

CITY OF HAYWARD

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



CITY OF
HAYWARD
HEART OF THE BAY

Agenda

Tuesday, January 16, 2018

7:00 PM

Council Chambers

City Council

Mayor Barbara Halliday
Mayor Pro Tempore Elisa Márquez
Council Member Francisco Zermeño
Council Member Marvin Peixoto
Council Member Al Mendall
Council Member Sara Lamnin
Council Member Mark Salinas

**SPECIAL JOINT HAYWARD CITY COUNCIL/REDEVELOPMENT SUCCESSOR
AGENCY MEETING**

CALL TO ORDER Pledge of Allegiance: Mayor/Chair Halliday

ROLL CALL

PUBLIC COMMENTS

The Public Comment section provides an opportunity to address the City Council on items not listed on the agenda or Information Items. The Council welcomes your 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, your item will be taken under consideration and may be referred to staff.

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 18-011](#) Minutes of the Special Joint Hayward City Council/Housing Authority/Redevelopment Successor Agency/Public Financing Authority Meeting on December 5, 2017

Attachments: [Attachment I Draft Minutes of 12/5/17](#)

2. [MIN 18-012](#) Minutes of the Special City Council Meeting on December 12, 2017

Attachments: [Attachment I Draft Minutes of 12/12/17](#)

3. [CONS 18-025](#) Adoption of Ordinance Amending Chapter 10, Article 24 of the Hayward Municipal Code by Removing the New Thoroughfare Roadway Designation (Figures 1-2 and 1-3) from the South Hayward BART/Mission Boulevard Form Based Code on Three Parcels for the Mission Seniors Project (APN# 078C-0455-002-00; 78C-0455-001-08; 078C-0455-001-05)

Attachments: [Attachment I Staff Report](#)
[Attachment II Summary of Ordinance](#)

4. [CONS 18-003](#) Adoption of a Resolution Establishing the City Contribution for Active and Retiree Medical Premiums Set by the California Public Employee Retirement System (CalPERS) for Calendar Year 2018 Pursuant to California Government Code Section 22892 of the Public Employees Medical and Hospital Care Act
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
5. [CONS 18-001](#) Authorization for the City Manager to Execute an Agreement with the Alameda County Probation Department for Delinquency Prevention Network Services Provided by the Youth and Family Services Bureau of the Hayward Police Department
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
6. [CONS 18-047](#) Authorization for the City Manager to Appropriate Funds and Accept an Agreement with the Alameda County Health Care Services Agency for Our Kids Our Families Services Provided by the Youth and Family Services Bureau of the Hayward Police Department
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
7. [CONS 18-043](#) Authorization for the City Manager to Accept and Appropriate \$240,000 in Awarded Grant Funding from the State of California Office of Traffic Safety for the Hayward Police Department
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Grant Agreement](#)
8. [CONS 18-002](#) Authorization to Negotiate and Execute an Agreement with Dude Solutions for the Purchase of Computerized Maintenance Management System and Facility Condition Assessment
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)

9. [CONS 18-032](#) Mission Boulevard Corridor Improvements Phase 2 Project - Award of Construction Contract to DeSilva Gates Construction and Amendment to Professional Services Agreement with BKF Engineers

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III Resolution](#)
[Attachment IV Bid Summary](#)

10. [CONS 18-051](#) Approval of the Annual Recognized Obligation Payment Schedule for the Period July 1, 2018 to June 30, 2019 and the Successor Agency Administrative Budget for the Period July 1, 2018 to June 30, 2019

Attachments: [Attachment I Staff Report](#)
[Attachment II RSA Resolution](#)
[Attachment III ROPS 18-19](#)
[Attachment IV FY19 RDA Administrative Budget](#)

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.

11. [WS 18-001](#) East Bay Community Energy Program Overview (Report from Utilities and Environmental Services Director Ameri)

Attachments: [Attachment I Staff Report](#)

PUBLIC HEARING

12. [PH 18-002](#) Proposed Amendments to Chapter 10, Article 1 (Zoning Ordinance) of the Hayward Municipal Code to Amend Airport Terminal (AT) District Regulations Related to Height; Application No. 201706359; City of Hayward (Applicant/Owner) (Report from Interim Development Services Director Bristow)

Attachments: [Attachment I Staff Report](#)
[Attachment II Ordinance](#)
[Attachment III Resolution](#)
[Attachment IV Airport Boundary and Zoning Map](#)
[Attachment V Airport and Surrounding Structure Heights](#)

CITY MANAGER'S COMMENTS

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

COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS

Oral reports from Council Members on their activities, referrals to staff, and suggestions for future agenda items.

ADJOURNMENT

NEXT REGULAR MEETING, January 23, 2018, 7:00 PM

PUBLIC COMMENT RULES

Any member of the public desiring to address the Council shall limit her/his address 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. Speaker Cards are available from the City Clerk at the meeting.

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 website and on Cable Channel 15, KHRT. ****

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 TDD (510) 247-3340.

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.



CITY OF HAYWARD

Hayward City Hall
777 B Street
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File #: MIN 18-011

DATE: January 16, 2018

TO: Mayor and City Council

FROM: City Clerk

SUBJECT

Minutes of the Special Joint Hayward City Council/Housing Authority/Redevelopment Successor Agency/Public Financing Authority Meeting on December 5, 2017

RECOMMENDATION

That the City Council approves the minutes of the Special Joint Hayward City Council/Housing Authority/Redevelopment Successor Agency/Public Financing Authority Meeting on December 5, 2017

ATTACHMENTS

Attachment I Draft Minutes of 12/5/2017



**MINUTES OF THE SPECIAL JOINT CITY COUNCIL/HOUSING
AUTHORITY/REDEVELOPMENT SUCCESSOR AGENCY/PUBLIC FINANCING
AUTHORITY MEETING OF THE CITY OF HAYWARD
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, December 5, 2017, 7:00 p.m.**

The Special Joint Hayward City Council/Housing Authority/Redevelopment Successor Agency/Public Financing Authority meeting was called to order by Mayor/Chair Halliday at 7:00 p.m., followed by the Pledge of Allegiance led by Council/HA/RSA/PFA Member Márquez.

ROLL CALL

Present: COUNCIL/HA/RSA/PFA MEMBERS Zermeño, Márquez, Mendall, Peixoto,
Lamnín, Salinas
MAYOR/CHAIR Halliday
Absent: None

CLOSED SESSION

City Attorney Lawson announced the City Council convened in closed session regarding conference with legal counsel pursuant to Government Code 54956.9 regarding City of Hayward, et al. v. Board of Trustees, California State University, et al., Alameda County Superior Court No. RG09481095, consolidated with No. RG09480852; and noted there was no reportable action.

SPECIAL PRESENTATION

Mayor Halliday presented a Certificate of Commendation to Public Works Director Morad Fakhrai upon his retirement from the City of Hayward on December 31, 2017.

PUBLIC COMMENTS

There were none.

CONSENT

1. Minutes of the Special City Council Meeting on November 14, 2017 **MIN 17-166**
It was moved by Council Member Márquez, seconded by Council Member Zermeño, and carried unanimously, to approve the minutes of the Special City Council meeting on November 14, 2017, with a minor correction.
2. Authorization for the City Manager to Accept and Appropriate \$90,662.50 in Funding from the California Board of State and Community Corrections for the Hayward Police Department **CONS 17-723**

Staff report submitted by Police Chief Koller, dated December 5, 2017, was filed.

It was moved by Council Member Márquez, seconded by Council Member Zermeño, and carried unanimously, to adopt the following:

Resolution 17-176, "Resolution Authorizing the City Manager to Accept and Appropriate \$90,662.50 in Funding from the California Board of State and Community Corrections for the Hayward Police Department"

3. Adoption of Fiscal Year 2018 Statement of Investment Policy and Delegation of Investment Authority **CONS 17-747**

Staff report submitted by Finance Director Claussen, dated December 5, 2017, was filed.

It was moved by Council Member Márquez, seconded by Council Member Zermeño, and carried unanimously, to adopt the following:

Resolution 17-177, "Resolution Reaffirming the Statement of Investment Policy and Renewing the Delegation of Authority to make Investments to the Director of Finance"

HA Resolution 17-03, "Resolution Reaffirming the Statement of Investment Policy and Renewing the Delegation of Authority to make Investments to the Director of Finance"

RSA Resolution 17-03, "Resolution of the City Council of the City of Hayward, Acting as the Governing Board for the Redevelopment Successor Agency, of the City of Hayward Reaffirming the Statement of Investment Policy and Renewing the Delegation of Authority to Make Investments to the Director of Finance"

HPF Resolution 17-01, "Resolution Affirming the Statement of Investment Policy and Renewing the Delegation of Authority to Make Investments to the Director of Finance"

4. Authorization for the City Manager to Execute a Professional Services Agreement for Bicycle and Pedestrian Master Plan Update 2017 **CONS 17-750**

Staff report submitted by Finance Director Claussen, dated December 5, 2017, was filed.



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It was moved by Council Member Márquez, seconded by Council Member Zermeño, and carried unanimously, to adopt the following:

Resolution 17-178, "Resolution Authorizing the City Manager to Execute an Agreement with Kittelson & Associates, Inc., for the 2017 Bicycle and Pedestrian Master Plan Update"

5. Resolution Authorizing the City Manager to Negotiate and Execute Purchase Agreements for Furnishings in the New Library Facility **CONS 17-760**

Staff report submitted by Library and Community Services Director Reinhart, dated December 5, 2017, was filed.

It was moved by Council Member Márquez, seconded by Council Member Zermeño, and carried unanimously, to adopt the following:

Resolution 17-179, "Resolution Authorizing the City Manager to Negotiate and Execute Purchase Agreements with Burgeon Group, Ki, MG West, One Workplace, Original Timer, Pivot, Ross McDonald, Staples, Inc., and Miscellaneous Other Vendors Noted in Attachment III to Procure and Install Furnishings in the 21st Century Library Facility"

6. Authorization to Execute a Banking Services Agreement with JP Morgan Chase Bank, N.A. for Banking Transactions and Cash Management Services **CONS 17-764**

Staff report submitted by Finance Director Claussen, dated December 5, 2017, was filed.

It was moved by Council Member Márquez, seconded by Council Member Zermeño, and carried unanimously, to adopt the following:

Resolution 17-180, "Resolution Authorizing the City Manager to Execute a Five-Year Banking and Cash Management Contract with JP Morgan Chase, N.A. Through January 2023"

7. Authorization to Enter into an Exclusive Negotiating Rights Agreement with Healthcare Development Partners, for a Proposed Development at 22300 Foothill Boulevard **CONS 17-773**

Staff report submitted by Economic Development Manager Hinkle, dated December 5, 2017, was filed.

It was moved by Council Member Márquez, seconded by Council Member Zermeño, and carried unanimously, to adopt the following:

Resolution 17-181, “Resolution Authorizing the City Manager to Execute a Five-Year Banking and Cash Management Contract with JP Morgan Chase, N.A. Through January 2023”

LEGISLATIVE BUSINESS

8. Adoption of Commercial Cannabis Permit Selection Process and Amendment to FY2018 Master Fee Schedule for Associated Selection Process Costs (Report from City Manager McAdoo) **LB 17-054**

Staff report submitted by Management Analyst II Stefanski, Principal Planner Lochirco, and Senior Assistant City Attorney Vigilia, dated November 14, 2017, was filed.

City Manager McAdoo announced the staff report and introduced Management Analyst II Stefanski who provided a synopsis of the staff report.

Discussion ensued among Council Members and City staff regarding: the draft Commercial Cannabis Permit Request for Proposals (RFP) process; management experience in the proposed evaluation criteria; approval process for testing facilities; and the applicants’ selection by the City Council.

Council Members were in general support of staff’s recommendation and offered the following suggestions: check references of businesses that have operated in other cities and call their local Police departments to confirm their operations are well-run; ask for management experience in Hayward when evaluating applications; evaluate swapping Community Benefit points (150) with Labor and Employment Practices points (100); clarify Section 5 (Issuance of Commercial Cannabis Business Permits & Timely Launch of Operations) of the RFP related to public hearings and land use approvals; add resources to the Community Benefits proposal section of the RFP related to education; and consider investment in health education when evaluating community benefits.

Mayor Halliday opened the public hearing at 7:45 p.m.

Ms. Joanne Irons, Hayward Coalition for Healthy Youth (HCHY) Program Coordinator and Cannabis Education for Youth and Adult Awareness Committee (CEYAA) member, invited folks to serve on the (CEYAA) Committee and expressed support for designating 150 points to the Community Benefits criteria.

Mr. Brent Alfieri, Hayward industrial property owner, recommended adding micro-business to the list of proposed cannabis business types in the RFP.



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Mr. Nasser Azimi, O'Hana Growers president, expressed support for the commercial cannabis RFP proposal and suggested adding language to the package related to: technology integration, a clear definition of "track and trace", flexibility to extend the six-month period to secure a conditional use permit, and onsite consumption.

Ms. Charnel James, with GreenWise Consulting, recommended that requirements for legal and State registration status be clarified in the RPF.

Mr. Richard Fierro, Hayward resident, expressed support for the proposed RFP.

Mayor Halliday closed the public hearing at 8:05 p.m.

Council Member Mendall offered a motion per staff's recommendation without any modifications. Council Member Peixoto seconded the motion.

Council Member Salinas noted he would be voting against the motion indicating that the cannabis businesses had been unequally distributed in communities of color and the business type would exacerbate a negative image.

Council Member Zermeño and Mayor Halliday noted they would be voting in support of the motion indicating that Measure EE related to a general tax on cannabis was approved by the voters and there were modifications built into the regulations to prevent adverse impacts.

It was moved by Council Member Mendall, seconded by Council Member Peixoto, and carried with the following vote, to adopt the resolutions:

AYES: COUNCIL MEMBERS Zermeño, Márquez, Mendall, Peixoto, Lamnin
MAYOR Halliday
NOES: COUNCIL MEMBERS Salinas
ABSENT: None
ABSTAIN: None

Resolution 17-182, "Resolution Directing the City Manager to Call for Applications on an Ongoing Biannual Basis for Commercial Cannabis Permits, Approval of Application Request for Proposal and Process"

Resolution 17-183, "Resolution Amending the City of Hayward Fiscal year 2018 Master Fee Schedule for Commercial Cannabis Permit Application"

9. Resolution Adopting the Policy/Goal Statements for Contract Negotiations as the Guiding Principles Document for the 2018 and 2019 Negotiations Between the City of Hayward and HAME, Local 1021 Maintenance and Clerical Units, Local 21, Local 1909, and HPOA (Report from Director of Human Resources Collins) **LB 17-052**

Staff report submitted by Human Resources Director Collins, dated December 5, 2017, was filed.

City Manager McAdoo announced the report and introduced Human Resources Director Collins who provided a synopsis of the report.

There being no public comments, Mayor Halliday opened and closed the public hearing at 8:26 p.m.

It was moved by Council Member Zermeño, seconded by Council Member Márquez, and carried unanimously, to adopt the following:

Resolution 17-184, "Resolution Adopting the Policy/Goal Statements for Contract Negotiations as the Guiding Principles Document for the 2018 and 2019 Negotiations Between the City of Hayward and HAME, SEIU LOCAL 1021 Maintenance and Clerical Units, IFPTE Local 21, Local 1909 and HPOA"

10. Adoption of Resolution Approving an Amendment to the City of Hayward Salary Plan for Fiscal Year 2018 (Report from Director of Human Resources Collins) **LB 17-053**

Staff report submitted by Human Resources Director Collins, dated December 5, 2017, was filed.

Human Resources Director Collins provided a synopsis of the report.

There being no public comments, Mayor Halliday opened the public hearing at 8:36 p.m.

It was moved by Council Member Peixoto, seconded by Council Member Mendall, and carried unanimously, to adopt the following:

Resolution 17-185, "Resolution Approving the Amended Fiscal Year 2018 Salary Plan Designating Positions of Employment in the City of Hayward Salary Range; and Superseding Resolution No 17-103 and All Amendments Thereto"

CITY MANAGER'S COMMENTS

City Manager McAdoo made four comments: 1) the Fire Department was acknowledged for sending fire engines and personnel to the Ventura County fires; 2) Police personnel and firefighters were collecting donations and toys for families in need; 3) the Main and Weekes



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libraries would be closed on December 7, 2017 to allow them to prepare for the move; and 4) the Friends of Hayward Library, Poet Laureate Bruce Roberts, and the library would conduct a citywide poetry contest in conjunction with the opening of the new library.

COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS

Mayor Halliday noted the Light-Up the Season and the SantaCon events on December 2, 2017 were successful and thanked all for their participation. Ms. Halliday also thanked the Interfaith Council for its contributions related to the decorations in the Rotunda.

Mayor Halliday and Council Member Lamnin reported on their attendance at the League of California Cities-League Leaders Workshop in Santa Cruz on the topic of strategic goals for the following year related to transportation funding, public safety, and pension reform.

ADJOURNMENT

Mayor/Chair Halliday adjourned the special meeting at 8:49 p.m.

APPROVED:

Barbara Halliday
Mayor, City of Hayward
Chair, Hayward Housing Authority/Redevelopment Successor Agency/Public Financing Authority

ATTEST:

Miriam Lens
City Clerk, City of Hayward
Secretary, Hayward Housing Authority/Redevelopment Successor Agency/Public Financing Authority



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Hayward City Hall
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File #: MIN 18-012

DATE: January 16, 2018

TO: Mayor and City Council

FROM: City Clerk

SUBJECT

Minutes of the Special City Council Meeting on December 12, 2017

RECOMMENDATION

That the City Council approves the minutes of the Special City Council Meeting on December 12, 2017

ATTACHMENTS

Attachment I Draft Minutes of 12/12/17



**MINUTES OF THE SPECIAL CITY COUNCIL MEETING OF
THE CITY OF HAYWARD
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, December 12, 2017, 7:00 p.m.**

The Special Hayward City Council meeting was called to order by Mayor Halliday at 7:00 p.m., followed by the Pledge of Allegiance led by Council Member Mendall.

ROLL CALL

Present: COUNCIL MEMBERS Zermeño, Márquez, Mendall, Peixoto, Lamnin, Salinas
MAYOR Halliday
Absent: None

CLOSED SESSION

City Attorney Lawson announced the City Council convened in closed session regarding two items: 1) conference with legal counsel pursuant to Government Code 54956.9 regarding Nelson et al. v. City of Hayward (16-cv-07222-SK); and 2) conference with property negotiators pursuant to Government Code 54956.8 regarding 2595 Depot Road, Hayward; APN 441-0068-040-04. City Attorney Lawson noted there was no reportable action.

PUBLIC COMMENTS

Mr. Jim Drake, Hayward resident, spoke about cannabis clubs and potential for robberies.

Ms. Kara Blair, spoke about individuals who are homeless and the reasons why they cannot find housing.

Mr. Dwight Turner, Hayward resident, spoke about the traffic circle at Woodstock Road and Fairview Avenue and the request for stop signs to improve safety.

Mr. Johnny Pour, Hayward auto business owner, spoke about a situation with one of his cars that was impounded for having a dealer plate.

Mr. Marion Sanchez, Hayward resident, spoke about his involvement with Spectrum Community Services and meals for seniors.

CONSENT

1. Minutes of the City Council Meeting on November 28, 2017 **MIN 17-169**

It was moved by Council Member Márquez, seconded by Council Member Lamnin, and carried unanimously, to approve the minutes of the City Council meeting on November 28, 2017.

2. Transmittal of the Annual Mitigation Fee Act Report (AB 1600) **CONS 17-746**

Staff report submitted by Finance Director Claussen, dated December 12, 2017, was filed.

It was moved by Council Member Márquez, seconded by Council Member Lamnin, and carried unanimously, to adopt the following:

Resolution 17-186, "Resolution Accepting the Report and Adopting Findings Related to Fees Collected for the Development Projects Subject to the Requirements of the Mitigation Fee Act"

3. Adoption of a Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with Worley's Home Design Center for Carpet Installation in City Hall **CONS 17-755**

Staff report submitted by Maintenance Services Director Rullman, dated December 12, 2017, was filed.

It was moved by Council Member Márquez, seconded by Council Member Lamnin, and carried unanimously, to adopt the following:

Resolution 17-187, "Resolution Authorizing the City Manager to Execute a Contract with Worley's Home Design Center, Inc. for City Hall Carpet Tile Replacement"

4. Water Pollution Control Facility Digester Improvement Project: Approval of Contract Amendment to Include Administrative Change Order Budget in Total Contract Amount **CONS 17-757**

Staff report submitted by Utilities and Environmental Services Director Ameri, dated December 12, 2017, was filed.

It was moved by Council Member Márquez, seconded by Council Member Lamnin, and carried unanimously, to adopt the following:

Resolution 17-188, "Resolution Amending the Contract for the Water Pollution Control Facility Digester Improvement Project, Project No. 07566, with Anderson Pacific Engineering Construction, Inc."

5. Recycled Water Storage and Distribution System Project, Project No. 07507: Approval of Plans and Specifications and Call for Bids for the 1) Storage Tank and Pump Station and 2) Distribution Pipelines System **CONS 17-758**



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Staff report submitted by Utilities and Environmental Services
Director Ameri, dated December 12, 2017, was filed.

It was moved by Council Member Márquez, seconded by Council Member Lamnin, and carried unanimously, to adopt the following:

Resolution 17-189, "Resolution Approving Plans and Specifications for the (1) Recycled Water Pump Station and Storage Tank and (2) Recycled Water Distribution System, Project No. 07507, and Call for Bids"

6. Recycled Water Facility Treatment and Disinfection - Phase I: Authorization to Execute a Professional Services Agreement for Design of a Recycled Water Package Membrane Treatment System **CONS 17-759**

Staff report submitted by Utilities and Environmental Services
Director Ameri, dated December 12, 2017, was filed.

It was moved by Council Member Márquez, seconded by Council Member Lamnin, and carried unanimously, to adopt the following:

Resolution 17-190, "Resolution Authorizing the City Manager to Execute an Agreement with Hydrosience Engineers, Inc., for Engineering Services Related to Design of a Recycled Water Package Membrane Treatment System, in an Amount Not to Exceed \$296,000"

7. West Winton Landfill Leachate Conveyance System Replacement Project: Approval of Addendum No. 1, Award of Contract, and Appropriation of Funds **CONS 17-761**

Staff report submitted by Utilities and Environmental Services
Director Ameri, dated December 12, 2017, was filed.

It was moved by Council Member Márquez, seconded by Council Member Lamnin, and carried unanimously, to adopt the following:

Resolution 17-191, "Resolution Approving Addendum No. 1 and Awarding Contract to GSE Construction Co., Inc., for the West Winton Landfill Leachate Conveyance System Replacement Project"

Resolution 17-192, "Adoption of a Resolution Appropriating \$175,700 from the Sewer Operating Fund for the West Winton Landfill Leachate Conveyance System Replacement Project"

8. Adoption of Two Resolutions: 1) Authorizing the City Manager to Execute Agreements with West Coast Consultants (WC3); 4Leaf, Inc.; CEL Consulting, Inc.; and CSG, Consultants, to Provide Plan Check Services, Inspection Services, and Permit Technician Services; and 2) Increase the FY2018 Budget Appropriation for Consulting Services by an Additional \$450,000 **CONS 17-762**

Staff report submitted by Interim Development Services Director Bristow, dated December 12, 2017, was filed.

It was moved by Council Member Márquez, seconded by Council Member Lamnin, and carried unanimously, to adopt the following:

Resolution 17-193, "Resolution Authorizing the City Manager to Negotiate and Execute Amendments to the Agreements with West Coast Consultants (WC3), 4 Leaf Inc., CEL Consulting, Inc, and CSG, Consultants"

Resolution 17-194, "Adoption of a Resolution Appropriating Additional Funds for the Consulting Services Budget for Plan Check, Inspection, and Permit Technician Services for Fiscal Year 2017"

9. Adoption of Resolution Approving Multifamily Housing Bond Policies Pursuant to Section 5031(c) of the California Debt Limit Allocation Committee Regulations **CONS 17-783**

Staff report submitted by Assistant City Manager Hurtado, dated December 12, 2017, was filed.

It was moved by Council Member Márquez, seconded by Council Member Lamnin, and carried unanimously, to adopt the following:

Resolution 17-195, "Resolution of the City of Hayward Approving Bond Issuance and Post-Issuance Compliance Policies in Accordance with the Regulations of the California Debt Limit Allocation Committee"

WORK SESSION

10. Review of Alameda County Measure A1 Affordable Housing Bond Timeline and Process (Report from Assistant City Manager Hurtado) **WS 17-055**



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Staff report submitted by Assistant City Manager Hurtado, dated December 12, 2017, was filed.

Assistant City Manager Hurtado provided a synopsis of the report.

Mayor Halliday opened the public comments section at 7:30 p.m.

Mr. Hamid Taeb, Director of Real Estate Development at Habitat for Humanity East Bay, spoke about the Sequoia Grove and West Harder Road development projects in the pipeline and the need of City funds for the West Harder Road project.

Mayor Halliday closed the public comments section at 7:38 p.m.

Discussion ensued among Council Members and City staff regarding A-1 funding and potential projects eligible for such funding. The City Council was in general agreement with the Notice of Funding Availability (NOFA) criteria and the funding priorities. Council Members offered the following recommendations: review housing needs based on data such as in the Housing Element and Homeless Counts and match development proposals with A-1 funds, Housing Authority funds, and State funds before applying for NOFA funds; affordable housing should not cost more to build than market rate products; housing should be built to be affordable by design and not by subsidy as much as possible; homeownership should be as important as rental; restrict housing affordability in perpetuity whenever possible; implement the CASA's initiative (The Committee to House the Bay Area) to increase housing production, preserve affordable housing and protect vulnerable populations; be innovative and consider a mechanism to allocate A-1 or in-lieu-fee funds toward prevention of homelessness; pay attention to low and very low income households; focus on maximizing funds and being able to build needed housing as soon as possible; conduct an analysis of potential funds that are expected from in-lieu housing fees, A-1 and State funding that can be applied to development projects; ensure that tiny home projects and Mr. Flemming's proposal are included in the list of NOFA projects; have cost comparativeness of a project in the RFP parameters; emphasize veterans as a population that could benefit from affordable housing developments; and prioritize housing and accompanying services for people who need it the most.

PUBLIC HEARING

11. Mission Seniors Residential Development. Proposed Vesting Tentative Map No. 8394, Site Plan Review with Grading Permit, Warrants and an Exception of the South Hayward BART/Mission Boulevard Form Based Code, Environmental Review, and Zoning Text Map Amendment of the South Hayward BART/Mission Boulevard Form Based Code Application No. 201700782 to Allow 200 Market-Rate, Senior Condominium Units and

Three (3) Single-Family Detached Residences (Report from Interim Development Services Director Bristow) **PH 17-102**

Staff report submitted by Interim Development Services
Director Bristow, dated December 12, 2017, was filed.

Principal Planner Lochirco provided a synopsis of the staff report. Mr. Lochirco noted that the Council was provided with a revised Attachment II which contained revised conditions of approval (No. 46, 53, 127) that would provide more flexibility in the improvement along Mission Boulevard, the bus shelters, and the hours of operation for the bike and pedestrian trail.

Discussion ensued among Council Members and City staff regarding: geological hazards; access to the development; Condition of Approval No. 46 and hours of operation for the trail; age criteria for senior residential developments; bike and pedestrian trail; and the three parcels on Mission Boulevard.

Council Members Mendall, Márquez, Salinas, Lamnin, Zermeño and Mayor Halliday disclosed having independently met with the project applicant.

Mayor Halliday opened the public hearing at 8:53 p.m.

Mr. Kim Huggett, Hayward Chamber of Commerce President, expressed support for the proposed project and urged Council's approval.

Ms. Chu Rao, project developer, addressed questions regarding age restriction, hours of operation for the trail, path for the trail, name of the project, hillside grading, trees onsite, solar amenities, fiber optic, and the pickle ball court.

Mr. Glen Simmons and Ms. Pantea Khoshnevis submitted speaker cards but did not speak.

Mayor Halliday closed the public hearing at 9:11 p.m.

Council Member Salinas noted the proposed site project would fit well within the Economic Development Strategic Plan and expressed support for the proposal.

Council Member Salinas offered a motion per staff's recommendation with amendments to Conditions of Approval No. 46, 53, and 127.

Council Member Mendall seconded the motion and offered a friendly amendment to further revise Condition of Approval No. 46 by changing the hours of operation for the trail from 8am to 5pm to dawn to dusk. Council Member Salinas was amenable to the friendly amendment.

Council Member Mendall noted the proposed project received support from the Fairway Park Neighborhood Association.



**MINUTES OF THE SPECIAL CITY COUNCIL MEETING OF
THE CITY OF HAYWARD
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, December 12, 2017, 7:00 p.m.**

Council Member Márquez expressed support for the motion and requested that, moving forward, staff carefully consider utilizing in-lieu housing fees in South Hayward.

Council Member Zermeño noted support for the motion and expressed reservation for the lack of affordable housing within the project, the lack of retail on Mission Boulevard, and a gated trail.

Mayor Halliday expressed support for the motion noting the proposed project was consistent with the goal of helping seniors age in place.

It was moved by Council Member Salinas, seconded by Council Member Mendall, and carried unanimously, to adopt revised Conditions of Approval No. 46, 53, and 127 and further revising Condition of Approval No. 46 by changing hours of operation from dawn to dusk.

