

HAYWARD CITY COUNCIL

RESOLUTION NO. 24-_____

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH NHA ADVISOR, LLC FOR WATER INFRASTRUCTURE FINANCE AND INNOVATION ACT (WIFIA) LOAN APPLICATION AND FUNDING CONSULTING SERVICES IN AN AMOUNT NOT-TO-EXCEED \$85,000 FOR THE WATER POLLUTION CONTROL FACILITY (WPCF) IMPROVEMENT – PHASE II PROJECT

WHEREAS, the City of Hayward (City) owns and operates the Water Pollution Control Facility (WPCF), which treats an average flow of approximately eleven million gallons per day; and

WHEREAS, increasing nutrient loadings in the Bay is a growing concern for the Bay Area water quality community. The Water Board issued the first Nutrients Watershed Permit, adopted in 2014, that required Dischargers to evaluate the Bay’s response to current and future nutrient loads and to evaluate opportunities to remove nitrogen through treatment plant improvements or optimization; and

WHEREAS, on May 8, 2019, the Water Board adopted the 2nd Nutrients Watershed Permit for managing nutrient discharges to the Bay wherein the City of Hayward is listed as an early adopter pledging to reduce nitrogen in its effluent ahead of the Water Board issuing the 3rd Nutrients Watershed Permit in 2024; and

WHEREAS, the main goal of the Phase II Project is to construct improvements necessary for nutrient removal in compliance with the Water Board’s 2nd Nutrient Watershed Permit early actor provisions; and

WHEREAS, on December 12, 2023, Council authorized the City Manager to apply for the U.S. Environmental Protection Agency (USEPA) Water Infrastructure Finance and Innovation Act (WIFIA) Loan; and

WHEREAS, the WIFIA loan application requires documents demonstrating the borrower’s financial creditworthiness, typically prepared by the City’s financial advisor.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby authorizes the City Manager to negotiate and execute an agreement with NHA Advisor, LLC for WIFIA Loan Application and Funding Consulting Services in an Amount Not-to-Exceed \$85,000 for the WPCF Phase II Project in a form to be approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2024

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward