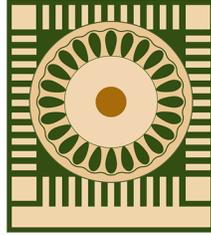


# **CITY OF HAYWARD**

Hayward City Hall  
777 B Street  
Hayward, CA 94541  
[www.Hayward-CA.gov](http://www.Hayward-CA.gov)



CITY OF  
**HAYWARD**  
HEART OF THE BAY

## **Agenda**

**Tuesday, May 18, 2021**

**7:00 PM**

**Remote Participation**

**City Council**

**CITY COUNCIL MEETING**

COVID-19 Notice: Consistent with State of California Executive Order No. 29-20 dated March 17, 2020, the City Council will be participating in public meetings via phone/video conferencing.

*How to watch the meeting from home:*

1. Comcast TV Channel 15
2. Live stream <https://hayward.legistar.com/Calendar.aspx>
3. YouTube Live stream: <https://www.youtube.com/user/cityofhayward>

*How to submit written Public Comment:*

1. Use eComment on the City's Meeting & Agenda Center webpage at: <https://hayward.legistar.com/Calendar.aspx>. eComments are directly sent to the iLegislate application used by City Council and City staff. Comments received before 3:00 p.m. the day of the meeting will be exported into a report, distributed to the City Council and staff, and published on the City's Meeting & Agenda Center under Documents Received After Published Agenda.

2. Send an email to [List-Mayor-Council@hayward-ca.gov](mailto:List-Mayor-Council@hayward-ca.gov) by 3:00 p.m. the day of the meeting. Please identify the Agenda Item Number in the subject line of your email. Emails will be compiled into one file, distributed to the City Council and staff, and published on the City's Meeting & Agenda Center under Documents Received After Published Agenda. Documents received after 3:00 p.m. through the adjournment of the meeting will be included as part of the meeting record and published the following day.

*How to provide live Public Comment during the City Council Meeting:*

*Click the link below to join the meeting:*

<https://hayward.zoom.us/j/94570017404?pwd=NDYraE9Kd0krUzBOVVdlWTcvN3F4QT09>

Meeting ID: 945 7001 7404

Passcode: 5/18@7pmCC

or

Dial: +1 669 900 6833 or +1 253 215 8782

Meeting ID: 945 7001 7404

Password: 7557178469

A Guide to attend virtual meetings is provided at this link: <https://bit.ly/3jmaUxa>

**CALL TO ORDER: Mayor Halliday**

**Pledge of Allegiance: Mayor Halliday**

**ROLL CALL**

**CLOSED SESSION ANNOUNCEMENT**

**PRESENTATION**

Asian and Pacific Islander American Heritage Month

**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 21-066](#)     Approve City Council Minutes of the City Council Meeting on April 27, 2021  
  
      **Attachments:**   [Attachment I Draft Minutes of 4/27/2021](#)
  
2.     [MIN 21-067](#)     Approve City Council Minutes of the City Council Meeting on May 4, 2021  
  
      **Attachments:**   [Attachment I Draft Minutes of 5/4/2021](#)
  
3.     [CONS 21-230](#)     Adopt Two Resolutions Authorizing the City Manager to Accept and Appropriate \$60,000 in Grant Funding from Pacific Gas & Electric; and Enter into an Agreement for Services with Pacheco Landscape Management for The Fire Department's Vegetation Management Program  
  
      **Attachments:**   [Attachment I Staff Report](#)  
                          [Attachment II Resolution PGE Grant](#)  
                          [Attachment III Resolution Pacheco](#)

4.      [CONS 21-243](#)      Adopt a Resolution Accepting the Resignation of Ms. Alicia Lawrence from the Community Services Commission, Effective Immediately

**Attachments:**      [Attachment I Staff Report](#)  
                          [Attachment II Resolution](#)  
                          [Attachment III Resignation Letter](#)

5.      [CONS 21-244](#)      Adopt a Resolution Authorizing the City Manager to Execute an Agreement with Project Sentinel for Fiscal Year 2022 in an Amount Not-to-Exceed \$150,000 to Provide Mediation Services Related to Rent Stabilization and Repayment Agreements and Support Implementing the Tenant Relocation Assistance Ordinance at the Same Level as Fiscal Year 2021

