

**CITY COUNCIL MEETING  
TUESDAY, JULY 24, 2018**

**DOCUMENTS RECEIVED  
AFTER PUBLISHED AGENDA**

**ITEM #8**

**MAPS FOR APPROVAL OF ROUTE 238 TENANT  
TRANSFER ASSISTANCE PROGRAM AND  
APPROPRIATION OF PROGRAM FUNDING**

**E-MAIL FROM MARY ANN HIGGS**

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**From:** Mary Ann Higgs <>  
**Sent:** Monday, July 23, 2018 8:55 AM  
**To:** List-Mayor-Council <List-Mayor-Council@hayward-ca.gov>  
**Subject:** City Council Agenda, July 24, 2018, Item 8

Dear Mayor and City Council,

I see that item 8 on the agenda for the July 24, 2018 City Council meeting is related to taking steps to demolish the vacant homes in the former Route 238 Bypass corridor. Thank you for continuing to move this process forward. As someone who has lived in the Parcel 5 (Bunker Hill) neighborhood for 20+ years, I am looking forward to the vacant properties being demolished.

I guess you could say I'm in favor of this item and support a yes vote by council.

Thanks again for keeping the process moving.

Mary Ann Higgs

**ITEM ADDED**

**CONS 18-554**

**ALAMEDA COUNTY TRANSPORTATION  
COMMISSION – ACTIVE TRANSPORTATION  
PROGRAM GRANT LETTER OF SUPPORT**



**DATE:** July 24, 2018  
**TO:** Mayor and City Council  
**FROM:** City Manager  
**THROUGH:** Interim Director of Public Works  
**SUBJECT** Alameda County Transportation Commission – Active Transportation Program Grant Letter of Support

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### **RECOMMENDATION**

That Council consider approval of the attached Alameda County Transportation Commission – Active Transportation Program Grant Letter of Support.

### **DISCUSSION**

The Alameda County Transportation Commission (ACTC) is applying for the Active Transportation Program (ATP) Grant, which is due on July 31, 2018. ACTC is requesting \$10,300,000 in grant funds for the design and construction of the East Bay Greenway (EBGW). Applications for the ATP grant will not be accepted without all participating agencies (San Leandro, Alameda County, and Hayward) affirming support of a non-binding agreement to accept operations and maintenance responsibilities upon completion of the EBGW facility (see attached Staff Report and Resolution).

The ATP grant application and all letters of support/non-binding agreements must be submitted no later than July 31, 2018. Failure to submit by the July 31 deadline will result in nullification of ACTC's grant application. It is for this reason that staff requests that Council consider this agenda item this evening.

*Recommended by:* Charmine Solla, Senior Transportation Engineer  
Fred Kelley, Transportation Manager  
Kathy Garcia, Deputy Director of Public Works

Approved by:

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Kelly McAdoo, City Manager



# CITY OF HAYWARD

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

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**File #:** CONS 18-554

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**DATE:** July 24, 2018

**TO:** Mayor and City Council

**FROM:** Interim Director of Public Works

**SUBJECT**

Alameda County Transportation Commission - ATP Grant Letter of Support

**RECOMMENDATION**

That Council authorizes the City Manager to send a letter of support for the ATP grant and to execute a non-binding commitment to fund the operations and maintenance (O&M) for the East Bay Greenway (EBGW) project within Hayward's jurisdictional boundaries.

**SUMMARY**

The Alameda County Transportation Commission (ACTC) is applying for the Active Transportation Program (ATP) Grant requesting \$10,300,000 to fund the design and construction of the East Bay Greenway. ACTC is leading project development and implementation for the EBGW with the expectation that the local jurisdictions will become the facility owners, responsible for ensuring performance of operations and maintenance of the East Bay Greenway. Applications for the ATP grant will require that all local jurisdictions partner with ACTC and assume the responsibility for the ongoing O&M of the facility upon completion. Additionally, ACTC's application will be more competitive with letters of support from the local jurisdictions.