Resolution 17-196, “Resolution Approving a Site Plan Review with Grading Permit; a Zoning Text Map Amendment, Two Warrants and One Exception from Provisions Under the South Hayward BART/Mission Boulevard Form-Based Code; and a Vesting Tentative Tract Map 8394, Application No. 201700782 for the Subdivision and Construction of 200 Condominium Units for a Senior Residential Development and Three Single-Family Dwellings on a 5.58-Acre Site Located at 29312 Mission Boulevard and 794 Overhill Drive”

Introduction of Ordinance 17-_, “Resolution Approving a Site Plan Review with Grading Permit; a Zoning Text Map Amendment, Two Warrants and One Exception from Provisions Under the South Hayward BART/Mission Boulevard Form-Based Code; and a Vesting Tentative Tract Map 8394, Application No. 201700782 for the Subdivision and Construction of 200 Condominium Units for a Senior Residential Development and Three Single-Family Dwellings on a 5.58-Acre Site Located at 29312 Mission Boulevard and 794 Overhill Drive”

CITY MANAGER’S COMMENTS

City Manager McAdoo highlighted Council Member Lamnin’s accomplishment of completing the Mayors’ and Council Members’ Leadership Academy Torch Program and being recognized in the Western City magazine.

City Manager McAdoo announced City Hall would be closed December 22, 2017 to January 1, 2018, and emergency services would continue to operate.

COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS

Council Member Zermeño wished everyone a Merry Christmas, Happy Hanukkah, and Happy Kwanzaa.

Mayor Halliday, on behalf of the Council, wished everyone a happy and safe holiday season.

Council Member Salinas announced the Kids’ Breakfast Club Winter Session would provide breakfast and activities at Burbank Elementary School every day that school is not in session.

ADJOURNMENT

Mayor Halliday adjourned the meeting at 9:29 p.m., in memory of San Francisco Mayor Edwin “Ed” Lee who unexpectedly passed away on December 12, 2018.

APPROVED:

Barbara Halliday
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

File #: CONS 18-025

DATE: January 16, 2018

TO: Mayor and City Council

FROM: City Clerk

SUBJECT

Adoption of Ordinance Amending Chapter 10, Article 24 of the Hayward Municipal Code by Removing the New Thoroughfare Roadway Designation (Figures 1-2 and 1-3) from the South Hayward BART/Mission Boulevard Form Based Code on Three Parcels for the Mission Seniors Project (APN# 078C-0455-002-00; 78C-0455-001-08; 078C-0455-001-05)

RECOMMENDATION

That the Council adopts the Ordinance introduced on December 12, 2017.

ATTACHMENTS

Attachment I Staff Report
Attachment II Summary of Ordinance Published on 1/12/2018



DATE: January 16, 2018

TO: Mayor and City Council

FROM: City Clerk

SUBJECT Adoption of Ordinance Amending Chapter 10, Article 24 of the Hayward Municipal Code by Removing the New Thoroughfare Roadway Designation (Figures 1-2 and 1-3) from the South Hayward BART/Mission Boulevard Form Based Code on Three Parcels for the Mission Seniors Project (APN# 078C-0455-002-00; 78C-0455-001-08; 078C-0455-001-05)

RECOMMENDATION

That the Council adopts the Ordinance introduced on December 12, 2017.

BACKGROUND

The Ordinance was introduced by Council Member Salinas at the December 12, 2017, meeting of the City Council with the following vote:

AYES: COUNCIL MEMBERS: Zermeño, Márquez, Mendall, Peixoto, Lamnin, Salinas
MAYOR Halliday

NOES: None

ABSENT: None

ABSTAIN: None

STRATEGIC PRIORITIES

This agenda item is a routine operational item and does not relate to one of the Council's Strategic Initiatives.

FISCAL IMPACT

There is no fiscal impact associated with this report.

PUBLIC CONTACT

The summary of the Ordinance was published in the Hayward Daily Review on Friday, January 12, 2018. Adoption at this time is therefore appropriate.

NEXT STEPS

The Hayward Municipal Code and other related documents will be updated accordingly.

Prepared and Recommended by: Miriam Lens, City Clerk

Approved by:

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

Kelly McAdoo, City Manager

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE
BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE AMENDING CHAPTER 10, ARTICLE 24 OF THE HAYWARD MUNICIPAL CODE BY REMOVING THE NEW THOROUGHFARE ROADWAY DESIGNATION (FIGURES 1-2 AND 1-3) FROM THE SOUTH HAYWARD BART/MISSION BOULEVARAD FORM BASED CODE ON THREE PARCELS FOR THE MISSION SENIORS PROJECT (APN# 078C-0455-002-00; 78C-0455-001-08; 078C-0455-001-05)

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Text Map Amendment

Article 24 of Chapter 10 of the Hayward Municipal Code is hereby amended to remove the New Thoroughfare roadway designation from Figure 1-2 and Figure 1-3, as shown in "Exhibit A", for three parcels within the South Hayward BART/Mission Boulevard Form Based Code (APN# 078C-0455-002-00; 78C-0455-001-08; 078C-0455-001-05).

Section 2. Severance.

Should any part of this ordinance be declared by a final decision by a court or tribunal of competent jurisdiction to be unconstitutional, invalid or beyond authority of the City, such decision shall not affect the validity of the remainder of this ordinance, which shall continue in full force and effect, provided the remainder of the ordinance, absent the excised portion, can be reasonably interpreted to give effect to intentions of the City Council.

Section 3. Effective Date.

This ordinance shall become effective immediately upon adoption.

Introduced at a special meeting of the City Council of the City of Hayward, held on the 12th day of December 2017, by Council Member Salinas.

This ordinance will be considered for adoption at the meeting of the Hayward City Council, to be held on January 16, 2018, at 7:00 p.m., in the Council Chambers, 777 B Street, Hayward, California. The full text of this Ordinance is available for examination by the public in the Office of the City Clerk.

Dated: January 12, 2018
Miriam Lens, City Clerk
City of Hayward



CITY OF HAYWARD

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

File #: CONS 18-003

DATE: January 16, 2018

TO: Mayor and City Council

FROM: Director of Human Resources

SUBJECT

Adoption of a Resolution Establishing the City Contribution for Active and Retiree Medical Premiums Set by the California Public Employee Retirement System (CalPERS) for Calendar Year 2018 Pursuant to California Government Code Section 22892 of the Public Employees Medical and Hospital Care Act

RECOMMENDATION

That the City Council approves the attached resolution (Attachment II) authorizing the implementation of the mandatory minimum employer contributions to active and retiree medical premiums for calendar year 2018.

ATTACHMENTS

Attachment I Staff Report
Attachment II Resolution



DATE: January 16, 2018

TO: Mayor and City Council

FROM: Director of Human Resources

SUBJECT: Adoption of a Resolution Establishing the City Contribution for Active and Retiree Medical Premiums Set by the California Public Employee Retirement System (CalPERS) for Calendar Year 2018 pursuant to California Government Code Section 22892 of the Public Employees Medical and Hospital Care Act

RECOMMENDATION

That the City Council approves the attached resolution (Attachment II) authorizing the implementation of the mandatory minimum employer contributions to active and retiree medical premiums for calendar year 2018.

BACKGROUND/DISCUSSION

The City contracts with CalPERS to provide quality health benefits to its active and retired employees. California Government Code Section 22892 of the Public Employees Medical and Hospital Care Act (PEMHCA) establishes the minimum employer health contribution. The CalPERS Board annually adjusts the employer contribution to reflect any change in the Medical Care Component of the Consumer Price Index, rounded to the nearest dollar. The table below shows the minimum employer contribution required by CalPERS for the last six years, and the 2018 rate:

Calendar Year	Employer Contribution
2012	\$112.00
2013	\$115.00
2014	\$119.00
2015	\$122.00
2016	\$125.00
2017	\$128.00
2018	\$133.00

This action is necessary to meet the requirement that the governing body adopt a resolution agreeing to the minimum contribution amount established by CalPERS.

The City currently contributes to medical premiums in accordance with the terms of the existing agreements between each of the bargaining units, based on the health plan and family

status employees elect and for which they are eligible. For both retirees and active employees, the total amount the City contributes towards medical benefit premiums exceeds the statutory minimum contribution required by CalPERS.

FISCAL IMPACT

This action is for administrative purposes only. There is no fiscal impact associated with this report because the City's current contribution toward employee medical premiums as provided for in applicable Memoranda of Understanding has already been established and this action does not provide an increase to the current total City contribution towards medical premiums.

Prepared by: Anthony Phillip, Human Resources Analyst I

Recommended by: Nina S. Collins, Director of Human Resources

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 18-

Introduced by Council Member _____

RESOLUTION AGREEING TO MEET THE MINIMUM EMPLOYER CONTRIBUTION TOWARD MEDICAL COST AS SET BY CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM ONE HUNDRED THIRTY-THREE DOLLARS (\$133) PER MONTH FOR CALENDAR YEAR 2018

WHEREAS, the City of Hayward provides medical coverage for its employees and their eligible dependents and to qualified retirees; and

WHEREAS, Government Code 22892 of the Public Employees Health and Medical Care Act (PEHMCA) states that a local agency provides a minimum health premium contribution for their participating active members; and

WHEREAS, the California Public Employees Retirement System Board adjusts the minimum contribution rate annually based on changes to the Consumer Price Index.

NOW, THEREFORE, BE IT RESOLVED, that effective January 1, 2018, the employer's contribution towards the cost of employee and retiree cost of health benefits shall be a minimum of \$133 per month as required by CALPERS.

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



CITY OF HAYWARD

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

File #: CONS 18-001

DATE: January 16, 2018

TO: Mayor and City Council

FROM: Chief of Police

SUBJECT

Authorization for the City Manager to Execute an Agreement with the Alameda County Probation Department for Delinquency Prevention Network Services Provided by the Youth and Family Services Bureau of the Hayward Police Department

RECOMMENDATION

That Council authorizes the City Manager to: (1) execute the FY17-18 Delinquency Prevention Network agreement with the Alameda County Probation Department and (2) accept \$370,600 in payment for delinquency prevention services.

ATTACHMENTS

Attachment I Staff Report
Attachment II Resolution Authorizing Agreement



DATE: January 16, 2018

TO: Mayor and City Council

FROM: Chief of Police

SUBJECT: Authorization for the City Manager to Negotiate and Execute an Agreement with the Alameda County Probation Department for Delinquency Prevention Network Services Provided by the Youth and Family Services Bureau of the Hayward Police Department

RECOMMENDATION

That Council authorizes the City Manager to: (1) execute the FY17-18 Delinquency Prevention Network (DPN) agreement with the Alameda County Probation Department and (2) accept \$370,600 in payment for delinquency prevention services.

BACKGROUND

The Youth and Family Services Bureau (YFSB) of the Hayward Police Department has had an annual contract with the Alameda County Probation Department to provide delinquency prevention services since the 1970s. Throughout that time, the contract has been renewed annually without an application process.

On March 14, 2016, the Probation Department in partnership with the Alameda County General Services Agency released a Request for Proposals to facilitate a competitive bid process for ongoing Delinquency Prevention Network (DPN) funding.

On August 23, 2016, the County decided not to award contracts from the RFP issued March 14, 2016 and on August 24, 2016, the Probation Department recommended the Board of Supervisors extend the FY15-16 contracts through June 30, 2017. Because the revised Request for Proposal has not been released, the Probation Department again recommended an extension of the current contract through June 30, 2018. This extension covers July 1, 2017 through June 30, 2018 and generates \$220,000 in revenue.

DISCUSSION

Providing alternatives to youth involvement in the juvenile justice system is a critical issue locally and nationally. The literature clearly shows that more restrictive juvenile justice interventions such as youth incarceration contribute to poorer outcomes and increased rates of recidivism. Conversely, offering alternatives such as family counseling, case management and diversion, not only reduces recidivism but also leads to better outcomes for youth and families overall. The execution of this agreement and the acceptance of the associated funding

will allow the Youth and Family Services Bureau of the Hayward Police Department to continue to play a crucial role in keeping youth out of the juvenile justice system and contributing to the overall safety and wellbeing of Hayward families.

ECONOMIC IMPACT

As stated under the discussion section above, improving community safety and keeping youth out of the juvenile justice system by supporting them to lead productive and healthy lives will only strengthen our local economy and will improve every aspect of it.

FISCAL IMPACT

This agreement will result in no impact to the General Fund. The \$370,600 of revenue generated was approved in the City's FY17-18 Budget, appropriated in the Police Department's Budget to YFSB.

STRATEGIC INITIATIVES

The DPN funds support the Complete Communities Strategic Initiative. The purpose of the Complete Communities initiative is to create and support structures, services, and amenities to provide inclusive and equitable access with the goal of becoming a thriving and promising place to live. This item supports the following goal and objectives:

Goal 1: Improve quality of life for residents, business owners, and community members in all Hayward neighborhoods.

Objective 1: Increase neighborhood safety and cohesion

Objective 2: Actively value diversity and promote inclusive activities

NEXT STEPS

If the Council authorizes this action, staff will work to execute the agreement with the Probation Department to provide Delinquency Prevention Network services for FY17-18.

Prepared by: Lynnette Davis, Acting Youth and Family Services Bureau Administrator

Recommended by: Mark Koller, Chief of Police

Approved by:



Kelly McAdoo, City Manager



CITY OF HAYWARD

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

File #: CONS 18-047

DATE: January 16, 2018

TO: Mayor and City Council

FROM: Chief of Police

SUBJECT

Authorization for the City Manager to Appropriate Funds and Accept an Agreement with the Alameda County Health Care Services Agency for Our Kids Our Families Services Provided by the Youth and Family Services Bureau of the Hayward Police Department

RECOMMENDATION

That Council authorizes the City Manager to: (1) execute the FY17-18 Our Kids Our Families agreement with the Alameda County Health Care Services Agency and (2) accept \$220,000 in payment for delinquency prevention services.

ATTACHMENTS

Attachment I Staff Report
Attachment II Resolution Authorizing Agreement



DATE: January 16, 2018

TO: Mayor and City Council

FROM: Chief of Police

SUBJECT: Authorization for the City Manager to Appropriate Funds and Accept an Agreement with the Alameda County Health Care Services Agency (HCSA) for the Our Kids Our Families Program Services Provided by the Youth and Family Services Bureau (YFSB) of the Hayward Police Department

RECOMMENDATION

That Council authorizes the City Manager to: (1) execute the FY17-18 Our Kids Our Families agreement with the Alameda County Health Care Services Agency and (2) accept \$220,000 in payment for school-based services.

BACKGROUND

The Youth and Family Services Bureau (YFSB) of the Hayward Police Department has had an annual contract with the Alameda County Health Care Services Agency to provide school-based mental health consultation and services at six school sites in the Hayward Unified School District (HUSD). The City has had this contract for over ten years.

DISCUSSION

YFSB counselors assigned to HUSD school sites provide and coordinate direct support for students including: behavioral health and wellness services; positive youth development activities; family support; and case management. Case management involves ensuring that children and youth in need of early and intensive intervention services are receiving and benefitting from appropriate care, as well as removing or minimizing environmental contributors to problems.

Additionally, YFSB counselors participate in efforts driven by school leadership to create optimal conditions for learning and development. This includes the creation of positive, culturally inclusive school environments, enhancing collaboration and coordination among service providers, conducting community outreach and mobilization where appropriate, and enhancing the capacity of adults to better meet the social-emotional needs of children, youth, and their networks.

ECONOMIC IMPACT

As stated under the discussion section above, improving children and youth's school experience and supporting them to lead productive and healthy lives will only strengthen our local economy and will improve every aspect of it.

FISCAL IMPACT

These revenues are previously unbudgeted in the General Fund and will result in a net additional \$220,000 to be used to offset expenditures already included in the FY 2018 Investigation Division's operating budget for the YFSB program. The program provides funding for school-based mental health consultation and services at six school sites in the Hayward Unified School District.

STRATEGIC INITIATIVES

The HCSA funds support the Complete Communities Strategic Initiative. The purpose of the Complete Communities initiative is to create and support structures, services, and amenities to provide inclusive and equitable access with the goal of becoming a thriving and promising place to live. This item supports the following goal and objectives:

Goal 1: Improve quality of life for residents, business owners, and community members in all Hayward neighborhoods.

Objective 1: Increase neighborhood safety and cohesion

Objective 2: Actively value diversity and promote inclusive activities

NEXT STEPS

If the Council authorizes this action, staff will work to execute the agreement with the HCSA to provide Our Kids Our Families services for FY17-18.

Prepared by: Lynnette Davis, Acting Youth and Family Services Bureau Administrator

Recommended by: Mark Koller, Chief of Police

Approved by:



Kelly McAdoo, City Manager



CITY OF HAYWARD

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

File #: CONS 18-043

DATE: January 16, 2018

TO: Mayor and City Council

FROM: Chief of Police

SUBJECT

Authorization for the City Manager to Accept and Appropriate \$240,000 in Awarded Grant Funding from the State of California Office of Traffic Safety for the Hayward Police Department

RECOMMENDATION

That the City Council authorizes the acceptance and appropriation of \$240,000 in grant funding from the State of California Office of Traffic Safety for the Hayward Police Department.

ATTACHMENTS

Attachment I Staff Report
Attachment II Resolution
Attachment III Grant Agreement



DATE: January 16, 2018

TO: Mayor and City Council

FROM: Chief of Police

SUBJECT: Authorization for the City Manager to Appropriate \$240,000 in Grant Funding from the California Office of Traffic Safety for the Hayward Police Department

RECOMMENDATION

That the City Council authorizes the acceptance and appropriation of \$240,000 in grant funding from the State of California Office of Traffic Safety for the Hayward Police Department.

BACKGROUND

These funds were awarded to the Hayward Police Department as part of a Selective Traffic Enforcement Program (STEP) grant issued by the California Office of Traffic Safety. The California Office of Traffic Safety strives to eliminate traffic deaths and injuries by making grants available to local and state public agencies for programs that help them enforce traffic laws, educate the public about traffic safety, and provide varied and effective means of reducing fatalities, injuries, and economic losses from collisions.

DISCUSSION

The Hayward Police Department plans to use these funds to reduce the number of persons killed and injured in collisions involving alcohol and other collision causing factors. Strategies include the following:

- (a) Impaired driving enforcement.
- (b) Enforcement focusing on distracted driving.
- (c) Seat belt enforcement.
- (d) Special enforcement encouraging motorcycle safety.
- (e) Enforcement and public education in areas with high bicycle/pedestrian collisions.
- (f) Media outreach strategies designed to enhance public awareness, educate the public, and deter poor behavior.

FISCAL IMPACT

The acceptance of the Selective Traffic Enforcement Program (STEP) grant funds does not require an additional appropriation from the General Fund.

STRATEGIC INITIATIVES

The STEP Grant supports the Complete Streets Strategic Initiative. The purpose of the Complete Streets Strategic Initiative is to build and maintain streets that are safe, comfortable, and convenient for travel for everyone, regardless of age or ability; including motorists, pedestrians, bicyclists, and public transportation riders. This item supports the following goal and objectives:

Goal 1: Prioritize safety for all modes of travel.

Objective 1.b.: Reduce speeding and aggressive driving behavior through 4 E's i.e. Education, Enforcement, Empowerment, and Engineering.

NEXT STEPS

If the Council authorizes this action, staff will appropriate the funding into the Police Department's budget and administer the grant per the terms and conditions of the Office of Traffic Safety agreement.

Prepared by: Jason Martinez, Police Captain

Recommended by: Mark Koller, Chief of Police

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 18-

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT AND APPROPRIATE \$240,000 IN FUNDING FROM THE STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY FOR THE HAYWARD POLICE DEPARTMENT

WHEREAS, the State of California Office of Traffic Safety has agreed to award the City of Hayward Police Department \$240,000 to implement best practice strategies under the Selective Traffic Enforcement Program (STEP); and,

WHEREAS, the Hayward Police Department shall use these funds to reduce the number of persons killed and injured in traffic collisions involving alcohol and other primary collision factors under the provisions of the grant agreement;

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 \$240,000 in funding from the California Office of Traffic Safety.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2018

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:



ABSTAIN: COUNCIL MEMBERS:

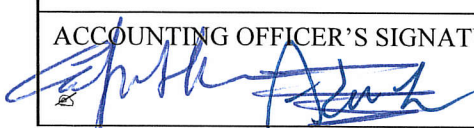
ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

1. GRANT TITLE Selective Traffic Enforcement Program (STEP)	
2. NAME OF AGENCY Hayward	3. Grant Period
4. AGENCY UNIT TO ADMINISTER GRANT Hayward Police Department	From: 10/01/2017 To: 09/30/2018
5. GRANT DESCRIPTION Best practice strategies will be conducted to reduce the number of persons killed and injured in crashes involving alcohol and other primary collision factors. The funded strategies may include impaired driving enforcement, enforcement operations focusing on primary collision factors, distracted driving, night-time seat belt enforcement, special enforcement operations encouraging motorcycle safety, enforcement and public awareness in areas with a high number of bicycle and pedestrian collisions, and educational programs. These strategies are designed to earn media attention thus enhancing the overall deterrent effect.	
6. Federal Funds Allocated Under This Agreement Shall Not Exceed: \$240,000.00	
7. TERMS AND CONDITIONS: The parties agree to comply with the terms and conditions of the following which are by this reference made a part of the Agreement: <ul style="list-style-type: none"> • Schedule A – Problem Statement, Goals and Objectives and Method of Procedure • Schedule B – Detailed Budget Estimate and Sub-Budget Estimate (if applicable) • Schedule B-1 – Budget Narrative and Sub-Budget Narrative (if applicable) • Exhibit A – Certifications and Assurances • Exhibit B* – OTS Grant Program Manual <p>*Items shown with an asterisk (*), are hereby incorporated by reference and made a part of this agreement as if attached hereto.</p> <p>These documents can be viewed at the OTS home web page under Grants: www.ots.ca.gov.</p> <p>We, the officials named below, hereby swear under penalty of perjury under the laws of the State of California that we are duly authorized to legally bind the Grant recipient to the above described Grant terms and conditions.</p> <p>IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.</p>	
8. Approval Signatures	
A. AUTHORIZING OFFICIAL OF DEPARTMENT NAME: Mark Koller PHONE: (510) 293-7056 TITLE: Chief of Police FAX: ADDRESS: 300 W. Winton Ave. Hayward, CA 94544 EMAIL: mark.koller@hayward-ca.gov  _____ (Signature)	B. AUTHORIZING OFFICIAL OF OFFICE OF TRAFFIC SAFETY NAME: Rhonda L. Craft PHONE: (916) 509-3030 TITLE: Director FAX: (916) 509-3055 ADDRESS: 2208 Kausen Drive, Suite 300 Elk Grove, CA 95758 EMAIL: rhonda.craft@ots.ca.gov  _____ (Signature)
 C. ACCOUNTING OFFICER OF OFFICE OF TRAFFIC SAFETY NAME: Carolyn Vu ADDRESS: 2208 Kausen Drive, Suite 300 Elk Grove, CA 95758	9. DUNS NUMBER DUNS #: 090467031 REGISTERED ADDRESS: 300 West Winton Avenue CITY: Hayward ZIP+4: 94544-1137

10. PROJECTED EXPENDITURES						
FUND	CFDA	ITEM/APPROPRIATION	F.Y.	CHAPTER	STATUTE	PROJECTED EXPENDITURES
402PT-18	20.600	0521-0890-101	2016	2016	23/16	\$20,000.00
164-AL-18	20.608	0521-0890-101	2016	2016	23/16	\$28,000.00
402PT-18	20.600	0521-0890-101	2017	2017	14/17	\$80,000.00
164-AL-18	20.608	0521-0890-101	2017	2017	14/17	\$112,000.00
				AGREEMENT TOTAL		\$240,000.00
<p><i>I CERTIFY upon my own personal knowledge that the budgeted funds for the current budget year are available for the period and purpose of the expenditure stated above.</i></p>				AMOUNT ENCUMBERED BY THIS DOCUMENT		\$240,000.00
				PRIOR AMOUNT ENCUMBERED FOR THIS AGREEMENT		\$ 0.00
				TOTAL AMOUNT ENCUMBERED TO DATE		\$240,000.00
ACCOUNTING OFFICER'S SIGNATURE			DATE SIGNED			
			8/14/17			

1. PROBLEM STATEMENT

Hayward is the 6th largest city in the San Francisco Bay area with the 3rd largest industrial region which increases our daily population to nearly 400,000 people. Hayward is also known as the "Heart of the Bay" due to its centralized proximity to major highways (SR 185/92 and 238) and interstate roadways (580/880) leading to and from the region, further adding to the number of vehicles traveling through the city on a daily basis. Hayward is also home to many large retail shopping centers including the Southland Mall, along with two schools of higher education; Chabot College and California State University - East Bay.

Hayward had recently adopted a multi-dimensional approach to traffic related issues known as a "Traffic Calming" strategy, adopting the well-known pillars of Education, Enforcement and Engineering. Through this approach our Traffic Bureau is becoming very involved with both the community and the Public Works Division to focus on shared goals and creating a safe environment for all conveyances and pedestrians alike. Additionally, our City Council has placed a priority on reducing traffic collisions as a goal during FY2016-2017. This STEP Grant will assist the Traffic Bureau attain that goal.

During the past three years we have experienced a near consistent number of fatal collisions; (8) in 2014 and 2015 and (6) in 2016. Nearly half of those fatal collisions involved bicyclists and pedestrians, and many of those parties were determined to be "at-fault." According to recent OTS collision rankings, among 57 similar sized cities Hayward is ranked poorly for victims injured/killed when they are pedestrians and bicyclists. We also rank 15th for DUI related fatal and injury collisions when drivers are between the ages of 21-34.

As mentioned above, since our city is traveled heavily by commuters on a daily basis, we have a high number of motorcyclists using our roadways. Also contributing to the high number of these conveyances is the mild weather climate most of the year. This may explain why we have been ranked between 23rd and 27th out of 57 similar sized cities when incidents involve injuries or deaths to motorcycle riders, according to OTS (2012-2014).

On a monthly basis over the past three years, Hayward averaged between 75-100 documented injury and non-injury collisions. Of those incidents, about one-fourth of them involved unlicensed and suspended drivers or were a result of a hit-and-run misdemeanor or felony. The relationship between those two categories is undeniably related.

Using funding from both the STEP and AVOID grants over the years has resulted in a varying number of collisions; 2013 (434), 2014 (293), 2015 (398) and 2016 (392). The improved economy has resulted in more vehicles on our busy roadways which may explain the increasing number of traffic collisions, despite our best enforcement efforts even with the supplemented Grant Enforcement deployments. I believe that these numbers would be even higher if not for the Grant award. The Traffic Officers are assigned to the high-collision intersections on a daily basis for several hours during their shift where they enforce the top-3 primary collision factors relevant to those areas. A common result of these enforcement efforts is an increase in collisions in the surrounding areas. We have a positive impact when concentrating on a specific area but it appears that after the drivers pass by our location their driving habits revert back to the top-3 PCF's. In an effort to combat this result and when staffing allows, the Traffic Officers spread out into the adjoining areas to within several blocks of an intersection. This approach has been proven to be effective over time.

The Traffic Bureau is currently staffed with (6) Motorcycle Officers, (1) Sergeant, a secretary and a Community Service Officer. The Department has historically staffed the Traffic Unit with (10) Motorcycle Officers but due to sworn vacancies over the past few years, the patrol division has priority staffing needs. However, the Department anticipates all sworn vacancies to be filled in early 2017 and it is anticipated that they will add an additional motorcycle officer or two to the Traffic Unit.

Future grant funding for enforcement operations can further assist with the reduction of fatal and injury collisions by allowing the Traffic Officers to supplement their enforcement with overtime shifts having some measurable improvement. The long-term goal of the Department is to fully staff the Traffic Unit with the intent to maximize the use of those resources in lieu of grant funding so the officers can enjoy their days off instead of working overtime shifts on a revolving basis.

2. PERFORMANCE MEASURES

A. Goals:

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1. Reduce the number of persons killed in traffic collisions.
2. Reduce the number of persons injured in traffic collisions.
3. Reduce the number of pedestrians killed in traffic collisions.
4. Reduce the number of pedestrians injured in traffic collisions.
5. Reduce the number of bicyclists killed in traffic collisions.
6. Reduce the number of bicyclists injured in traffic collisions.
7. Reduce the number of persons killed in alcohol-involved collisions.
8. Reduce the number of persons injured in alcohol-involved collisions.
9. Reduce the number of persons killed in drug-involved collisions.
10. Reduce the number of persons injured in drug-involved collisions.
11. Reduce the number of persons killed in alcohol/drug combo-involved collisions.
12. Reduce the number of persons injured in alcohol/drug combo-involved collisions.
13. Reduce the number of motorcyclists killed in traffic collisions.
14. Reduce the number of motorcyclists injured in traffic collisions.
15. Reduce hit & run fatal collisions.
16. Reduce hit & run injury collisions.
17. Reduce nighttime (2100 - 0259 hours) fatal collisions.
18. Reduce nighttime (2100 - 0259 hours) injury collisions.