**Attachments:**      [Attachment I Staff Report](#)  
                          [Attachment II Resolution](#)

6.      [CONS 21-246](#)      Adopt a Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Carollo Engineers, Inc., for the Water Pollution Control Facility Main Switchboard Electrical Distribution Rehabilitation Project, Project No. 07656, in an Amount Not-to-Exceed \$1,108,835

**Attachments:**      [Attachment I Staff Report](#)  
                          [Attachment II Resolution](#)

7.      [CONS 21-247](#)      Adopt a Resolution Authorizing the City Manager to Execute a Professional Services Agreement (PSA) with WaterSmart Software, Inc., for the Implementation of an Advanced Metering Infrastructure (AMI) Customer Portal, including Deploying the Services and Hosting the System for Three Years, in an Amount Not-to-Exceed \$273,165

**Attachments:**      [Attachment I Staff Report](#)  
                          [Attachment II Resolution](#)

## 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.*

8. [WS 21-024](#) FY2022 City Budget: Proposed Fiscal Year 2022 Operating Budget Work Session #2 (Report from Director of Finance Claussen)

**Attachments:** [Attachment I Staff Report](#)

9. [WS 21-025](#) FY2022-2031 CIP: Review of Recommended Capital Improvement Program (CIP) for FY 2022 – FY 2031 (Report from Public Works Director Ameri)

**Attachments:** [Attachment I Staff Report](#)

#### LEGISLATIVE BUSINESS

10. [LB 21-017](#) Public Safety Policy Innovation Workshop: Update on Community Public Safety Workshops and Adoption of a Resolution Authorizing Funding for the Public Safety Workshop Projects Recommended for Immediate Implementation (Report from City Manager McAdoo)

**Attachments:** [Attachment I Staff Report](#)  
[Attachment II Resolution](#)  
[Attachment III Innovation Workshop Project Sheets](#)  
[Attachment IV Implementation Plan](#)  
[Attachment V Workshop Findings and Recommendations](#)  
[Attachment VI Themes from Community Feedback](#)

**CITY MANAGER'S COMMENTS**

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

**COUNCIL REPORTS AND ANNOUNCEMENTS**

Council Members can provide oral reports on attendance at intergovernmental agency meetings, conferences, seminars, or other Council events to comply with AB 1234 requirements (reimbursable expenses for official activities).

**COUNCIL REFERRALS**

Council Members may bring forward a Council Referral Memorandum (Memo) on any topic to be considered by the entire Council. The intent of this Council Referrals section of the agenda is to provide an orderly means through which an individual Council Member can raise an issue for discussion and possible direction by the Council to the appropriate Council Appointed Officers for action by the applicable City staff.

**ADJOURNMENT**

**NEXT MEETING, May 25, 2021, 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.*

*CHILDCARE WILL NOT BE PROVIDED UNTIL FURTHER NOTICE DUE TO COUNTYWIDE SHELTER-IN PLACE ORDER.*



# CITY OF HAYWARD

Hayward City Hall  
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**File #:** MIN 21-066

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**DATE:** May 18, 2021

**TO:** Mayor and City Council

**FROM:** City Clerk

**SUBJECT**

Approve City Council Minutes of the City Council Meeting on April 27, 2021

**RECOMMENDATION**

That the City Council approves the City Council meeting minutes of April 27, 2021.

**SUMMARY**

The City Council held a meeting on April 27, 2021.

**ATTACHMENTS**

Attachment I          Draft Minutes of April 27, 2021



**CITY COUNCIL MEETING  
REMOTE PARTICIPATION  
Tuesday, April 27, 2021, 7:00 p.m.**

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The City Council meeting was called to order by Mayor Halliday at 7:00 p.m. The meeting was conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order No 29-20 dated March 17, 2020, regarding the COVID-19 pandemic. Members of the City Council, City Staff, and members of the public participated via the Zoom platform.

**Pledge of Allegiance:** Council Member Wahab

**ROLL CALL**

Present: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab, Zermeño  
MAYOR Halliday  
Absent: None

**CLOSED SESSION ANNOUNCEMENT**

The City Council convened in closed session at 6:00 p.m., regarding public employment for the City Clerk pursuant to Government Code Section 54957. Mayor Halliday indicated there was no reportable action.