**ATTACHMENTS**

Attachment I	Staff Report
Attachment II	Resolution
Attachment III	EBGW Alternatives Cross Sections



**DATE:** July 24, 2018  
**TO:** Mayor and City Council  
**FROM:** Interim Director of Public Works  
**SUBJECT** Alameda County Transportation Commission – ATP Grant Letter of Support

### **RECOMMENDATION**

That Council authorizes the City Manager to send a letter of support for the ATP grant and to execute a non-binding commitment to fund the operations and maintenance (O&M) for the East Bay Greenway (EBGW) project within Hayward's jurisdictional boundaries.

### **SUMMARY**

The Alameda County Transportation Commission (ACTC) is applying for the Active Transportation Program (ATP) Grant requesting \$10,300,000 to fund the design and construction of the East Bay Greenway. ACTC is leading project development and implementation for the EBGW with the expectation that the local jurisdictions will become the facility owners responsible for ensuring performance of operations and maintenance of the East Bay Greenway. Applications for the ATP grant will require that all local jurisdictions partner with ACTC and assume the responsibility for the ongoing O&M of the facility upon completion. Additionally, ACTC's application will be more competitive with letters of support from the local jurisdictions.

### **BACKGROUND**

The EBGW bicycle and pedestrian trail facility will generally follow the BART alignment for sixteen (16) miles and traverse the cities of Oakland, San Leandro, and Hayward as well as the unincorporated communities of Ashland and Cherryland. The project connects seven (7) BART stations as well as downtown areas, schools, and other major destinations. The segment of EBGW in Hayward is approximately 3.4 miles, and spans from Sunset Boulevard to Tennyson Road (South Hayward BART station) along the UPRR right-of-way.

ACTC is currently in the environmental clearance phase of project design. For environmental analysis purposes, two design options are under consideration. The design options are differentiated by the degree to which they encroach into UPRR right-of-way, and both require some railroad right-of-way. The final trail placement and design will fit within the framework of one of the following two design options:

- Option One: A Rail-with-Trail option will construct a trail adjacent to the rail line while preserving rail operations. The trail will comply with minimum setback requirements and fencing will be provided to separate users from the active rail line.
- Option Two: A Rail-to-Trail option will involve abandonment of the rail line and conversion to a trail facility.

Attachment III shows an illustrative cross section for the two options described above. The recommendation of a preferred design option will be based on many considerations, including right-of-way availability, cost, schedule, engineering feasibility, quality of facility, and ability to generate larger regional benefits.

## DISCUSSION

The ACTC seeks to enter into an overarching agreement with all the partner jurisdictions, including the City of Hayward before submitting the ATP grant application for the EBGW project. Applications for the ATP grant will not be accepted without a non-binding commitment from the local jurisdictions to partner with the implementing agency, ACTC, and agreement to assume the responsibility for ongoing operations and maintenance of the facility upon completion. Council will be presented with the final agreement that will be developed when the preferred project design and extent of any third-party property agreements are determined.

Table 1 provides conservative estimates of the annual cost to operate and maintain the East Bay Greenery trail facility by jurisdiction. The estimates are based on per-mile unit costs, which consider lifecycle replacement of trail components. There may be overlap between the East Bay Greenway and existing infrastructure that cities already maintain. The referenced overlap may include, for example, areas where the facility is located adjacent to city streets where sidewalks, lighting, signals, curb, and gutter, etc., are already within the purview of local maintenance responsibilities. The estimates presented do not account for such overlap for purposes of providing a conservative estimate.

**Table 1. East Bay Greenway Trail O&M Cost Estimate**

JURISDICTION	MILES	ANNUAL O&M COST
<b>Oakland - Class IV</b>	2.8	\$11,200
<b>Oakland - Class I</b>	4	\$68,000 - \$100,000
<b>San Leandro</b>	2.6	\$44,200 - \$65,000
<b>Alameda County</b>	2.2	\$37,400 - \$55,000
<b>Hayward</b>	3.4	\$57,800 - \$85,000

Table 2 provides estimates of the annual cost to operate and maintain landscaping and programmed open space improvements that could be implemented in the East Bay Greenway corridor, to the extent that there is surplus right-of-way available.



