to have it completed and who attended the Bidder’s Conference but had not started an application as the deadline approached.

**Application Review Process**

The CSC reviews all eligible applications, and the CSC Chairperson appoints three Application Review Committees (ARCs) by funding category to conduct applicant interviews prior to drafting funding recommendations for Council review and approval. The three funding categories are Infrastructure and Economic Development (CDBG), Public/Social Services (CDBG/General Fund), and Arts and Music (General Fund).

Since the initial ARC interviews, the following public meetings have been held as part of the Community Agency Funding Process:

**Table 3. Community Agency Funding Process Public Meetings**

Meeting Date	Meeting Body	Description
February 21, 2024 <sup>3</sup>	CSC	The CSC discussed their initial funding recommendations and opened a public comment period.
March 20, 2024 <sup>4</sup>	CSC	The CSC received a presentation of the FY 2025 funding recommendations, received public comment, voted to approve the FY 2025 funding recommendations, and closed the public comment period at the conclusion of the meeting.
April 2, 2024 <sup>5</sup>	City Council	During a Work Session, Council heard public comment and discussed the funding recommendations from the CSC. The public comment period on the funding recommendations opened on April 1, 2024, and will close on May 2, 2024.

## DISCUSSION

### Summary of Council Feedback from April 2 Work Session

On April 02, 2024, Council received a presentation of the CSC FY 2025 funding recommendations.<sup>6</sup> Council discussed the funding recommendations and did not direct any modifications to the recommendations. The following key topics emerged from Council’s April 2 Work Session discussion:

#### ***1. Prioritizing funding for shelter providers in the Economic Development and Infrastructure category***

Council expressed interest in prioritizing funding to shelter providers, specifically South Hayward Parish and La Familia’s FESCO, Les Marquis Emergency Shelter projects, should there be additional funds available. At the March CSC meeting, the Commission’s vote included recommendations for how to allocate additional funds if the City’s CDBG entitlement award is higher than staff estimated, which includes increasing allocations for projects highlighted by Council. For this category, the CSC determined that any additional funds would be distributed as defined in the below table and shown in Attachment II.

<sup>3</sup> February 21, 2024, Community Services Commission Staff Report and Attachment  
<https://hayward.legistar.com/MeetingDetail.aspx?ID=1169199&GUID=5365DD29-1D0D-4973-B500-B29CC30AC147&Options=info&Search=>

<sup>4</sup> March 20, 2024, Community Services Commission Staff Report and Attachment:  
<https://hayward.legistar.com/MeetingDetail.aspx?ID=1183267&GUID=B749BA3B-BC2C-4E48-80F7-DDAF98DD4FC5&Options=info&Search=>

<sup>5</sup> April 2, 2024, Council Work Session Staff Report and Attachment  
<https://hayward.legistar.com/LegislationDetail.aspx?ID=6606609&GUID=8121C00E-5ACB-47D2-88A1-B5EF709F112C&Options=&Search=>

<sup>6</sup> April 2, 2024, Council Work Session Staff Report and Attachment  
<https://hayward.legistar.com/LegislationDetail.aspx?ID=6606609&GUID=8121C00E-5ACB-47D2-88A1-B5EF709F112C&Options=&Search=>

**Table 4. Economic Development and Infrastructure CSC Recommended Allocations for Additional Funding**

Guidance from CSC (in order of priority, depending on funding availability)	Amount Recommended	Total Award if funded up to the recommended amounts
1. Allocate funds to Downtown Streets to bring them up to their FY24 funding level.	Up to \$8,297	\$208,297
2. Allocate an additional \$5,000 to La Familia’s FESCO project up to \$20,000 for their security improvement project. This amount was decided due to limited funds and concerns over the estimated cost of the project proposal.	Up to \$5,000	\$20,000
3. Allocate an additional \$50,000 toward First Pres to bring their total award to \$83,831 to include the drainage improvements.	Up to \$50,000	\$83,831
4. Should there be additional funds available, the remaining funds would be distributed evenly across all agencies recommended for partial funding not to exceed their original request		Any remaining funds after the above disbursements will be shared evenly across all agencies recommended for partial funding.

**2. Prioritizing funding for food security projects**

Council expressed an interest in understanding the deliberations process related to food security applicants given that four out of the six food security agencies did not receive full funding, with specific focus on the applicants 05 Sikh Seva and Peace Haven. The four agencies recommended for partial funding include 05 Sikh Seva, Daily Bowl, Peace Haven Corporation, and San Lorenzo Family Help Center, three of which are new applicants. The CSC recommended partial funding to three of these agencies (05 Sikh Seva, Peace Haven, and Daily Bowl) with the hopes that these agencies can receive technical assistance from staff in the next year to improve their plans for effective data reporting to ensure a more competitive application next year. This request for technical assistance support was affirmed by Council at the April 2 Work Session.

While not all agencies in this subcategory received full funding, food security was a priority for the CSC this year, being the third highest funded subcategory among the services projects with special attention for food security projects serving seniors. Table 5 shows the amount recommended across all six service types for FY 2025. In prior years, recommendations for food security projects have been comparatively less than this year’s recommendations due to both a prioritization of food projects serving seniors and more available funding. The CSC recommended \$58,358 and \$80,000 to food security projects in

FY 2024 and 2023, respectfully.<sup>7,8</sup> For FY 2025’s funding process, the CSC had an additional \$100,000 in one-time Opioid Settlement funds which went towards the top two funded categories: Housing and Homelessness and Youth and Education.

**Table 5. Recommended Funding Allocations by Service Type**

Types of Services	FY 2025 Amount Recommended
Housing and Homelessness	\$363,734*
Youth and Education	\$177,309**
Food Security	\$147,500
Information and Referral	\$77,000
Health	\$71,163
Legal Services	\$65,000

\* This total includes \$50,000 in one-time Opioid Settlement funds.

\*\* This total includes \$50,000 in one-time Opioid Settlement funds. For more on the Opioid Settlement funding, see the March 5, 2024 Council materials.<sup>9</sup>

Given their commitment towards food security work, the Council expressed to see more funding to 05 Sikh Seva and Peace Haven should there be available funding. The CSC made deliberations to determine how to allocate additional funds across all categories which can be found on Attachment II.

**3. Technical assistance for agencies to improve competitiveness of their applications**

Staff are committed to working through technical barriers and providing direct assistance to agencies, especially those recommended by both the CSC and Council through this process. Staff are available to all agencies that request technical assistance for application assistance, guidance during the public comment period, assistance and feedback on reporting requirements, and other supports to help agencies during the application and grant implementation process. Staff will continue to keep in close contact with applicants before, during, and after the application process to be as proactive as possible in engaging applicants that may need support. This includes sending several communications to ensure all agencies are informed and aware that staff are available for any assistance.

Staff will distribute a survey to applicants and Commissioners to receive their feedback on the funding process in advance of the May CSC meeting, during which at that time the CSC and staff will debrief the FY 2025 CAF process. Staff will incorporate any suggestions discussed during the April 2 and April 23 Council meetings in the CSC’s May debrief discussions.

