



DATE: June 3, 2025

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Adopt a Resolution 1) Appropriating \$664,000 for the Purchase of Trash Capture Devices for Cabot Boulevard, Project No. 07746, 2) Approving an Amendment to a Cooperative Implementation Agreement to Receive an Additional \$800,000 from California Transportation Commission (Caltrans), and 3) finding the project to be categorically exempt from CEQA review

RECOMMENDATION

That the City Council adopts the attached resolution (Attachment II) 1) approving the appropriation of \$664,000 for the purchase of trash capture devices for Project No. 07746, 2) authorizing the City Manager to amend an agreement with Caltrans to receive additional funds totaling \$800,000 to support trash capture projects in Hayward, and 3) finding the project to be categorically exempt from CEQA review.

SUMMARY

On March 25, 2025¹, the City Council adopted Resolution 25-037 approving the purchase of three Continuous Deflective Separator (CDS) trash capture devices for the existing storm drain pipes on Cabot Boulevard for an amount not-to-exceed \$650,000. This project, identified in the Capital Improvement Program (CIP) as project number 07746, would capture trash from the storm water system as part of the City's compliance with the trash reduction mandate from the San Francisco Regional Water Quality Control Board (Water Board). The CDS units create a continuous swirl of stormwater to concentrate and separate trash and debris. Staff is requesting an increase in the budget amount for the Cabot devices from \$650,000 to \$664,000 to cover the increased cost for the devices as well as appropriation of \$664,000 to project No. 07746 for the purchase of the CDS devices.

According to a cooperative implementation agreement between the City and Caltrans to install trash capture projects to achieve mutual trash reduction credit, the project will be fully funded by Caltrans. While the original agreement was to fund two trash capture projects (Tennyson Road and Arf Avenue), Caltrans approved the additional funds of \$800,000 for a third trash capture project on Cabot Boulevard. In addition to the

¹ <https://hayward.legistar.com/LegislationDetail.aspx?ID=7269190&GUID=0CCF23EE-8B2E-4FA3-BBB7-62F0A851F6C2&Options=&Search=>

appropriation, this consent item is to approve an amendment to the collaborative agreement between the City and Caltrans to receive the additional funds.

BACKGROUND

The regional stormwater permit, known as the Municipal Regional Permit (MRP) and adopted by the Water Board, includes trash reduction requirements for Permittees to reduce all trash from stormwater systems to waters of the state by 100% by July 1, 2025. As of September 1, 2024, the City has achieved 97.7% credit for trash reduction for trash capture devices in storm drain infrastructure. The City currently owns 629 small trash capture devices installed in storm drain catch basins and six large underground trash capture devices installed in storm drainpipes located at Tyrrell Avenue, Patrick Avenue, Cotter Way, Tennyson Road, and Arf Avenue. The final reduction credits needed to comply with the 100% mandate will include inspection of private properties that bypass the City's storm drain system and directly connect to the main stormwater pipes in the City's right of way. Staff has inspected these private land drainage areas (PLDA) and will require that the responsible owners reduce trash by 100% by July 1, 2025, either with operation and maintenance activities actions or with the installation of full trash capture devices.

Some of the trash capture devices mentioned above have been funded by Caltrans. On April 20, 2021², the City Council authorized a cooperative implementation agreement whereby Caltrans agreed to fund the installation of projects on Tennyson Road and Arf Avenue and have treated over 800 acres in Hayward. The City partnered with Caltrans to complete mutual trash reduction projects because, like the City, Caltrans also has a mandate to eliminate trash from stormwater from its rights-of-way (ROW). However, throughout Caltrans ROW there are very few opportunities to install large trash capture devices due to space needed for installation and the direction of stormwater flow along freeways. Caltrans has worked with several cities to collaborate on projects to install trash capture devices downstream of Caltrans ROW.