**Table 2. East Bay Greenway Programmed Open Space O&M Cost Estimate**

<b>Jurisdiction</b>	<b>Acres</b>	<b>Annual O&amp;M Cost</b>
<b>Oakland</b>	23.4	\$374,000
<b>San Leandro</b>	23.7	\$379,000
<b>Alameda County</b>	14.2	\$228,000
<b>Hayward</b>	12.1	\$194,000

**ECONOMIC IMPACT**

The EBGW facility improves accessibility for bicyclists and pedestrians of all ages and abilities. This project improves safety for bicyclists and pedestrians and supports promotion of a multimodal transportation system and reduction of greenhouse gas emissions. Access to regional transit, schools, downtown area, merchants, and restaurants will improve and help transform the City into a more pedestrian and bicycle-friendly community, thus creating positive economic and health benefits for the Hayward community.

**FISCAL IMPACT**

ACTC will fully fund design and construction costs for the EBGW facility and the City is expected to operate and maintain the segment within our jurisdiction after project completion. According to ACTC’s Technical Memorandum, a conservative estimate for the City’s O&M costs are approximately \$57,800 to \$85,000 for trail O&M, and up to \$194,000 for programmed open space operations. The actual costs are highly dependent on whether the Rail with Trail or the Rail-to-Trail alternative is chosen. The City’s total EBGW O&M costs may range from \$57,800 to \$251,800 annually. The annual funding source has yet to be determined. The absolute soonest that EBGW will be completed is FY 2021, and it is staff’s intent to recommend inclusion of such costs in the FY 2021 budget at that time.

Additionally, there is potential for participating jurisdictions to partner with another entity, such as Hayward Area Recreation and Park District (HARD) or East Bay Regional Park Department (EBRPD), in executing the operations and maintenance responsibilities. It is important to note that there may be overlap between the East Bay Greenway and existing infrastructure that cities are already maintaining, particularly to the extent that the facility is located adjacent to city streets where sidewalks, lightings, signals, curb, and gutter, etc., are already within the purview of local maintenance responsibilities. The estimates presented here do not account for such overlap for purposes of providing a conservative estimate.

Staff will return to Council for further authorization before entering into any final commitments for participation in the EBGW project.

**STRATEGIC INITIATIVES**

This agenda item supports the Complete Streets Strategic Initiative. The purpose of the Complete Streets initiative is to build transportation networks that are safe, comfortable, and

convenient for everyone regardless of age or ability, including motorists, pedestrians, bicyclists, and public transportation riders. This item supports the following goals and objectives:

Goal 2: Provide Complete Streets that balance the diverse needs of users of the public right-of-way.

Objective 1: Increase walking, biking, transit usage, carpooling, and other sustainable modes of transportation by designing and retrofitting streets to accommodate all modes.

## **SUSTAINABILITY FEATURES**

EBGW is a regional trail facility that increases pedestrian and bicycle transportation options that in turn will lead to a reduction in greenhouse gas emissions related to vehicle use. The project will also address green infrastructure and storm water treatment technology through street design.

The mobility goals established as part of the City's 2040 General Plan, includes the goal of improving local circulation, which is largely dependent on the operations of the traffic network within the City. By operating and maintaining a multimodal transportation network, the local circulation goal (Goal M-4) "enhance and maintain local access and circulation, while protecting neighborhoods from through traffic" can be achieved.

## **PUBLIC CONTACT**

Community outreach strategies will be coordinated after final negotiations with ACTC and UPRR are complete and when there is more certainty on the feasible alternative for the project.

## **NEXT STEPS**

Specific upcoming milestones include:

- July 31, 2018 – ATP Grant application due
- July 2019 – Notification of ATP Grant funding awards
- October 2019 – Begin final design

Design and construction may proceed on a phased, segment-by-segment basis, subject to funding and right-of-way availability. This approach will allow for localized benefits to be realized more quickly.

*Prepared by:* Charmine Solla, Senior Transportation Engineer

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

Approved by:

A handwritten signature in black ink, appearing to read 'K. McAdoo', written in a cursive style.

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Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 18-

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

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAYWARD  
AUTHORIZING THE CITY MANAGER TO EXECUTE A NON-BINDING  
COMMITMENT TO FUND THE OPERATIONS AND MAINTENANCE FOR THE  
EAST BAY GREENWAY PROJECT WITHIN THE CITY OF HAYWARD'S  
JURISDICTIONAL BOUNDARIES

WHEREAS, The Alameda County Transportation Commission (ACTC) is the implementing agency for the East Bay Greenway: Lake Merritt Bay Area Rapid Transit (BART) Station to South Hayward BART Station; and

WHEREAS, The ACTC is applying for the Active Transportation Program (ATP) Grant requesting \$10.3 million for the design and construction of the EBGW; and

WHEREAS, It is expected that the local jurisdictions will be the eventual facility owners and will be responsible for ensuring performance of operations and maintenance (O&M) for the EBGW; and

WHEREAS, ATP grant applications require that all local jurisdictions affirming to partner with ACTC and to assume the responsibility for the ongoing O&M; and

WHEREAS, ACTC's application will be more competitive with letters of support from the local jurisdictions.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized to execute a non-binding commitment to fund the operations and maintenance for the East Bay Greenway project, as more specifically set forth in the accompanying staff report.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2018

ADOPTED BY THE FOLLOWING VOTE:

AYES:           COUNCIL MEMBERS:  
                  MAYOR:

NOES:           COUNCIL MEMBERS:

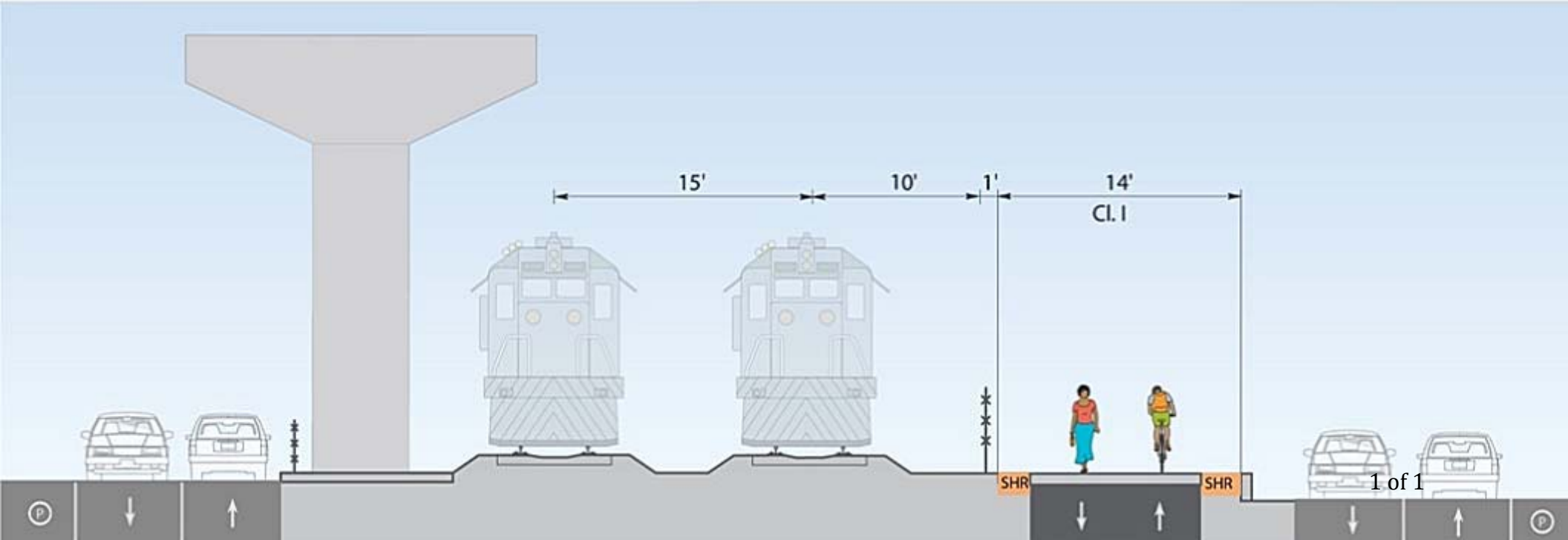
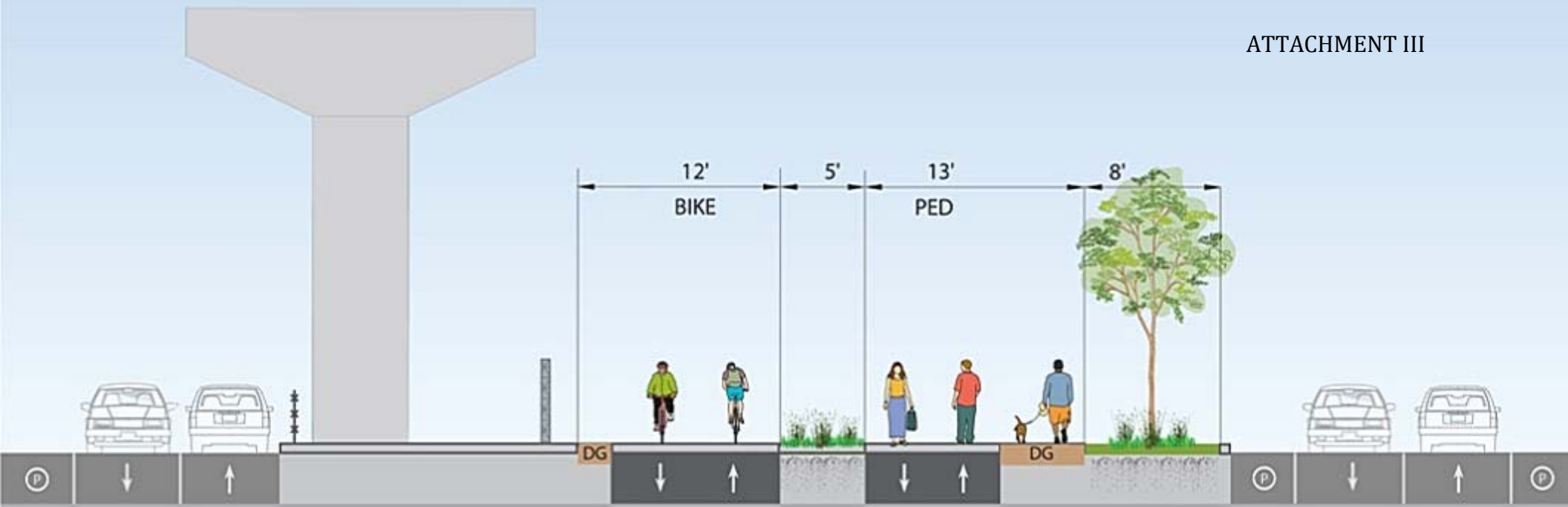
ABSTAIN:       COUNCIL MEMBERS:

ABSENT:        COUNCIL MEMBERS:

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

APPROVED AS TO FORM:

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



**PUBLIC COMMENT**

**KARLA WERNINGHAUS**

Madam Mayor and council members,

In 1999, I arrived in Hayward to start a new job. I began instrument pilot training at the Hayward airport the following year, and rented airplanes from an FBO business there for a decade. We purchased a condominium not far from here some time ago, and an airplane last year, therein becoming an airport tenant—initially tying the plane down on the ramp while awaiting scarce hangar space to free up.