B. Objectives:	Target Number
1. Issue a press release announcing the kick-off of the grant by November 15. The kick-off press releases and media advisories, alerts, and materials must be emailed to the OTS Public Information Officer at pio@ots.ca.gov , and copied to your OTS Coordinator, for approval 14 days prior to the issuance date of the release.	1
2. Participate and report data (as required) in the following campaigns, National Walk to School Day, NHTSA Winter & Summer Mobilization, National Bicycle Safety Month, National Click it or Ticket Mobilization, National Teen Driver Safety Week, National Distracted Driving Awareness Month, National Motorcycle Safety Month, National Child Passenger Safety Week, and California's Pedestrian Safety Month.	10
3. Develop (by December 31) and/or maintain a "HOT Sheet" program to notify patrol and traffic officers to be on the lookout for identified repeat DUI offenders with a suspended or revoked license as a result of DUI convictions. Updated HOT sheets should be distributed to patrol and traffic officers monthly.	12
4. Send law enforcement personnel to the NHTSA Standardized Field Sobriety Testing (SFST) (minimum 16 hours) POST-certified training.	4
5. Send law enforcement personnel to the NHTSA Advanced Roadside Impaired Driving Enforcement (ARIDE) 16 hour POST-certified training.	4
6. Send law enforcement personnel to the Drug Recognition Expert (DRE) training.	1
7. Conduct DUI/DL Checkpoints. A minimum of 1 checkpoint should be conducted during the NHTSA Winter Mobilization and 1 during the Summer Mobilization. To enhance the overall deterrent effect and promote high visibility, it is recommended the grantee issue an advance press release and conduct social media activity for each checkpoint. For combination DUI/DL checkpoints, departments should issue press releases that mention DL's will be checked at the DUI/DL checkpoint. Signs for DUI/DL checkpoints should read "DUI/Driver's License Checkpoint Ahead." OTS does not fund or support independent DL checkpoints. Only on an exception basis and with OTS pre-approval will OTS fund checkpoints that begin prior to 1800 hours. When possible, DUI/DL Checkpoint screeners should be DRE- or ARIDE-trained.	4
8. Conduct DUI Saturation Patrol operation(s).	58
9. Conduct Traffic Enforcement operation(s), including but not limited to, primary collision factor violations.	26
10. Conduct highly publicized Distracted Driving enforcement operation(s) targeting drivers using hand held cell phones and texting.	26
11. Conduct highly publicized Motorcycle Safety enforcement operation(s) in areas or during events with a high number of motorcycle incidents or collisions resulting from unsafe speed, DUI, following too closely, unsafe lane changes, improper turning, and other primary collision factor violations by motorcyclists and other drivers.	11
12. Conduct Nighttime (1800-0559) Click It or Ticket enforcement operations.	6

13. Conduct highly publicized pedestrian and/or bicycle enforcement operation(s) in areas or during events with a high number of pedestrian and/or bicycle collisions resulting from violations made by pedestrians, bicyclists, and drivers.

11

3. METHOD OF PROCEDURE

A. Phase 1 – Program Preparation (1st Quarter of Grant Year)

- The police department will develop operational plans to implement the “best practice” strategies outlined in the objectives section.
- All training needed to implement the program should be conducted this quarter.
- All grant related purchases needed to implement the program should be made this quarter.
- In order to develop/maintain the “Hot Sheets,” research will be conducted to identify the “worst of the worst” repeat DUI offenders with a suspended or revoked license as a result of DUI convictions. The Hot Sheets may include the driver’s name, last known address, DOB, description, current license status, and the number of times suspended or revoked for DUI. Hot Sheets should be updated and distributed to traffic and patrol officers at least monthly.
- Implementation of the STEP grant activities will be accomplished by deploying personnel at high collision locations.

Media Requirements

- Issue a press release announcing the kick-off of the grant by November 15. The kick-off press releases and media advisories, alerts, and materials must be emailed to the OTS Public Information Officer at pio@ots.ca.gov, and copied to your OTS Coordinator, for approval 14 days prior to the issuance date of the release.

B. Phase 2 – Program Operations (Throughout Grant Year)

- The police department will work to create media opportunities throughout the grant period to call attention to the innovative program strategies and outcomes.

Media Requirements

- Send all grant-related activity press releases, media advisories, alerts and general public materials to the OTS Public Information Officer (PIO) at pio@ots.ca.gov, with a copy to your OTS Coordinator.
 - If an OTS template-based press release is used, the OTS PIO and Coordinator should be copied when the release is distributed to the press. If an OTS template is not used, or is substantially changed, a draft press release shall be sent to the OTS PIO for approval. Optimum lead time would be 10-20 days prior to the release date to ensure adequate turn-around time.
 - Press releases reporting the results of grant activities such as enforcement operations are exempt from the recommended advance approval process, but still should be copied to the OTS PIO and Coordinator when the release is distributed to the press.
 - Activities such as warrant or probation sweeps and court stings that could be compromised by advanced publicity are exempt from pre-publicity, but are encouraged to offer embargoed media coverage and to report the results.
- Use the following standard language in all press, media, and printed materials: Funding for this program was provided by a grant from the California Office of Traffic Safety, through the National Highway Traffic Safety Administration.
- Email the OTS PIO at pio@ots.ca.gov and copy your OTS Coordinator at least 30 days in advance, a short description of any significant grant-related traffic safety event or program so OTS has sufficient notice to arrange for attendance and/or participation in the event.
- Submit a draft or rough-cut of all printed or recorded material (brochures, posters, scripts, artwork, trailer graphics, etc.) to the OTS PIO at pio@ots.ca.gov and copy your OTS Coordinator for approval 14 days prior to the production or duplication.
- Include the OTS logo, space permitting, on grant-funded print materials; consult your OTS Coordinator for specifics.

C. Phase 3 – Data Collection & Reporting (Throughout Grant Year)

- Invoice Claims (due January 30, April 30, July 30, and October 30)
- Quarterly Performance Reports (due January 30, April 30, July 30, and October 30)
 - Collect and report quarterly, appropriate data that supports the progress of goals and objectives.
 - Provide a brief list of activity conducted, procurement of grant-funded items, and significant media activities. Include status of grant-funded personnel, status of contracts, challenges, or special

accomplishments.

- Provide a brief summary of quarterly accomplishments and explanations for objectives not completed or plans for upcoming activities.
- Collect, analyze and report statistical data relating to the grant goals and objectives.

4. METHOD OF EVALUATION

Using the data compiled during the grant, the Grant Director will complete the "Final Evaluation" section in the fourth/final Quarterly Performance Report (QPR). The Final Evaluation should provide a brief summary of the grant's accomplishments, challenges and significant activities. This narrative should also include whether goals and objectives were met, exceeded, or an explanation of why objectives were not completed.

5. ADMINISTRATIVE SUPPORT

This program has full administrative support, and every effort will be made to continue the grant activities after grant conclusion.

FUND NUMBER	CATALOG NUMBER (CFDA)	FUND DESCRIPTION	TOTAL AMOUNT
402PT	20.600	State and Community Highway Safety	\$100,000.00
164AL	20.608	Minimum Penalties for Repeat Offenders for Driving While Intoxicated	\$140,000.00

COST CATEGORY	CFDA	TOTAL COST TO GRANT
A. PERSONNEL COSTS		
Positions and Salaries		
Full-Time		\$0.00
Overtime		
DUI/DL Checkpoints	20.608	\$56,000.00
DUI Saturation Patrols	20.608	\$69,600.00
Traffic Enforcement	20.600	\$31,200.00
Distracted Driving	20.600	\$31,200.00
Motorcycle Safety	20.600	\$13,200.00
Night-time Click It Or Ticket	20.600	\$7,200.00
Pedestrian and Bicycle Enforcement	20.600	\$13,200.00
Part-Time		\$0.00
Category Sub-Total		\$221,600.00
B. TRAVEL EXPENSES		
In State Travel	20.600	\$3,500.00
		\$0.00
Category Sub-Total		\$3,500.00
C. CONTRACTUAL SERVICES		
		\$0.00
Category Sub-Total		\$0.00
D. EQUIPMENT		
		\$0.00
Category Sub-Total		\$0.00
E. OTHER DIRECT COSTS		
DUI Checkpoint Supplies	20.608	\$3,500.00
PAS Device/Calibration Supplies	20.608	\$6,300.00
Portable Light Tower	20.608	\$4,600.00
Traffic Control Devices	20.600	\$500.00
Category Sub-Total		\$14,900.00
F. INDIRECT COSTS		
		\$0.00
Category Sub-Total		\$0.00
GRANT TOTAL		\$240,000.00

BUDGET NARRATIVE	
PERSONNEL COSTS	QUANTITY
DUI/DL Checkpoints - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.	4
DUI Saturation Patrols - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.	58
Traffic Enforcement - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.	26
Distracted Driving - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.	26
Motorcycle Safety - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.	11
Night-time Click It Or Ticket - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.	6
Pedestrian and Bicycle Enforcement - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.	11
TRAVEL EXPENSES	
In State Travel - Costs are included for appropriate staff to attend conferences and training events supporting the grant goals and objectives and/or traffic safety. Local mileage for grant activities and meetings is included. Anticipated travel may include (enter other known conferences or required events). All conferences, seminars or training not specifically identified in the Schedule B-1 (Budget Narrative) must be approved by OTS. All travel claimed must be at the agency approved rate. Per Diem may not be claimed for meals provided at conferences when registration fees are paid with OTS grant funds.	1
CONTRACTUAL SERVICES	
-	
EQUIPMENT	
-	
OTHER DIRECT COSTS	
DUI Checkpoint Supplies - On-scene supplies needed to conduct sobriety checkpoints. Costs may include 28" traffic cones, MUTCD compliant traffic signs, MUTCD compliant high visibility vests (maximum of 10), traffic counters (maximum of 2), generator, gas for generators, lighting, reflective banners, electronic flares, PAS device supplies, heater, propane for heaters, fan, anti-fatigue mats, and canopies. Additional items may be purchased if approved by OTS. The cost of food and beverages will not be reimbursed.	1
PAS Device/Calibration Supplies - Preliminary alcohol screening device to detect the presence of alcohol in a person's breath and calibration supplies to ensure accuracy. Costs may include mouth pieces, gas and accessories.	5
Portable Light Tower - High intensity light on a telescoping shaft and stabilized platform to illuminate a wide area for greater visibility during night time operations. Costs may include a generator and accessories.	1
Traffic Control Devices - Grantee Agency may purchase and distribute to various locations traffic control devices to be used in temporary traffic control situations. Costs may include 28" traffic cones, MUTCD compliant traffic signs, sign stands, barricades, lighting devices, traffic control wands,	1

electronic flares Additional items may be purchased if approved by OTS. Each item must have a unit cost of less than \$5,000 (including tax, shipping and installation).

INDIRECT COSTS

-

STATEMENTS/DISCLAIMERS

There will be no program income generated from this grant.

Nothing in this 'agreement' shall be interpreted as a requirement, formal or informal, that a particular law enforcement officer issue a specified or predetermined number of citations in pursuance of the goals and objectives.

CERTIFICATIONS AND ASSURANCES

Failure to comply with applicable Federal statutes, regulations, and directives may subject Grantee Agency officials to civil or criminal penalties and/or place the State in a high risk grantee status in accordance with 49 CFR §18.12.

The officials named on the grant agreement, certify by way of signature on the grant agreement signature page, that the Grantee Agency complies with all applicable Federal statutes, regulations, and directives and State rules, guidelines, policies and laws in effect with respect to the periods for which it receives grant funding. Applicable provisions include, but are not limited to, the following:

- 23 U.S.C. Chapter 4—Highway Safety Act of 1966, as amended
- 49 CFR Part 18—Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments
- 23 CFR Part 1200—Uniform Procedures for State Highway Safety Grant Programs

NONDISCRIMINATION

The Grantee Agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (Pub. L. 88- 352), which prohibits discrimination on the basis of race, color or national origin (and 49 CFR Part 21); (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683 and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and the Americans with Disabilities Act of 1990 (Pub. L. 101-336), as amended (42 U.S.C. 12101, et seq.), which prohibits discrimination on the basis of disabilities (and 49 CFR Part 27); (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107), which prohibits discrimination on the basis of age; (e) the Civil Rights Restoration Act of 1987 (Pub. L. 100-259), which requires Federal-aid recipients and all sub-recipients to prevent discrimination and ensure nondiscrimination in all of their programs and activities; (f) the Drug Abuse Office and Treatment Act of 1972 (Pub. L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (g) the comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (Pub. L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (h) Sections 523 and 527 of the Public Health Service Act of 1912, as amended (42 U.S.C. 290dd-3 and 290ee-3), relating to confidentiality of alcohol and drug abuse patient records; (i) Title VIII of the Civil Rights Act of 1968, as amended (42 U.S.C. 3601, et seq.), relating to nondiscrimination in the sale, rental or financing of housing; (j) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (k) the requirements of any other nondiscrimination statute(s) which may apply to the application.

BUY AMERICA ACT

The Grantee Agency will comply with the provisions of the Buy America Act (49 U.S.C. 5323(j)), which contains the following requirements:

Only steel, iron and manufactured products produced in the United States may be purchased with Federal funds unless the Secretary of Transportation determines that such domestic purchases would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. Clear justification for the purchase of non-domestic items must be in the form of a waiver request submitted to and approved by the Secretary of Transportation.

POLITICAL ACTIVITY (HATCHACT)

The Grantee Agency will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508) which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

CERTIFICATION REGARDING FEDERAL LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form- LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, sub-grants, and contracts under grant, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

RESTRICTION ON STATE LOBBYING

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

CERTIFICATION REGARDING DEBARMENT AND SUSPENSION

Instructions for Primary Certification

1. By signing and submitting this grant agreement, the Grantee Agency Official is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the Grantee Agency Official to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the Grantee Agency Official knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.
4. The Grant Agency Official shall provide immediate written notice to the department or agency to which this grant agreement is submitted if at any time the Grantee Agency Official learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms *covered transaction*, *debarred*, *suspended*, *ineligible*, *lower tier covered transaction*, *participant*, *person*, *primary covered transaction*, *principal*, *grant agreement*, and *voluntarily excluded*, as used in this clause, have the meaning set out in the Definitions and coverage sections of 49 CFR Part 29. You may contact the department or agency to which this grant agreement is being submitted for assistance in obtaining a copy of those regulations.
6. The Grantee Agency Official agrees by submitting this grant agreement that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who

is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The Grantee Agency Official further agrees by submitting this grant agreement that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the list of Parties Excluded from Federal Procurement and Non-procurement Programs.
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters-Primary Covered Transactions

1. The Grantee Agency Official certifies to the best of its knowledge and belief, that its principals:
 - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;
 - b. Have not within a three-year period preceding this grant agreement been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of record, making false statements, or receiving stolen property;
 - c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - d. Have not within a three-year period preceding this application/grant agreement had one or more public transactions (Federal, State, or local) terminated for cause or default.
2. Where the Grantee Agency Official is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this grant agreement.

Instructions for Lower Tier Certification

1. By signing and submitting this grant agreement, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this grant agreement is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms *covered transaction*, *debarred*, *suspended*, *ineligible*, *lower tier covered transaction*, *participant*, *person*, *primary covered transaction*, *principal*, *grant agreement*, and *voluntarily excluded*, as used in this clause, have the meanings set out in the Definition and Coverage sections of 49 CFR Part 29. You may contact the person to whom this grant agreement is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this grant agreement that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or

voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this grant agreement that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion— Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. (See below)
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-procurement Programs.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transactions:

1. The prospective lower tier participant certifies, by submission of this grant agreement, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this grant agreement.



CITY OF HAYWARD

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

File #: CONS 18-002

DATE: January 16, 2018

TO: Mayor and City Council

FROM: Director of Maintenance Services

SUBJECT

Authorization to Negotiate and Execute an Agreement with Dude Solutions for the Purchase of Computerized Maintenance Management System and Facility Condition Assessment

RECOMMENDATION

That the City Council adopts the attached Resolution (Attachment II) authorizing the City Manager to execute an agreement with Dude Solutions for the purchase of Computerized Maintenance Management System and Facility Condition Assessment.

ATTACHMENTS

Attachment I Staff Report
Attachment II Resolution



DATE: January 16, 2018

TO: Mayor & City Council

FROM: Director of Maintenance Services

SUBJECT: Authorization to Negotiate and Execute an Agreement with Dude Solutions for the Purchase of Computerized Maintenance Management System and Facility Condition Assessment

RECOMMENDATION

That the City Council adopts the attached Resolution (Attachment II) authorizing the City Manager to execute an agreement with Dude Solutions for the purchase of Computerized Maintenance Management System and Facility Condition Assessment.

SUMMARY

After researching multiple firms who provide cloud-based facility maintenance software platforms, staff has selected Dude Solutions based on their experience, expertise and their history of effective implementations in other government agencies. Dude Solutions currently holds the NJPA (National Joint Powers Alliance) contract for facility CMMS.

BACKGROUND

As the City continues to grow, both in size and age, the need to effectively manage workflow, records, and data for infrastructure, as well as routine, reactive, preventive, and future maintenance, is becoming more and more crucial. Over the past few years, it has become increasingly apparent that current practices are inefficient, resulting in an excessive amount of staff time spent attempting to accurately log and track data that could be automated through a computerized maintenance management system.

Maintenance Management and Workflow

The Facilities Division is responsible for the daily and long-term maintenance of thirty-four City-owned facilities and the associated capital replacement schedules of their components. Currently, all maintenance, inspection, and project data is managed manually through multiple large, complex, and in many cases, unwieldy spreadsheets and databases. The current practice of managing this large amount of data is time-consuming, inefficient, and error-prone. This not only impacts administration staff, but also maintenance staff in the field. They are required to complete daily activity logs and checklists, which are then submitted for approval to a manager who ultimately logs the information into the databases and

spreadsheets. Extracting and analyzing pertinent data for use in staff reports, budget documents, and to make staffing decisions (based on reviewing the amount of staff time it takes to complete certain tasks) is also, in many cases, a lengthy process.

Maintenance-related data currently being manually tracked includes, but is not limited to:

- Weekly Task Sheets – weekly tasks are listed on paper task sheets for each maintenance employee. Tasks are then manually tabulated and logged into spreadsheets as a record of maintenance activities.
- Routine Inspection Reports - these reports are completed for items such as, but not limited to, HVAC, lighting, roofing and monthly generator testing to ensure City equipment and facilities are functioning as designed and are safe. Maintenance staff currently completes inspection reports using paper checklists. The inspection report is then forwarded to administration staff, and if an issue is noted, the issue is inputted into a spreadsheet and subsequently followed up with a CRM.

On December 7, 2017, staff presented this item to the Council Technology Application Committee (CTAC). The Committee unanimously recommended approval of the item to the full Council.

DISCUSSION

Computerized Maintenance Management System Research

In an effort to streamline facility maintenance tasks, staff began researching alternate solutions to current processes that are time-consuming, inefficient, and error-prone. Needs of the Facilities Division were identified as follows:

- Automated workflow, work orders, and reporting
- Capital Forecasting
- Inventory Management
- Record Keeping
- Job Costing - time and materials
- Accountability - maximizing response time, productivity and efficiency

After considering many options and reaching out to other agencies, staff narrowed their choices down to two firms, Maintenance Connection and Dude Solutions. Live demonstrations, including staff from Maintenance Services Administration and the Facilities Division, were scheduled for each product. Maintenance Connection was eventually eliminated as their program was not as user-friendly as Dude Solutions, nor did it contain a capital forecasting module.

San Ramon Valley Unified School District (SRVUSD), City of San Leandro, and City of Concord have all acquired Dude Solutions. The City of San Leandro recently completed implementation, while SRVUSD and the City of Concord are currently using the system.

City staff met with representatives from both SRVUSD and the City of Concord; both report they are very satisfied with Dude Solutions system, customer service, and implementation process.

Facility Condition Assessment and Capital Forecast

A major component of this project will be the creation of a long-term capital forecast through a facility condition assessment. The capital forecasting field data collection and condition assessment is meant to capture information of all major building systems to the individual component level, including all components considered capital repair items (as opposed to maintenance level items). This type of real-life data analysis will provide a more accurate equipment life-cycle and provide a solid basis for predicting budget and equipment needs in the future. Equally as important, the forecast will reflect potential cost impacts of not replacing components in a timely manner. Examples of the types of components which will be included are as follows:

- Heating System
- Ventilation System
- Air Conditioning System
- Roofing System
- Electrical System
- Plumbing

The City of San Leandro released a Request for Proposals (RFP) in 2015 and received seven (7) qualified bids from leading Computerized Maintenance Management Systems vendors including: TruePoint (Accela), AssetWorks, MaintStar, Hiperweb, Dude Solutions, Robert Stephens, and Veoci. Dude Solutions was selected based on the quality of their submission, the overall ease of use of their software compared to the others, their mobile app (which outperformed others, while some did not even have this functionality), and their detailed project implementation plan. In addition, they were the lowest priced bidder.

Dude Solutions was awarded a contract (#110515-SDI) for Public Sector Administrative-Related Software Solutions & Technology Services by the National Joint Powers Association (NJPA). All government agencies may purchase from the competitively bid contract and take advantage of low bid pricing. Such “piggy-back” cooperative contracts satisfy the competitive requirements of the City’s Purchasing Ordinance.

After comparing products based on how well they met the needs of the City, cost of acquisition and implementation, ease of use, and ongoing support, staff is recommending moving forward with Dude Solutions.

ECONOMIC IMPACT

There is no economic impact associated with this project.

FISCAL IMPACT

The total cost to implement Dude Solutions is \$94,527. The NJPA contract award qualifies the City for a discount on pricing, resulting in a savings of 6% on the software quick start, 11% on the annual renewal every year thereafter, and a 3% discount on the facility condition assessment. The total cost itemization, including the NJPA discount, is as follows:

1. Dude Solution's Modules and One-Time Implementation: \$20,605, includes implementation plan as outlined above, two (2) tuitions at the annual user's conference (Dude University), and first year (FY 2017/18) annual cost for support and updates.
2. Facility Equipment Inventory Data Collection, Preventative Maintenance Tasking and Generation, and Facility Condition Assessment with Report: \$73,922.
3. Annual Renewal: \$12,451 (includes unlimited support and software updates). There is no long-term contract agreement required, and the agreement can be cancelled at any time without penalty. If the contract is not renewed, the data can be retained and transferred to a different format or system.

Sufficient funding for this purchase is available through the adopted FY18 Facilities Capital Improvement Program.

STRATEGIC INITIATIVES

This agenda item supports the Complete Communities Strategic Initiative. The purpose of the Complete Communities strategic initiative is to create and support structures, services, and amenities to provide inclusive and equitable access with the goal of becoming a thriving and promising place to live, work and play for all. This item supports the following goals:

Goal #1 Improve quality of life for residents, business owners, and community members in all Hayward neighborhoods.

SUSTAINABILITY FEATURES

The implementation of a Computerized Maintenance Management System will provide a more thorough preventative maintenance plan for the repairs and replacement of facility components in a manner consistent with the City's sustainability policies.

PUBLIC CONTACT

This project supports an internal department function and no public comment was sought. Staff contacted other local agencies as mentioned in this report to gauge satisfaction and solicit feedback regarding their current facilities CMMS.

NEXT STEPS

1. Upon Council approval, staff will begin the process of purchasing the Computerized Maintenance Management System through Dude Solutions.
2. February 2018 – July 2018: Implementation Period

Prepared by: Allen Koscinski, Facilities and Building Manager

Recommended by: Todd Rullman, Maintenance Services Director

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 18-

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH DUDE SOLUTIONS FOR THE PURCHASE OF COMPUTERIZED MAINTENANCE MANAGEMENT SYSTEM AND FACILITY CONDITION ASSESSMENT.

WHEREAS, the City of Hayward in October 2017 solicited bids for computerized maintenance management system and facility condition assessment,

WHEREAS, the City of Hayward intends to award the contract to Dude Solutions for the bid price of \$94,527 as an extension of the National Joint Powers Alliance procurement process it undertook in October 2017.

WHEREAS, the project is funded in the Facilities Division Operating Fund, which is adopted annually and is included in the General Fund budget.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized and directed to execute an agreement with Dude Solutions for computerized maintenance management system and facility condition assessment.

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



CITY OF HAYWARD

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

File #: CONS 18-032

DATE: January 16, 2018

TO: Mayor and City Council

FROM: Interim Director of Public Works

SUBJECT

Mission Boulevard Corridor Improvements Phase 2 Project - Award of Construction Contract to DeSilva Gates Construction and Amendment to Professional Services Agreement with BKF Engineers

RECOMMENDATION

That Council adopts the attached resolutions (Attachment II and III):

1. Approving Addenda Nos. 1 through 5, providing revisions to the plans and specifications for the Mission Boulevard Corridor Improvements Phase 2 project;
2. Awarding the contract to DeSilva Gates Construction in the amount of \$22,675,106 and authorizing the expenditure of up to \$32,500,000 for the total project, including contingencies; and
3. Authorizing the City Manager to execute an amendment to the Professional Services Agreement with BKF Engineers in an amount not-to-exceed \$450,000.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution
Attachment III	Resolution
Attachment IV	Bid Summary



DATE: January 16, 2018

TO: Mayor and City Council

FROM: Interim Director of Public Works

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3. Authorizing the City Manager to execute an amendment to the Professional Services Agreement with BKF Engineers in an amount not-to-exceed \$450,000.

BACKGROUND

On November 27, 2007, Council approved Phase 1 of the Route 238 Corridor Improvement Project, which covered roadway and street improvements on Mission Boulevard (from A Street to Industrial Parkway) and Foothill Boulevard (from Mission Boulevard to Apple Avenue) and certified the Final Environmental Impact Report (FEIR) for the project. Subsequently, Caltrans relinquished portions of State Routes 92, 185, and 238 to the City within the Phase 1 project limits. During relinquishment discussions, the City and Caltrans agreed that Caltrans would relinquish, and the City would accept most of the remaining state highways within the City boundaries after the Phase 1 project was completed, and after sufficient Local Area Transportation Improvement Program (LATIP) funding became available to improve these additional highway segments.

Construction of the Phase 1 project was completed in January 2014. LATIP funds totaling \$30 million were approved by the California Transportation Commission (CTC) for use on this project. The CTC allocated \$8.1 million of this amount for the Route 238 Phase 1 expenses and \$2.0 million for the design of Mission Boulevard Phase 2 (State Route 238, from Industrial Parkway to the South City limit) and 35% design of Mission Boulevard Phase 3 (State Route 185, from A Street to the North City limit). The remaining \$19.9 million was allocated for the construction of Phase 2 and for the Adaptive Signal Timing on Jackson Street.

Phase 2 is a continuation of the Phase 1 project that will improve Mission Boulevard from Industrial Parkway to the South City limit near Blanche Street. On October 28, 2014, Council approved an agreement with BKF Engineers for professional services to begin design work for Phase 2.

At the CTC meeting on October 19, 2017, CTC relinquished the remaining portions of State Routes 238 (Mission Boulevard), 185 (Mission Boulevard), and 92 (Jackson Street between Watkins Street and Santa Clara Street within the City limits).

On September 19, 2017, Council approved the plans and specifications for the Mission Boulevard Corridor Improvements Phase 2 Project and called for bids to be received on October 31, 2017. Addenda Nos. 1 through 5 revised the drawings and specifications by adding information to the project documents that provided clarification to bidder questions, and revised the bid opening date to December 5, 2017.

DISCUSSION

Project Plans and Specifications

The Mission Boulevard Phase 2 project was designed to improve multi-modal access on this major north-south arterial roadway and the scope of work will include the following:

- Repair or reconstruct existing sidewalks, curbs and gutters, median islands, valley gutters, and driveways that are in poor condition or deficient
- Add new curb, gutter, and sidewalk in sections with missing sidewalk
- Remove existing trees in poor health or adversely impacted by the improvements
- Add new street trees near the back of sidewalks
- Add new storm drain inlets to improve drainage
- Rehabilitate existing pavement using Cold In-place Recycling (CIR) and a new pavement overlay
- Upgrade intersections to comply with the latest ADA accessibility standards
- Upgrade existing traffic signals, including those at intersections on portions of Jackson Street, to include Adaptive Traffic Management System technology, which will improve signal timing by adapting to the traffic conditions in real time.
- Add new signage and modifications to bus stops
- Add new fiber optic lines within the project limits, including a link to Fire Station #3 and spare conduits for future fiber optic lines
- Add new dimmable LED street lighting
- Underground existing overhead utility lines
- Add new protected bike lanes, including buffered divider planter strips
- Add new landscaping in the median islands and divider planter strips
- Add a new traffic signal at Mission Boulevard/Rousseau Street and a full traffic signal at Mission Boulevard/Blanche Street. The HAWK signal (pedestrian only activated) was recently installed at Mission Boulevard and Blanche Street to provide safe pedestrian crossing prior to the start of the school year. The Phase 2 project will make

further improvement by using most of the HAWK signal equipment and converting it to a full signalized intersection.

- Add new gateway entry features at Blanche Street
- Add new metal fence along existing residential wood fence on the west side

The bid documents originally included add alternatives for improvements that were to be included in the project dependent upon the bids received. They included the following additive bid alternates:

- 1) Alternate wood fence instead of metal fence
- 2) Replacement of Fairway Park signs
- 3) Update of Corrine Street entry wall
- 4) Replacement of irrigation system on the east side greenway park
- 5) Replacement of irrigation on the west side along the golf course

During the September 19, 2017 Council meeting for approval of the plans and specifications, Council directed staff to include alternate bid items 1 through 3 in the base project since those were important project features to the community. Those changes were made and the bid document add alternatives were revised to include the following:

- Additive Bid Alternate No. 1 – Replacement of irrigation system on the east side greenway park
- Additive Bid Alternate No. 2 – Replacement of irrigation on the west side along the golf course
- Additive Bid Alternate No. 3 – Adjustment of AT&T manholes, vaults, and boxes to new pavement and sidewalk elevation

Additive Bid Alternate No. 3 was added to the project as requested and would be paid for by AT&T. Depending on the bid prices, AT&T would decide if this Bid Alternate would be included in the construction contract.