In addition to discussing the FY 2025 funding recommendations, Council recognized the competitive nature of the annual agency funding process, the demand for these services, and

<sup>7</sup> Council approved FY 2024 Funding Recommendation on April 25, 2023:  
<https://hayward.legistar.com/LegislationDetail.aspx?ID=6179362&GUID=65916587-0043-40D6-8BA8-CF8407DDA041&Options=&Search=>

<sup>8</sup> Council approved FY 2023 Funding Recommendations on April 26, 2022:  
<https://hayward.legistar.com/LegislationDetail.aspx?ID=5565353&GUID=49FAEE12-031B-4FD3-AEA7-893CE75FA227&Options=&Search=>

<sup>9</sup> March 5, 2024, Staff Report and attachments:  
<https://hayward.legistar.com/LegislationDetail.aspx?ID=6561052&GUID=355597DF-7504-4108-A4BC-C67A50248439&Options=&Search=>

the corresponding need for additional funding to support more community services. Council also acknowledged the need to provide clarity on the process for disclosing conflict-of-interest. Due to the nature of the work, Council recognizes that members are closely involved in the community through various groups and affirmed the need to consider the process for disclosures and recusals.

**The FY 2025 Annual Action Plan**

HUD requires that the City update its Annual Action Plan each year. The Annual Action Plan carries out the Consolidated Plan, which is updated every five years. Council approved the current FY 2021-2025 Consolidated Plan on June 23, 2020.<sup>10</sup> The Consolidated Plan identifies the following priority needs for the City: affordable housing, homelessness, housing preservation, and permanent supportive housing; community development of public facilities and public services; elderly, youth, and family education services; and economic development.<sup>11</sup>

The FY 2025 Annual Action Plan summarizes the actions, activities, and financial resources to be used in FY 2025 to address the priority needs and goals identified in the 2021-2025 Consolidated Plan. Action Plan projects include activities such as expanding affordable housing, housing preservation, and permanent supportive housing; community development of public facilities and public services; homelessness, tenant, food for seniors, and legal services; and economic development by way of small business grants and loans and extending technical assistance to small businesses.<sup>12</sup>

The anticipated resources for FY 2025, including the annual entitlement allocation, anticipated program income from revolving loan fund repayments, and prior year resources, amounts to \$2,504,762. Prior year resources were not incorporated into the CAF process due to timing constraints, but will be used to fund Council priority projects that align with the Consolidated Plan and will be brought to Council for their approval.

For the CDBG program, entitlement cities may allocate funds as follows:

- **Administration:** up to 20% of annual allocation
- **Public Services:** up to 15% of the annual allocation plus program income
- **Infrastructure and Economic Development:** all remaining funds

Table 6 outlines the proposed funding allocation for FY 2025 (i.e., CDBG Program Year 2024).

**Table 6. CDBG Program Year 2024 (FY 2025) Annual Action Plan**

No.	Project Category	Program Year 2024 Estimated Funding Allocation
<b><i>Capped Categories (35%)</i></b>		

<sup>10</sup> June 23, 2020 Staff Report and Attachments: <https://hayward.legistar.com/LegislationDetail.aspx?ID=4576644&GUID=7D9A237D-8934-4D4A-94FA-CFF24B9589CA&Options=&Search=>  
<sup>11</sup>City of Hayward Consolidated Plan: [https://www.hayward-ca.gov/sites/default/files/documents/2021-2025%20Con%20Plan\\_FINAL\\_20200702.pdf](https://www.hayward-ca.gov/sites/default/files/documents/2021-2025%20Con%20Plan_FINAL_20200702.pdf)  
<sup>12</sup> City of Hayward FY 2025 Annual Action Plan: [https://www.hayward-ca.gov/sites/default/files/pdf/FY%2024-25%20Action%20Plan\\_For\\_Public\\_Comment\\_FINAL\\_03272024.pdf](https://www.hayward-ca.gov/sites/default/files/pdf/FY%2024-25%20Action%20Plan_For_Public_Comment_FINAL_03272024.pdf)



1.	Administration & Planning (20%)	\$280,000
2.	Public Services (15%)	\$246,756
<b><i>Uncapped Categories: Infrastructure and Economic Development (65%)</i></b>		
3.	Public Facilities and Infrastructure*	\$1,192,592
4.	Housing Programs	\$325,000
5.	Economic Development	\$460,414
<b>TOTAL</b>		<b>\$2,504,762</b>

\* Prior year funds that were not included in the CAF process due to timing constraints will be allocated to the Public Facilities and Infrastructure project for priority projects that align with the Annual Action Plan

On April 2, 2024, staff published a draft of the FY 2025 Annual Action Plan<sup>13</sup> for public comment, with a Public Hearing for comment and Council recommendation for approval on April 23, 2024. The City’s public comment period will conclude on May 2, 2024, and staff will submit the report to HUD no later than Friday, May 15, 2024. The report may be submitted after May 15 if there are delays in receiving the annual entitlement award, based on guidance from HUD.

### **ECONOMIC IMPACT**

The proposed programs funded through CDBG and the General Fund’s Social Services programs have a collective positive economic impact on the community, as they will increase food security; provide vital support services to help individuals and families maintain and obtain housing, such as legal aid, fair housing services, shelter, and home rehabilitation; infuse capital through grants and loans, and provide training for local small businesses.

### **FISCAL IMPACT**

The CDBG Program has a neutral impact on the City’s General Fund, as up to 20% of CDBG funds may be used to pay for eligible Planning and Administration of the Program, including staff salaries and benefits. Potential reductions to the City’s CDBG grant size and unpredictable program income will result in equivalent reductions to available funds and to the amount of administrative funds available. The CDBG program remains an administratively complex undertaking requiring enhanced dedication of resources from recipients and subrecipients to meet federal reporting standards.

Social Services and Arts & Music funds are General Fund-based and subject to Council discretion. If other General Fund obligations require reductions to Social Services or Arts & Music funding, individual grants would be adjusted on a percentage basis accordingly. Historically, Council has acknowledged Social Services grants support “safety net” services (i.e., food, housing, support services for low-income people, and information and referral) and has refrained from reducing funding based on fiscal impact.

### **STRATEGIC ROADMAP**

These funding allocation recommendations support several of the City’s Strategic Roadmap priority areas, including Preserve, Protect, & Produce Housing; Grow the Economy; Improve Infrastructure; and Support Quality of Life.

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<sup>13</sup> Draft FY 2025 Annual Action Plan

[https://www.hayward-ca.gov/sites/default/files/pdf/FY%2024-25%20Action%20Plan For Public Comment FINAL 03272024.pdf](https://www.hayward-ca.gov/sites/default/files/pdf/FY%2024-25%20Action%20Plan%20For%20Public%20Comment%20FINAL%2003272024.pdf)

## **PUBLIC CONTACT**

The Public Comment period for the FY 2025 recommended funding allocations and FY 2025 Annual Action Plan is in place from April 1, 2024, through May 2, 2024.<sup>14</sup> Public comment on the Community Agency Funding Recommendations and Annual Action Plan for FY 2025 will be heard at the Public Hearing on April 23, 2024.