There is much to like about Hayward. As a pilot, I am delighted to have access to this convenient airfield. However, I find some issues perplexing. Is such a large management staff—and the associated salaries—necessary for an airport this size? Additionally, the senior managers strike me as rather out of touch with the needs, wishes, and concerns of the general aviation tenants. Repairs have been slow in coming. Substantial rent increases are threatened and imposed, yet we are shown little to justify them. Studies purportedly identifying higher hangar rents in Palo Alto and elsewhere around the Bay are flawed and irrelevant. Proposals to raise our rents to the highest level the market will bear are insulting. The airport should be viewed as a community asset, not a profit-making business.

There are many expenses associated with aviation, we realize, and the airfield should be financially self-sufficient, not a burden to the Hayward taxpayers. To support the airport, much of its land has been leased to non-aviation businesses to generate income (losing our crosswind runways and more potential hangar space as a result). What budgetary gap remains? If there are pressing infrastructure needs and fiscal shortfalls, we wish to see that and be part of the solution. This should all be transparent—discussed openly, without animosity or distrust.

The pilots—many older and retired—do not possess unlimited funds to pay the astronomical rent increases being proposed, (nor, for that matter, do many of the smaller airport businesses). Some have been tenants for decades. This airport is an important community service for us, like parks or libraries; it should not be viewed as a piggy bank to raid.

While no one enjoys paying more money, pilots are reasonable people, willing to negotiate in good faith, and pay what is right and fair. I request you not approve any hangar rent increases without the input and agreement of the airport tenants. Please listen to us, include us, work with us, and do not price us out.

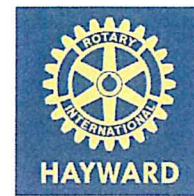
Respectfully submitted,

Karla Werninghaus  
KHWD hangar tenant  
24 July, 2018



**PUBLIC COMMENT**

**KIM HUGGETT**



# A's NEIGHBORHOOD DAY



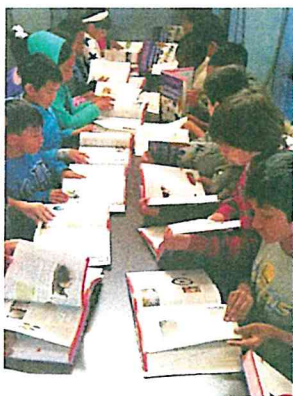
**AUGUST 18 | 1:05 p.m. vs.**



**SPECIAL TICKET AND FUNDRAISER FOR HAYWARD NON-PROFIT  
PREGAME TAILGATE & FOOD TRUCK PARTY  
2002 STREAK TEAM T-SHIRT GIVEAWAY  
presented by Cache Creek Casino Resort (15,000 fans)**

[athletics.com/hayward](http://athletics.com/hayward)

## Hayward Rotary Dictionary Project Benefits from Oakland A's Partnership



The Oakland Athletics, the Hayward Chamber of Commerce, and the Hayward Rotary Club are teaming up to participate in A's Neighborhood Day at the Oakland Coliseum on Aug. 18. There will be a special pre-game tailgate and food truck party and a T-shirt giveaway before the 1:05 p.m. game against the 2017 World Series champion Houston Astros.

Five dollars from the sale of every ticket we sell will go toward The Dictionary Project of the Hayward Rotary Club, that provides thousands of dictionaries annually to Hayward school children.

Tickets are \$22 per ticket for Plaza Level and \$32 for Field Level.

The chamber that sells the most tickets will have its total matched by the A's Community Fund. Both the A's and the Hayward Rotary Club are members of the Hayward Chamber of Commerce.