On December 5, 2017, six bids were received for the project. DeSilva Gates Construction L.P. of Dublin, California, submitted the low bid of \$22,765,106, which was 5.3% below the engineer's estimate of \$24,049,000.50. Granite Construction Company of Santa Clara, California submitted the second low bid in the amount of \$23,954,138.75, which was 0.4% below the engineer's estimate. The six bids ranged from \$22,765,106 to \$28,252,067 (Attachment IV).

Staff finds DeSilva Gates Construction's bid documents to be responsive and has confirmed that they have licenses appropriate for this work. Therefore, staff recommends that Council award the contract to DeSilva Gates Construction in the amount of \$22,675,106, which is \$90,000 less than the beforementioned amount because Additive Bid Alternate No. 3 will not be included in the contract award. This is because, based on bid amounts, AT&T has decided to perform their own adjustment of utility manholes and boxes. Further, staff recommends that Council authorize the City Manager to expend up to \$32,500,000 for construction, construction contingencies, construction administration, inspection, testing, equipment and project design. The amount is set at \$2,267,510 (10% of construction cost).

Additional Services and Amendment to Professional Services Agreement

On October 28, 2014, Council authorized the City Manager to negotiate and execute an agreement with BKF Engineers for professional design services for the Mission Boulevard Corridor Improvements project in an amount not-to-exceed \$1,400,000. The original agreement did not include construction support. An estimated \$450,000 is needed for these services during the construction phase, and staff recommends that Council approve an increase to BKF Engineers' agreement by this amount.

Right of Way Acquisition

Staff continues to work on acquisition of easements. The project does not require the acquisition of property in fee. Public Utility Easements (PUE) for utility boxes, vaults, transformer pads and trenches were identified where these facilities cannot be in the sidewalk or street. Temporary Construction Easement (TCE) needs were identified for temporary access to construct driveway and sidewalk conforms and other miscellaneous work required along property frontages. These TCEs are also required by the utility companies for the service trench and panel work required to underground the overhead utility lines.

FISCAL IMPACT

The estimated project costs are as follows:

Description	Estimated Cost
A. Construction Contract	\$22,675,106
B. Construction Contingency (ACO)	\$2,267,510
C. Design	\$2,107,384
D. Utility Undergrounding Contracts	\$2,000,000 (estimated)
E. Consultant Construction Administration	\$450,000
F. Staff Construction Administration, Inspection & Testing	\$3,000,000
TOTAL	\$32,500,000

The Mission Boulevard Corridor Improvement for both Phases 2 and 3 will be funded by LATIP funds, Measure BB, and Rule 20A allocations for Underground District Nos. 29 and 30. The estimated funding breakdown is as follows:

Funding Source	Amount
LATIP	\$21,900,000
Measure BB	\$19,500,000
Rule 20A	\$2,900,000
TOTAL	\$44,300,000

The current project cost estimate based on the 65% level design for Phase 3 is \$15,500,000. A more accurate cost estimate will be provided with the next phase of design and ultimately with the bid amount when the Phase 3 project receives bids. Depending on actual bids received, and if needed, staff will identify and propose additional funds for Council consideration and approval to complete the Phase 3 project.

STRATEGIC INITIATIVES

This agenda item supports the Complete Streets Strategic Initiative. The purpose of the Complete Streets initiative is to build streets that are safe, comfortable, and convenient for travel for everyone, regardless of age or ability, including motorists, pedestrians, bicyclists, and public transportation riders. This item supports the following goals and objectives:

Goal 1: Prioritize safety for all modes of travel.

Objective 3: Ensure that roadway construction include complete streets elements.

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

1. Water

The project includes the installation of drought tolerant plants to reduce the amount of water usage.

2. Environment

This project has implemented Bay-Friendly Landscaping techniques to use native plants and climate appropriate plants for the median islands and sidewalk planters. The project will be reviewed for Bay-Friendly certification after the project is complete. Permeable pavers will also be used to treat storm water runoff from the sidewalk and to filter pollution from the storm water before it enters the San Francisco Bay. This project will use CIR to rehabilitate the pavement. The CIR method reuses the existing pavement as base material, conserves on new raw material resources, and reduces greenhouse gas emissions because of reduced hauling.

3. Energy

This project will install energy efficient LED street lights with dimming features to provide electricity and maintenance cost savings.

This project is categorically exempt from environmental review pursuant to Section 15301(c) of the CEQA Guidelines because it is a project consisting of repair, maintenance or minor

alteration of existing structures or facilitates and involves negligible or no expansion of the existing use.

PUBLIC CONTACT

After the construction contract is awarded, staff will send notices to affected residents and businesses regarding the project to inform them about the temporary inconvenience expected from the improvement work. Staff will provide periodic updates on the project on the City's website.

NEXT STEPS

If Council adopts the attached resolutions and awards the contract, the Mission Boulevard Corridor Improvements Phase 2 Project schedule is as follows:

Begin Construction	March 2018
Complete Construction	November 2019

Prepared by: Kathy Garcia, Deputy Director of Public Works

Recommended by: Alex Ameri, Interim Director of Public Works/Director of Utilities and Environmental Services

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 18-

Introduced by Council Member _____

RESOLUTION APPROVING ADDENDA NO. 1-5 FOR THE MISSION BOULEVARD CORRIDOR IMPROVEMENTS PHASE 2 PROJECT, PROJECT NO. 05270 AND AWARDING THE CONTRACT TO DESILVA GATES CONSTRUCTION

WHEREAS, by resolution on September 19, 2017, the City Council approved the plans and specifications for the Mission Boulevard Corridor Improvements Phase 2 Project, Project No. 05270, and called for bids to be received on October 31, 2017; and

WHEREAS, on October 19, 2017, Addendum No. 1 was provided to revise specifications; and

WHEREAS, on November 3, 2017, Addendum No. 2 was provided to revise the specifications, and revised the bid opening date to December 5, 2017; and

WHEREAS, on November 10, 2017, Addendum No. 3 was provided to revise the plans and specifications; and

WHEREAS, on November 28, 2017, Addendum No. 4 was provided to revise the plans and specifications; and

WHEREAS, on November 30, 2017, Addendum No. 5 was provided to revise the specifications; and

WHEREAS, on December 5, 2017, six bids were received, ranging from \$22,765,106 to \$28,252,067; DeSilva Gates Construction L.P. of Dublin, California submitted the low bid in the amount of \$22,765,106, which is 5.3% below the engineer's estimate of \$24,049,000.50; and

WHEREAS, DeSilva Gates Construction submitted, as required in the bid documents, Additive Bid Alternate No. 3 to adjust AT&T manholes, vaults, and boxes to new pavement and sidewalk elevation in the amount of \$90,000 which will not be included in the contract since AT&T has decided to perform their own utility manholes, vaults, and boxes; and

WHEREAS, the Administrative Change Order (ACO) or contingency budget of \$2,267,510 was not disclosed; and

HAYWARD CITY COUNCIL

RESOLUTION NO. 18-

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH BKF ENGINEERS FOR ADDITIONAL SERVICES ASSOCIATED WITH THE MISSION BOULEVARD CORRIDOR IMPROVEMENTS PROJECT

WHEREAS, the aforesaid parties have entered into that certain Agreement dated the 10th day of December 2014, entitled "Agreement for Professional Services between the City of Hayward and BKF Engineers for the Route 238 Corridor Improvement Project (Phase 2 and 3)" and

WHEREAS, the City and the Consultant desire to amend the Agreement in certain respects; 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 negotiate and execute, on behalf of the City of Hayward, an amendment to the agreement with BKF Engineers for additional services not-to-exceed \$450,000 associated with the Mission Boulevard Corridor Improvements Phase 2 Project.

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

PROJECT TITLE: MISSION BOULEVARD CORRIDOR IMPROVEMENTS - PHASE 2

PROJECT NO.: 05270

BIDS OPENED: DECEMBER 5, 2017

NUMBER OF BIDS RECEIVED: 6

M+

12/14/17

Morad Fakhrai, Director of Public Works

Date

BID SUMMARY

ENGINEER'S ESTIMATE

ITEM	ITEM CODE	DESCRIPTION	QTY.	UNIT	UNIT PRICE	TOTAL
1	10-1.08	MOBILIZATION	1	LS	2,000,000.00	2,000,000.00
2	10-1.30	CLEARING AND GRUBBING	1	LS	125,000.00	125,000.00
3	10-1.31	DEVELOP WATER SUPPLY	1	LS	55,000.00	55,000.00
4	10-1.02	WATER POLLUTION CONTROL	1	LS	300,000.00	300,000.00
5	10-1.02	PREPARE SWPPP	1	LS	10,000.00	10,000.00
6	10-1.09	MAINTAINING TRAFFIC	1	LS	600,000.00	600,000.00
7	10-1.33	ROADWAY EXCAVATION	16200	CY	60.00	972,000.00
8	10-1.28	REMOVE TREES	285	EA	500.00	142,500.00
9	10-1.29	REMOVE STREET LIGHT	37	EA	1,600.00	59,200.00
10	10-1.27	REMOVE TRAFFIC STRIPES, PAVEMENT MARKING, AND PAVMENT MARKER	1	LS	50,000.00	50,000.00
11	10-1.11	REMOVE CONCRETE CURB & GUTTER	6970	LF	11.00	76,670.00
12	10-1.11	REMOVE CONCRETE CURB	1125	LF	10.00	11,250.00
13	10-1.11	REMOVE CONCRETE MEDIAN CURB	13800	LF	10.00	138,000.00
14	10-1.11	REMOVE CONCRETE SIDEWALK	68470	SF	4.00	273,880.00
15	10-1.11	REMOVE CONCRETE MEDIAN	31600	SF	4.00	126,400.00
16	10-1.12	REMOVE ASPHALT CONCRETE PATH	32250	SF	3.50	112,875.00
17	10-1.14	REMOVE CONCRETE PLANTER	17	EA	200.00	3,400.00
18	10-1.11	REMOVE CONCRETE MEDIAN PAVER	2400	SF	4.00	9,600.00
19	10-1.15	REMOVE BRICK PILASTER	12	EA	1,000.00	12,000.00
20	10-1.21	REMOVE STORM WATER INLET	7	EA	1,200.00	8,400.00
21	10-1.20	REMOVE 12" STORM DRAIN	24	LF	50.00	1,200.00
22	10-1.20	REMOVE 18" STORM DRAIN	13	LF	70.00	910.00
23	10-1.25	ADJUST STORM DRAIN MANHOLE	5	EA	3,000.00	15,000.00
24	10-1.25	ADJUST SANITARY SEWER MANHOLE	5	EA	3,000.00	15,000.00
25	10-1.19	ABANDON 8" PLASTIC PIPE	33	LF	23.00	759.00
26	10-1.16	ADJUST/RELOCATE EXISTING BUS FACILITIES & MISC. ITEMS	1	EA	20,000.00	20,000.00
27	10-1.16	REMOVE/SALVAGE/REINSTALL BENCH	1	EA	1,500.00	1,500.00
28	10-1.16	REMOVE/SALVAGE/REINSTALL TRASH RECEPTACLE	4	EA	1,500.00	6,000.00
29	10-1.26	ADJUST WATER VALVE BOX & FRAME	64	EA	500.00	32,000.00
30	10-1.26	ADJUST WATER METER BOX & FRAME	19	EA	500.00	9,500.00
31	10-1.26	ADJUST MONUMENT BOX & FRAME	10	EA	1,500.00	15,000.00
32	10-1.26	ADJUST ANTI-SIPHON VALVE BOX & FRAME	1	EA	745.00	745.00
33	10-1.42	ADJUST STORM WATER INLET	3	EA	2,500.00	7,500.00
34	10-1.26	ADJUST ELECTRONIC TEST STATION BOX & COVER (PG&E - GAS)	1	EA	1,000.00	1,000.00
35	10-1.26	ADJUST TV BOX & COVER	1	EA	1,000.00	1,000.00
36	10-1.26	ADJUST TV CABLE BOX & COVER	3	EA	1,000.00	3,000.00

37	10-1.26	ADJUST TV VAULT	2	EA	2,500.00	5,000.00
38	10-1.26	ADJUST ELECTRICAL PULL BOX	1	EA	500.00	500.00
39	10-1.26	ADJUST AIR RELEASE VALVE BOX AND FRAME	1	EA	500.00	500.00
40	10-1.26	ADJUST GAS METER BOX AND FRAME	1	EA	500.00	500.00
41	10-1.17	ADJUST FIRE HYDRANT	9	EA	2,000.00	18,000.00
42	10-1.23	COLD PLANE	5040	SY	12.00	60,480.00
43	10-1.24	MILLING AND GRINDING	1680	SY	15.00	25,200.00
44	10-1.22	MOVABLE CURB OVER MANHOLE	11	EA	1,500.00	16,500.00
45	10-1.40	COLD-IN PLACE RECYCLING	427130	SF	2.50	1,067,825.00
46	10-1.45	DETECTABLE WARNING SURFACE	445	SF	32.00	14,240.00
47	10-1.37	HMA (TYPE A) - OVERLAY	9050	TN	100.00	905,000.00
48	10-1.37	HMA (TYPE A) - FULL PVMNT & FULL DEPTH	9690	TN	195.00	1,889,550.00
49	10-1.37	HMA (TYPE A) - PED/BIKE TRAIL IN LINEAR PARK	797	TN	150.00	119,550.00
50	10-1.53	SUBGRADE ENHANCEMENT GEOTEXTILE	1800	SY	3.00	5,400.00
51	10-1.35	AGGREGATE BASE - CLASS 2 (UNDER PED/BIKE TRAIL IN LINEAR PARK & FULL PVMNT)	2419	CY	80.00	193,520.00
52	10-1.44	MINOR CONCRETE SIDEWALK	91880	SF	14.00	1,286,320.00
53	10-1.44	MINOR CONCRETE "CURB RAMPS"	25	EA	4,500.00	112,500.00
54	10-1.44	MINOR CONCRETE MEDIAN PAVING	756	SF	12.00	9,072.00
55	10-1.44	MINOR CONCRETE 8' VERTICAL CURB (MEDIAN/ISLAND)	13500	LF	30.00	405,000.00
56	10-1.44	MINOR CONCRETE 6" VERTICAL CURB (PLANTER)	9680	LF	25.00	242,000.00
57	10-1.44	MINOR CONCRETE VERTICAL CURB MISC	960	LF	20.00	19,200.00
58	10-1.44	MINOR CONCRETE STANDARD/DEPRESSED CURB AND GUTTER	15120	LF	40.00	604,800.00
59	10-1.18	MODIFY INLET TO SDMH	1	EA	5000.00	5,000.00
60	10-1.42	STORM WATER INLET TYPE A	6	EA	4000.00	24,000.00
61	10-1.42	STORM WATER INLET TYPE D	1	EA	4000.00	4,000.00
62	10-1.43	REINFORCED CONCRETE PIPE 18"	270	LF	220.00	59,400.00
63	10-1.52	PLASTIC PIPE CURB DRAIN 3"	140	LF	10.00	1,400.00
64	10-1.43	REINFORCED CONCRETE PIPE 12"	36	LF	250.00	9,000.00
65	10-1.42	CALTRANS STORM WATER INLET G2 MOD	6	EA	4500.00	27,000.00
66	10-1.42	CALTRANS STORM WATER INLET GT4	1	EA	4500.00	4,500.00
67	10-3	TRAFFIC SIGNAL AT MISSION BLVD AND GARIN AVENUE	1	LS	320000.00	320,000.00
68	10-3	TRAFFIC SIGNAL AT MISSION BLVD AND ARROWHEAD WAY	1	LS	355000.00	355,000.00
69	10-3	TRAFFIC SIGNAL AT MISSION BLVD AND FAIRWAY STREET	1	LS	375000.00	375,000.00
70	10-3	TRAFFIC SIGNAL AT MISSION BLVD AND GRESEL STREET	1	LS	375000.00	375,000.00
71	10-3	TRAFFIC SIGNAL AT MISSION BLVD AND BLANCHE STREET	1	LS	275000.00	275,000.00
72	10-3	TRAFFIC SIGNAL AT MISSION BLVD AND ROUSSEAU STREET	1	LS	300000.00	300,000.00
73	10-1.46 to 10-1.51	SIGNING AND STRIPING (INCLUDING REMOVAL OF EXISTING SIGNS)	1	LS	375000.00	375,000.00
74	10-3	FURNISH AND INSTALL SPLICE ENCLOSURE FOR SIC	8	EA	2000.00	16,000.00
75	10-3	FURNISH AND INSTALL FIBER OPTIC LATERALS 12-STRAND FOR SIC	140	LF	5.00	700.00
76	10-3	FURNISH AND INSTALL TYPE 6E FIBER OPTIC PULL BOX FOR SIC	21	EA	1500.00	31,500.00
77	10-3	FURNISH AND INSTALL 2" FIBER OPTIC CONDUIT WITH 2" SPARE VIA TRENCHING FOR SIC	8000	LF	30.00	240,000.00
78	10-3	FURNISH AND INSTALL 96-STRAND FIBER OPTIC CABLE FOR SIC	8750	LF	13.00	113,750.00
79	10-3	INSTALL CONDUIT INTO EXISTING PULLBOX FOR SIC	2	EA	700.00	1,400.00
80	10-3	FURNISH AND INSTALL TRACER WIRE FOR SIC	8000	LF	3.00	24,000.00
81	10-2.05	INTERLOCKING PAVERS (INCLUDING PAVED NOSE)	10985	SF	20.00	219,700.00
82	10-2.07	DECOMPOSED GRANITE MULCH	14530	SF	6.00	87,180.00
83	10-2.04	BOULDERS	44	EA	800.00	35,200.00
84	10-1.36	BRICK COLUMNS	23	EA	4000.00	92,000.00
85	10-2.06	5'H METAL FENCE	2886	LF	255.00	735,930.00
86	10-2.04	FAIRWAY GATEWAY MONUMENT SIGN	1	LS	80000.00	80,000.00
87	10-2.04	CORRINE GATEWAY MONUMENT	1	LS	80000.00	80,000.00
88	10-2.04	ENTRY GATEWAY MONUMENT AT BLANCHE STREET	1	LS	167700.00	167,700.00
89	10-2.02	BARK MULCH- MEDIAN SOUTH OF BLANCHE AND WEST EASTMENT ZONE	27340	SF	2.00	54,680.00
90	10-2.02	SHRUB PLANTING AREA (INCLUDING FINE GRADING, SOIL AMENDMENT, PLANT MATERIALS)	50493	SF	5.00	252,465.00
91	10-2.02	TREES (24" BOX, INCLUDING ROOT BARRIERS ALONG ONE SIDE)	193	EA	700.00	135,100.00
92	10-2.02	TREES (15 GALLON, INCLUDING ROOT BARRIER ALONG BOTH SIDES AND AT BOTTOM)	141	EA	900.00	126,900.00
93	10-2.03	TREE BUBBLERS	334	EA	30.00	10,020.00
94	10-2.03	IRRIGATION CONTROLLER/ MASTER VALVE/BACKFLOW PREVENTOR/FLOW SENSOR	4	EA	12500.00	50,000.00
95	10-2.03	IRRIGATION WATER METER (TWO 1-1/2" WATER METERS REQUIRED FOR THE PROJECT PER ZONE 7 WATER CONNECTION FEES)	2	EA	124150.00	248,300.00
96	10-2.02	120-DAY PLANT ESTABLISHMENT PERIOD	1	LS	25000.00	25,000.00
97	10-2.03	IRRIGATION FOR SHRUB PLANTING AREA	50493	SF	14.00	706,902.00

98	10-2.02	IMPORTED TOPSOIL (MEDIANS, FAIRWAY PLANTER AND BLANCHE PLAZA)	1823	CY	65.00	118,495.00
99	10-2.02	IMPORTED TOPSOIL AT BIKE LANE PLANTER	1966	CY	65.00	127,790.00
100	10-2.02	24" BOX TREE PLANTING (FOR BIKE LANE DIVIDER PLANTERS)	8	EA	1800.00	14,400.00
101	10-2.07	STEEL HEADER	95	LF	25.00	2,375.00
102	10-4	6" CONDUIT	14200	LF	13.00	184,600.00
103	10-4	4" CONDUIT	5300	LF	8.00	42,400.00
104	10-4	3" CONDUIT	1000	LF	7.00	7,000.00
105	10-4	50" X 52" TRANSFORMER PAD	3	EA	5000.00	15,000.00
106	10-4	4'6" X 8'6" X 6' #7-BOX PRIMARY BOX	8	EA	6500.00	52,000.00
107	10-4	4' X 6'6" X 5' #6-BOX SECONDARY BOX	5	EA	6000.00	30,000.00
108	10-4	17" X 30" X 18" #2-BOX SECONDARY BOX	7	EA	795.00	5,565.00
109	10-4	72" X 82" CAPACITOR PAD	1	EA	2500.00	2,500.00
110	10-4	3 PHASE PRIMARY RISER	8	EA	7500.00	60,000.00
111	10-4	METER PEDESTAL + BASE. TESCO 27-100	6	EA	6000.00	36,000.00
112	10-4	C.A.T.V. POWER SUPPLY (SUBSTRUCTURE ONLY)	1	EA	1800.00	1,800.00
113	10-4	24" X 36" X 12" B44 BOX (EXCAVATION ONLY)	4	EA	3000.00	12,000.00
114	10-4	30" X 60" X 24" B52 BOX (EXCAVATION ONLY)	2	EA	4000.00	8,000.00
115	10-4	4" DUCT FOR FIBER	14500	LF	10.00	145,000.00
116	10-4	3' X 5' X 3' FIBER BOX	9	EA	6000.00	54,000.00
117	10-4	24" X 55" JOINT TRENCH EXCAVATION AND BACKFILL	733	LF	220.00	161,260.00
118	10-4	30" X 55" JOINT TRENCH EXCAVATION AND BACKFILL	129	LF	230.00	29,670.00
119	10-4	18" X 56" JOINT TRENCH EXCAVATION AND BACKFILL	67	LF	210.00	14,070.00
120	10-4	18" X 50" JOINT TRENCH EXCAVATION AND BACKFILL	294	LF	180.00	52,920.00
121	10-4	18" X 55" JOINT TRENCH EXCAVATION AND BACKFILL	41	LF	210.00	8,610.00
122	10-4	18" X 53" JOINT TRENCH EXCAVATION AND BACKFILL	43	LF	180.00	7,740.00
123	10-4	18" X 43" JOINT TRENCH EXCAVATION AND BACKFILL	1059	LF	200.00	211,800.00
124	10-4	18" X 54" JOINT TRENCH EXCAVATION AND BACKFILL	3017	LF	210.00	633,570.00
125	10-4	18" X 41" JOINT TRENCH EXCAVATION AND BACKFILL	1224	LF	175.00	214,200.00
126	10-4	30" X 54" JOINT TRENCH EXCAVATION AND BACKFILL	696	LF	225.00	156,600.00
127	10-4	30" X 43" JOINT TRENCH EXCAVATION AND BACKFILL	24	LF	220.00	5,280.00
128	10-4	24" X 62" JOINT TRENCH EXCAVATION AND BACKFILL	165	LF	240.00	39,600.00
129	10-4	30" X 60" JOINT TRENCH EXCAVATION AND BACKFILL	48	LF	250.00	12,000.00
130	10-4	18" X 40" JOINT TRENCH EXCAVATION AND BACKFILL	45	LF	175.00	7,875.00
131	10-4	24" X 36" JOINT TRENCH EXCAVATION AND BACKFILL	273	LF	200.00	54,600.00
132	10-4	18" X 36" JOINT TRENCH EXCAVATION AND BACKFILL	94	LF	150.00	14,100.00
133	10-4	18" X 35" JOINT TRENCH EXCAVATION AND BACKFILL	383	LF	150.00	57,450.00
134	10-4	3' X 5' X 3'6" #5-BOX PRIMARY BOX	1	EA	5000.00	5,000.00
135	10-5	12" X 18" STREET LIGHT TRENCH AND BACKFILL	21200	LF	30.00	636,000.00
136	10-5	30' POLE, LUMEC GPLM 180W STREET LIGHT WITH, LUMEC S55 80W LIGHT WITH FOUNDATION	121	EA	10000.00	1,210,000.00
137	10-5	12' DECORATIVE POLE WITH S55 80W LIGHT W/ FOUNDATION	32	EA	7000.00	224,000.00
138	10-5	#6 N36 PULLBOX ASSEMBLY	148	EA	800.00	118,400.00
139	10-5	2" PVC, SCH 40, CONDUIT WITH 2 #8'S W/ GROUND CONDUCTORS	21250	LF	25.00	531,250.00
140	10-5	2" PVC, SCH 40 CONDUIT, WITH 2#6CU, 2#8, 2#10, 3#14, AND CCTV POWER CABLE WITH GROUND CONDUCTORS	240	LF	40.00	9,600.00
141	5-1.27	RECYCLING IMPLEMENTATION	1	LS	5000.00	5,000.00
					Total:	\$23,600,193.00
		ADDITIVE BID ALTERNATE NO. 1				
142	10-2.03	EAST MISSION BLVD GREENWAY IRRIGATION - SPRAY IRRIGATION	142482	SF	2.50	356,205.00
					Total:	356,205.00
		ADDITIVE BID ALTERNATE NO. 2				
143	10-2.03	WEST MISSION BLVD ARROWHEAD GOLF COURSE IRRIGATION - SPRAY IRRIGATION	6641	SF	2.50	16,602.50
					Total:	\$16,602.50
		ADDITIVE BID ALTERNATIVE NO. 3				
144	10-1.25	ADJUST PACBELL MANHOLE	36	EA	\$1,500.00	\$54,000.00
145	10-1.26	ADJUST PACBELL TEL VAULT	5	EA	\$3,600.00	\$18,000.00
146	10-1.27	ADJUST PACBELL TEL BOX	4	EA	\$1,000.00	\$4,000.00
					Total:	\$76,000.00
					GRAND TOTAL:	\$24,049,000.50