**PRESENTATIONS**

Mayor Halliday announced the 2021 City of Hayward Earth Day Poster and Writing Contest and welcomed all winners and their families for participating virtually. It was noted that 218 entries were received from students representing 31 Hayward schools. Council Member Márquez, who serves on the Council Sustainability Committee along with Council Member Zermeño and Mayor Halliday, noted it was the 38<sup>th</sup> Annual Earth Day Campaign. Council Member Zermeño and Council Member Márquez announced the 20 Poster and Writing Contest winners who were recognized with gift certificates. Eighteen teachers were acknowledged for their involvement and recognized with gift cards. All students were thanked for their participation and teachers for encouraging the students to participate. Mayor Halliday announced the recruitment for the Hayward Youth Commission. City Clerk Lens welcomed families of students in Spanish.

**PUBLIC COMMENTS**

Council Member Salinas noted he was approached by a constituent to acknowledge Arab American Heritage Month, thanked Mayor Halliday for issuing a proclamation, and read a proclamation recognizing April as Arab American Heritage Month which was presented to Mr. Omar Hashwi.

Ms. Claire Dugan spoke in support of drones for the Hayward Police Department and acknowledged privacy concerns but also noted there will be clear policies and guidelines for their use.

Ms. Elisha Crader reiterated Hayward Community Coalition (HayCoCoa) budget recommendations: fund a mental health crisis response team, move the 911 call center away from the Hayward Police Department (HPD), double the funds for homelessness and housing affordability, and create a social services department.

Mr. Stephen Schott, Bailey Ranch Homeowners Association President, objected to the proposed configuration of Hayward Boulevard and asked to wait on deciding until fire safety and other concerns have been addressed.

City Manager McAdoo noted additional community meetings will be held and further outreach will be done.

Ms. Susan Gehlke spoke about the recommendation made by the Policy Innovation Committee noting the risk of sending an unarmed clinician to a crisis situation and noted this would be a good option for a drone to surveil a situation for safety.

Ms. TJ with Hayward Concerned Citizens (HCC), advocated for an older population to be included in empathy interviews as they can provide important data based on their set of experiences with HPD, and for tools to strengthen community partnerships.

Mr. George Syrop noted Alameda County has one of the largest drone programs in the Bay Area and HPD has access to them at no cost, spoke about HayCoCoa budget recommendations, and encouraged to consider stimulus funds as opportunity to fund unmet Community Services social programs.

Ms. Suzanne Luther, Hayward Concerned Citizens member, urged Council to approve HPD's drone request and did not agree with borrowing from Alameda County when time and safety is important in emergency situations.

Mr. Tom Ferreira noted the CAT team was instituted for mental health crisis response through passage of Alameda County Measure A (2004) and spoke against the hiring freeze of 12 HPD officers to save funds for programs that are already in place such as the CAT.

Ms. Selina McManus spoke in support of HayCoCoa's budget demands, spoke about homicides in downtown despite patrols and noted the need to fund mental health services and take Youth and Family Services Bureau away from HPD.

Ms. Lacei Amodei, HayCoCoa member, reiterated HayCoCoa budget recommendations and spoke about the April 24 Healing Hayward Standing Together Against Police Violence event at City Hall.

Ms. Artavia Berry, Community Services Commissioner, asked for reconsideration of a Community Services letter sent last summer which outlined some initiatives, encouraged to build trust with the African American community by engaging them in conversations, requested



**CITY COUNCIL MEETING  
REMOTE PARTICIPATION  
Tuesday, April 27, 2021, 7:00 p.m.**

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an analysis of policy outlining banning use of deadly force and more de-escalation training for HPD officers, supported demilitarization of HPD and urged to carefully evaluate the impact of drones on members of the community.

Ms. Araceli Orozco spoke in support of HayCoCoa budget recommendations, thanked HayCoCoa for organizing the April 2, 2021 event, and supported more joint meetings of the HUSD Board and City Council.

In response to Council Member Wahab's inquiry about joint City Council and HUSD Board meetings, City Manager McAdoo shared that she and the Mayor meet regularly with the HUSD Superintendent and President and she will discuss a timeline at their next meeting. Council Member Wahab requested the next meeting be focused on student/teacher housing.

Council Member Wahab thanked Congressman Swalwell for earmarking federal funding for the Stack Center.

Council Member Zermeño disapproved some inappropriate words/terms mentioned during public comment and inquired about censorship options. Mayor Halliday reminded speakers to be mindful of using offensive language.