Prior to this Public Hearing item, the public had the opportunity to provide public comment on the CAF process during the public comment period and at the CSC's February 21, 2024 and March 20, 2024 meetings.<sup>15,16</sup> Public comments on the FY 2025 Funding Recommendations were also received at the April 2 Work Session. Public comments received at the April 2 Work Session discussed areas of support for more funding to La Familia's Infrastructure project, Peace Haven's Freedom Store, and Fayeth Garden's Kwanza Project. There were concerns from the community on whether Eden United Church of Christ offers services to Hayward-based residents, and it was discussed that to be eligible for funds through this process applicants must be serving low-income Hayward residents. There were also concerns about whether community agency funds are spent directly on residents, and staff were directed to share their process for tracking spending through reporting and auditing requirements.

An overview of all the public received throughout the Community Agency Funding process can be reviewed in Attachment V.

## **NEXT STEPS**

Next steps include the following:

- On Thursday, May 2, 2024, the City's public comment period will conclude.
- Staff will address public comments and will submit the FY 2025 Annual Action Plan to HUD no later than May 15, 2024, unless directed by HUD otherwise.

*Prepared by:* Emily Hwang, Management Analyst

*Recommended by:* Amy Cole-Bloom, Community Services Manager  
Regina Youngblood, Assistant City Manager

Approved by:



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Kelly McAdoo, City Manager

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<sup>14</sup> Public comment for the Annual Action Plan: <https://www.hayward-ca.gov/your-government/departments/library-community-services/programs/community-development-block-grant-cdbg>

<sup>15</sup> February 21, 2024, Community Services Commission Staff Report and Attachment  
<https://hayward.legistar.com/MeetingDetail.aspx?ID=1169199&GUID=5365DD29-1D0D-4973-B500-B29CC30AC147&Options=info|&Search=>

<sup>16</sup> March 20, 2024, Community Services Commission Staff Report and Attachment:  
<https://hayward.legistar.com/MeetingDetail.aspx?ID=1183267&GUID=B749BA3B-BC2C-4E48-80F7-DDAF98DD4FC5&Options=info|&Search=>

COMMUNITY SERVICES COMMISSION COMMUNITY AGENCY FUNDING RECOMMENDATIONS FY 2025						
CATEGORY	AGENCY	PROJECT	FY 2024 FUNDING	FY 2025 REQUESTS	FY 2025 RECOMMENDATIONS	ADDITIONAL FUNDING RECOMMENDATIONS
<b>CDBG - ECONOMIC DEVELOPMENT &amp; INFRASTRUCTURE</b>						
Economic Development	Centro Community Partners	Technical Assistance Programs and Services for Small Businesses and Underserved Entrepreneurs	\$ 50,000	\$ 50,000	\$ 50,000	
Economic Development	Community Child Care Council (4-Cs) of Alameda County	Child Care Initiative Project	\$ 45,000	\$ 45,000	\$ 45,000	
Economic Development	Downtown Streets Inc	Hayward Downtown Streets Team	\$ 208,297	\$ 263,574	\$ 200,000	1. Up to \$208,297
Economic Development	Love Never Fails	Choose Tech - ITbiz Tech Academy	\$ 142,850	\$ 165,414	\$ 165,414	
Economic Development	WeeCare, Inc. Dba Upwards*	Business Operation & Optimization Support Tools (BOOST) Program*	\$ -	\$ 400,000	\$ -	
Infrastructure-Neighborhood Facilities	First Presbyterian Church of Hayward (FPCH) dba South Hayward Parish	StackLife/South Hayward Parish Critical Infrastructure Upgrade	\$ 123,500	\$ 222,200	\$ 32,831	3. Up to 83,831
Infrastructure-Neighborhood Facilities	Habitat for Humanity East Bay/Silicon Valley, Inc.	Home Repair Program**	\$ 175,000	\$ 175,000	\$ 175,000	
Infrastructure-Neighborhood Facilities	Rebuilding Together East Bay Network	Rehabilitation and Repair**	\$ 150,000	\$ 150,000	\$ 150,000	
Infrastructure-Neighborhood Facilities	St. Rose Hospital Foundation	Sub Acute Facility	\$ -	\$ 259,400	\$ -	
Infrastructure-Neighborhood Facilities	The Alliance for Community Wellness Dba La Familia Counseling Service	Family Emergency Shelter Coalition (FESCO), Les Marquis Emergency Shelter	\$ -	\$ 48,375	\$ 15,000	2. Up to \$20,000
<b>TOTAL CDBG ECONOMIC DEVELOPMENT &amp; INFRASTRUCTURE</b>			<b>\$ 894,647</b>	<b>\$ 1,778,963</b>	<b>\$ 833,245</b>	
<b>CDBG - PUBLIC SERVICES</b>						
Information & Referral	Love Never Fails	LNF Outreach Center	\$ -	\$ 68,113	\$ 12,000	
Information & Referral	Eden United Church of Christ	Newcomer Navigation Center	\$ 49,235	\$ 50,000	\$ 50,000	
Youth & Education	Big Brothers Big Sisters of the Bay Area*	Community Based Mentoring for Low Income Hayward Youth*	\$ -	\$ 20,000	\$ -	
Health	Tiburicio Vazquez Health Center	Licensed Vocational Nurse at Two Hayward High Schools*	\$ -	\$ 92,325	\$ 46,163	
Food Security	Spectrum Community Services	Meal Program for Seniors	\$ 33,693	\$ 62,500	\$ 50,000	
Housing and Homelessness	A-1 Community Housing Services	Housing Counseling	\$ 27,795	\$ 31,986	\$ 28,597	Allocate evenly between this agency and the others identified in this category, not to exceed requested amount
Housing and Homelessness	Abode Services	Alameda County Impact	\$ 41,090	\$ 49,188	\$ 12,297	
Housing and Homelessness	Centro Legal de la Raza	Hayward Tenant Rights	\$ 85,069	\$ 85,835	\$ 85,835	
Housing and Homelessness	Eden Council for Hope and Opportunity	Tenant/Landlord Services	\$ 15,000	\$ 16,055	\$ 14,418	Allocate evenly between this agency and the others identified in this category, not to exceed requested amount
Housing and Homelessness	The Alliance for Community Wellness dba La Familia	FESCO Les Marquis House - Emergency Shelter	\$ 53,318	\$ 53,165	\$ 47,446	Allocate evenly between this agency and the others identified in this category, not to exceed requested amount
Housing and Homelessness	Eden Council for Hope and Opportunity	Fair Housing Services**	\$ 25,000	\$ 25,475	\$ 25,475	
<b>TOTAL CDBG PUBLIC SERVICES</b>			<b>\$ 330,200</b>	<b>\$ 554,642</b>	<b>\$ 372,231</b>	
<b>GENERAL FUND - SERVICES</b>						
Food Security	05 Sikh Seva	Feed the Hayward Community	\$ 10,000	\$ 259,166	\$ 10,000	
Food Security	Daily Bowl*	Glean and Distribute Recovered Surplus Edible Food*	\$ -	\$ 50,000	\$ 11,000	Allocate evenly between this agency and the others identified in this category, not to exceed requested amount or cap.
Food Security	Mercy Retirement & Care Center	Mercy Brown Bag Program	\$ 14,665	\$ 50,000	\$ 50,000	
Food Security	Ruby's Place^	The Peace Haven Corporation: The Freedom Store*	\$ -	\$ 161,000	\$ 10,000	
Food Security	San Lorenzo Family Help Center*	San Lorenzo Family Help Center Food Pantry*	\$ -	\$ 50,000	\$ 16,500	Allocate evenly between this agency and the others identified in this category, not to exceed requested amount or cap.
Health	Crisis Support Services of Alameda County	Expanding Mental Health and Suicide Prevention Services in Hayward	\$ 21,036	\$ 25,000	\$ 25,000	
Housing and Homelessness	Ruby's Place^^	Shelter and Children	\$ 45,141	\$ 45,141	\$ 45,141	
Housing and Homelessness	Building Opportunities for Self Sufficiency (BOSS)^^	South County Homeless Project (SCHP)	\$ 30,833	\$ 35,000	\$ 35,000	
Housing and Homelessness	Community Resources for Independent Living (CRIL)	Hayward Housing Services	\$ 20,000	\$ 25,000	\$ 25,000	
Housing and Homelessness	Family Violence Law Center	Family Violence and Homelessness Prevention Project	\$ 41,858	\$ 60,000	\$ 60,000	
Housing and Homelessness	Love Never Fails^	Laundry Services with Park Place Refuge*	\$ -	\$ 19,990	\$ 10,000	
Information & Referral	Safe Alternatives to Violent Environments Inc.	Crisis Response Programs	\$ -	\$ 15,000	\$ 15,000	
Information & Referral	Eden Youth and Family Center	Empowering Entrepreneurs*	\$ -	\$ 121,583	\$ -	
Legal Services	Immigration Institute of the Bay Area	Legal Services for Immigrants	\$ 17,076	\$ 40,000	\$ 35,000	Allocate evenly between this agency and the others identified in this category, not to exceed requested amount or cap.
Legal Services	Legal Assistance for Seniors (LAS)	Legal Services & Education to Hayward Seniors	\$ 20,065	\$ 30,000	\$ 30,000	
Youth & Education	Be a Mentor*	Mentoring*	\$ -	\$ 20,000	\$ 17,500	Allocate evenly between this agency and the others identified in this category, not to exceed requested amount or cap.
Youth & Education	East Bay Agency for Children (EBAC)	Hayward HUB Family Resource Center	\$ 31,315	\$ 50,000	\$ 50,000	
Youth & Education	Eden Youth and Family Center	Computer Clubhouse	\$ 33,083	\$ 50,000	\$ 44,809	
Youth & Education	Horizon Services, Inc.^^	Lambda Project	\$ 33,887	\$ 50,000	\$ 50,000	
Youth & Education	Kina Evans*	Bully Talk Inc.*	\$ -	\$ 20,000	\$ 15,000	Allocate evenly between this agency and the others identified in this category, not to exceed requested amount or cap.
<b>TOTAL SOCIAL SERVICES</b>			<b>\$ 318,958</b>	<b>\$ 1,176,880</b>	<b>\$ 554,950</b>	
<b>GENERAL FUND - ARTS &amp; MUSIC</b>						
Arts & Music	Hayward Area Historical Society	Education Programming and Staffing	\$ 19,125	\$ 20,000	\$ 19,555	
Arts & Music	Hayward Arts Council	Hayward Arts Council	\$ 20,000	\$ 20,000	\$ 20,000	
Arts & Music	Love Never Fails	Healing Arts	\$ 25,000	\$ 19,995	\$ 19,995	
Arts & Music	Marina's Harmony*	Community Meditation*	\$ -	\$ 20,000	\$ -	
Arts & Music	Pacific Chamber Orchestra	Discover Music educational assemblies for the HUSD Elementary Schools	\$ 16,506	\$ 20,000	\$ 17,700	
Arts & Music	Plethos Productions*	Plethos Productions*	\$ -	\$ 10,000	\$ 10,000	
Arts & Music	Ruby's Place^	Sun Gallery	\$ 20,000	\$ 40,000	\$ 20,000	
Arts & Music	Ruby's Place^	The Kwanzaa Project: (Re) Creating the Cultural Arts of Africa in America*	\$ -	\$ 30,000	\$ 20,955	
Arts & Music	Youth Orchestra of Southern Alameda County (EYAO)	Hayward Scholarships/Stipends	\$ 3,795	\$ 3,795	\$ 3,795	
<b>TOTAL ARTS &amp; MUSIC</b>			<b>\$ 104,426</b>	<b>\$ 183,790</b>	<b>\$ 132,000</b>	

\*New agency/program applying for funds

\*\*Non-competitive award

^Fiscal Sponsor

^^Partially or completely funded through opioid distributor settlement funds

All amounts are preliminary and subject to change. Final award amounts will be authorized by Hayward City Council in June 2023. CDBG awards are dependent upon federal funding allocations and GF awards are subject to available budgetary funding.

HAYWARD CITY COUNCIL

RESOLUTION NO. 24-\_\_\_\_\_

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

RESOLUTION APPROVING AND APPROPRIATING THE COMMUNITY AGENCY  
FUNDING – GENERAL FUND RECOMMENDATIONS FOR FISCAL YEAR 2025  
IN THE ARTS AND MUSIC AND SOCIAL SERVICES FUNDING CATEGORIES

WHEREAS, the City of Hayward has allocated a portion of its General Fund to a competitive funding process for organizations serving the Hayward community; and

WHEREAS, the City Council has considered public testimony and the funding recommendations prepared by staff and the Community Services Commission, a copy of which is attached and hereby referred to for further particulars; and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Hayward hereby approves and appropriates the Community Agency Funding General Fund recommendations for Fiscal Year 2025 in the Arts & Music Funding and Social Services Categories, as shown in Exhibit A, in a total amount not to exceed \$132,000 for Arts & Music and \$554,950 for Social Services which is incorporated by reference herein.

BE IT FURTHER RESOLVED that except as may be otherwise provided, any and all expenditures relating to the objectives described in the Community Agency budget are hereby approved and authorized and payments therefore may be made by the Director of Finance of the City of Hayward without further action of Council.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2024.