**ORDER YOUR TICKETS AT [ATHLETICS.COM/HAYWARD](http://ATHLETICS.COM/HAYWARD)**

Hayward Chamber of Commerce, 22561 Main St., Hayward, CA 94541

**PUBLIC COMMENT**

**CHARLIE PETERS**

# Office of the Executive Director

*Sacramento AQMD / July 17, 2017*

Alberto Ayala began his tenure as the Air Pollution Control Officer and Executive Director of the Sacramento Metropolitan Air Quality Management District on July 17, 2017. In this capacity, Alberto now leads a team of dedicated professionals focused on advancing the region towards cleaner air and a sustainable future. The Sac Metro Air District provides regional leadership protecting public health and the environment from the adverse effects of air and carbon pollution and implements economically sensible policies for achieving the state's air quality and climate goals. Under the direction of the Sac Metro Air District Board of Directors, Alberto and the team will prioritize contributing to the expansion and acceleration of the region's sustainability efforts and ensuring the continued implementation of the agency's long-standing and successful rules, programs, and operations.

Alberto came to the Air District after 17 years with the California Air Resources Board (CARB), serving most recently as its Deputy Executive Officer responsible for the state's ambient air quality monitoring program and the agency's laboratories. He directed regulations for equipment and vehicle emissions reductions, including the state's widely recognized low emission vehicle standards and efforts on sustainable transportation electrification. Alberto was also responsible for low carbon transportation investments and incentives for vehicle technology advancement. Before becoming a deputy, Alberto served in various senior management and technical staff capacities in monitoring, mobile sources, and research.

Prior to CARB, Alberto was a member of the engineering faculty at West Virginia University, where he still holds an Adjunct Professor appointment, and a Design Engineer for Teledyne Ryan Aeronautical. He has published extensively in scientific journals, is a nationally and internationally recognized speaker, and occasionally lectures in English or Spanish as a Visiting Professor in the U.S. and abroad. Alberto holds B.S.('91), M.S.E.('93), and Ph.D.('97) degrees in mechanical engineering from the University of California, Davis. His internships were with GE's Corporate Research Center in New York, the California Energy Commission, and the Atmospheric Boundary Layer Wind Tunnel Laboratory at UC Davis.

<http://www.airquality.org/About-Us/Board-of-Directors>

***VW-Shell-Parsons-EPA Partners?***

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

## **Sacramento Metropolitan Air Quality Management District gets new leader** ***By Tony Bizjak / Sacramento Bee / May 25, 2017***

Alberto Ayala, a state air pollution executive who helped uncover Volkswagen's massive diesel cheating scandal, has been named head of the Sacramento region's air quality efforts.

The Sacramento Metropolitan Air Quality Management District board voted on Thursday morning to name Ayala its executive director, replacing retiring executive Larry Greene.

Ayala, a deputy executive officer at the California Air Resources Board, launched the state's initial review of diesel engines in 2012 that led to the discovery that Volkswagen had illegally programmed millions of its vehicles internationally, including in California, to pass emissions tests.

Ayala also was part of negotiations with Volkswagen that led to large fines and an agreement by the automaker to fund a "green city initiative" to increase usage of zero-emission vehicles here. Ayala said Sacramento will be the first city to benefit from that initiative, after CARB finalizes the deal.

The local air quality board monitors air pollution around the Sacramento basin, watchdogs major polluters, and runs several programs aimed at reducing vehicle and business emissions. Sacramento is not in compliance with federal ozone standards.

"We have to achieve clean air for everyone," Ayala said. "Everybody has the right to have clean air."

"I want to do my part so Sacramento becomes a model for the nation on how to innovate ... to solve the climate crisis."

Sacramento City Councilman Steve Hansen, who chaired the air quality district executive search committee, said Ayala will be tasked with creating an updated strategic plan for the agency later this year.

Ayala will start July 17.

<https://www.sacbee.com/news/local/environment/article152649749.html>

## ***VW-Shell-Parsons-EPA Partners?***

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