Council Member Lamnin shared that the next Hayward Local Agencies Committee meeting will be on May 13, 2021 via Zoom and additional housing on school properties is a topic that may be discussed in the future.

**CONSENT**

1. Adopt a Resolution Authorizing the City Manager to Execute Amendment No. 4 Increasing the Professional Services Agreement with Advanced Mobility Group, Inc., by \$95,000 for a Total Not-to-Exceed Amount of \$432,500 **CONS 21-179**

Staff report submitted by Director of Public Works Ameri dated April 27, 2021, was filed.

It was moved by Council Member Márquez, seconded by Council Member Zermeño, and carried by the following roll call vote, to approve the resolution.

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,  
Wahab, Zermeño  
MAYOR Halliday  
NOES: None  
ABSENT: None  
ABSTAIN: None

Resolution 21-054, “Resolution Authorizing the City Manager to Execute Amendment No. 4 Increasing Funding for the Professional Services Agreement with Advanced Mobility Group, Incorporated by \$95,000 for a Total Not-to-Exceed Amount of \$432,500 for On-Call Design and Other Related Services”

2. Adopt a Resolution Accepting the Resignation of Ms. Jacquelyn Young from the Keep Hayward Clean and Green Task Force, Effective Immediately **CONS 21-215**

Staff report submitted by City Clerk Lens dated April 27, 2021, was filed.

It was moved by Council Member Márquez, seconded by Council Member Zermeño, and carried by the following roll call vote, to approve the resolution.

|          |   |
|----------|---|
| AYES:    | COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab, Zermeño<br>MAYOR Halliday |
| NOES:    | None  |
| ABSENT:  | None  |
| ABSTAIN: | None  |

Resolution 21-055, “Resolution Accepting the Resignation of Ms. Jacquelyn Young from the Keep Hayward Clean and Green Task Force”

## **PUBLIC HEARING**

3. Amazon Facility: Introduce an Ordinance Related to a Zoning Text Amendment to Conditionally Permit Truck Terminals in the Industrial Park District and Adopt a Resolution Approving a Conditional Use Permit and Related Addendum for an Amazon Last Mile Delivery Facility at 2701 W. Winton Avenue. Amazon.com Services, Inc. (Applicant); Black Creek Group (Property Owner) **PH 21-038**

The item was continued to May 4, 2021.

4. Community Agency Funding: Approval of Fiscal Year 2022 Community Agency Funding Recommendations and the FY 2022 Annual Action Plan **PH 21-036**

Staff report submitted by Assistant City Manager Ott, dated April 27, 2021, was filed.

Assistant City Manager Ott introduced Community Services Manager Davis and Management Analyst Lee. Community Services Manager David provided an outline of the presentation noting the first part would cover Community Development Block Grant (CDBG) COVID-19 CARES Act Funding Update, FY 2022 Annual Action Plan, and Community Agency Funding Recommendations (General Fund: Arts & Music and Social Services); and the second part



**CITY COUNCIL MEETING  
REMOTE PARTICIPATION  
Tuesday, April 27, 2021, 7:00 p.m.**

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would include Community Agency Funding Recommendations (CDBG: Public Services and Economic Development and Infrastructure).

Community Services Manager Davis and Management Analyst Lee provided a synopsis of the first part of the presentation.

Discussion ensued among Council Members and City staff regarding: Rent Relief fund balance and the \$2,500 per family amount; the SAVE project and recommendations for funding out of the Police Department in FY 2023; and the West Coast Blues Festival and funding for the Juneteenth Celebration.

Council Member Márquez made two recommendations: ensure there is still a vetting process by Community Services Commissioners to review applications and the funding for SAVE project and funding for the Library and provide the Homelessness Housing Task Force updated statistics about how Rent Relief funds were expended.

There being no public comment, Mayor Halliday opened and closed the public hearing at 8:40 p.m.

Council Member Wahab made a motion to approve staff's recommendation.

Council Member Zermeño seconded the motion.

Members of the Community Services Commission and City staff were praised for their work and the partnership with non-profit agencies.