AWARDED

DeSilva-Gates Construction		Granite Construction		Ghilotti Construction		Bay Cities Paving & Grading, Inc.		O'Grady Paving, Inc.		Redgwick Construction	
11555 Dublin Blvd Dublin, CA 94568		715 Comstock Company Santa Clara, CA 95054		246 Ghilotti Avenue Santa Rosa, CA 95407		1450 Civic Ct, Bldg B #400 Concord, CA 94520		2513 Wyandotte Street Mountain View, CA 94043		21 Hegenberger Court Oakland, CA 94621	
Phone No.		Phone No.		Phone No.		Phone No.		Phone No.		Phone No.	
Fax. No.		Fax. No.		Fax. No.		Fax. No.		Fax. No.		Fax. No.	
UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
2,276,000.00	2,276,000.00	3,000,000.00	3,000,000.00	1,705,000.00	1,705,000.00	2,500,000.00	2,500,000.00	1,650,000.00	1,650,000.00	2,750,000.00	2,750,000.00
275,000.00	275,000.00	1,150,000.00	1,150,000.00	75,000.00	75,000.00	25,000.00	25,000.00	400,000.00	400,000.00	510,000.00	510,000.00
25,000.00	25,000.00	50,000.00	50,000.00	3,000.00	3,000.00	6,000.00	6,000.00	15,000.00	15,000.00	5,000.00	5,000.00
25,000.00	25,000.00	100,000.00	100,000.00	15,000.00	15,000.00	65,000.00	65,000.00	15,000.00	15,000.00	125,000.00	125,000.00
10,000.00	10,000.00	10,000.00	10,000.00	1,550.00	1,550.00	1,100.00	1,100.00	5,000.00	5,000.00	2,700.00	2,700.00
1,830,000.00	1,830,000.00	950,000.00	950,000.00	288,000.00	288,000.00	1,000,000.00	1,000,000.00	1,000,000.00	1,000,000.00	1,428,653.00	1,428,653.00
125.00	2,025,000.00	100.00	1,620,000.00	160.00	2,592,000.00	89.00	1,441,800.00	100.00	1,620,000.00	130.00	2,106,000.00
700.00	199,500.00	610.00	173,850.00	525.00	149,625.00	600.00	171,000.00	600.00	171,000.00	650.00	185,250.00
300.00	11,100.00	250.00	9,250.00	250.00	9,250.00	1,800.00	66,600.00	3,000.00	111,000.00	1,500.00	55,500.00
50,000.00	50,000.00	65,000.00	65,000.00	53,000.00	53,000.00	58,000.00	58,000.00	17,000.00	17,000.00	12,000.00	12,000.00
10.00	69,700.00	9.00	62,730.00	18.00	125,460.00	22.00	153,340.00	10.50	73,185.00	28.00	195,160.00
10.00	11,250.00	7.00	7,875.00	18.00	20,250.00	25.00	28,125.00	6.00	6,750.00	18.00	20,250.00
8.00	110,400.00	11.00	151,800.00	18.00	248,400.00	15.00	207,000.00	11.50	158,700.00	12.00	165,600.00
3.00	205,410.00	2.50	171,175.00	3.00	205,410.00	5.00	342,350.00	7.50	513,525.00	4.50	308,115.00
2.00	63,200.00	1.50	47,400.00	3.00	94,800.00	9.00	284,400.00	10.00	316,000.00	3.00	94,800.00
4.00	129,000.00	1.50	48,375.00	3.00	96,750.00	2.50	80,625.00	2.00	64,500.00	1.75	56,437.50
400.00	6,800.00	300.00	5,100.00	500.00	8,500.00	1,500.00	25,500.00	10.00	170.00	300.00	5,100.00
2.00	4,800.00	4.50	10,800.00	7.00	16,800.00	4.50	10,800.00	5.00	12,000.00	6.00	14,400.00
1,000.00	12,000.00	1,100.00	13,200.00	1,000.00	12,000.00	1,500.00	18,000.00	1,000.00	12,000.00	800.00	9,600.00
2,000.00	14,000.00	1,300.00	9,100.00	1,500.00	10,500.00	1,000.00	7,000.00	2,000.00	14,000.00	1,300.00	9,100.00
50.00	1,200.00	100.00	2,400.00	50.00	1,200.00	180.00	4,320.00	100.00	2,400.00	130.00	3,120.00
50.00	650.00	150.00	1,950.00	70.00	910.00	330.00	4,290.00	200.00	2,600.00	110.00	1,430.00
1,500.00	7,500.00	2,300.00	11,500.00	1,250.00	6,250.00	1,700.00	8,500.00	1,000.00	5,000.00	2,000.00	10,000.00
1,500.00	7,500.00	2,300.00	11,500.00	1,250.00	6,250.00	1,700.00	8,500.00	1,000.00	5,000.00	2,000.00	10,000.00
50.00	1,650.00	70.00	2,310.00	50.00	1,650.00	25.00	825.00	50.00	1,650.00	55.00	1,815.00
20,000.00	20,000.00	5,400.00	5,400.00	3,000.00	3,000.00	13,000.00	13,000.00	35,000.00	35,000.00	3,500.00	3,500.00
5,000.00	5,000.00	2,200.00	2,200.00	750.00	750.00	400.00	400.00	1,000.00	1,000.00	1,200.00	1,200.00
1,000.00	4,000.00	900.00	3,600.00	400.00	1,600.00	400.00	1,600.00	400.00	1,600.00	260.00	1,040.00
800.00	51,200.00	1,200.00	76,800.00	925.00	59,200.00	1,050.00	67,200.00	800.00	51,200.00	500.00	32,000.00
400.00	7,600.00	400.00	7,600.00	925.00	17,575.00	1,200.00	22,800.00	800.00	15,200.00	300.00	5,700.00
800.00	8,000.00	1,200.00	12,000.00	925.00	9,250.00	1,050.00	10,500.00	800.00	8,000.00	800.00	8,000.00
2,000.00	2,000.00	1,300.00	1,300.00	925.00	925.00	1,050.00	1,050.00	1,500.00	1,500.00	1,200.00	1,200.00
2,500.00	7,500.00	4,100.00	12,300.00	5,000.00	15,000.00	3,500.00	10,500.00	2,500.00	7,500.00	3,500.00	10,500.00
1,000.00	1,000.00	1,300.00	1,300.00	1,000.00	1,000.00	1,050.00	1,050.00	1,500.00	1,500.00	1,500.00	1,500.00
1,000.00	1,000.00	1,300.00	1,300.00	1,000.00	1,000.00	1,100.00	1,100.00	1,000.00	1,000.00	1,200.00	1,200.00
1,000.00	3,000.00	840.00	2,520.00	1,000.00	3,000.00	1,100.00	3,300.00	1,000.00	3,000.00	1,500.00	4,500.00

1,000.00	2,000.00	1,800.00	3,600.00	2,500.00	5,000.00	4,500.00	9,000.00	2,500.00	5,000.00	2,000.00	4,000.00
1,000.00	1,000.00	1,300.00	1,300.00	800.00	800.00	1,000.00	1,000.00	600.00	600.00	500.00	500.00
1,000.00	1,000.00	1,800.00	1,800.00	1,000.00	1,000.00	1,000.00	1,000.00	1,800.00	1,800.00	1,100.00	1,100.00
1,000.00	1,000.00	1,300.00	1,300.00	800.00	800.00	1,000.00	1,000.00	800.00	800.00	900.00	900.00
2,000.00	18,000.00	3,000.00	27,000.00	2,000.00	18,000.00	5,500.00	49,500.00	1,200.00	10,800.00	3,500.00	31,500.00
10.00	50,400.00	10.00	50,400.00	10.00	50,400.00	20.00	100,800.00	11.00	55,440.00	9.00	45,360.00
10.00	16,800.00	22.00	36,960.00	12.00	20,160.00	20.00	33,600.00	11.00	18,480.00	11.00	18,480.00
3,000.00	33,000.00	4,000.00	44,000.00	2,500.00	27,500.00	3,100.00	34,100.00	500.00	5,500.00	2,000.00	22,000.00
1.50	640,695.00	1.50	640,695.00	1.40	597,982.00	1.59	679,136.70	1.60	683,408.00	1.60	683,408.00
35.00	15,575.00	50.00	22,250.00	25.00	11,125.00	40.00	17,800.00	45.00	20,025.00	30.00	13,350.00
100.00	905,000.00	100.00	905,000.00	125.00	1,131,250.00	87.00	787,350.00	90.00	814,500.00	100.00	905,000.00
150.00	1,453,500.00	105.00	1,017,450.00	150.00	1,453,500.00	125.00	1,211,250.00	150.00	1,453,500.00	170.00	1,647,300.00
100.00	79,700.00	95.00	75,715.00	125.00	99,625.00	90.00	71,730.00	150.00	119,550.00	120.00	95,640.00
10.00	18,000.00	2.45	4,410.00	25.00	45,000.00	14.00	25,200.00	5.00	9,000.00	6.00	10,800.00
125.00	302,375.00	85.00	205,615.00	85.00	205,615.00	82.00	198,358.00	60.00	145,140.00	60.00	145,140.00
9.00	826,920.00	8.00	735,040.00	7.00	643,160.00	10.00	918,800.00	12.50	1,148,500.00	10.00	918,800.00
2000.00	50,000.00	3600.00	90,000.00	2500.00	62,500.00	5800.00	145,000.00	6200.00	155,000.00	6000.00	150,000.00
20.00	15,120.00	25.00	18,900.00	10.00	7,560.00	30.00	22,680.00	16.00	12,096.00	27.00	20,412.00
22.00	297,000.00	28.00	378,000.00	30.00	405,000.00	35.00	472,500.00	46.00	621,000.00	50.00	675,000.00
25.00	242,000.00	31.00	300,080.00	30.00	290,400.00	36.50	353,320.00	46.00	445,280.00	60.00	580,800.00
40.00	38,400.00	50.00	48,000.00	35.00	33,600.00	48.00	46,080.00	45.00	43,200.00	78.00	74,880.00
35.00	529,200.00	35.50	536,760.00	37.00	559,440.00	37.00	559,440.00	78.00	1,179,360.00	60.00	907,200.00
4000.00	4,000.00	10000.00	10,000.00	5000.00	5,000.00	5500.00	5,500.00	3000.00	3,000.00	5500.00	5,500.00
5000.00	30,000.00	8400.00	50,400.00	8000.00	48,000.00	5000.00	30,000.00	7000.00	42,000.00	3500.00	21,000.00
5000.00	5,000.00	8400.00	8,400.00	8000.00	8,000.00	6000.00	6,000.00	7500.00	7,500.00	3500.00	3,500.00
400.00	108,000.00	125.00	33,750.00	350.00	94,500.00	165.00	44,550.00	300.00	81,000.00	280.00	75,600.00
20.00	2,800.00	20.00	2,800.00	30.00	4,200.00	50.00	7,000.00	35.00	4,900.00	60.00	8,400.00
400.00	14,400.00	175.00	6,300.00	350.00	12,600.00	155.00	5,580.00	200.00	7,200.00	260.00	9,360.00
5000.00	30,000.00	8000.00	48,000.00	12000.00	72,000.00	5000.00	30,000.00	7500.00	45,000.00	8500.00	51,000.00
7000.00	7,000.00	13000.00	13,000.00	22000.00	22,000.00	6000.00	6,000.00	7500.00	7,500.00	6500.00	6,500.00
250000.00	250,000.00	400000.00	400,000.00	300000.00	300,000.00	200000.00	200,000.00	335000.00	335,000.00	400000.00	400,000.00
300000.00	300,000.00	400000.00	400,000.00	350000.00	350,000.00	250000.00	250,000.00	385000.00	385,000.00	400000.00	400,000.00
300000.00	300,000.00	350000.00	350,000.00	350000.00	350,000.00	250000.00	250,000.00	385000.00	385,000.00	400000.00	400,000.00
300000.00	300,000.00	350000.00	350,000.00	335000.00	335,000.00	250000.00	250,000.00	385000.00	385,000.00	400000.00	400,000.00
250000.00	250,000.00	350000.00	350,000.00	350000.00	350,000.00	250000.00	250,000.00	345000.00	345,000.00	400000.00	400,000.00
250000.00	250,000.00	285000.00	285,000.00	300000.00	300,000.00	250000.00	250,000.00	310000.00	310,000.00	400000.00	400,000.00
300000.00	300,000.00	400000.00	400,000.00	250000.00	250,000.00	275000.00	275,000.00	325000.00	325,000.00	250000.00	250,000.00
3000.00	24,000.00	1100.00	8,800.00	1100.00	8,800.00	3200.00	25,600.00	1300.00	10,400.00	1200.00	9,600.00
4.00	560.00	200.00	28,000.00	200.00	28,000.00	50.00	7,000.00	200.00	28,000.00	240.00	33,600.00
1000.00	21,000.00	1000.00	21,000.00	1000.00	21,000.00	1600.00	33,600.00	1200.00	25,200.00	1100.00	23,100.00
20.00	160,000.00	25.00	200,000.00	20.00	160,000.00	46.50	372,000.00	24.00	192,000.00	21.00	168,000.00
6.00	52,500.00	7.00	61,250.00	7.00	61,250.00	20.00	175,000.00	7.00	61,250.00	7.50	65,625.00
300.00	600.00	2500.00	5,000.00	2500.00	5,000.00	1700.00	3,400.00	1700.00	3,400.00	2800.00	5,600.00
2.00	16,000.00	1.50	12,000.00	1.50	12,000.00	3.32	26,560.00	1.90	15,200.00	1.50	12,000.00
20.00	219,700.00	13.50	148,297.50	23.00	252,655.00	21.00	230,685.00	30.00	329,550.00	30.00	329,550.00
2.00	29,060.00	2.50	36,325.00	2.25	32,692.50	3.00	43,590.00	2.50	36,325.00	15.00	217,950.00
700.00	30,800.00	750.00	33,000.00	730.00	32,120.00	810.00	35,640.00	2000.00	88,000.00	1900.00	83,600.00
5000.00	115,000.00	5000.00	115,000.00	5500.00	126,500.00	11000.00	253,000.00	5000.00	115,000.00	8500.00	195,500.00
200.00	577,200.00	500.00	1,443,000.00	330.00	952,380.00	364.00	1,050,504.00	365.00	1,053,390.00	345.00	995,670.00
4000.00	40,000.00	93000.00	93,000.00	150000.00	150,000.00	175000.00	175,000.00	70000.00	70,000.00	85000.00	85,000.00
5000.00	50,000.00	55000.00	55,000.00	50000.00	50,000.00	100000.00	100,000.00	50000.00	50,000.00	95000.00	95,000.00
20000.00	200,000.00	240000.00	240,000.00	100000.00	100,000.00	250000.00	250,000.00	130000.00	130,000.00	185000.00	185,000.00
1.00	27,340.00	1.00	27,340.00	0.90	24,606.00	1.00	27,340.00	1.10	30,074.00	1.00	27,340.00
3.00	151,479.00	3.50	176,725.50	3.20	161,577.60	3.54	178,745.22	6.30	318,105.90	5.50	277,711.50
800.00	154,400.00	800.00	154,400.00	760.00	146,680.00	842.00	162,506.00	87.00	16,791.00	650.00	125,450.00
1000.00	141,000.00	650.00	91,650.00	1250.00	176,250.00	1384.00	195,144.00	1100.00	155,100.00	1000.00	141,000.00
20.00	6,680.00	25.00	8,350.00	21.00	7,014.00	23.25	7,765.50	34.50	11,523.00	33.00	11,022.00
12000.00	48,000.00	1500.00	6,000.00	12850.00	51,400.00	14200.00	56,800.00	18000.00	72,000.00	17000.00	68,000.00
15000.00	30,000.00	10000.00	200,000.00	5000.00	10,000.00	500.00	1,000.00	10000.00	20,000.00	1000.00	2,000.00
20000.00	20,000.00	30000.00	30,000.00	28000.00	28,000.00	31200.00	31,200.00	21200.00	21,200.00	18000.00	18,000.00
12.00	605,916.00	15.00	757,395.00	16.00	807,888.00	13.00	656,409.00	15.35	775,067.55	13.50	681,655.50

70.00	127,610.00	75.00	136,725.00	71.00	129,433.00	79.00	144,017.00	83.00	151,309.00	40.00	72,920.00
70.00	137,620.00	75.00	147,450.00	71.00	139,586.00	79.00	155,314.00	83.00	163,178.00	40.00	78,640.00
2500.00	20,000.00	2500.00	20,000.00	2350.00	18,800.00	2600.00	20,800.00	960.00	7,680.00	1300.00	10,400.00
10.00	950.00	32.00	3,040.00	11.00	1,045.00	12.00	1,140.00	29.00	2,755.00	30.00	2,850.00
12.00	170,400.00	11.00	156,200.00	15.00	213,000.00	24.00	340,800.00	27.00	383,400.00	16.00	227,200.00
8.00	42,400.00	8.50	45,050.00	8.50	45,050.00	7.00	37,100.00	10.00	53,000.00	9.50	50,350.00
7.00	7,000.00	10.00	10,000.00	10.00	10,000.00	5.54	5,540.00	7.00	7,000.00	11.00	11,000.00
3000.00	9,000.00	6250.00	18,750.00	6250.00	18,750.00	6000.00	18,000.00	7000.00	21,000.00	6500.00	19,500.00
5000.00	40,000.00	6000.00	48,000.00	21500.00	172,000.00	18300.00	146,400.00	26000.00	208,000.00	22000.00	176,000.00
4000.00	20,000.00	5000.00	25,000.00	20650.00	103,250.00	16600.00	83,000.00	22000.00	110,000.00	22000.00	110,000.00
1500.00	10,500.00	1325.00	9,275.00	1325.00	9,275.00	2700.00	18,900.00	2700.00	18,900.00	2450.00	17,150.00
3000.00	3,000.00	6790.00	6,790.00	6790.00	6,790.00	6500.00	6,500.00	18500.00	18,500.00	7000.00	7,000.00
2000.00	16,000.00	1000.00	8,000.00	1000.00	8,000.00	2200.00	17,600.00	2800.00	22,400.00	2500.00	20,000.00
2000.00	12,000.00	2500.00	15,000.00	10000.00	60,000.00	13800.00	82,800.00	17000.00	102,000.00	15500.00	93,000.00
2000.00	2,000.00	1000.00	1,000.00	1000.00	1,000.00	1800.00	1,800.00	1800.00	1,800.00	1700.00	1,700.00
3000.00	12,000.00	250.00	1,000.00	250.00	1,000.00	700.00	2,800.00	700.00	2,800.00	650.00	2,600.00
3000.00	6,000.00	350.00	700.00	350.00	700.00	700.00	1,400.00	750.00	1,500.00	700.00	1,400.00
8.00	116,000.00	8.50	123,250.00	8.50	123,250.00	13.29	192,705.00	13.00	188,500.00	13.00	188,500.00
3000.00	27,000.00	7250.00	65,250.00	7250.00	65,250.00	10500.00	94,500.00	10000.00	90,000.00	9800.00	88,200.00
100.00	73,300.00	70.00	51,310.00	415.00	304,195.00	250.00	183,250.00	304.00	222,832.00	240.00	175,920.00
100.00	12,900.00	100.00	12,900.00	445.00	57,405.00	300.00	38,700.00	355.00	45,795.00	300.00	38,700.00
100.00	6,700.00	385.00	25,795.00	385.00	25,795.00	200.00	13,400.00	243.00	16,281.00	200.00	13,400.00
100.00	29,400.00	55.00	16,170.00	385.00	113,190.00	216.00	63,504.00	253.00	74,382.00	200.00	58,800.00
100.00	4,100.00	385.00	15,785.00	385.00	15,785.00	216.00	8,856.00	253.00	10,373.00	200.00	8,200.00
100.00	4,300.00	385.00	16,555.00	385.00	16,555.00	205.00	8,815.00	233.00	10,019.00	200.00	8,600.00
200.00	211,800.00	45.00	47,655.00	385.00	407,715.00	183.00	193,797.00	213.00	225,567.00	175.00	185,325.00
200.00	603,400.00	50.00	150,850.00	385.00	1,161,545.00	450.00	1,357,650.00	233.00	702,961.00	200.00	603,400.00
200.00	244,800.00	45.00	55,080.00	385.00	471,240.00	450.00	550,800.00	213.00	260,712.00	185.00	226,440.00
200.00	139,200.00	85.00	59,160.00	440.00	306,240.00	250.00	174,000.00	305.00	212,280.00	230.00	160,080.00
200.00	4,800.00	430.00	10,320.00	440.00	10,560.00	205.00	4,920.00	255.00	6,120.00	200.00	4,800.00
200.00	33,000.00	90.00	14,850.00	440.00	72,600.00	250.00	41,250.00	304.00	50,160.00	250.00	41,250.00
200.00	9,600.00	450.00	21,600.00	440.00	21,120.00	270.00	12,960.00	325.00	15,600.00	250.00	12,000.00
200.00	9,000.00	370.00	16,650.00	370.00	16,650.00	205.00	9,225.00	233.00	10,485.00	200.00	9,000.00
200.00	54,600.00	50.00	13,650.00	370.00	101,010.00	205.00	55,965.00	244.00	66,612.00	200.00	54,600.00
200.00	18,800.00	370.00	34,780.00	370.00	34,780.00	183.00	17,202.00	203.00	19,082.00	175.00	16,450.00
200.00	76,600.00	40.00	15,320.00	370.00	141,710.00	183.00	70,089.00	203.00	77,749.00	175.00	67,025.00
2500.00	2,500.00	11950.00	11,950.00	12000.00	12,000.00	14000.00	14,000.00	16000.00	16,000.00	12000.00	12,000.00
12.00	254,400.00	11.00	233,200.00	35.00	742,000.00	50.00	1,060,000.00	36.00	763,200.00	37.00	784,400.00
12000.00	1,452,000.00	15000.00	1,815,000.00	15000.00	1,815,000.00	11000.00	1,331,000.00	12000.00	1,452,000.00	15000.00	1,815,000.00
7000.00	224,000.00	6000.00	192,000.00	10000.00	320,000.00	8470.00	271,040.00	6800.00	217,600.00	10000.00	320,000.00
1000.00	148,000.00	1000.00	148,000.00	1000.00	148,000.00	720.00	106,560.00	800.00	118,400.00	1100.00	162,800.00
10.00	212,500.00	10.00	212,500.00	15.00	318,750.00	6.64	141,100.00	17.00	361,250.00	16.00	340,000.00
20.00	4,800.00	20.00	4,800.00	20.00	4,800.00	9.00	2,160.00	23.00	5,520.00	22.00	5,280.00
1000.00	1,000.00	10000.00	10,000.00	1000.00	1,000.00	2200.00	2,200.00	10000.00	10,000.00	500.00	500.00
Total:	\$22,506,060.00	Total:	\$23,661,453.00	Total:	\$25,201,209.10	Total:	\$25,450,897.42	Total:	\$26,086,337.45	Total:	\$28,097,154.50
1.00	142,482.00	1.00	142,482.00	0.95	135,357.90	1.05	149,606.10	0.70	99,737.40	0.60	85,489.20
Total:	142,482.00	Total:	142,482.00	Total:	135,357.90	Total:	149,606.10	Total:	99,737.40	Total:	85,489.20
4.00	26,564.00	3.75	24,903.75	3.60	23,907.60	4.00	26,564.00	3.80	25,235.80	3.00	19,923.00
Total:	\$26,564.00	Total:	\$24,903.75	Total:	\$23,907.60	Total:	\$26,564.00	Total:	\$25,235.80	Total:	\$19,923.00
\$2,000.00	\$72,000.00	\$3,100.00	\$111,600.00	\$1,375.00	\$49,500.00	\$2,500.00	\$90,000.00	\$3,000.00	\$108,000.00	\$1,000.00	\$36,000.00
\$2,000.00	\$10,000.00	\$1,300.00	\$6,500.00	\$2,500.00	\$12,500.00	\$4,500.00	\$22,500.00	\$3,000.00	\$15,000.00	\$1,500.00	\$7,500.00
\$2,000.00	\$8,000.00	\$1,800.00	\$7,200.00	\$1,000.00	\$4,000.00	\$2,200.00	\$8,800.00	\$800.00	\$3,200.00	\$1,500.00	\$6,000.00
Total:	\$90,000.00	Total:	\$125,300.00	Total:	\$66,000.00	Total:	\$121,300.00	Total:	\$126,200.00	Total:	\$49,500.00
\$22,765,106.00		\$23,954,138.75		\$25,426,474.60		\$25,748,367.52		\$26,337,510.65		\$28,252,066.70	



CITY OF HAYWARD

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

File #: CONS 18-051

DATE: January 16, 2018

TO: Mayor and City Council
Hayward Redevelopment Successor Agency Board

FROM: City Manager

SUBJECT

Approval of the Annual Recognized Obligation Payment Schedule for the Period July 1, 2018 to June 30, 2019 and the Successor Agency Administrative Budget for the Period July 1, 2018 to June 30, 2019

RECOMMENDATION

That the City Council, in its capacity as governing board to the Hayward Successor Agency, adopts the attached resolution (Attachment II) that approves the Recognized Obligation Payment Schedule (ROPS 18-19) for the period July 1, 2018 through June 30, 2019 and the Successor Agency Administrative Budget for the period July 1, 2018 through June 30, 2019 and authorizes staff to take other administrative actions and execute contracts and such other documents as are appropriate to effectuate the intent of the resolution and all actions necessary to effectuate associated requirements of Assembly Bill x1 26 and AB 1484 (collectively, the "Dissolution Statutes").

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution
Attachment III	ROPS 18-19
Attachment IV	FY19 Administrative Budget



DATE: January 16, 2018

TO: Mayor and City Council
Hayward Redevelopment Successor Agency Board

FROM: City Manager

SUBJECT: Approval of the Annual Recognized Obligation Payment Schedule for the Period July 1, 2018 to June 30, 2019 and the Successor Agency Administrative Budget for the Period July 1, 2018 to June 30, 2019

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BACKGROUND

Under the Dissolution Statutes, all California redevelopment agencies were dissolved effective February 1, 2012, and various actions are now required by successor agencies to unwind the affairs of all former redevelopment agencies.

The Dissolution Statutes require that the Successor Agency prepare and the Oversight Board approve a recognized obligation payment schedule (individually a "ROPS" and collectively, "ROPS's") setting forth for each twelve-month period all Enforceable Obligations (as defined in the Dissolution Act) of the Dissolved RDA.

The Dissolution Act generally provides that (with exceptions) agreements between the Dissolved RDA and the City are not Enforceable Obligations, but Health and Safety Code Codes 34188(a) and 34190(h) authorize the Successor Agency and the City, with Oversight Board approval, to reenter into such agreements.

DISCUSSION

The intent of this report is to secure approval of the Recognized Obligation Payment Schedule for the period July 1, 2018 through June 30, 2019 (ROPS 18-19) and the Fiscal

Year 2019 Administrative Budget (Attachments III and IV). Each year, the Successor Agency is required to prepare and submit an Annual ROPS that outlines the required payments the Successor Agency must make to meet required obligations and to wind-down the affairs of the former Redevelopment Agency. Once the Oversight Board approves these items, staff will submit them to the Department of Finance by the February 1, 2018 deadline.

ROPS 18-19 includes repayment requests, for among other enforceable obligations, the interagency loan approved by the Oversight Board on May 21, 2012 pursuant to Health and Safety Code Sections 34188(a) and Section 34190(h) and the Housing Administrative Cost Allowance as allowed under Health and Safety Code Section 34186.1(a). The Successor Agency will make one repayment to the City of \$800,000 on July 1, 2018 per the Reentered Repayment Agreement.

Implementation Actions: The accompanying resolution authorizes and directs staff to take all administrative steps on behalf of the Successor Agency to implement upcoming requirements under the Dissolution Act and AB 1484, including providing necessary notices, transmittals, and postings regarding the ROPS and Successor Agency administrative budget.

Environmental Review: The actions set forth in the recommended accompanying resolution, as summarized above, are exempt under Guideline 15378(b)(4) of the California Environmental Quality Act (CEQA) in that the actions do not constitute a "project," but instead are required to continue a governmental funding mechanism for enforceable obligations of the former Redevelopment Agency and to perform the statutorily mandated unwinding of the assets, liabilities, and functions of the former Redevelopment Agency pursuant to the Dissolution Act.

ECONOMIC AND FISCAL IMPACT

Approval of ROPS 18-19 will facilitate the ability of the Successor Agency to continue payment of the enforceable obligations of the former Redevelopment Agency and is among the measures required to be taken to avoid triggering an event of default under any enforceable obligations. Approval of the Successor Agency administrative budget will facilitate the Successor Agency's receipt of the funds to which it is entitled under the Dissolution Act and AB 1484 to implement its administrative responsibilities.

STRATEGIC INITIATIVES

This item pertains to the Hayward Successor Agency, is a routine operational item and does not relate to one of the Council's Strategic Initiatives.

NEXT STEPS

Following City Council approval of the ROPS 18-19 and the Fiscal Year 18-19 Administrative Budget, the Oversight Board will consider approval of the ROPS 18-19 and the Fiscal Year 18-

19 Administrative Budget on January 18, 2018. Following approval of the ROPS 18-19 by the Oversight Board, staff will submit this to the Department of Finance by the February deadline for approval. The Department of Finance then has an opportunity to review and object to any items on the ROPS and/or request additional documentation. If any items on the ROPS 18-19 are challenged, the Successor Agency will have an opportunity to request a meet and confer session if staff disagrees with any of the Department of Finance's determinations. All Department of Finance meet and confer determinations must be made fifteen days prior to June 1, 2018, which is when the Successor Agency will receive the first disbursement of tax increment funds approved pursuant to the ROPS 18-19.

Prepared and Recommended by: John Stefanski, Management Analyst II

Approved by:

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

Kelly McAdoo, City Manager

REDEVELOPMENT SUCCESSOR AGENCY OF THE CITY OF HAYWARD
RESOLUTION NO. RSA 18-

Introduced by Agency Member ___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAYWARD, ACTING AS THE GOVERNING BOARD OF THE HAYWARD SUCCESSOR AGENCY, A SEPARATE LEGAL ENTITY, APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD JULY 2018 THROUGH JUNE 2019 (“ROPS 18-19”) AND THE ADMINISTRATIVE BUDGET FOR THE 2018-19 FISCAL YEAR, AND DIRECTING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE REQUIREMENTS ASSOCIATED WITH THIS APPROVAL

WHEREAS, pursuant to ABx1 26 (as amended by AB 1484, the “Dissolution Act”), the separate legal entity known as the Hayward Successor Agency (the “Successor Agency”) must prepare “Recognized Obligation Payment Schedules” (“ROPS”) that enumerate the enforceable obligations and expenses of the Successor Agency for each successive twelve-month fiscal period until the wind down and disposition of assets of the dissolved Redevelopment Agency of the City of Hayward (the “Dissolved RDA”) has been completed; and

WHEREAS, the Successor Agency staff has prepared a ROPS for the twelve-month fiscal period commencing on July 1, 2018 and continuing through June 30, 2019 (“ROPS 18-19”); and

WHEREAS, the Successor Agency staff has prepared an administrative budget for the fiscal period commencing on July 1, 2018 and continuing through June 30, 2019 (“FY 18-19 Administrative Budget”); and

WHEREAS, the Successor Agency is entitled to an administrative cost allowance (the “Administrative Cost Allowance”) pursuant to Health and Safety Code Sections 34191(b) and 34193(a)(3) in the approximate amount of \$250,000 for the 2018-19 fiscal year of which approximately \$125,000 will be disbursed during the ROPS 18-19A and ROPS 18-19B periods; and

WHEREAS, under the Dissolution Act, ROPS 18-19 and the FY 18-19 Administrative Budget must be approved by the Successor Agency's oversight board (the “Oversight Board”) to enable the Successor Agency to continue to make payments on enforceable obligations and to pay for administrative costs of the Successor Agency; and

WHEREAS, the City Council, acting as the Governing Board of the Successor Agency, has considered and desires to approve the following documents, copies of which are on file with the City Clerk (acting as the Secretary of the Successor Agency):

1. The ROPS 18-19; and
2. The FY 18-19 Administrative Budget; and

WHEREAS, the ROPS 18-19 and the FY 18-19 Administrative Budget will be submitted by the Successor Agency to the Oversight Board for the Oversight Board's approval in accordance with Health and Safety Code Sections 34197 and 34190(g); and

WHEREAS, the ROPS 18-19 and the FY 18-19 Administrative Budget will also be submitted by the Successor Agency to the Alameda County Administrative Officer, the Alameda County Auditor-Controller, and the State Department of Finance in accordance with Health and Safety Code Section 34199.6; and

WHEREAS, the accompanying staff report provides supporting information upon which the actions set forth in this Resolution are based.