ADOPTED BY THE FOLLOWING VOTE:

AYES:           COUNCIL MEMBERS:  
                  MAYOR:

NOES:           COUNCIL MEMBERS:

ABSTAIN:       COUNCIL MEMBERS:

ABSENT:        COUNCIL MEMBERS:

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

APPROVED AS TO FORM:

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

Exhibit A

COMMUNITY SERVICES COMMISSION COMMUNITY AGENCY FUNDING RECOMMENDATIONS FY 2025				
CATEGORY	AGENCY	PROJECT	FY 2025 RECOMMENDATIONS	ADDITIONAL FUNDING RECOMMENDATIONS
<b>GENERAL FUND -SOCIAL SERVICES</b>				
Food Security	05 Sikh Seva	Feed the Hayward Community	\$ 10,000	
Food Security	Daily Bowl*	Glean and Distribute Recovered Surplus Edible Food*	\$ 11,000	Allocate evenly between this agency and the others identified in this category, not to exceed requested amount or cap.
Food Security	Mercy Retirement & Care Center	Mercy Brown Bag Program	\$ 50,000	
Food Security	Ruby's Place^	The Peace Haven Corporation: The Freedom Store*	\$ 10,000	
Food Security	San Lorenzo Family Help Center*	San Lorenzo Family Help Center Food Pantry*	\$ 16,500	Allocate evenly between this agency and the others identified in this category, not to exceed requested amount or cap.
Health	Crisis Support Services of Alameda County	Expanding Mental Health and Suicide Prevention Services in Hayward	\$ 25,000	
Housing and Homelessness	Ruby's Place^^	Shelter and Children	\$ 45,141	
Housing and Homelessness	Building Opportunities for Self Sufficiency (BOSS)^^	South County Homeless Project (SCHP)	\$ 35,000	
Housing and Homelessness	Community Resources for Independent Living (CRIL)	Hayward Housing Services	\$ 25,000	
Housing and Homelessness	Family Violence Law Center	Family Violence and Homelessness Prevention Project	\$ 60,000	
Housing and Homelessness	Love Never Fails^	Laundry Services with Park Place Refuge*	\$ 10,000	
Information & Referral	Safe Alternatives to Violent Environments Inc.	Crisis Response Programs	\$ 15,000	
Information & Referral	Eden Youth and Family Center	Empowering Entrepreneurs*	\$ -	
Legal Services	Immigration Institute of the Bay Area	Legal Services for Immigrants	\$ 35,000	Allocate evenly between this agency and the others identified in this category, not to exceed requested amount or cap.
Legal Services	Legal Assistance for Seniors (LAS)	Legal Services & Education to Hayward Seniors	\$ 30,000	
Youth & Education	Be a Mentor*	Mentoring*	\$ 17,500	Allocate evenly between this agency and the others identified in this category, not to exceed requested amount or cap.
Youth & Education	East Bay Agency for Children (EBAC)	Hayward HUB Family Resource Center	\$ 50,000	
Youth & Education	Eden Youth and Family Center	Computer Clubhouse	\$ 44,809	
Youth & Education	Horizon Services, Inc.^^	Lambda Project	\$ 50,000	
Youth & Education	Kina Evans*	Bully Talk Inc.*	\$ 15,000	Allocate evenly between this agency and the others identified in this category, not to exceed requested amount or cap.
<b>TOTAL SOCIAL SERVICES</b>			<b>\$ 554,950</b>	

\*New agency/program applying for funds

^Fiscal Sponsor

^^Partially or completely funded through opioid distributor settlement funds

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Exhibit A

COMMUNITY SERVICES COMMISSION COMMUNITY AGENCY FUNDING RECOMMENDATIONS FY 2025				
CATEGORY	AGENCY	PROJECT	FY 2025 RECOMMENDATIONS	ADDITIONAL FUNDING RECOMMENDATIONS
<b>GENERAL FUND - ARTS &amp; MUSIC</b>				
Arts & Music	Hayward Area Historical Society	Education Programming and Staffing	\$ 19,555	
Arts & Music	Hayward Arts Council	Hayward Arts Council	\$ 20,000	
Arts & Music	Love Never Fails	Healing Arts	\$ 19,995	
Arts & Music	Marina's Harmony*	Community Meditation*	\$ -	
Arts & Music	Pacific Chamber Orchestra	Discover Music educational assemblies for the HUSD Elementary Schools	\$ 17,700	
Arts & Music	Plethos Productions*	Plethos Productions*	\$ 10,000	
Arts & Music	Ruby's Place^	Sun Gallery	\$ 20,000	
Arts & Music	Ruby's Place^	The Kwanzaa Project: (Re) Creating the Cultural Arts of Africa in America*	\$ 20,955	
Arts & Music	Youth Orchestra of Southern Alameda County (EBYO)	Hayward Scholarships/Stipends	\$ 3,795	
<b>TOTAL ARTS &amp; MUSIC</b>			<b>\$ 132,000</b>	

\*New agency/program applying for funds

^Fiscal Sponsor

^^Partially or completely funded through opioid distributor settlement funds

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HAYWARD CITY COUNCIL

RESOLUTION NO. 24-\_\_\_\_\_

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

RESOLUTION APPROVING AND APPROPRIATING THE COMMUNITY AGENCY FUNDING RECOMMENDATIONS FOR FISCAL YEAR 2025 IN THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CATEGORY AND AUTHORIZING THE CITY MANAGER TO APPLY FOR FEDERAL ASSISTANCE UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, the Housing and Community Development Act of 1974 makes funds available to qualified cities for certain community development activities, and the City of Hayward is qualified to receive certain funds pursuant to said act; and

WHEREAS, the City Council has considered public testimony and the CDBG Program recommendations prepared by staff and the Community Services Commission, a copy of which is attached and hereby referred to for further particulars; and

WHEREAS, the Council has considered the environmental impact of the program and hereby finds and determines that the program is composed of projects that are categorically excluded from the National Environmental Protection Act or will be subject to later environmental review and finds and determines that the activities funded by the program are either not subject to the California Environmental Quality Act or will be subject to later environmental review; and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Hayward hereby approves the Community Development Block Grant Program and authorizes the City Manager on behalf of the City of Hayward to execute and submit the required applications and all implementing documents in connection therewith.

BE IT FURTHER RESOLVED that the City Council of Hayward hereby approves and appropriates the Community Agency Funding Community Development Block Grant recommendations for Fiscal Year 2025 as shown in Exhibit A, in a total amount not to exceed \$1,205,476 which is incorporated by reference herein.

BE IT FURTHER RESOLVED that the City Council of Hayward hereby approves and appropriates the Community Development Block Grant funding allocations recommendations for Program Year 2024 as shown in Exhibit B, in a total amount of \$2,504,762, including \$1,205,476 in recommended funds as part of the Fiscal Year 2025 Community Agency Funding Process.



ATTACHMENT IV

BE IT FURTHER RESOLVED that the City Council of Hayward hereby approves the Community Development Block Grant priority needs, goals, and not limited to but including the recommended planned sample activities for HUD Program Year 2024 as shown in Exhibit C.

BE IT FURTHER RESOLVED that except as may be otherwise provided, any and all expenditures relating to the objectives described in the Community Agency budget are hereby approved and authorized and payments therefore may be made by the Director of Finance of the City of Hayward without further action of Council.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2024.