It was moved by Council Member Wahab, seconded by Council Member Zermeño, and carried by the following roll call vote, to approve the resolutions.

|          |  |
|----------|--|
| AYES:    | COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,<br>Wahab, Zermeño<br>MAYOR Halliday |
| NOES:    | None   |
| ABSENT:  | None   |
| ABSTAIN: | None   |

Resolution 21-056, "Resolution Approving and Appropriating the Community Agency Funding Recommendations for Fiscal Year 2022 in the Social Services Funding Category"

Resolution 21-057, “Resolution Approving and Appropriating the Community Agency Funding Recommendations for Fiscal Year 2022 in the Arts and Music Funding Category”

Council Member Andrews disclosed she had to recuse herself from discussing and voting on the CDBG funding recommendations as she was a member of the Downtown Streets Team Hayward Advisory Council and left the Zoom meeting at 8:45 p.m.

Council Member Zermeño and Council Member Salinas disclosed they had to recuse themselves from discussing and voting on the CDBG funding recommendations as they are members of the St. Rose Hospital Foundation Board and left the Zoom meeting at 8:45 p.m.

Management Analyst Lee provided an overview of the second presentation regarding FY 2022 CDBG Funding Recommendations (Public Services, Economic Development, and Infrastructure categories).

There being no public comment, Mayor Halliday opened and closed the public hearing at 8:50 p.m.

Council Member Wahab made a motion per staff’s recommendation.

Council Member Márquez thanked Council Member Lamnin for her work as the Community Services Commission liaison.

Council Member Wahab withdrew her motion to allow Council Member Lamnin to make the motion.

Council Member Lamnin made a motion to approve staff’s recommendation.

Council Member Wahab seconded the motion.

It was moved by Council Member Lamnin, seconded by Council Member Wahab, and carried by the following roll call vote, to approve the resolution.

|          |  |
|----------|--|
| AYES:    | COUNCIL MEMBERS Lamnin, Márquez, Wahab<br>MAYOR Halliday |
| NOES:    | None   |
| ABSENT:  | None   |
| ABSTAIN: | COUNCIL MEMBERS Andrews, Salinas, Zermeño                |

Resolution 21-058, “Resolution Approving and Appropriating the Community Agency Funding Recommendations for Fiscal Year 2022 in the Community Development Block Grant (CDBG) Category and Authorizing the City Manager to Apply for Federal Assistance under the Community Development Block Grant Program”

Council Members Andrews, Salinas and Zermeño rejoined the Zoom meeting at about 8:54 p.m.



**CITY COUNCIL MEETING  
REMOTE PARTICIPATION  
Tuesday, April 27, 2021, 7:00 p.m.**

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**LEGISLATIVE BUSINESS**

5. Federal Stimulus Funding: Adopt a Resolution Authorizing the Acceptance of the Federal Stimulus Allocation Under the American Rescue Plan Act of 2021 to Address the Economic and Fiscal Impacts of the COVID Crisis in the City of Hayward; and Provide Feedback on a More Detailed Plan and Process for Expenditure of Federal Stimulus Funding **LB 21-012**

Staff report submitted by City Manager McAdoo dated April 27, 2021, was filed.

City Manager McAdoo provided a synopsis of the staff report and acknowledged Assistant City Manager Ott and Finance Director Claussen for their work and coordination with the Executive Team and other staff members.

Discussion ensued among members of the City Council and staff regarding: May-July timeframe of when allocations to nonprofit agencies would be evaluated by the Community Services Commission and brought to City Council; repayment of employee concessions/elimination of furloughs and the complexity related to different Memoranda of Understanding (MOUs) and side letter agreements; further opportunity for the community to provide input; feasibility assessment analysis for the Weekes Library during the first appropriation; matching funds for the Stack Center; allocation of funds for First-Time Homeowner Down Payment Assistance project; Economic Development Business Recovery project allocation and how it will be tailored based on feedback from small business community; Community Agency Funding Augmentation project and arts community; winter warming shelter and hours of operations; policy for first right of refusal to purchase; foreclosure property program to provide legal and financial assistance; encampment clean-ups and purchasing equipment; building upgrades and consideration for the Animal Shelter; funding back to programs such as the murals program to deter graffiti and vandalism; community engagement; funds for maintenance/cleanup and improved landscaping; flexibility to calibrate funds for changing projects; and guidelines for expenditures.

Mayor Halliday opened the public hearing at 9:53 p.m.

Mr. Saad, SEIU representative, thanked Council for their comments on behalf of City employees.

Mayor Halliday closed the public hearing at 9:55 p.m.

Council Member Wahab made a motion per staff's recommendation.

Council Member Márquez seconded the motion.