NOW, THEREFORE, BE IT RESOLVED that the City Council, acting as the Governing Board of the Successor Agency and in accordance with the Dissolution Act, hereby finds, resolves, and determines that the foregoing recitals are true and correct, and, together with information provided by the Successor Agency staff and the public, form the basis for the approvals, findings, resolutions, and determinations set forth below.

BE IT FURTHER RESOLVED that the City Council hereby approves the ROPS 18-19 and the FY 18-19 Administrative Budget, in the respective forms on file with the City Clerk (acting as the Secretary of the Successor Agency).

BE IT FURTHER RESOLVED that the Successor Agency is authorized and directed to enter into any agreements and amendments to agreements consistent with the Dissolution Act and necessary to memorialize and implement the agreements and obligations in ROPS 18-19 and the FY 18-19 Administrative Budget as herein approved by the Successor Agency.

BE IT FURTHER RESOLVED that the City Council hereby authorizes and directs the City Manager, acting on behalf of the Successor Agency, to file, post, mail or otherwise deliver via electronic mail, internet posting, and/or hardcopy, all notices and transmittals necessary or convenient in connection with the approval of the ROPS 18-19 and the FY 18-19 Administrative Budget, and to take any other administrative actions necessary to ensure the validity of the ROPS 18-19 and the validity of any enforceable obligation listed thereon and the validity of the FY 18-19 Administrative Budget and corresponding Administrative Cost Allowance. In addition, the City Council authorizes and directs the Successor Agency staff to make such non-substantive revisions to ROPS 18-19 as may be necessary to submit ROPS 18-19 in any modified form required by the DOF, and ROPS 18-19 as so modified shall thereupon constitute ROPS 18-19 as approved by the City Council pursuant to this Resolution.

BE IT FURTHER RESOLVED that, subject to the Oversight Board approval, the City Council hereby authorizes and directs the City Manager, acting on behalf of the Successor Agency, to execute the documents and instruments as are appropriate, in consultation with the City Attorney, acting in the capacity of counsel to the Successor Agency, to effectuate and implement the terms of this Resolution.

BE IT FURTHER RESOLVED that nothing in this Resolution shall abrogate, waive, impair or in any other manner affect the right or ability of the City, as a charter city, to initiate and prosecute any litigation with respect to any agreement or other arrangement of the Dissolved RDA, including, without limitation, any litigation contesting the purported invalidity of such agreement or arrangement pursuant to the Dissolution Act.

BE IT FURTHER RESOLVED that this Resolution shall take effect at the time and in the manner prescribed in Health and Safety Code Section 34199(h).

HAYWARD, CALIFORNIA, January 16, 2018

ADOPTED BY THE FOLLOWING VOTE:

AYES:	BOARD MEMBERS:
NOES:	BOARD MEMBERS:
ABSTAIN:	BOARD MEMBERS:
ABSENT:	BOARD MEMBERS:

ATTEST:

Secretary of the Successor Agency
of the City of Hayward

Recognized Obligation Payment Schedule (ROPS 18-19) - Summary

Filed for the July 1, 2018 through June 30, 2019 Period

Successor Agency: Hayward
 County: Alameda

Current Period Requested Funding for Enforceable Obligations (ROPS Detail)	18-19A Total (July - December)	18-19B Total (January - June)	ROPS 18-19 Total
A Enforceable Obligations Funded as Follows (B+C+D):	\$ 14,540	\$ 11,540	\$ 26,080
B Bond Proceeds	-	-	-
C Reserve Balance	-	-	-
D Other Funds	14,540	11,540	26,080
E Redevelopment Property Tax Trust Fund (RPTTF) (F+G):	\$ 2,691,225	\$ 1,866,825	\$ 4,558,050
F RPTTF	2,491,225	1,666,825	4,158,050
G Administrative RPTTF	200,000	200,000	400,000
H Current Period Enforceable Obligations (A+E):	\$ 2,705,765	\$ 1,878,365	\$ 4,584,130

Certification of Oversight Board Chairman:
 Pursuant to Section 34177 (o) of the Health and Safety code, I hereby certify that the above is a true and accurate Recognized Obligation Payment Schedule for the above named successor agency.

Barbara Halliday
 Name Title
 /s/ _____
 Signature Date

Hayward Recognized Obligation Payment Schedule (ROPS 18-19) - ROPS Detail

July 1, 2018 through June 30, 2019

(Report Amounts in Whole Dollars)

A	B	C	D	E	F	G	H	I	J	K	18-19A (July - December)					Q	18-19B (January - June)					W	
											Fund Sources						Fund Sources						
											L	M	N	O	P		R	S	T	U	V		
Item #	Project Name/Debt Obligation	Obligation Type	Contract/Agreement Execution Date	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Retired	ROPS 18-19 Total	Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF	18-19A Total	Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF	18-19B Total	
14	Foothill Façade Loans	Improvement/Infrastructure	3/9/2011	1/1/2050	Multiple Property Owners	Matching loan funds for property	Hayward Downtown	\$ 52,734,803	Y	\$ 4,584,130	\$ -	\$ -	\$ 14,540	\$ 2,491,225	\$ 200,000	\$ 2,705,765	\$ -	\$ -	\$ 11,540	\$ 1,666,825	\$ 200,000	\$ -	\$ 1,878,365
15	Foothill Façade Loan Project Delivery Costs (Staff Costs/Legal Fees)	Project Management Costs	1/1/2014	6/30/2014	Successor Agency	Project Delivery Costs to Implement Foothill Façade Loan Project	Hayward Downtown		Y	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
21	Successor Agency Admin Allowance	Admin Costs	2/1/2012	1/1/2050	City of Hayward	Per ABx1 26, to cover administrative costs of Successor Agency		250,000	N	\$ 250,000					125,000	\$ 125,000					125,000	\$ 125,000	
23	Contract for Security Alarm	Property Maintenance	7/11/2012	1/1/2050	ADT Security Services	Alarm Service for Cinema Place garage	Hayward Downtown	2,200	N	\$ 2,200			1,100			\$ 1,100			1,100			\$ 1,100	
25	Contract for Elevator Maint and Repair	Property Maintenance	7/11/2012	1/1/2050	Mitsubishi Electric	Cinema Place Elevator	Hayward Downtown	8,000	N	\$ 8,000			4,000			\$ 4,000			4,000			\$ 4,000	
27	Contract for Sweeping	Property Maintenance	7/11/2012	1/1/2050	Montgomery Sweeping Service	Cinema Place Garage Sweeping	Hayward Downtown	4,680	N	\$ 4,680			2,340			\$ 2,340			2,340			\$ 2,340	
29	Utilities	Property Maintenance	7/11/2012	1/1/2050	PGE	Cinema Place Garage Utilities	Hayward Downtown	7,000	N	\$ 7,000			3,500			\$ 3,500			3,500			\$ 3,500	
31	Utilities	Property Maintenance	7/11/2012	1/1/2050	City of Hayward	Cinema Place Water Utilities	Hayward Downtown	1,200	N	\$ 1,200			600			\$ 600			600			\$ 600	
36	Project Delivery Costs - Burbank Residual Site	Project Management Costs	1/1/2014	6/30/2014	City of Hayward (Successor Agency)	Finalize negotiation and execution of Purchase and Sale Agreement - staff project mgmt costs/legal fees	Hayward Downtown		Y	\$ -						\$ -						\$ -	
37	Property Disposition Costs - former Agency-held properties	Property Dispositions	1/1/2014	6/30/2018	City of Hayward (Successor Agency)	Staff project mgmt costs; legal fees; property mgmt costs; appraisal costs; other associated costs for property disposition	Hayward Downtown	133,500	N	\$ 133,500				66,750		\$ 66,750				66,750			\$ 66,750
48	Reentered Repayment Agreement with City of Hayward	Reentered Agreements	9/23/1975	1/1/2050	City of Hayward	To fund start-up costs of Hayward Redevelopment Project Area		7,928,973	N	\$ 800,000				800,000		\$ 800,000						\$ -	
64	Housing Authority Administrative Cost Allowance (Per AB 471)	Housing Entity Admin Cost	2/18/2014	7/1/2018	City of Hayward Housing Authority	Administrative cost allowance for Housing Authority pursuant to AB 471		150,000	N	\$ 150,000					75,000	\$ 75,000					75,000	\$ 75,000	
73	Cinema Place Environmental Remediation	Remediation	7/1/2015	6/30/2016	SF Bay Regional Water Quality Control Board	Regulatory Cost Recovery for Remediation Oversight Activities	Hayward Downtown	3,000	N	\$ 3,000			3,000			\$ 3,000						\$ -	
78	2016 Tax Allocation Refunding Bonds	Bonds Issued After 12/31/10	11/29/2016	3/1/2036	BNY Mellon Corporate Trust	Bond Issue to fund former Agency Tax Allocation Bonds		44,244,250	N	\$ 3,222,550				1,622,475		\$ 1,622,475				1,600,075			\$ 1,600,075
79	2016 TARF Admin Fee	Fees	11/29/2016	3/1/2036	BNY Mellon Corporate Trust	Annual administrative fee for bond issuance		2,000	N	\$ 2,000				2,000		\$ 2,000						\$ -	
80	City of Hayward Water and Sewer Fund Loan Repayment	City/County Loan (Prior 06/28/11), Cash exchange	11/17/1998	1/1/2050	City of Hayward	To fund RDA parking upgrades and land acquisition			Y	\$ -						\$ -						\$ -	
81									N	\$ -						\$ -						\$ -	
82									N	\$ -						\$ -						\$ -	
83									N	\$ -						\$ -						\$ -	
84									N	\$ -						\$ -						\$ -	
85									N	\$ -						\$ -						\$ -	
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133									N	\$ -						\$ -						\$ -	
134									N	\$ -						\$ -						\$ -	
135									N	\$ -						\$ -						\$ -	

Hayward Recognized Obligation Payment Schedule (ROPS 18-19) - ROPS Detail

July 1, 2018 through June 30, 2019

(Report Amounts in Whole Dollars)

A	B	C	D	E	F	G	H	I	J	K	18-19A (July - December)					Q	18-19B (January - June)					W	
Item #	Project Name/Debt Obligation	Obligation Type	Contract/Agreement Execution Date	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Retired	ROPS 18-19 Total	Fund Sources					18-19A Total	Fund Sources					18-19B Total	
											Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF		Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF		
136									N	\$ -						\$ -							\$ -
137									N	\$ -						\$ -							\$ -
138									N	\$ -						\$ -							\$ -
139									N	\$ -						\$ -							\$ -
140									N	\$ -						\$ -							\$ -
141									N	\$ -						\$ -							\$ -
142									N	\$ -						\$ -							\$ -
143									N	\$ -						\$ -							\$ -
144									N	\$ -						\$ -							\$ -
145									N	\$ -						\$ -							\$ -

Hayward Recognized Obligation Payment Schedule (ROPS 18-19) - Report of Cash Balances
July 1, 2015 through June 30, 2016
(Report Amounts in Whole Dollars)

Pursuant to Health and Safety Code section 34177 (l), Redevelopment Property Tax Trust Fund (RPTTF) may be listed as a source of payment on the ROPS, but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation. For tips on how to complete the Report of Cash Balances Form, see [Cash Balance Tips Sheet](#)

A	B	C	D	E	F	G	H	I	
		Fund Sources							
		Bond Proceeds		Reserve Balance		Other	RPTTF		
	Cash Balance Information for ROPS 15-16 Actuals (07/01/15 - 06/30/16)	Bonds issued on or before 12/31/10	Bonds issued on or after 01/01/11	Prior ROPS period balances and DDR RPTTF balances retained	Prior ROPS RPTTF distributed as reserve for future period(s)	Rent, grants, interest, etc.	Non-Admin and Admin	Comments	
1	Beginning Available Cash Balance (Actual 07/01/15)	-	-	-	-	-	483,157		
2	Revenue/Income (Actual 06/30/16) RPTTF amounts should tie to the ROPS 15-16 total distribution from the County Auditor-Controller during June 2015 and January 2016.	-	-	-	-	737,702	6,427,560		
3	Expenditures for ROPS 15-16 Enforceable Obligations (Actual 06/30/16)	-	-	-	896,991	22,209	5,085,552		
4	Retention of Available Cash Balance (Actual 06/30/16) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)	-	-	-	119,530	50,000	-		
5	ROPS 15-16 RPTTF Balances Remaining	No entry required						1,824,798	
6	Ending Actual Available Cash Balance (06/30/16) C to G = (1 + 2 - 3 - 4), H = (1 + 2 - 3 - 4 + 5)	\$ -	\$ -	\$ -	\$ (1,016,521)	\$ 665,493	\$ 3,649,963		



CITY OF HAYWARD

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

File #: WS 18-001

DATE: January 16, 2018

TO: Mayor and City Council

FROM: Director of Utilities & Environmental Services

SUBJECT

East Bay Community Energy Program Overview: Presentation from CEO Nick Chaset

RECOMMENDATION

That the Council receives the presentation and provides comments.

ATTACHMENTS

Attachment I Staff Report



DATE: January 16, 2018

TO: Mayor and City Council

FROM: Director of Utilities & Environmental Services

SUBJECT: East Bay Community Energy Program Overview: Presentation from
CEO Nick Chaset

RECOMMENDATION

That the Council receives the presentation and provides comments.

SUMMARY

East Bay Community Energy's CEO, Nick Chaset, will attend this Council meeting and make a presentation to update the Council on the progress made in 2017.

BACKGROUND

In December 2016, Hayward joined ten other cities in Alameda County and the County of Alameda to establish a joint powers authority to form East Bay Community Energy (EBCE) with the intent to provide electricity at competitive prices, reduce greenhouse gas (GHG) emissions, and to create local green jobs. The cities of Newark and Pleasanton did not join and the City of Alameda is served by its own electric utility. The EBCE Board of Directors had its first meeting on January 30, 2017 and has since held regular meetings. EBCE Board meeting packets are available at <http://ebce.org/archive/>. All previous City Council and City Council Sustainability Committee reports regarding EBCE are available at <http://www.hayward-ca.gov/cce>.

DISCUSSION

EBCE's CEO, Nick Chaset, will make a brief presentation during the Council meeting to provide an overview and an update on the status of the program. Mr. Chaset is expected to include background information on the formation of EBCE, its key objectives, and how it will operate. Mr. Chaset will talk about the products that will be offered, how the program will be marketed, and the activities leading up to the launch. The program is expected to begin serving municipal and commercial customers in June 2018 and residential customers in September 2018.

This work session will also be an opportunity for Council to ask Mr. Chaset about any relevant topics of interest, such as rates or potential sources of electricity. For example, on November 13, the Council Sustainability Committee considered a proposal where Hayward could pay a premium rate for electricity that is 100% renewable and local for City facilities. Similarly, the Bay Area Air Quality Management District is funding a study to consider the feasibility of using 100% renewable electricity as the default product for all customers within a given city.

ECONOMIC IMPACT

PG&E recently announced its intention to raise rates a total of 2.8% in the first part of 2018. While EBCE's rates have not yet been set, it is expected that customers will see savings relative to PG&E. In addition, EBCE will be contracting with local renewable energy facilities, which will support local green jobs.

FISCAL IMPACT

Alameda County provided funding to establish EBCE and covered initial staff costs. The County will be reimbursed for these costs within the first three years of the program. Staff anticipates the fiscal impact from Hayward's participation in EBCE will be minor and will be in the form of additional staff time. To finance procurement of electricity before EBCE begins to collect revenue, EBCE is working to secure a revolving line of credit. In September 2017, Mr. Chaset asked the City of Hayward for "credit support," which could be in the form of a letter of credit so that EBCE can avoid paying a very high interest rate when borrowing. EBCE is currently negotiating with Barclays Bank. Once financing terms are known, the level and type of support needed from cities will be revisited.

STRATEGIC INITIATIVES

This agenda item does not relate to one of Council's three Strategic Initiatives.

SUSTAINABILITY FEATURES

Hayward's participation in EBCE is directly in line with General Plan policy NR 4.8, which states, "The City shall assess and, if appropriate, pursue participation in community choice aggregation, or other similar programs. The City shall seek partnerships with other jurisdictions to minimize start up and administration costs." In addition, the program is expected to provide electricity from clean and renewable sources that reduce our reliance on fossil fuels and minimize pollutants and has the potential to reduce GHG emissions, helping Hayward to meet its Climate Action goals. As noted in a September 11, 2017 [report](#) to the Sustainability Committee, it is unlikely that Hayward will meet its 2020 GHG reduction target without robust community-wide participation in EBCE.

PUBLIC CONTACT

EBCE has been discussed at several Sustainability Committee meetings, which are open to the public. Additionally, all steering committee meetings during the formation of EBCE were open to the public and all EBCE Board meetings are open to the public and televised. As will be described during the presentation, there will be significant community outreach and marketing in the months leading up to the launch of EBCE.

NEXT STEPS

Staff will continue to attend EBCE Board meetings to stay abreast of program details and staff will work with EBCE staff and their marketing consultants to engage the Hayward community prior to launch of the program.

Prepared by: Erik Pearson, Environmental Services Manager

Recommended by: Alex Ameri, Director of Utilities & Environmental Services

Approved by:



Kelly McAdoo, City Manager



CITY OF HAYWARD

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

File #: PH 18-002

DATE: January 16, 2018

TO: Mayor and City Council

FROM: Interim Director of Development Services

SUBJECT

Proposed Amendments to Chapter 10, Article 1 (Zoning Ordinance) of the Hayward Municipal Code to Amend Airport Terminal (AT) District Regulations Related to Height; Application No. 201706359; City of Hayward (Applicant/Owner).

RECOMMENDATION

That the City Council adopts the attached Ordinance (Attachment II) and associated Resolution (Attachment III) amending Chapter 10, Article 1 of the Hayward Municipal Code related to Airport Terminal (AT) District height regulations for parcels located within the boundaries of the Hayward Executive Airport Property.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Ordinance
Attachment III	Resolution
Attachment IV	Hayward Executive Airport Boundary Map
Attachment V	Airport Structures Height Study



DATE: January 16, 2018

TO: Mayor and City Council

FROM: Interim Director of Development Services Stacey Bristow

SUBJECT: Proposed Amendments to Chapter 10, Article 1 (Zoning Ordinance) of the Hayward Municipal Code to Amend Airport Terminal (AT) District Regulations Related to Height; Application No. 201706359; City of Hayward (Applicant/Owner)

RECOMMENDATION

That the City Council adopts the attached Ordinance (Attachment II) and associated Resolution (Attachment III) amending Chapter 10, Article 1 of the Hayward Municipal Code related to Airport Terminal (AT) District height regulations for parcels located within the boundaries of the Hayward Executive Airport Property.

SUMMARY

This is a City-initiated request to amend AT District properties (AT-Commercial, AT-Aviation Commercial, AT-Operations, AT-Recreational, and AT-Industrial Park) located within the boundaries of the Hayward Executive Airport to allow an increase in height for new development with special findings that the increased height will not pose a safety hazard pursuant to Federal Aviation Administration (FAA) review and approval, and if staff finds that the proposed increase in height will result in a better site layout for future projects or provide additional amenities that would not be achievable under current zoning regulations.

BACKGROUND

Hayward Executive Airport was constructed in 1941 by the U.S. Army for military use during World War II. In 1947, the federal government declared the Hayward Army Airfield surplus and conveyed the airport to the City of Hayward. In the following decades, the federal government conveyed additional airport lands to the City, all of which fall within the boundaries of the Hayward Executive Airport (Attachment IV).

On June 27, 2017, the City Council adopted Resolution No. 17-102 and introduced Ordinance No. 17-10, establishing a new Airport Overlay Zone Ordinance (Hayward Municipal Code (HMC) Chapter 10, Article 6). The Ordinance ensured that all land uses and development within the Airport Overlay Zone are compatible with the existing and future airport operations. However, pursuant to HMC Section 10-6.20(i), the regulations do not apply to property located within the boundaries of the Hayward Executive Airport.

On October 12, 2017, the Council Airport Committee (CAC) considered proposals for two hotels on City-owned Airport properties and recommended that staff encourage high quality design as well as full-service restaurants and other on-site amenities.

On November 14, 2017, the City Council adopted Resolution No. 17-168, authorizing the City Manager to negotiate and execute land leases with two hotel developers for three parcels located on Airport property. Staff anticipates that the hotels will submit development applications in early 2018, pending approval of these amendments.

On December 14, 2017, the Planning Commission held a public hearing on the proposed amendment and voted 6:0, with one member absent, to recommend Council approval of the amendments as recommended by staff. The Commissioners discussed the potential heights of buildings based on FAA review and staff clarified that the base height would remain 40 feet unless the special findings are made to support the increase in height.

DISCUSSION

Existing Conditions: The Hayward Executive Airport property is composed of about 470 acres on 14 separate parcels. Airport operations and support services occur on the four largest parcels totaling about 442 acres at the core of the Airport property with a mix of other uses located within the Airport boundaries. The Skywest Golf Course and Kennedy Park are located along the northern Airport boundary, Fire Station No. 6 and Fire Training Center and industrial uses are located along the southern Airport boundary, and various commercial uses are located on parcels (totaling approximately 28 acres) between Skywest Drive and Hesperian Boulevard along the eastern Airport boundary. Commercial uses within the boundaries of the Airport include La Quinta Hotel, Home Depot, Smart and Final Grocery Store and several multi-tenant office and commercial buildings built between the mid-1970s and late 2000s.

The Airport property is surrounded by industrial uses to the south and west, and commercial and residential uses to the north, east and south.

Proposed Project: The proposed text amendments to the City's Zoning Ordinance consist of revisions to the maximum allowable height in the Air Terminal (AT) District (Attachment III).

The AT District (HMC Section 10-1.1900 et. seq.) is divided into six sub-districts (Operations, Industrial Park, Aviation Commercial, Commercial, Recreational, and Medium Density Residential). The proposed project would amend the development and performance standards within the AT-Operations, AT-Industrial Park, AT-Aviation Commercial, AT-Commercial and AT-Recreational sub-districts to allow for an increase in building height over the current maximum 40 feet, based on specific findings that the proposed structure will not pose a hazard based on FAA review; and that the increased building height is necessary to achieve a more beneficial site layout with increased landscaping, enhanced architecture (e.g. varied rooflines, enhanced entrances, raised ceiling heights), and on-site amenities that could not be achieved under current zoning standards.

Future development proposals will be evaluated through the existing discretionary Site Plan Review or Administrative/Conditional Use Permit processes, as applicable. The applicant would be required to submit a request for increased height as part of their development proposal and the additional special findings would be evaluated based on the specific project proposal, potential site constraints, and other surrounding circumstances.

The proposed text amendments would also include removal of HMC Section 10-1.2730(a), which references airport height regulations that are already covered within the AT District standards and within HMC Chapter 10, Article 6, Airport Overlay Zone.

POLICY CONTEXT AND CODE COMPLIANCE

Hayward 2040 General Plan: The Hayward Executive Airport is covered by various General Plan land use designations that reflect the underlying uses. The core of the airport property which is utilized for airport operations is designated Public and Quasi-Public; a small portion of Airport property along the southern boundary is designated Industrial Corridor; and, the commercial strip along the eastern property boundary between Skywest Drive and Hesperian Boulevard is designated Retail and Office Commercial.

The proposed text amendment would not conflict with the underlying General Plan descriptions or development standards. Rather, flexibility in height with special findings is supported by the following General Plan policies related to implementing flexible land use regulations (Policy LU-5.2), and offering incentives for amenity-rich new development (Policy ED-6.7).

Hayward Executive Airport Master Plan/Airport Layout Plan: The Hayward Executive Airport Master Plan was adopted in 2002. The Master Plan was comprehensively updated with the adoption of the Hayward Executive Airport Layout Plan Update adopted in January 2011, and subsequently amended in April 2015. The Plans set forth an inventory of Airport properties, aviation demand forecasts and requirements, development alternatives and a financing plan for long term maintenance of the Airport property. The proposed text amendments would not conflict with the information provided in the Airport Master Plan in that all proposed development must be reviewed and approved by the FAA prior to City approval.

STAFF ANALYSIS

Staff believes that the Council can make the findings to support the City-initiated text amendment to allow flexibility in building height provided that the increase in height will not result in a safety issue for airport operations and if the increase in height results in a more beneficial or amenity-rich site plan or building than can be achieved under current zoning.

One of the special findings proposed to allow an increase in height would be review and approval by the FAA to ensure that any increase in height would not result in a safety issue at the Airport. This is a standard practice for all structures proposed within a 20,000-foot radius of airports throughout the United States. The FAA considers whether a proposed structure

penetrates the protected (Federal Aviation Regulations Part 77) airspace established around the airport and if it will interfere with electronic navigational aids, among other factors. Per the recommended findings, any potential developer would be required to submit notice to the FAA in advance of Site Plan Review or Use Permit review and approval, to ensure that the proposed development would not pose a safety hazard prior to planning approval of the height increase.

There is a precedent for construction of higher structures within the boundaries and vicinity of the Airport. A comparative height analysis was conducted for parcels on airport property and in the immediate vicinity (Attachment V). While most of the structures were found to be single story and less than 40 feet in height, a commercial food processing building located on Corsair Boulevard is approximately 52 feet in height and the FAA Hayward Air Control Tower is 72 feet in height. Thus, the FAA has found that taller structures may be permitted on a case by case basis.

In exchange for the increase in height, a proposed development would be required to provide amenities or architectural enhancements that could not be achieved under the current zoning. Under current zoning standards, a building envelope is prescribed by setbacks, maximum height, maximum floor area ratio (the ratio of the building square footage to the site acreage), and lot coverage. In addition, a proposed development site must accommodate parking requirements, circulation, trash enclosures, stormwater capture and treatment, and landscaping, among others. In discussions with Economic Development and Airport staff who are actively marketing airport properties for commercial uses, developers have indicated that flexibility in height would allow them to more effectively combine uses (i.e. hotel with full service restaurant) with various regulatory requirements per use, amenities, and enhanced architecture with higher ground floor entrances and varied roof pitches on a single site.

Staff believes that an increase in height would not negatively impact the area in that the scale of the Airport property could easily accommodate larger and taller buildings. Further, the Airport property is separated from nearby residential uses by Hesperian Boulevard which is approximately 120 feet in width. Through the Site Plan Review process, staff would ensure that all proposed development would be sensitive to surrounding uses and structures and step back from more sensitive land uses.

ENVIRONMENTAL REVIEW

The proposed project is exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3), as an activity that is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The proposed project includes zoning text amendments to allow for an increase in building height for future development, subject to special findings. Future development projects would be evaluated on a case-by-case basis for environmental impacts pursuant to CEQA.

ECONOMIC IMPACT

The properties located within the boundaries of the Hayward Executive Airport are owned by the City of Hayward so future development of those parcels would provide both direct and indirect economic benefits to the City. Direct economic benefits would occur through the ground leasing of property for development which would generate property tax, sales tax and transient occupancy tax depending on use. Indirect economic benefits would result through job creation and utilization of the airport properties providing needed services for the community. Flexibility in height would allow for construction of multiple uses on a parcel such as a hotel or office development and amenities that may include a full-service restaurant and conference space that may not be accomplished under the more restrictive regulations.

Further, development of these parcels with hotels, restaurants and other services and amenities would increase the attractiveness of the Hayward Executive Airport to air visitors which could generate additional air-related trips to and from the Airport resulting in fuel sales, additional user, storage and maintenance fees for the Airport and businesses located at the Airport. Development of these uses would also contribute to the economic vitality of the Hesperian retail corridor and provide additional amenity options to nearby industrial district businesses, their customers and employees as well as the Hayward community at large.

FISCAL IMPACT

The proposed zoning text amendment would have a neutral fiscal impact in that the proposed regulations would be implemented on a case-by-case basis through the developer funded Site Plan Review or Use Permit application processes.

STRATEGIC INITIATIVES

This item involves a zoning text amendment that does not specifically relate to any of the Council's Strategic Initiatives. Rather, individual projects subject to the proposed regulations will be evaluated for consistency with the Council's Strategic Initiatives on a case-by-case basis.

SUSTAINABILITY FEATURES

While the proposed text amendments would modify the language of the Hayward Municipal Code, future development projects would be reviewed for conformance with State and local requirements and policies related to sustainability.

PUBLIC CONTACT

On January 5, 2018, notice of this public hearing was published in The Daily Review and mailed to approximately 1,600 residents, businesses and property owners within 300 feet of the Airport property.

Prepared by: Leigha Schmidt, Senior Planner

Recommended by: Stacey Bristow, Interim Director of Development Services

Approved by:

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

Kelly McAdoo, City Manager

ORDINANCE NO. 18-_____

AN ORDINANCE AMENDING CHAPTER 10, ARTICLE 1, SECTIONS 10-1.1900 (AIR TERMINAL DISTRICT) AND 10-1.2700 (GENERAL REGULATIONS) OF THE HAYWARD MUNICIPAL CODE RELATED TO HEIGHT FOR NEW DEVELOPMENTS LOCATED WITHIN THE BOUNDARIES OF THE HAYWARD EXECUTIVE AIRPORT

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Provisions. The City Council incorporates by reference the findings contained in Resolution No. 18-__ approving the text changes to the Hayward Municipal Code requested in Zoning Text Amendment Application No. 201706359.

Section 2. Chapter 10, Planning, Zoning, and Subdivisions of the Hayward Municipal Code, which establishes development standards and regulations for all zoning districts within City boundaries, is hereby amended to add certain text (as indicated by underline) and delete certain provisions (as indicated by strikethrough) in the attached Exhibit "A", related to the allowable height for new development within certain AT District properties, introduced herewith and as specifically shown in this Ordinance.

Section 3. Severance. Should any part of this Ordinance be declared by a final decision by a court or tribunal of competent jurisdiction to be unconstitutional, invalid, or beyond the authority of the City, such decision shall not affect the validity of the remainder of this Ordinance, which shall continue in full force and effect, provided that the remainder of the Ordinance, absent the unexcised portion, can be reasonably interpreted to give effect to the intentions of the City Council.

Section 4. Effective Date. In accordance with the provisions of Section 620 of the City Charter, the Ordinance shall become effective immediately upon adoption.

INTRODUCED at a regular meeting of the City Council of the City of Hayward, held the 16th day of January 2018, by Council Member _____.

ADOPTED at a regular meeting of the City Council of the City of Hayward,
held the ___th day of _____ 2018, by the following votes of members of said City Council.

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

APPROVED: _____
Mayor of the City of Hayward

DATE: _____

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

EXHIBIT A

CHAPTER 10 – PLANNING, ZONING, AND SUBDIVISIONS

ARTICLE 1 – ZONING ORDINANCE

SEC. 10-1.1900 - AIR TERMINAL DISTRICT (AT)

SEC. 10-1.1905 - PURPOSE.

The purpose of the Air Terminal (AT) District is to provide the City with a unique special area occupied primarily by commercial, industrial, and public uses that are aviation-oriented. Additional high performance industrial and commercial facilities are to be encouraged provided they are not of a nature that might be hazardous to the Airport's operation.

SEC. 10-1.1910 - SUBDISTRICTS.

To encourage a functional and compatible association of uses in identifiable areas, this District is divided into the following subdistricts:

- a. Air Terminal—Operations (AT-O).
- b. Air Terminal—Industrial Park (AT-IP).
- c. Air Terminal—Aviation Commercial (AT-AC).
- d. Air Terminal—Commercial (AT-C).
- e. Air Terminal—Recreational (AT-R).
- f. Air Terminal—Medium Density Residential (AT-RM).

SEC. 10-1.1920 - AIR TERMINAL—OPERATIONS SUBDISTRICT (AT-O)

SEC. 10-1.1921 - AT-O PURPOSE.

The purpose of the AT-O Subdistrict is to provide facilities for aviation operations. These shall include, but not be limited to, runways, taxi-ways, ramps, and required clearances.

SEC. 10-1.1922 - AT-O USES PERMITTED.

- a. Primary Uses. The following uses, or uses determined to be similar by the Planning Director, are permitted in the AT-O Subdistrict, as primary uses.
 - (1) Aviation operations and facilities.
 - (2) Military facilities.
 - (3) Aircraft tie-downs.
- b. Secondary Uses. The following uses are permitted as secondary or subordinate uses to the uses permitted in the AT-O District:
 - (1) Accessory buildings and uses. (See Sec. 10-1.1985)
 - (2) Minor open storage. (See Sec. 10-1.1985)

SEC. 10-1.1923 - AT-O CONDITIONALLY PERMITTED USES.

None.

SEC. 10-1.1924 - AT-O LOT REQUIREMENTS.

- a. Minimum Lot Size: 10,000 square feet.
- b. Minimum Lot Frontage: 35 feet.

- c. Minimum Average Lot Width: 70 feet.
- d. Maximum Lot Coverage: No limit.
- e. Minimum Lot Depth: None.
- f. Special Lot Requirements and Exceptions: See Section 10-1.2720.

SEC. 10-1.1925 - AT-O YARD REQUIREMENTS.

- a. Minimum Front Yard: 20 feet.
- b. Minimum Side Street Yard: 10 feet.
- c. Minimum Side Yard: None.
- d. Minimum Rear Yard: None.
- e. Special Side and Rear Yard Provision:
 - (1) 20 feet where abutting an A, C, MH, OS, R, or residential PD zoning district.
 - (2) Greater setbacks where required by the Uniform Building Code as adopted by the City.
- f. Special Yard Requirements and Exceptions: See Section 10-1.2725.

SEC. 10-1.1926 - AT-O HEIGHT LIMIT.

- a. Maximum Height Permitted: 40 feet, except as provided in sub-section c. below and as set forth in Chapter 10, Article 6, Airport Approach Zoning Regulations of the Hayward Municipal Code, as now in effect or may hereafter amended or replaced.
- b. Maximum Height for Fences/Hedges/Walls:
 - (1) Front and Side Street Yard: 4 feet.
 - (2) Side and Rear Yard: No Limit.
 (Also see Section 10-1.1985 for additional standards)
- c. Height Exception and Special Findings for property located within the boundaries of the Hayward Executive Airport: See Section 10-1.1985(o). ~~Special Height Requirements and Exceptions: See Section 10-1.2730.~~

SEC. 10-1.1930 - AIR TERMINAL—INDUSTRIAL PARK SUBDISTRICT (AT-IP)

SEC. 10-1.1931 - AT-IP PURPOSE.

The purpose of the AT-IP Subdistrict is to provide for and encourage the development of industrial uses in areas suitable for same and to promote a desirable and attractive working environment with a minimum of detriment to surrounding properties and uses.

SEC. 10-1.1932 - AT-IP USES PERMITTED.

- a. Primary Uses. The following uses, or uses determined to be similar by the Planning Director, are permitted in the AT-IP District, as primary uses.
 - (1) Industrial Uses.
 - (a) Newspaper printing facility.
 - (b) Publishing facility. (Publishing and distribution of books and magazines.)
 - (c) Research and development facility.
 - (d) Research laboratory.
 - (e) Warehouse.
 - (f) Wholesale establishment.
 - (g) Hazardous materials use and storage subject to the following limitations:
 - (i) Production, storage, and/or handling, utilizing Group B hazardous materials less than 5,000 pounds of solids, 550 gallons of liquids, or 2,000 cubic feet of gases at standard temperatures and pressures.

- (ii) Production, storage, and/or handling, utilizing Group C hazardous materials less than 50,000 pounds of solids, 5,500 gallons of liquids, or 20,000 cubic feet of gases at standard temperatures and pressures.
- (h) Manufacturing
- (2) Administrative and Professional Offices/Services.
 - (a) Architectural, drafting and engineering offices.
 - (b) Banks and financial institutions.
 - (c) Interior design studio.
- (d) Medical/dental laboratory.
 - (e) Offices.
- (3) Automobile Related Uses.
 - Parking lot. (Requires Site Plan Review.)
- (4) Personal Services.
 - None.
- (5) Residential Uses.
 - None.
- (6) Retail Commercial Uses.
 - Retail sales. (Sale at retail of goods and merchandise distributed on-site, where the cumulative floor area of the retail activity does not exceed 10 percent of the first floor area of the industrial building. Sale is of new commodities only, not used goods. Includes weekend sales of new commodities year-round.)
- (7) Service Commercial Uses.
 - (a) Reverse vending machines(s). (When located within a convenience zone.)
 - (b) Copying or reproduction facility.
 - (c) Mailing or facsimile service.
- (8) Other Uses.
 - (a) Ambulance service.
 - (b) Broadcasting studio. (Radio and television.)
 - (c) Christmas tree and pumpkin patch lots. (See Section 10-1.2735.c.)
 - (d) Public agency facilities.
- b. Secondary Uses. The following uses are permitted as secondary or subordinate uses to the uses permitted in the AT-IP District:
 - (1) Accessory buildings and uses. (See Sec. 10-1.1985.a-c.)
 - (2) Minor open storage. (See Sec. 10-1.1985.r.)

SEC. 10-1.1933 - AT-IP CONDITIONALLY PERMITTED USES.

- a. Administrative Uses. The following uses, or uses determined to be similar by the Planning Director, are permitted in the AT-IP Subdistrict subject to approval of an administrative use permit:
 - (1) Industrial Uses.
 - (a) Truck rental.
 - (b) Hazardous materials use and storage subject to the following limitations:

- (i) Production, storage, and/or handling, utilizing Group B hazardous materials which exceed the following thresholds: 5,000 pounds of solids, 550 gallons of liquids, or 2,000 cubic feet of gases at standard temperatures and pressures.
 - (ii) Production, storage, and/or handling, utilizing Group C hazardous materials which exceed the following thresholds: 50,000 pounds of solids, 5,500 gallons of liquids, or 20,000 cubic feet of gases at standard temperatures and pressures.
- (2) Administrative and Professional Offices/Services.
None.
- (3) Automobile Related Uses.
None.
- (4) Personal Services.
None.
- (5) Residential Uses.
None.
- (6) Retail Commercial Uses.
Restaurant/delicatessen. (No drive-through)
- (7) Service Commercial Uses.
None.
- (8) Other Uses.
Temporary use.
- b. Conditional Uses. The following uses, or uses determined to be similar by the Planning Director, are permitted in the AT-IP Subdistrict subject to approval of a conditional use permit:
 - (1) Industrial Uses.
 - (a) Any AT-IP Use(s) located on a parcel(s) which abuts an A, MH, OS, R, or residential PD zoning district.
 - (b) Hazardous materials use and storage subject to the following limitations: Production, storage, handling, or similar activities utilizing any amount of hazardous materials classified as Group A hazardous materials by the Fire Chief or his or her designee.
 - (2) Administrative and Professional Offices/Services.
None.
 - (3) Automobile Related Uses.
None.
 - (4) Personal Services.
None.
 - (5) Residential Uses.
None.

- (6) Retail Commercial Uses.
Bar, cocktail lounge. (See Sec. 10-1.2750 et seq. for regulations of alcohol)
- (7) Service Commercial Uses.
None.
- (8) Other Uses.
None.

SEC. 10-1.1934 - AT-IP LOT REQUIREMENTS.

- a. Minimum Lot Size: 10,000 square feet.
- b. Minimum Lot Frontage: 35 feet.
- c. Minimum Average Lot Width: 70 feet.
- d. Maximum Lot Coverage: 60 percent.
- e. Minimum Lot Depth: None.
- f. Special Lot Requirements and Exceptions: See Section 10-1.2720.

SEC. 10-1.1935 - AT-IP YARD REQUIREMENTS.

- a. Minimum Front Yard: 25 feet.
- b. Minimum Side Yard: 30 feet total both sides, 5 feet minimum one side, none where site abuts railroad spur.
- c. Minimum Side Street Yard: 10 feet.
- d. Minimum Rear Yard: None.
- e. Special Side and Rear Yard Provision:
 - (1) 20 feet where abutting an A, C, MH, OS, R, or residential PD zoning district.
 - (2) Greater setbacks where required by the Uniform Building Code as adopted by the City.
- f. Special Yard Requirements and Exceptions: See Section 10-1.2725.

SEC. 10-1.1936 - AT-IP HEIGHT LIMIT.

- a. Maximum Building Height: 40 feet, except as provided in sub-section c. below and as set forth in Chapter 10, Article 6, Airport Approach Zoning Regulations of the Hayward Municipal Code, as now in effect or may hereafter amended or replaced.
- b. Maximum Height for Fences/Hedges/Walls:
 - (1) Front and Side Street Yard: 4 feet.
 - (2) Side and Rear Yard: No Limit.
 (Also see Section 10-1.1985m. for additional standards)
- c. Height Exception and Special Findings for property located within the boundaries of the Hayward Executive Airport: See Section 10-1.1985(o). ~~Special Height Requirements and Exceptions: See Section 10-1.2730.~~

SEC. 10-1.1940 - AIR TERMINAL—AVIATION COMMERCIAL SUBDISTRICT (AT-AC)

SEC. 10-1.1941 - AT-AC PURPOSE.

The purpose of the AT-AC Subdistrict is to provide for commercial and service activities that are clearly related to or supportive of the operational aspects of the Air Terminal.

SEC. 10-1.1942 - AT-AC USES PERMITTED.

- a. Primary Uses. The following uses, or uses determined to be similar by the Planning Director, are permitted in the AT-AC District, as primary uses.
 - (1) Aviation Commercial Uses.

- (a) Air photography, survey, and map-making services.
- (b) Air charter service.
- (c) Aircraft repair.
- (d) Aircraft storage (inside or outside).
- (e) Aviation clubs.
- (f) Aviation schools.
- (g) Passenger transportation terminal.
- (h) Retail sales within passenger transportation terminals.
- (i) Retail sales of aviation equipment, aircraft, fuel and lubricants.

(2) Administrative and Professional Offices/Services.
None.

(3) Automobile Related Uses.
Parking lot.

(4) Personal Services.
None.

(5) Residential Uses.
None.

(6) Retail Commercial Uses.
None.

(7) Service Commercial Uses.
None.

(8) Other Uses.
None.

b. Secondary Uses. The following uses are permitted as secondary or subordinate to the uses permitted in the AT-AC Subdistrict:

- (1) Accessory building and use.
- (2) Minor open storage.

SEC. 10-1.1943 - AT-AC CONDITIONALLY PERMITTED USES.

a. Administrative Uses. The following uses or uses determined to be similar by the Planning Director, are permitted in the AT-AC Subdistrict, subject to approval of an administrative use permit:

(1) Aviation Commercial Uses.
None.

(2) Administrative and Professional Offices/Services.
None.

(3) Automobile Related Uses.
Automobile rental.

(4) Personal Services.
None.

(5) Residential Uses.
None.

(6) Retail Commercial Uses.
Restaurant. (No drive-through.)

(7) Service Commercial Uses.
None.

(8) Other Uses.
None.

b. Conditional Uses. The following uses or uses determined to be similar by the Planning Director, are permitted in the AT-AC Subdistrict, subject to approval of a conditional use permit:

(1) Aviation Commercial Uses.
None.

(2) Administrative and Professional Offices/Services.
None.

(3) Automobile Related Uses.
None.

(4) Personal Services.
None.

(5) Residential Uses.
None.

(6) Retail Commercial Uses.
Sales, rental, and service of non-aviation equipment, when compatible with aviation uses, for a period not to exceed one day less than five years in maximum duration. Non-aviation uses are limited to no more than 25 percent of the land area in leaseholds within the AT-AC Subdistrict.

(7) Service Commercial Uses.
None.

(8) Other Uses.
Major outdoor storage.

SEC. 10-1.1944 - AT-AC LOT REQUIREMENTS.

- a. Minimum Lot Size: 50,000 square feet, except that 200,000 square feet shall be required for lots on which fueling activity occurs.
- b. Minimum Lot Frontage: 35 feet.
- c. Minimum Average Lot Width: 70 feet.

- d. Maximum Lot Coverage: 30 percent, except 5 percent minimum, but never less than 5,000 square feet.
- e. Special Lot Requirements and Exceptions: See Section 10-1.2720.

SEC. 10-1.1945 - AT-AC YARD REQUIREMENTS.

- a. Minimum Front Yard: 20 feet.
- b. Minimum Side Yard: 30 feet total both sides, 5 feet minimum one side, none where site abuts railroad spur.
- c. Minimum Side Street Yard: 10 feet.
- d. Minimum Rear Yard: None.
- e. Special Side and Rear Yard Provision:
 - (1) 20 feet where abutting an A, C, MH, OS, R, or residential PD zoning district.
 - (2) Greater setbacks where required by the Uniform Building Code as adopted by the City.
- f. Special Yard Requirements and Exceptions: See Section 10-1.2725.

SEC. 10-1.1946 - AT-AC HEIGHT LIMIT.

- a. Maximum Building Height: 40 feet, except as provided in sub-section c. below and as set forth in Chapter 10, Article 6, Airport Approach Zoning Regulations of the Hayward Municipal Code, as now in effect or may hereafter amended or replaced.
- b. Maximum Height for Fences/Hedges/Walls:
 - (1) Front and Side Street Yard: 4 feet.
 - (2) Side and Rear Yard: No Limit.

(Also see Section 10-1.1985.m. for additional standards)
- c. Height Exception and Special Findings for property located within the boundaries of the Hayward Executive Airport: See Section 10-1.1985(o). ~~Special Height Requirements and Exceptions: See General Regulations Section 10-1.2730.~~

SEC. 10-1.1950 - AIR TERMINAL—COMMERCIAL SUBDISTRICT (AT-C)

SEC. 10-1.1951 - AT-C PURPOSE.

The purpose of the AT-C Subdistrict is to provide for certain specified commercial and service uses that are compatible with airport activity, in addition to simultaneously serving the general population of the City.

SEC. 10-1.1952 - AT-C USES PERMITTED.

- a. Primary Uses. The following uses, or uses determined to be similar by the Planning Director, are permitted in the AT-C District, as primary uses.
 - (1) Administrative and Professional Offices/Services.
 - (a) Accounting and financial offices. (excluding check cashing stores)
 - (b) Architectural and engineering offices.
 - (c) Banks and financial institutions.
 - (d) Chiropractic and acupuncture offices.
 - (e) Insurance and real estate offices.
 - (f) Law offices.
 - (g) Medical and dental offices.
 - (h) Travel and airline agency offices.
 - (2) Automobile Related Uses.
 - Parking lot. (Requires Site Plan Review.)

(3) Personal Services.
Health club.

(4) Residential Uses.
None.

(5) Retail Commercial Uses.
(a) Bakery.
(b) Coffee/espresso shop.
(c) Restaurant or delicatessen. (No drive-through.)
(d) Retail sales within a hotel or motel.

(6) Service Commercial Uses.
(a) Copying or reproduction facility.
(b) Hotel or motel.
(c) Mailing or facsimile service.
(d) Reverse vending machines(s). (When located within a convenience zone.)

(7) Other Uses.
(a) Broadcasting studio. (Radio and television.)
(b) Christmas tree or pumpkin patch lot. (See Section 10-1.2735.c. for standards.)
(c) Computer center. (Involving record storage and retrieval systems, data processing and micro filming)
(d) Electronics assembly.
(e) Public agency facilities.
(f) Research and development facility.
(g) Research laboratory.
(h) Wholesale sales.

b. Secondary Uses. The following uses are permitted as secondary or subordinate uses to the uses permitted in the AT-C Subdistrict:
(1) Accessory buildings and uses. (See Sec. 10-1.1985.a-c.)
(2) Minor open storage. (See Sec. 10-1.1985.r.)

SEC. 10-1.1953 - AT-C CONDITIONALLY PERMITTED USES.

a. Administrative Uses. The following uses, or uses determined to be similar by the Planning Director, are permitted in the AT-C Subdistrict, subject to approval of an administrative use permit:

(1) Administrative and Professional Offices/Services.
None.

(2) Automobile Related Uses.
Automobile Rental.

(3) Personal Services.
None.

(4) Residential Uses.
None.

(5) Retail Commercial Uses.

Retail sales of retail goods with a regional or sub-regional marketing base, including but not limited to discount retail or warehouse retail, on land not to exceed 8 acres which is visible to Hesperian Boulevard.

- (a) Apparel.
- (b) Appliances.
- (c) Art goods.
- (d) Bicycles.
- (e) Cameras.
- (f) Crafts.
- (g) Electronics.
- (h) Hardware.
- (i) Household furnishings.
- (j) Office supplies.
- (k) Sporting goods
- (l) Similar uses as determined by the Planning Director.

(6) Service Commercial Uses.

None.

(7) Other Uses.

- (a) Vocational educational facility. (For persons 18 years of age and older)
- (b) Health club. (For persons 18 years of age and older)
- (c) Temporary use.

- b. Conditional Uses. The following uses, or uses determined to be similar by the Planning Director, are permitted in the AT-C Subdistrict, subject to approval of a conditional use permit:

None.

SEC. 10-1.1954 - AT-C LOT REQUIREMENTS.

- a. Minimum Lot Size: 10,000 square feet.
- b. Minimum Lot Frontage: 35 feet.
- c. Minimum Average Lot Width: 70 feet.
- d. Maximum Lot Coverage: 60 percent.
- e. Minimum Lot Depth: 100 feet.
- f. Special Lot Requirements and Exceptions: See Section 10-1.2720.

SEC. 10-1.1955 - AT-C YARD REQUIREMENTS.

- a. Minimum Front Yard: 20 feet.
- b. Minimum Side Yard: None.
- c. Minimum Side Street Yard: 10 feet.
- d. Minimum Rear Yard: None.
- e. Special Side and Rear Yard Provision:
 - (1) 20 feet where abutting an A, C, MH, OS, R, or residential PD zoning district.
 - (2) Greater setbacks where required by the Uniform Building Code as adopted by the City.
- f. Special Yard Requirements and Exceptions: See Section 10-1.2725.

SEC. 10-1.1956 - AT-C HEIGHT LIMIT.

- a. Maximum Building Height: 40 feet, except as provided [in sub-section c. below and as set forth](#) in Chapter 10, Article 6, Airport Approach Zoning Regulations of the Hayward Municipal Code, as now in effect or may hereafter amended or replaced.
- b. Maximum Height for Fences/Hedges/Walls:
 - (1) Front and Side Street Yard: 4 feet.
 - (2) Side and Rear Yard: No Limit.(Also see Section 10-1.1985.m. for additional standards)
- c. [Height Exception and Special Findings for property located within the boundaries of the Hayward Executive Airport: See Section 10-1.1985\(o\). Special Height Requirements and Exceptions: See General Regulations Section 10-1.2730.](#)

SEC. 10-1.1960 - AIR TERMINAL—RECREATIONAL SUBDISTRICT (AT-R)

SEC. 10-1.1961 - AT-R PURPOSE.

The purpose of the AT-R Subdistrict is to provide for outdoor recreational activities that are compatible with airport activity.

SEC. 10-1.1962 - AT-R USES PERMITTED.

- a. Primary Uses. The following uses, or uses determined to be similar by the Planning Director, are permitted in the AT-R District, as primary uses.
 - (1) Recreational Uses.
 - (a) Golf course.
 - (b) Health club.
 - (c) Recreational facilities. (Maintained by a public agency)
 - (d) Tennis and swim clubs.
 - (2) Administrative and Professional Offices/Services.
None.
 - (3) Automobile Related Uses.
None.
 - (4) Personal Services.
None.
 - (5) Residential Uses.
None.
 - (6) Retail Commercial Uses.
Retail uses. (Which are within and/or ancillary to a public or private recreational facility, golf course, country club, or a health club)
 - (7) Service Commercial Uses.
None.
 - (8) Other Uses.
Christmas tree or pumpkin patch lot. (See General Regulations Sec. 10-1.2735.c for standards)

- b. Secondary Uses. The following uses are permitted as secondary or subordinate uses to the uses permitted in the AT-R Subdistrict:
 - (1) Accessory building and use. (See Sec. 10-1.1985.a-c)
 - (2) Minor open storage. (See Sec. 10-1.1985.r)

SEC. 10-1.1963 - AT-R CONDITIONALLY PERMITTED USES.

- a. Administrative Uses.
None.
- b. Conditional Uses.
Any recreational uses located on a parcel which abuts an A, OS, R, MH, or residential PD zoning district.

SEC. 10-1.1964 - AT-R LOT REQUIREMENTS.

- a. Minimum Lot Size: 10,000 square feet.
- b. Minimum Lot Frontage: 35 feet.
- c. Minimum Average Lot Width: 80 feet.
- d. Maximum Coverage Permitted: 60 percent.
- e. Minimum Lot Depth: 100 feet.
- f. Special Lot Requirements and Exceptions: See General Regulations Section 10-1.2720.

SEC. 10-1.1965 - AT-R YARD REQUIREMENTS.

- a. Minimum Front Yard: 20 feet.
- b. Minimum Side Street Yard: 10 feet.
- c. Minimum Side Yard: None.
- d. Minimum Rear Yard: None.
- e. Special Side and Rear Yard Provision:
 - (1) 20 feet where abutting an A, OS, R, MH, or residential PD zoning district.
 - (2) Greater setbacks where required by the Uniform Building Code as adopted by the City.
- f. Special Yard Requirements and Exceptions: See General Regulations Section 10-1.2725.

SEC. 10-1.1966 - AT-R HEIGHT LIMIT.

- a. Maximum Building Height: 40 feet, except as provided in Chapter 10, Article 6, Airport Approach Zoning Regulations of the Hayward Municipal Code, as now in effect or may hereafter amended or replaced.
- b. Maximum Height for Fences/Hedges/Walls:
 - (1) Front and Side Street Yard: 4 feet.
 - (2) Side and Rear Yard: No Limit.(Also see Section 10-1.1985 for additional standards)
- c. ~~Special Height Requirements and Exceptions: See General Regulations Section 10-1.2730.~~

SEC. 10-1.1970 - AIR TERMINAL—MEDIUM DENSITY RESIDENTIAL SUBDISTRICT (AT-RM)

SEC. 10-1.1971 - AT-RM PURPOSE.

The purpose of the AT-RM Subdistrict is to provide residential land uses that are compatible with airport activity.

SEC. 10-1.1972 - AT-RM USES PERMITTED.

- a. Primary Uses. The following uses, or uses determined to be similar by the Planning Director, are permitted in the AT-RM District, when not specified as an administrative or conditional use.
 - (1) Residential Uses.
 - (a) Multiple-family dwelling.
 - (b) Single-family dwelling.
 - (c) Group home. (See definitions)
 - (2) Other Uses.
 - (a) Day care home. (State-licensed, less than 24-hour care for children or adults, 14 or fewer persons, excluding staff. See definitions)
 - (b) Public agency facilities. (See definitions)
- b. Secondary Uses. The following uses are permitted as secondary or subordinate uses to the uses permitted in the AT-RM District:
 - (1) Residential Uses.
 - None.
 - (2) Other Uses.
 - (a) Accessory buildings and uses. (See Section 10.1.1985)
 - (b) Garage sales. (4 per year per dwelling. See General Regulations Section 10-1.2735.d.)
 - (c) Home occupation. (See definitions)
 - (d) Household pets.

SEC. 10-1.1973 - AT-RM CONDITIONALLY PERMITTED USES.

- a. Administrative Uses.
 - None.
- b. Conditional Uses.
 - None.

SEC. 10-1.1974 - AT-RM LOT REQUIREMENTS.

- a. Minimum Lot Size: 5,000 square feet.
- b. Minimum Lot Area per Dwelling Unit: 2,500 square feet per multiple-family dwelling unit.
- c. Minimum Lot Frontage: 35 feet.
- d. Minimum Average Lot Width: 50 feet.
- e. Maximum Lot Coverage: 50 percent.
- f. Minimum Lot Depth: 80 feet.
- g. Special Lot Requirements and Exceptions: See General Regulations Section 10-1.2720.

SEC. 10-1.1975 - AT-RM YARD REQUIREMENTS.

- a. Minimum Front Yard: 20 feet.
- b. Minimum Side Yard: 5 feet, or 10 percent of the lot width at the building line whichever is greater up to a maximum of 10 feet.
- c. Minimum Side Street Yard: 10 feet.
- d. Minimum Rear Yard: 20 feet.
- e. Special Yard Requirements and Exceptions: See General Regulations Section 10-1.2725.

SEC. 10-1.1976 - AT-RM HEIGHT LIMIT.

- a. Maximum Building Height: 40 feet, except as provided in Chapter 10, Article 6, Airport Approach Zoning Regulations of the Hayward Municipal Code as now in effect or may hereafter be amended or replaced.
- b. Maximum Accessory Building Height: 14 feet and one story.
- c. Maximum Height for Fences/Hedges/Walls:
 - (1) Front and Side Street Yard: 4 feet.
 - (2) Side and Rear Yard: 6 feet.
 (See Section 10-1.1985.m. for additional standards).
- d. ~~Special Height Requirements and Exceptions: See Sections 10-1.2730.~~

SEC. 10-1.1980 - SITE PLAN REVIEW REQUIRED.

Site Plan Review approval is required prior to issuance of any building or construction permit or construction of a fence within this district only if the Planning Director determines that a project materially alters the appearance and character of the property or area or may be incompatible with City policies, standards and guidelines. This may include fences (i.e., such as anodized gray chain link fences) in certain circumstances.

SEC. 10-1.1985 - MINIMUM DESIGN AND PERFORMANCE STANDARDS.

This Section establishes design and performance standards that shall apply to the construction of aviation, industrial and commercial buildings and uses in the AT District.

Residential Buildings and Uses.

For single-family and multi-family residential buildings and uses, refer to the Minimum Design and Performance Standards contained in the RS and RM District.

Commercial Buildings and Uses.

For commercial buildings and uses, refer to the Minimum Design and Performance Standards contained in the CN District.

Air Terminal and Industrial Buildings and Uses.

For air terminal and industrial buildings and uses refer to the following specific criteria and standards.

- a. Accessory Buildings, Detached.
 - (1) Detached accessory buildings shall meet the following criteria:
 - (2) Shall not exceed one story.
 - (3) Shall not be located in a required front yard or side street yard.
 - (4) Shall be setback a minimum of 20 feet from a side or rear property line where abutting an A, C, FP, MH, OS, R, or residential PD zoning district.
 - (5) Shall not be located in front of a primary building, unless no other practical alternative exists.
 - (6) Shall be setback a minimum of 10 feet from a primary building and any other accessory building. Greater setbacks may be necessary where required by the Uniform Building Code as adopted by the City.
- b. Accessory Structures, Decorative.
 - (1) Detached decorative accessory structures, including but not limited to arbors, shade covers, trellises, etc., shall meet the following criteria:
 - (2) Shall not exceed one story.