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:  
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

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

APPROVED AS TO FORM:

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

EXHIBIT A

COMMUNITY SERVICES COMMISSION COMMUNITY AGENCY FUNDING RECOMMENDATIONS FY 2025				
CATEGORY	AGENCY	PROJECT	FY 2025 RECOMMENDATIONS	ADDITIONAL FUNDING RECOMMENDATIONS
<b>CDBG - ECONOMIC DEVELOPMENT &amp; INFRASTRUCTURE</b>				
Economic Development	Centro Community Partners	Technical Assistance Programs and Services for Small Businesses and Underserved Entrepreneurs	\$ 50,000	
Economic Development	Community Child Care Council (4-Cs) of Alameda County	Child Care Initiative Project	\$ 45,000	
Economic Development	Downtown Streets Inc	Hayward Downtown Streets Team	\$ 200,000	1. Up to \$208,297
Economic Development	Love Never Fails	Choose Tech - ITbiz Tech Academy	\$ 165,414	
Economic Development	WeeCare, Inc. Dba Upwards*	Business Operation & Optimization Support Tools (BOOST) Program*	\$ -	
Infrastructure-Neighborhood Facilities	First Presbyterian Church of Hayward (FPCH) dba South Hayward Parish	StackLife/South Hayward Parish Critical Infrastructure Upgrade	\$ 32,831	3. Up to 83,831
Infrastructure-Neighborhood Facilities	Habitat for Humanity East Bay/Silicon Valley, Inc.	Home Repair Program**	\$ 175,000	
Infrastructure-Neighborhood Facilities	Rebuilding Together East Bay Network	Rehabilitation and Repair**	\$ 150,000	
Infrastructure-Neighborhood Facilities	St. Rose Hospital Foundation	Sub Acute Facility	\$ -	
Infrastructure-Neighborhood Facilities	The Alliance for Community Wellness Dba La Familia Counseling Service	Family Emergency Shelter Coalition (FESCO), Les Marquis Emergency Shelter	\$ 15,000	2. Up to \$20,000
<b>TOTAL CDBG ECONOMIC DEVELOPMENT &amp; INFRASTRUCTURE</b>			<b>\$ 833,245</b>	
<b>CDBG - PUBLIC SERVICES</b>				
Information & Referral	Love Never Fails	LNF Outreach Center	\$ 12,000	
Information & Referral	Eden United Church of Christ	Newcomer Navigation Center	\$ 50,000	
Youth & Education	Big Brothers Big Sisters of the Bay Area*	Community Based Mentoring for Low Income Hayward Youth*	\$ -	
Health	Tiburicio Vazquez Health Center	Licensed Vocational Nurse at Two Hayward High Schools*	\$ 46,163	
Food Security	Spectrum Community Services	Meal Program for Seniors	\$ 50,000	
Housing and Homelessness	A-1 Community Housing Services	Housing Counseling	\$ 28,597	Allocate evenly between this agency and the others identified in this category, not to exceed requested amount or cap.
Housing and Homelessness	Abode Services	Alameda County Impact	\$ 12,297	
Housing and Homelessness	Centro Legal de la Raza	Hayward Tenant Rights	\$ 85,835	
Housing and Homelessness	Eden Council for Hope and Opportunity	Tenant/Landlord Services	\$ 14,418	Allocate evenly between this agency and the others identified in this category, not to exceed requested amount or cap.
Housing and Homelessness	The Alliance for Community Wellness dba La Familia	FESCO Les Marquis House - Emergency Shelter	\$ 47,446	Allocate evenly between this agency and the others identified in this category, not to exceed requested amount or cap.
Housing and Homelessness	Eden Council for Hope and Opportunity	Fair Housing Services**	\$ 25,475	
<b>TOTAL CDBG PUBLIC SERVICES</b>			<b>\$ 372,231</b>	
<b>TOTAL CDBG RECOMMENDATIONS</b>			<b>\$ 1,205,476</b>	

\*New agency/program applying for funds

\*\*Non-competitive award

^Fiscal Sponsor

^^Partially or completely funded through opioid distributor settlement funds

## EXHIBIT B

<b>COMMUNITY DEVELOPMENT BLOCK GRANT HUD PROGRAM YEAR 2024 ESTIMATED ANNUAL ACTION PLAN FUNDING ALLOCATION</b>		
<b>No.</b>	<b>Project Category</b>	<b>Program Year 2024 (FY 2025) Funding Allocation</b>
1.	Administration & Planning	\$280,000
2.	Public Facilities & Infrastructure	\$1,192,592
3.	Public Services	\$246,756
4.	Housing Programs	\$325,000
5.	Economic Development	\$460,414
<b>TOTAL</b>		<b>\$2,504,762</b>

## EXHIBIT C

<b>COMMUNITY DEVELOPMENT BLOCK GRANT HUD PROGRAM YEAR 2024 PRIORITY NEEDS, GOALS, PLANNED SAMPLE ACTIVITIES</b>		
<b>Priority Needs</b>	<b>Goals</b>	<b>Sample Activities</b>
1. Expand & Improve Public Infrastructure & Facilities	1a. Improve access to & capacity of public facilities and infrastructure	Non-profit agency roof replacement; public park renovation
2. Preserve, Protect, and Produce Housing Stock	2a. Preserve existing homeownership housing	Home repairs for older adults
	2b. Develop new affordable housing	Grants to affordable housing developers
3. Public Services & Quality of Life Improvements	3a. Provide supportive services for special needs populations	Public services programs for homeless individuals or victims of domestic violence
	3b. Provide vital services for low-to-mod income households	Homelessness, elderly, youth, and family education services and legal services
4. Economic Development	4a. Provide for small business assistance	Technical assistance to childcare providers and entrepreneurs; small business loans and grants

### **Overview of Public Comments Received for FY 2025 Community Agency Funding Process**

The following is a summary of individuals who made public comment during the Annual Action Plan process and the agencies they represent, if applicable. All comment was accepted and responded to as appropriate.

Written public comment during the public comment period on the FY 2025 CDBG funding recommendations (February 21 through March 20, 2024):

- Julie Pineda, Park Elementary School - HUSD
- Edgar Chávez, California State University, East Bay
- Robin Galas, Chabot College
- Kris Kingsbury
- Robert Hoffman
- Amber Magdael
- Abbygail Maglaya
- Valera Robertson
- Jay Krohnengold
- Kathleen King
- Jessica Stark
- Shubbie Aishida, The Peacehaven Corporation
- Erika Cospin
- Velda Goe, Fayeth Gardens
- Elizabeth Hayes
- Jamil Blackwell
- Jagdeep Singh
- Erica Johnson
- Ashley Nunes
- Angelica Torres
- Michelle Martinez
- Linda Timmons
- Jeannette Montross
- Jamari McGee
- Rob Hughes
- Yinxing Xie
- Yuyu Li
- Iona Childers
- Cindy Carbonetti
- Kamal Anandpuri
- Chien Wu-Fernandez
- Esther Moran
- Julia Wright

- Shyanna Bryan
- Carol Morgan

Commenters at the February 21 Community Services Commission meeting

- Karin Richey, Plethos Productions
- Felicia Medrano, Love Never Fails – Healing Arts Program
- Velda Goe, Fayeth Gardens, The Kwanzaa Project
- Nicole Britton-Snyder, Family Violence Law Center
- Katherine Fuentes, WeeCare. Inc dba Upwards
- Beth Quirarte, Ruby's Place
- Kina Evans, Bully Talk Inc.

