



DATE: June 5, 2018

TO: Mayor and City Council

FROM: Interim Development Services Director

SUBJECT Authorize an Additional \$89,000 to Complete the Administrative Draft Code Component of the Downtown Specific Plan Project

RECOMMENDATION

That the Council adopts the attached resolution authorizing an additional \$89,000 for the Administrative Draft Code Component of the Downtown Specific Plan project.

SUMMARY

Staff is requesting approval of an additional \$89,000 to cover the cost of the Administrative Draft Code component of the Downtown Specific Plan as part of the commitment to the Alameda County Transportation Commission for the Sustainable Communities Technical Assistance Program grant.

BACKGROUND

The Sustainable Communities Technical Assistance Program (SCTAP), is a funding program that supports Priority Area Development planning and implementation, implementation of complete streets projects, and smaller scale bicycle and pedestrian technical projects. On March 27, 2014, the Alameda County Transportation Commission (ACTC) awarded the City of Hayward \$950,000 to complete the Downtown Specific Plan (the Plan). The City originally agreed to commit \$75,000 in matching funds for the grant.

The consulting firm, Dyatt & Bhattia, retained to complete the Plan was terminated on October 19, 2015, due to a variety of factors. Because of disengaging with the firm originally selected to complete the plan, the City engaged Lisa Wise Consulting to complete the remaining aspects of the Plan.

During the transition from one firm to the other, staff expanded the original scope of work to add a zoning code element, which increased the cost of the project.

ACTC rejected a request from City staff to provide additional funding above the original \$950,000 grant funds awarded to the City for this project. On April 5, 2016, Council approved Resolution #16-047, authorizing the increase to the original budget of \$75,000. The changes

to the scope of work resulted in an increase of \$230,000 to the budget for the project. The revised total budget of the project for the City is \$305,000.

In August 2016, ACTC entered into an agreement with Lisa Wise Consulting, Inc. to complete Phase 1 of the Administrative Draft Code and currently administers this agreement. On February 9, 2018, ACTC submitted an invoice to the City in the amount of \$168,708 as reimbursement for services by the consultant related to Phase 1 of the Administrative Draft Code.

The City executed a separate agreement with Lisa Wise Consulting, Inc., on August 1, 2017, to complete Phase 2 of the Administrative Draft Code for the Plan for an amount not to exceed \$173,801. This work is ongoing.

On November 16, 2016, the City entered into Agreement A16-0044, Memorandum of Understanding (MOU) with ACTC to coordinate and collaborate the oversight and completion of Hayward's Downtown Specific Plan. Section II (City of Hayward Obligations and Agreements) Section 2.1 states the following:

The City shall promptly remit within thirty 30 days of receipt of invoice(s) from the Alameda CTC. The City will transfer to Alameda CTC on a reimbursements basis, an amount not to exceed \$305,000, as matching funds for the \$950,000 awarded by Alameda CTC to complete the Plan.

DISCUSSION

The Downtown Specific Plan will provide a community-supported vision for the Downtown, specific development and zoning standards, and implementation measures to realize the Plan's goals and objectives. The Plan area has two supermarkets, several cafes and restaurants, a drugstore and a movie theater with excellent transit connectivity. The plan will build upon existing strengths and continue efforts to energize the City's emerging Downtown. This effort will also bring the Downtown Specific Plan into compliance with the updated General Plan and provide implementation strategies for some of the over-arching policies in the General Plan, including providing clarity of land use.

The City maintains its responsibility and commitment of \$305,000 of matching funds to ACTC. In addition to the matching commitment, the cost of completing the Plan and Administrative Draft Code is \$173,801. An appropriation of \$85,000 has been committed from Measure B/BB funds to cover a portion of these costs. Staff is requesting that Council authorize and allocate \$89,000 from the General Fund to cover the amount necessary for the ACTC match and the completion of the Draft Code.

FISCAL IMPACT

Approval of the additional \$89,000 appropriation will have a direct impact on the City's General Fund Reserve. In order to offset this General Fund impact, as well as provide a consistent stream of revenue to support Advanced or Long-Range/Policy Planning activities,

the City may eventually see a return on this investment through implementation of the Downtown Specific Plan by increased construction and accompanying/additional building permit fees, increased sales tax and property tax revenue in the Downtown area.

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. This item supports the following goal and objective:

Goal 3: Develop a Regulatory Toolkit for Policy Makers.

Objective 1: Update, streamline, and modernize zoning & codes.

SUSTAINABILITY FEATURES

The action taken for this agenda report will not directly result in a physical development, purchase or service, new policy, or legislation. This request is related to the executed MOU between ACTC and the City of Hayward, specifically requesting that the City Council authorize additional funds to cover the cost of the Administrative Draft Code component for the Downtown Specific Plan project. Sustainability features are being developed as part of the Plan process, specifically with input from the public and the Sustainability Committee. Lisa Wise Consulting subconsultant Sherwood Design Engineers is actively involved with incorporating sustainable concepts and design alternatives for the Downtown Plan area. Once ready for review and comment, additional discussion will occur with Council, the Planning Commission, the Sustainability Commission and the public regarding what measures will be suggested and how they will be implemented.

PUBLIC CONTACT

The Downtown Specific Plan project continues to employ extensive public outreach efforts as part of the Plan development process. Stakeholder interviews, workshops, a charrette, and joint City Council and Planning Commission meetings will also occur and continue to occur. Task Force meetings have been an integral part of a way to participate in the Downtown Specific Plan process. Additionally, presentations to the Economic Development Committee, the Chamber of Commerce and other associated downtown business groups have occurred. The project team has also reached out to Downtown building owners, commercial real estate brokers, neighborhood/homeowners' associations, Cal State East Bay, BART, and AC Transit that afforded opportunities for input and participate in the plan process.

City staff continues to work with the consultant team to use the project's webpage as part of the City's website to provide updated information on Plan development as well as solicit continuous input on the project.

NEXT STEPS

If Council approves the funding request, staff will promptly encumber the funds for Lisa Wise Consulting in the amount of \$173,801 to complete the Administrative Draft Code for the Downtown Specific Plan project.

Should Council decide not to allocate additional project funds, staff will be unable to pay for the cost to complete the Administrative Draft Code component, and the project will not be completed as expected.

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Recommended by: Stacey Bristow, Interim Development Services Director

Approved by:



Kelly McAdoo, City Manager