- (3) Shall use exterior materials and colors which either match or are compatible with the primary building. Special design consideration should be given to structures visible from a public street.
 - (4) Shall not be located in a required front yard or side street yard.
- c. Additions and Accessory Structures Attached to Primary Building. Additions and accessory structures attached to the primary building shall meet all the development standards required of the primary building.
 - d. Aircraft Parking. Adequate on-site parking for aircraft shall be provided for tenants, customers, guests, and others as required. Hangar doors shall be set back at least 25 feet from property lines abutting taxiways.
 - e. Alcoholic Beverage Outlets. Refer to Section 10-1.2750 et seq. for Alcoholic Beverage Outlet Regulations.
 - f. Antennas and Satellite Dishes and Telecommunications Devices. Refer to Chapter 10, Article 13, of the Hayward Municipal Code, the Antenna and Telecommunications Facilities Ordinance, for regulations of antennas, satellite dishes and telecommunications devices.
 - g. Architectural Design Principles.
 - (1) Refer to the City of Hayward Design Guidelines where applicable. Where abutting residential zoning districts, all structures shall be designed to:
 - (a) Be appropriate for the proposed use(s);
 - (b) Incorporate design elements that are harmonious and in proportion to one another;
 - (c) Be compatible with the design of adjacent uses; and
 - (d) Incorporate an appropriate use or mixture of color, texture, patterns, shadows, offsets and decorative siding, roofing, window and accent materials such as wood, tinted glass, plaster, tile or masonry.
 - h. Architectural Projections into Yards. Architectural features such as bay windows, cornices and eaves may extend 2 feet into any required yard.
 - i. Aviation Fuel Storage. Aviation fuel shall be stored in aircraft tanks, in delivery units approved by the Fire Department, or in aviation fuel storage areas reserved for such use as approved by the Fire Department.
 - j. Decks and Ramps.
 - (1) Decks and ramps 12 inches or less in height may be located in any yard.
 - (2) Decks and ramps between 12 to 30 inches in height may be located in any rear or side yard but no closer than 3 feet to the rear or side property line.
 - (3) Decks 30 inches or more in height shall conform to the minimum yard setback requirements of the primary building.
 - (4) Landscape screening shall be provided along the sides of the ramp.
 - k. Electronic and Radio Interference. No operation shall emit electrical, electronic, or radio emissions which will interfere with, obstruct, or adversely affect the operation of air navigation aids and radio communication.
 - l. Fences, Hedges, Walls.

- (1) Fences shall be installed so as to restrict access to airport operational areas or adjacent residential, industrial or commercial districts or uses as required by the Planning Director. Design and construction of fences and walls shall conform to appropriate commercial, industrial, or residential standards, and the following criteria.
- (2) Fence, hedges and walls shall not exceed a height of 4 feet in a required front yard, side street yard or rear yard abutting a street.
- (3) Fences and walls above 6 feet in height shall require approval by the Planning Director and a Building Permit.
- (4) For fences limited to a maximum of 4 feet in height, the height limit shall not be exceeded at grade measured on either side of the fence. For fences and walls required to be at least 6 feet high or greater, the height shall be no higher than the height required on both sides of the fence or wall.
- (5) Barb or razor wire or similar security fencing shall not be located less than 6 feet above ground along a common property line of a residential property. Such fencing shall not exceed 3 feet in height and where used shall be angled toward the industrial use.
- (6) Where a lot is situated at the intersection of two or more streets, fences, hedges and walls shall not be erected, placed, planted, or allowed to grow in such a manner as to obstruct intersection visibility, as contained in Ordinance No. 100 C.S., as amended, Hayward Traffic Code, Sections 9.01 through 9.05, relating to Obstructions to Visibility at Intersections Prohibited, as the same are now in effect or which may hereafter be amended or replaced.

m. Fire Insurance Rating. No operation shall by its nature increase the fire insurance rating for adjoining or adjacent parcel(s).

n. Grading. All grading activity shall follow the grading and terrain design standards of the City of Hayward Subdivision Ordinance, and Design Guidelines.

o. HEIGHT EXCEPTION AND SPECIAL FINDINGS FOR HAYWARD EXECUTIVE AIRPORT PROPERTY. The approving authority may approve or conditionally approve a request for an increase in height of a structure over 40 feet when the request accompanies a Site Plan Review or Use Permit Application, and the following additional findings are made:

- (1) The proposed structure will not constitute a hazard to or result in an unsafe condition for air navigation pursuant to Federal Aviation Administration review and approval; and
- (2) The increase in height over 40 feet is necessary to achieve a more beneficial site layout or will result in public benefits/amenities that could not be achieved under current zoning standards.

p. ~~e~~. Landscaping.

(1) Landscape Areas.

- (a) Required front, side, side street, and rear yard areas shall be landscaped except for permitted driveways, and walkways. All other areas not utilized for structures or paving shall be landscaped unless otherwise authorized by the Planning Director or other approving authority because of site constraints, existing or adjacent site conditions, or phased development.
- (b) Parking is prohibited within required front and side street yards. Where no front or side street yards are required:

- (i) A landscape strip at least 10 feet wide, unless a wider strip is otherwise required by the approving authority, shall be installed between parking areas and all existing or future street rights-of-way; and
 - (ii) The area between all buildings and existing or future street rights-of-way shall be landscaped unless waived by the approving authority.
 - (c) Required landscaped areas shall be planted with water-conserving trees, shrubs, turf grass, ground cover, or a combination thereof. The sole use of bark, decorative paving, or decorative rock shall not be allowed in required landscape areas.
 - (d) Where any landscaped area adjoins driveways or parking areas, Class B Portland Cement concrete curbs shall be constructed to a height of 6 inches above the finished pavement.
- (2) Buffer Trees/Landscaping.
- (a) A minimum of one 15-gallon buffer tree shall be planted for every 20 to 40 lineal feet of property line where a required side or rear yard abuts an A, C, FP, MH, OS, R, or residential PD District.
 - (b) Masonry walls, solid building walls, trash enclosures, and/or fences facing a street or driveway shall be buffered with continuous shrubs or vines.
- (3) Parking Lot Trees/Planters.
- (a) Parking areas shall include a minimum of one 15-gallon parking lot tree for every six parking stalls, except where restricted because of design constraints.
 - (b) Parking lot trees shall be planted in tree wells or landscape medians located within the parking area, unless an alternative location is approved by the Planning Director. Required street and buffer trees shall not qualify as parking lot trees.
 - (c) The minimum dimension of any tree well or landscape median shall be 5 feet, measured from back of curb.
 - (d) The end of parking rows shall be capped with landscape medians, except where space is restricted because of existing site conditions.
 - (e) Parking and loading areas shall be buffered from the street with shrubs, walls, or earth berms, as determined by the Planning Director. Where shrubs are used for buffering, the type and spacing of shrubs shall create a continuous 30-inch-high screen within 2 years.
- (4) Street Trees. Street trees shall be planted along all street frontages at a minimum of one 24-inch or larger box tree per 20 to 40 lineal feet of frontage or fraction thereof, except where space is restricted due to existing structures or site conditions.
- (5) Irrigation. Within all required landscaped areas, an automatic water efficient irrigation system shall be installed upon initial construction of any building or substantial alteration to any building or site.
- (6) Tree Preservation.
- (a) Trees shall be preserved in accordance with the Tree Preservation Ordinance with measures included for tree protection during the construction period.
 - (b) A tree removal permit is required prior to removing any tree 30 inches or larger in trunk circumference (or approximately 10 inches or larger in trunk diameter), measured 2 feet above the ground.
- (7) Maintenance.
- (a) After initial installation, all plantings shall be maintained in a reasonably weed-free and litter-free condition, including replacement where necessary as determined by the Planning Director.
 - (b) Required street, parking lot, and buffer trees shall not be severely pruned, topped, or pollarded (cut back to the trunk).

q. ~~p.~~ Lighting, Exterior. Exterior lighting and parking lot lighting shall be provided in accordance with the Security Standards Ordinance (No. 90-26 C.S.) and be designed by a qualified lighting designer and erected and maintained so that light is confined to the property and will not cast direct light or glare upon adjacent properties or public rights-of-way or interfere with airport operations or flight operations. Such lighting shall also be designed such that it is in keeping with the design of the development.

r. ~~q.~~ Outdoor Storage. All uses shall be conducted wholly within enclosed buildings. Minor open storage is a secondary use and is permitted, provided the materials, products, or equipment stored are necessary to the operation of a use being conducted on the site. Storage shall not exceed the height of any fence or wall required by this Ordinance, and storage shall not be placed within required yard or parking areas. Outdoor storage shall be screened by a view-obscuring fence or masonry wall and be compatible with adjoining uses, as determined by the Planning Director (for example, adequately screened, set back or not too high, and not visually unpleasant as with outside storage of appliances in conjunction with appliance sales/service).

All uses shall be conducted wholly within enclosed buildings. Minor open storage is a secondary use and is permitted, provided the materials, products, or equipment stored are necessary to the operation of a use being conducted on the site. Storage shall not be placed within required yard or parking areas, and the storage shall be compatible with adjoining uses, as determined by the Planning Director (for example, adequately screened, set back or not too high, and not visually unpleasant as with outside storage of appliances in conjunction with appliance sales/service).

s. ~~r.~~ Parking, Driveways and Paving. Parking, driveways and paving for air terminal, industrial and commercial uses shall be provided in accordance with the City of Hayward Off-Street Parking Regulations, Standard Details, and the following criteria:

(1) Parking Spaces Required.

(a) The number of parking stalls required shall be:

- (i) **one** space for each 500 square feet of gross floor area, or
- (ii) If a building or structure has leasable bays of 2,500 square feet or greater, the minimum off-street parking required is 1.0 space for each 1,000 square feet of gross floor area, or
- (iii) If a building or structure has leasable bays of 10,000 square feet or greater, the minimum off-street parking required is 1.0 space for each 1,500 square feet of gross floor area, or
- (iv) If a building or structure has leasable bays of 20,000 square feet or greater, the off-street parking required is 1.0 space for each 2,000 square feet of gross floor area.

(b) If an industrial use has an office area greater than 10 percent of the gross floor area of the industrial use, then the office area shall provide 1.0 parking space for each 250 square feet of gross office floor area.

(c) Parking spaces for other uses, such as offices, retail, etc., shall be required per the Off-Street Parking Regulations.

(2) Parking Space Dimensions.

- (a) Standard car parking spaces shall be a minimum of 9 feet wide by 19 feet long.
- (b) Compact car parking spaces shall be a minimum of 9 feet wide by 15 feet long.
- (c) Covered or uncovered parking spaces located adjacent to walls or support columns shall be increased in width by at least one foot on the effected side(s), to accommodate door swing.
- (d) Covered parking spaces shall provide a minimum unobstructed vertical clearance of 7 feet. Parking space areas shall be unobstructed by stairs, cabinets, utilities, etc.

- (3) Parking Space Locations. Parking spaces shall not be located within any required front, side, side street, or rear yard setback.
- (4) Driveways and Paving.
 - (a) The minimum driveway width shall be 20 feet for a two-way driveway and 12 feet for a one-way driveway.
 - (b) In no case should a driveway exceed one-third of the width of the property frontage width or 35 feet.
 - (c) Parking and driveway surfaces shall be paved with asphaltic surface or comparable all-weather dustless material(s), such as bricks or pavers, as approved by the Planning Director.
- (5) Driveway Aisle Dimensions. The minimum parking lot driveway aisle width shall be 26 feet for a two-way standard car aisle and 20 feet for a compact aisle.
- (6) Driveway Turn-around Requirement. All airport terminal property shall provide a sufficient paved driveway turn-around to allow vehicles to exit property in a forward direction.
- (7) Driveway Security Gates. Refer to Chapter 10, Article 14 of the Hayward Municipal Code.
- (8) Emergency Vehicle Turn-Around Requirement. Where the farthest point of a structure(s) is located 150 feet or more from the point of street access, a turn-around area shall be provided which will accommodate the turning around of fire protection vehicles, unless otherwise approved by the Fire Prevention Bureau. (For further details or alternative design considerations contact the Fire Prevention Bureau.)
- (9) Private Street Criteria. Refer to the Standard Details and Section 10-1.2735.h. for design criteria and standards.

~~t-s.~~ Retaining Walls. Retaining walls which are not a part of walls of buildings shall require review and approval by the Planning Director.

~~t.~~ Not used.

u. Not used.

v. Not used.

w. Not used.

x. Roof-Mounted Equipment. Roof-mounted equipment, antennas, satellite dishes, support structures and similar devices shall be screened from public view as required by the Planning Director or other approval authority.

y. Signs. Signs shall be of a design in harmony with the environment, shall not constitute excessive visual impact, shall not be hazardous to vehicular traffic, and shall be of a quality conducive to the development of commerce. (Refer to the City of Hayward Sign Ordinance for specific regulations.)

z. Surfacing. All open areas not landscaped shall be treated or paved with an all-weather, dustless material, such as an asphaltic surface, as approved by the Planning Director. Surfacing shall be permanently maintained, including replacement where necessary.

aa. Trash and Recycling Facilities.

- (1) Trash and recycling facilities shall be adequately screened from view, utilizing a decorative wood or masonry wall or combination thereof compatible with the design of the primary building on the site.

- (2) Shall be located no further than 100 feet from the use it is designed to serve, unless the site topography is such that adhering to this standard would interfere with the collection of trash.

bb. Truck Loading Facilities.

- (1) Truck loading spaces and the access and maneuvering areas serving loading spaces shall be located on the same parcel as the activity served and must be exclusive of the area used for required parking spaces. Truck turning templates should be used for design.
- (2) Truck loading/unloading shall not take place on public streets and shall not interfere with on-street traffic, parking or sidewalks.
- (3) Loading areas should not dominate the street frontage, and should not directly face a major street. Where loading docks or doors are located directly off abutting street(s), the following policy shall be used for truck maneuvering:
 - (a) If the abutting street is a major street where the curb-to-curb width is 72 feet or more, the loading facility/dock/door, etc., shall be located so that a truck cannot use the street as a means to maneuver in a backwards motion towards the unloading point. This will require an unobstructed on-site minimum depth of 95 - 115 feet in front of the loading area. Driveways shall not be placed to line up with the loading docks.
 - (b) On service roads (streets 40-48 feet curb-to-curb), truck maneuvering can take place within the street area, and the driveway may be lined up with the loading dock. When a truck is parked at the loading point, it shall not project into the public right-of-way. A minimum of 65 feet shall be unobstructed and provided in front of the loading area.

cc. Yard Exceptions. Spur tracks, open bays for truck loading, and off-street parking spaces may be placed within rear or side yards, except when abutting any A, FP, MH, O, R, or residential PD District.

dd. Window Coverage. Transparent windows and doors of buildings occupied by businesses engaging in retail sales, all or a portion of which are within 5 vertical feet of the floor and which are visible from public rights-of-way or pedestrian walkways or are otherwise visible by the general public from the exterior, shall remain free of coverings and materials that prevent views into or out of the stores. Retail goods intended for sale, or goods being stored, or other coverings or materials shall be located no closer than 5 feet from a transparent window or door, unless they are located beneath or above a window and are not visible from public right-of-way or pedestrian walkways or are otherwise visible by the general public. This section shall not apply to signs or retail goods that are presented within or adjacent to a window and that are a part of a decorative window display, as determined by the Planning Director.

SEC. 10-1.2700 - GENERAL REGULATIONS

SEC. 10-1.2730 - SPECIAL HEIGHT REQUIREMENTS.

- a. ~~Reserved. Height—Airport. Height provisions of airport or air approach regulations shall govern when in conflict herewith or in absence of provisions for such height regulation herein.~~
- b. Height—Exceptions.

- (1) Chimneys, cupolas, flagpoles, elevator shafts, radio and television towers, wind machines, and similar mechanical or architectural appurtenances, if attached to a building shall not exceed a height of 15 feet unless authorized by the Planning Director or other approval authority for two-story dwellings or dwellings located on hillsides. If not attached to a building, they shall not exceed 25 feet in height unless authorized by the Planning Director or other approval authority.
 - (2) Church steeples may be exempted from the height requirements as long as the steeples are in scale with the design of the church/religious facility and surroundings, as determined by the Planning Director or other approval authority.
- c. Height—Accessory Building. Unless otherwise specified in the District Regulations, an accessory building shall not exceed one story in height.

HAYWARD CITY COUNCIL

RESOLUTION NO. 18-

Introduced by Council Member _____

RESOLUTION TO ADOPT A ZONING TEXT AMENDMENT TO CHAPTER 10, ARTICLE 1 (ZONING ORDINANCE) OF THE HAYWARD MUNICIPAL CODE RELATED TO HEIGHT REGULATIONS FOR AIRPORT TERMINAL DISTRICT PROPERTIES LOCATED WITHIN THE BOUNDARIES OF THE HAYWARD EXECUTIVE AIRPORT

WHEREAS, on November 7, 2017, the Airport Manager submitted a City-initiated request to amend Chapter 10, Article 1 (Zoning Ordinance) of the Hayward Municipal Code (HMC) to allow an increase in height for new development within the boundaries of the Hayward Executive Airport to make the properties more marketable.

WHEREAS, the proposed amendments would allow an increase in height for new development on certain Air Terminal (AT) District properties (AT-Commercial, AT-Aviation Commercial, AT-Operations, AT-Recreational, and AT-Industrial Park) located within the boundaries of the Hayward Executive Airport, with special findings that the increased height will not pose a safety hazard pursuant to Federal Aviation Administration (FAA) review and approval, and if staff finds that the proposed increase in height will result in a better site layout for future projects or provide additional amenities that would not be achievable under current zoning regulations.

WHEREAS, on December 14, 2017, the Planning Commission considered Zoning Text Amendment Application No. 201706359 at a public hearing, and voted (6-0-1), that the City Council approve the Zoning Text Amendment; and

WHEREAS, notice of the hearing was published in the manner required by law and the hearing was duly held by the City Council on January 16, 2018.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby finds and determines as follows:

CALIFORNIA ENVIRONMENTAL QUALITY ACT

- A. The proposed project is exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3), as an activity that is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The proposed project includes zoning text amendments to allow for an increase in building height within the boundaries of the Hayward Executive Airport provided that the FAA reviews and approves the proposed height increase, and if the

proposed increase in height will result in a better site layout, or additional amenities that would not be achievable under current zoning regulations. Future development projects would be evaluated on a case-by-case basis for environmental impacts pursuant to CEQA.

FINDINGS FOR A ZONING TEXT AMENDMENT TO THE HAYWARD MUNICIPAL CODE

- A. Substantial proof exists that the proposed change will promote the public health, safety, convenience, and general welfare of the residents of Hayward;

The proposed zoning text amendments would allow for an increase in height for new development on properties located within the boundaries of the Hayward Executive Airport. The increase in height would be subject to special findings that it would not pose a safety concern based on the FAA's review and approval of the development, and that the increase in height would result in a more beneficial site layout. Flexibility in height would allow developers to combine uses on a single site, provide amenities such as increased landscaping, and offer enhance architecture with higher ground floor entrances, higher internal ceilings and varied roof pitches that might not otherwise be achievable under current zoning standards. Such site and building enhancements would promote higher quality development and a variety of uses and amenities that would promote the general welfare of the residents, employees and visitors to Hayward. Further, the Airport property is hundreds of acres in size and separated from nearby neighborhoods with wide roadways and tree-lined medians. The site can accommodate taller structures without disrupting the scale and pattern of development in the surrounding area.

- B. The proposed change is in conformance with all applicable, officially adopted policies and plans;

The proposed text amendments would not conflict with the underlying General Plan designation purposes, allowable uses, or development standards. The proposed text amendments are consistent with the following Land Use and Economic Development General Plan Policies to provide flexibility in development standards and to offer incentives for amenity rich development that would not be achievable under current zoning regulations:

- Policy LU-5.2, Flexible Land Use Regulations. To maintain flexible land use regulations that allow the establishment of economically productive uses in regional and community centers.
- Policy ED-6.7, Business Incentives. To provide incentives to attract, expand, and retain businesses that offer high quality jobs, generate local sales tax revenue, and/or provide needed goods or services to residents.

- C. Streets and public facilities existing or proposed are adequate to serve all uses permitted when the property is reclassified; and

No properties are proposed to be reclassified. Rather, the proposed text amendments would allow for an increase in building height provided that the FAA reviews and approves the proposed height increase and if the proposed increase in height will result in a better site layout, or additional amenities that would not be achievable under current zoning regulations

- D. All uses permitted when property is reclassified will be compatible with present and potential future uses, and, further, a beneficial effect will be achieved which is not obtainable under existing regulations.

No properties are proposed to be reclassified. The proposed text amendments would allow property owners to install perimeter fences around vacant properties in order to secure and protect the properties. Fence design and performance standards will ensure that the fences are aesthetically pleasing and contribute to a positive image of the City until such time as the properties are ready for development.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward, based on the foregoing findings, hereby adopts the findings in support of Zoning Text Amendment Application No. 201706359, subject to the adoption of the companion Ordinance.

BE IT RESOLVED that this resolution shall become effective on the date that the companion Ordinance (Ordinance No. 18-__) becomes effective.

IN COUNCIL, HAYWARD, CALIFORNIA 16th of January 2018.

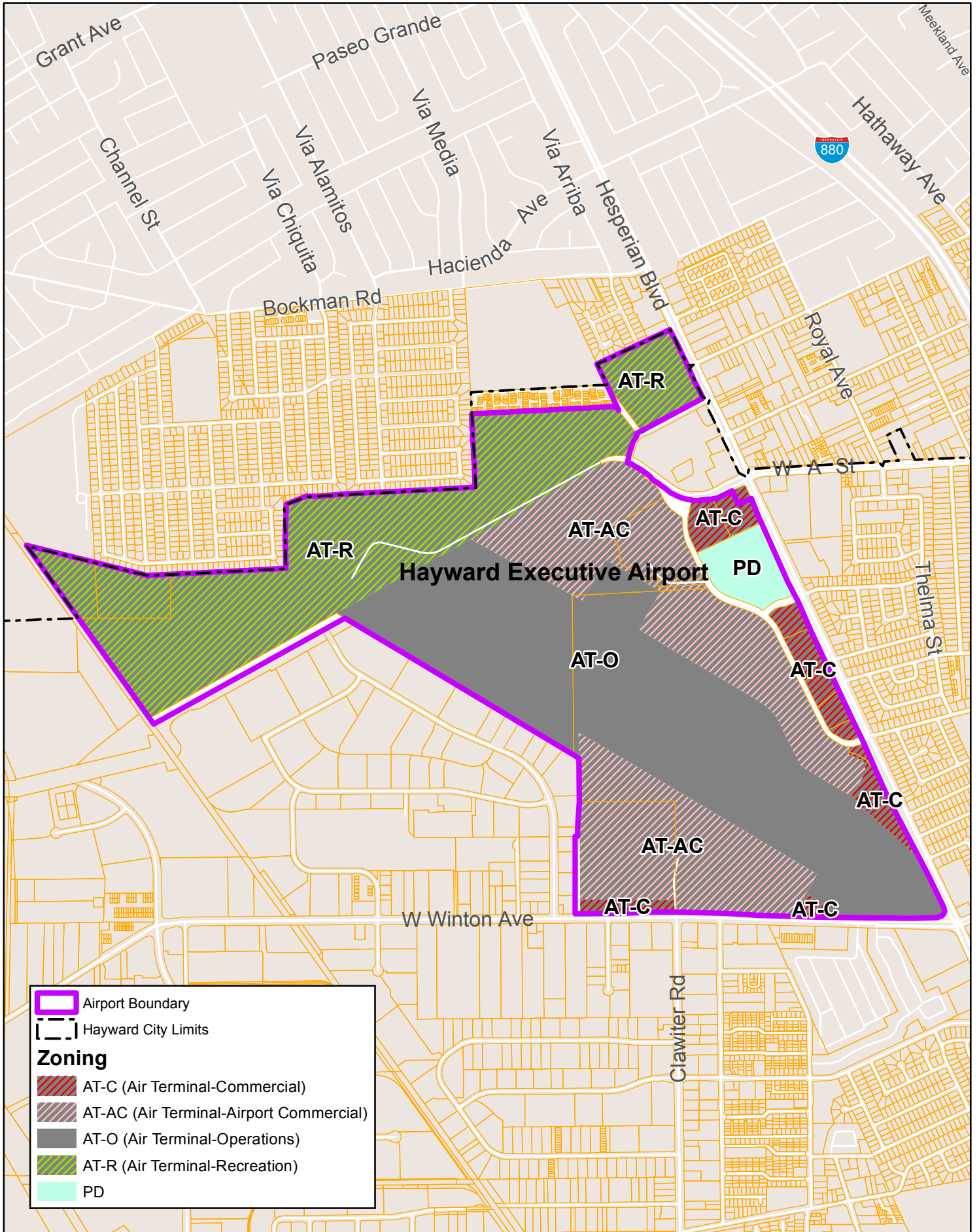
ADOPTED BY THE FOLLOWING VOTE:

- 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



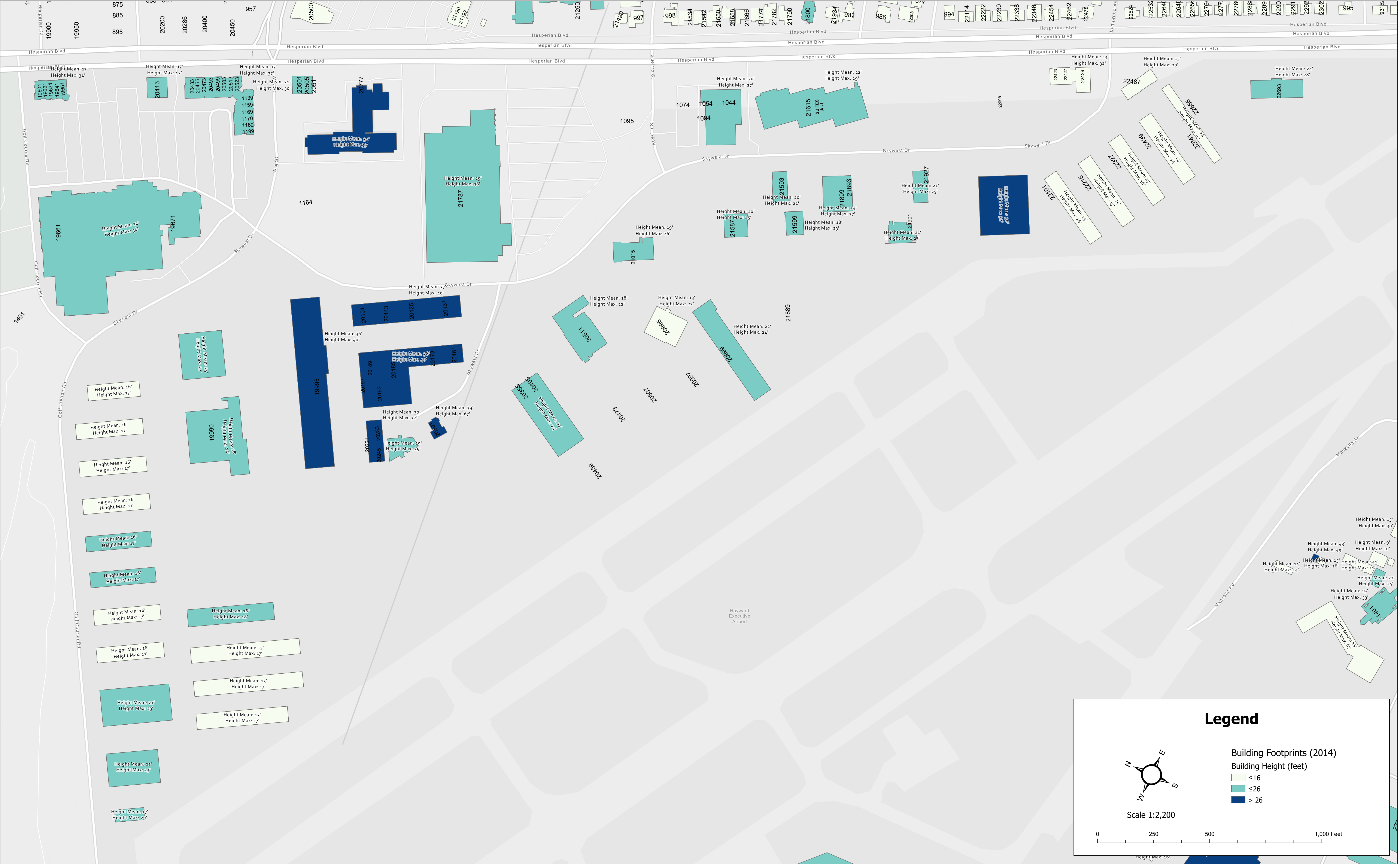
Legend

- Airport Boundary
- Hayward City Limits

Zoning

- AT-C (Air Terminal-Commercial)
- AT-AC (Air Terminal-Airport Commercial)
- AT-O (Air Terminal-Operations)
- AT-R (Air Terminal-Recreation)
- PD

Hayward Executive Airport: Skywest Dr Building Height Map



Hayward Executive Airport: Corsair Blvd Building Height Map