Commenters at the March 20 Community Services Commission meeting

- Kamal Anandpuri, 05 Sikh Seva
- Bob Goetsch, Be A Mentor,
- Duke Hwang, Spectrum Community Services

Commenters at the April 2 City Council Work Session

- Carlo Archuleta
- Sandra Archuleta
- Shubbie Aishida, The Peacehaven Corporation
- Public #1
- Velda Goe, Fayeth Gardens



# CITY OF HAYWARD

Hayward City Hall  
777 B Street  
Hayward, CA 94541  
www.Hayward-CA.gov

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**File #:** LB 24-012

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**DATE:** April 23, 2024

**TO:** Mayor and City Council

**FROM:** Director of Human Resources

**SUBJECT**

Council-Appointed Officer's Employment Agreement: Adopt a Resolution Approving a New Employment Agreement between the City of Hayward and the Interim City Manager and Authorize the Mayor to Execute the Agreement

**RECOMMENDATION**

That Council adopts a resolution (Attachment II) approving a new employment agreement between the City of Hayward and the Interim City Manager and authorize the Mayor to execute the agreement.

**SUMMARY**

Pursuant to Article VII of the Hayward City Charter, the City Manager shall be appointed by the Council and serve at the pleasure of the Council. The current employment agreement between the City of Hayward and the standing City Manager is set to expire due to the current City Manager's resignation effective May 5, 2024. The City will enter a new agreement with an Interim City Manager effective May 6, 2024, to remain in effect until a permanent City Manager is selected and assumes that office.

**ATTACHMENTS**

Attachment I	Staff Report
Attachment II	Resolution
Attachment III	Agreement



**DATE:** April 23, 2024

**TO:** Mayor and City Council

**FROM:** Director of Human Resources

**SUBJECT:** Council-Appointed Officer’s Employment Agreement: Adopt a Resolution Approving a New Employment Agreement between the City of Hayward and the Interim City Manager and Authorize the Mayor to Execute the Agreement

**RECOMMENDATION**

That Council adopts a resolution (Attachment II) approving a new employment agreement between the City of Hayward and the Interim City Manager and authorizes the Mayor to execute the agreement.

**SUMMARY**

Pursuant to Article VII of the Hayward City Charter, the City Manager shall be appointed by the Council and serve at the pleasure of the Council. The current employment agreement between the City of Hayward and the standing City Manager is set to expire due to the current City Manager’s resignation effective May 5, 2024. The City will enter a new agreement with an Interim City Manager effective May 6, 2024, to remain in effect until a permanent City Manager is selected and assumes that office.

**BACKGROUND AND DISCUSSION**

City Manager Kelly McAdoo’s resignation from the Council Appointed position of City Manager shall be effective May 5, 2024. In order to maintain continuity of operations, the City will carry forward similar terms of the current City Manager agreement for the Interim City Manager, Dustin Claussen, effective May 6, 2024.

If approved, the proposed employment agreement will allow the City to maintain salary equity, market competitive advantages, and continuity of operations while the City engages in the search for a permanent replacement. The terms of the agreement are commensurate with the scope of duties and expectations of an Interim City Manager.

**FISCAL IMPACT**

If approved, the Interim City Manager’s new Employment Agreement would result in no



additional fiscal impact.

**STRATEGIC ROADMAP**

This agenda item is a routine operational item and does not relate to any of the six priorities outlined in the Council’s Strategic Roadmap.

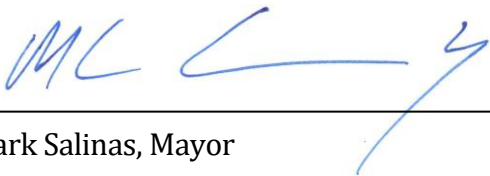
**NEXT STEPS**

If approved, staff will finalize the amended employment agreements and coordinate implementation of the salary and compensation changes with Payroll.

*Prepared by:* Brittney Frye, Director of Human Resources

*Recommended by:* Regina Youngblood, Assistant City Manager

Approved by:



A handwritten signature in blue ink, appearing to read 'M Salinas', is written above a horizontal line. The signature is stylized and extends to the right of the line.

Mark Salinas, Mayor

HAYWARD CITY COUNCIL

RESOLUTION NO. 24-\_\_\_\_\_

Introduced by \_\_\_\_\_

RESOLUTION APPROVING THE EMPLOYMENT AGREEMENT BETWEEN THE CITY OF HAYWARD AND INTERIM CITY MANAGER AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT

WHEREAS The City Council desires to appoint Dustin Claussen to the position of Interim City Manager, with that appointment being anticipated to last until a permanent City Manager is selected and assumes that office; and

WHEREAS The City Council desires to establish certain conditions of this temporary appointment, provide appropriate compensation and benefits, and set working conditions for such assignment to the position of Interim City Manager; and

WHEREAS The Employee desires to accept this appointment and promotion on a temporary basis as described in Attachment III, Hayward City Manager Employment Agreement, and on such terms as set forth therein.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby approves the employment agreement between the City of Hayward and the Interim City Manager beginning May 6, 2024, until a permanent City Manager is selected and assumes office and authorizes the Mayor to execute the agreement.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2024

ADOPTED BY THE FOLLOWING VOTE:

AYES:           COUNCIL MEMBERS:  
                  MAYOR:

NOES:           COUNCIL MEMBERS:

ABSTAIN:       COUNCIL MEMBERS:

ABSENT:        COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_  
          Miriam Lens  
          City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael Lawson  
City Attorney

**HAYWARD CITY MANAGER EMPLOYMENT AGREEMENT**

THIS AGREEMENT (“Agreement”), dated for convenience the **23<sup>rd</sup> day of April 2024**, is by and between **DUSTIN CLAUSSEN**, an individual (“Employee”) and the **CITY OF HAYWARD**, a public body of the State of California (“Employer”) and is effective May 6, 2024.

RECITALS:

WHEREAS The Employer desires to appoint the Employee to the position of Interim City Manager, with that reassignment being anticipated to last until a permanent City Manager is selected and assumes that office; and

WHEREAS The Employer desires to establish certain conditions of this temporary appointment, provide appropriate compensation and benefits, and set working conditions for such assignment to the position of Interim City Manager; and

WHEREAS The Employee desires to accept this appointment and promotion on a temporary basis as described above and on such terms as set forth herein.

NOW, THEREFORE, in consideration of the covenants and conditions hereinafter recognized, Employee and Employer agree to the following:

**Section 1 Term**

This Agreement shall remain in effect until a permanent City Manager is selected and assumes that office, unless Employee resigns (either to resume Employee’s prior position or to leave City service) or Employee is removed or terminated earlier by the City Council pursuant to Section 5 of this agreement.

**Section 2 Duties and Authority**

Employer agrees to employ Employee as Interim City Manager to perform the functions and duties specified in Article VII sections 700 et seq. of the Hayward City Charter and such other lawful and appropriate duties and functions as directed by the City Council, on a temporary basis.

**Section 3 Compensation**

As of May 6, 2024, Employee's Base Salary will be set at \$381,000.00.

Upon the end of this temporary appointment, and if Employee returns to the Employee’s Prior Position, the City shall pay Employee a salary equal to what Employee had been earning under Employee’s existing Employment Agreement (adjusted on an equal basis, if such an adjustment

occurs, for all other employees similarly situated, if such adjustment occurs during Employee's service as Interim City Manager).

During the Term of this Agreement, Employer agrees to pay Employee on the same schedule as other City of Hayward employees, which is currently bi-weekly.