On March 25, 2025³, the City Council approved the sole-source purchase of three CDS trash capture devices for Cabot Boulevard from Contech. Contech is the only manufacturer of a CDS unit approved by the Water Board. The installation of three CDS devices at the Cabot Boulevard location just south of Davis Avenue will treat approximately 1,055 acres of storm water runoff area, including Southland Mall and other commercial properties as well as Caltrans ROW.

The area treated, though not required to meet Hayward's overall reduction credit, provides treatment for PLDA properties, which will save businesses money from having to install their own trash devices. In addition, a large device downstream reduces more trash from waterways than smaller devices located upstream as trash can bypass the smaller units during heavy storms.

² <https://hayward.legistar.com/LegislationDetail.aspx?ID=4916428&GUID=5A8A9657-693A-48B0-9D7F-7E207950AC98&Options=&Search=>

³ <https://hayward.legistar.com/LegislationDetail.aspx?ID=7269190&GUID=0CCF23EE-8B2E-4FA3-BBB7-62F0A851F6C2&Options=&Search=>

DISCUSSION

Per the terms of the cooperative implementation agreement, Caltrans has agreed to provide the City with an additional \$800,000 to design and install the Cabot Boulevard project. Staff is requesting authorization from the City Council to amend the agreement and receive the additional funds.

Additionally, while the March 25 approval was for \$650,000, staff is requesting that the City Council appropriate \$664,000 to project no. 07746 for the purchase of the CDS devices. The increase in cost is due to recent increases in Contech's cost of manufacturing the devices.

ENVIRONMENTAL REVIEW

The proposed project is categorically exempt from environmental review in accordance with the California Environmental Quality Act (CEQA) pursuant to Section 15301, Class 1 (Minor Alteration of Existing Facilities) and Section 15302, Class 2 (Replacement or Reconstruction of Existing Facilities) of the CEQA Guidelines.

ECONOMIC IMPACT

There is no Economic Impact associated with this item.

FISCAL IMPACT

The proposed project would not impact the City's General Fund. Caltrans, through its cooperative agreement with the City will fully fund the Cabot Boulevard project. Staff time associated with managing the project will also be reimbursed by Caltrans. Costs associated with maintenance of the devices will be paid for from the Stormwater Fund. The estimated project costs are as follows:

Design and Construction Administration - City Staff	\$14,000
Testing and Inspection Services (Estimated)	\$15,000
Construction Contract (Estimated)	\$1,125,000
CDS Trash Capture Devices (Contech)	\$664,000
Administrative Change Order (Estimated)	<u>\$96,000</u>
Total:	\$1,914,000

The City's purchase of the CDS units will be fully reimbursed by Caltrans. Staff is requesting that the City Council appropriate \$664,000 to project no. 07746 for the purchase of the CDS devices.

STRATEGIC ROADMAP

This agenda item does not relate to a specific project identified in the Council-adopted Strategic Roadmap, but it supports the priority of *Invest in Infrastructure*.

SUSTAINABILITY FEATURES

The CDS units, along with the existing trash capture devices in the City's storm drain system, will help to limit the pollutants that enter local creeks and the San Francisco Bay.

PUBLIC CONTACT

No public contact has been made regarding this agenda item. Prior to and during construction, notices will be provided to affected residents, property, and business owners to inform them of the nature and purpose of the work, potential impacts, work schedule and City contact for additional information. In addition, staff will work closely with residents and businesses close to the project site, to minimize potential impacts.

NEXT STEPS

If the City Council adopts the attached resolution, staff will execute an amendment to the cooperative implementation agreement with Caltrans and receive the additional funds from Caltrans. After the detailed design is completed, staff will release a request for bids and then return to the City Council seeking authorization for an agreement with the selected contractor.

Prepared by: Elisa Wilfong, Water Pollution Control Administrator
Erik Pearson, Environmental Services Manager

Recommended by: Alex Ameri, Director of Public Works

Approved by:

A handwritten signature in blue ink, appearing to read 'M. Lawson', is positioned above a horizontal line.

Michael Lawson, J.D., Acting City Manager