#### **Section 4 Health, Disability, Life Insurance, and Other Benefits**

Employee shall continue to receive the same benefits as received in Employee's Prior Position and as provided under Employee's Existing Employment Agreement. There will be no change in medical, dental, vision, disability or life insurance; annual leave accrual; management leave entitlement; retirement formula and percentage contribution; deferred compensation; personal equipment stipend; health and wellness stipend; automobile allowance, or any other benefits to which Employee was entitled in Employee's Prior Position during this interim appointment, other than as specifically set forth in this Agreement.

In addition to the benefits set forth herein, all actions taken by the City Council relating to benefits for Unrepresented Management Employees shall be considered actions granting the same level of benefits to Employee, unless mutually agreed otherwise between Employer and Employee.

#### **Section 5 Termination**

In this position, your employment is "at will" and you serve at the pleasure of the City Council. You will retain retreat rights to the rank of Assistant City Manager for the duration of this assignment. These retreat rights will not apply if termination of employment is "for cause" or if there is an active investigation or performance management process underway.

Termination of this Agreement may occur under any of the following circumstances:

- A. If after proper meeting notice, a majority of the governing body votes to terminate Employee at a duly authorized public meeting;
- B. If Employer, residents, or Legislature acts to amend any provisions of the Charter, Ordinances, or appropriate enabling legislation pertaining to the role, powers, duties, authority, and responsibilities of Employee's position, and such amendment substantially changes the form of government, Employee shall have the right to declare that such amendment constitutes termination;
- C. If Employee resigns following an offer by Employer to accept resignation, whether such offer is formal or informal, then Employee may declare a termination as of the date of Employee's acceptance of such formal or informal offer;
- D. If either party fails to cure a breach of contract as declared by either Employer or Employee

within a 30-day period after the declaration of such breach of contract, provided written notice of such breach of contract is provided in accordance with provisions of Section 21;

- E. If Employee is convicted of a felony or misdemeanor involving moral turpitude, or if it is established that Employee's performance constitutes malfeasance or gross dereliction of duty;
- F. If Employee fails or refuses to follow a direct, lawful, and material order by Employer, representing the direction of a majority of the Council; and
- G. If Employee violates one or more tenets or ethical principles of ICMA.

### **Section 6 Hours of Work**

Employee shall be an exempt employee under FLSA. Employee does not have set hours of work but is expected to engage in those hours of work necessary to fulfill the obligations of the City Manager's position. Employer recognizes that the Employee must devote a great deal of time to business of the City outside of the City's customary office hours and Employee's schedule of work each day and week may vary in response to the requirements of the work to be performed. Employee is required to maintain a regular on-site presence during normal business hours that is sufficient to properly administer and oversee the activities of the City and its employees, to provide accessibility to City Council members, Department Heads, residents, and other persons or firms who have business with the City and to generally ensure that the City functions appropriately on a day-to-day basis. Employee is expected to be available at all times, except for time taken on personal matters, such as vacations; Employer expects Employee to make prudent and reasonable arrangements for such personal time off, such as reasonable notice and arrangements, for example, for acting City Managers.

Employee shall not take more than fifteen (15) workdays of said leave at any one time, exclusive of holidays recognized by Employer, to which Employee shall also be entitled. Upon approval of the Council, leave may be extended beyond the fifteen (15) workday limit established above.

### **Section 7 Outside Activities**

The employment provided for by this Agreement shall be Employee's sole employment, unless otherwise agreed to by Employer prior to Employee engaging in any such other employment.

### **Section 8 Indemnification**

Beyond that required under Federal, State or Local Law, Employer shall defend, save harmless and indemnify Employee against any tort, professional liability claim, or demand or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of Employee's duties as City Manager or resulting from the exercise of judgment or discretion in connection with the performance of program duties or responsibilities

unless the act or omission involved willful or wanton conduct. Employer shall indemnify Employee against any and all losses, damages, judgments, interest, settlements, fines, court costs, and other costs and expenses of legal proceedings including attorneys' fees, and any liabilities incurred by, imposed upon, or suffered by such Employee in connection with or resulting from any claim, action, suit, or proceeding, actual, or threatened, arising out of or in connection with the performance of her duties. Any settlement of any claim must be made with prior approval of Employer in order for indemnification, as provided in this Section, to be available.

### **Section 9 Abuse of Office or Position**

If Employee is convicted of a crime involving an abuse of her office or position, all of the following shall apply: (1) if Employee is provided with administrative leave pay pending an investigation, Employee shall be required to fully reimburse City such amounts paid; (2) if City pays for the criminal legal defense of Employee (which would be in its sole discretion, as it is generally not obligated to pay for a criminal defense), Employee shall be required to fully reimburse City such amounts paid; and (3) if this Agreement is terminated, any Severance Pay and Severance Benefits related to the termination that Employee may receive from City shall be fully reimbursed to City or shall be void if not yet paid to Employee. For purposes of this Section, abuse of office or position means either: (1) an abuse of public authority, including waste, fraud, and violation of the law under color of authority; or (2) a crime against public justice.

### **Section 10 Bonding**

Employer shall bear the full cost of any fidelity or other bonds required of Employee under any law or ordinance.

### **Section 11 Other Terms and Conditions of Employment**

Employer may set such other terms and conditions of employment, as it may determine from time to time, relating to the performance of Employee, provided such terms and conditions are not inconsistent with or in conflict with the provisions of this Agreement, the Hayward City Charter, or any other law.

### **Section 12 Notices**

Notice pursuant to this Agreement shall be given by depositing in the custody of the United States Postal Service postage prepaid addressed as follows:

- (1) EMPLOYER: Mayor of the City of Hayward  
City Hall  
777 B Street  
Hayward, CA 94541

(2) EMPLOYEE:     Dustin Claussen  
                          Address on File

Alternatively, notice required pursuant to this Agreement may be personally served in the same manner as is applicable to civil service of process. Notice shall be deemed given as of the date of personal service or as the date of deposit of such written notice in the course of transmission in the United States Postal Service.

**Section 13 General Provisions; Integration; Severability**

This Agreement sets forth and establishes the entire understanding between Employer and Employee relating to the employment of the Employee by the Employer. Any prior discussions or representations by or between the parties are merged into and rendered null and void by this Agreement. The parties by mutual written agreement may amend any provision of this Agreement during the life of the Agreement. Such amendments shall be incorporated into and made a part of this Agreement.

The invalidity or partial invalidity of any portion of this Agreement will not affect the validity of any other provision. In the event that any provision of this Agreement is held to be invalid the remaining provisions shall be deemed to be in full force and effect as if they have been executed by both parties subsequent to the expungement or judicial modification of the invalid provision.



IN WITNESS WHEREOF, Employee has executed this Agreement, and Employer, by and through its Mayor, duly authorized to act, has executed this Agreement.

Dated: April 23, 2024

Executed by:

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Mark Salinas  
Mayor, City of Hayward

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Dustin Claussen  
Employee (Interim City Manager)

ATTEST:

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Miriam Lens  
City Clerk

APPROVED AS TO FORM:

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Michael S. Lawson  
City Attorney