Council Member Wahab prioritized repayment of employee concessions/elimination of furloughs, replenish General Fund reserves and offset of future revenue loss due to pandemic; and asked for more detail on shelter programs and 24/7 access, focus on needs of property owners, library services to be revamped, provide more detail on items partially approved, provide more information on economic recovery and checkpoint six months down the road for metrics of success.

Council Member Márquez acknowledged the community for its resilience; thanked the Fire Department for their leadership and partnerships with testing and vaccinations; recognized relief and support programs, and supported repayment of employee concessions/elimination of furloughs.

Council Member Andrews echoed statements about repayment of employee concessions/elimination of furloughs, asked to consider how social ills can be deterred and Maintenance Services staff supported, was interested to learn how funds will be applied for one-time implementation of pilot programs, and wanted to see hot spots that will benefit the community as it has exposed inequities in our communities.

Council Member Zermeño expressed sadness that Sunday library hours are not part of the conversation, supported additional security cameras in popular dumping grounds, was excited for all projects that are moving Hayward forward, and emphasized repayment of employee concessions/elimination of furloughs was a priority, including ensuring proper equipment and facilities.

City Manager McAdoo responded to Sunday library hours clarifying the stimulus funds are one-time funding and may be difficult to fund services the City may not be able to sustain funding on an ongoing basis.

Council Member Lamnin noted her priority for allocating dollars is displacement prevention, noted there are a few facility improvements that are employee health and safety issues, and expressed prioritizing empowering people of color for recovery programs to address long standing inequity issues.

Council Member Salinas echoed Council Member Márquez's comments about accomplishments over the last year and thanked all the partner agencies and City staff for their contributions, noted in many spaces Hayward was first and led the way, and highlighted his priorities were economic development, corridors' infrastructure, narrow the digital divide, and disaster preparedness.

Mayor Halliday appreciated the comments made by her colleagues and noted Hayward has been recognized for its efforts in meeting the needs of the community during the pandemic, thanked staff for developing the framework for Council to review and make recommendations, supported replenishing reserves and repayment of employee concessions, and cleanup efforts, asked to consider putting money back into the community by hiring residents who lost money, noted policy innovation projects are worth funding, and asked to consider reserving small amount for events that will bring the community back together.



**CITY COUNCIL MEETING  
REMOTE PARTICIPATION  
Tuesday, April 27, 2021, 7:00 p.m.**

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It was moved by Council Member Wahab, seconded by Council Member Márquez, and carried by the following roll call vote, to approve the resolution.

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,  
Wahab, Zermeño  
MAYOR Halliday

NOES: None

ABSENT: None

ABSTAIN: None

Resolution 21-059, "Adopt a Resolution Authorizing the Acceptance of the Federal Stimulus Allocation under the American Rescue Plan Act of 2021 to Address the Economic and Fiscal Impacts of the COVID Crisis in the City of Hayward, and the Creation of Fund 103 to Account for Stimulus Funds"

#### **CITY MANAGER'S COMMENTS**

City Manager McAdoo announced the downtown Hayward Public Library will reopen to the public for limited express walk-in services on May 3, 2021; noted Maintenance Services staff will be back on regular shift schedules; added the plan for City Hall is to continue to provide services virtually with a partial reopening for counter services for early July and full reopening anticipated in September.

#### **COUNCIL REPORTS AND ANNOUNCEMENTS**

Council Member Lamnin received confirmation that the Downtown Hayward Improvement Association secured private security to supplement HPD to provide additional visibility in downtown; gave an update on Alameda County Supervisorial Redistricting efforts and how the State is starting to launch community education with opportunities for people to provide feedback; praised faith communities for offering vaccinations; and announced the South Hayward Neighborhood Collaborative was hosting a meeting on May 6, 2021.

Council Member Andrews recognized Council Member Zermeño for his continued cleanup efforts; noted the National Association for the Advancement of Colored People (NAACP) asked her for consideration of Juneteenth observance as the City had adopted for Cesar Chavez and asked for Council support. Discussion ensued and Mayor Halliday directed staff to look into the item and bring it back for future discussion.

Council Member Wahab asked when discussion about the referral process would be coming back for future consideration and noted it will have been over a year since policy referrals could be brought forward by Council Members. City Manager McAdoo noted the item was rescheduled for the May 25, 2021 City Council meeting.

**COUNCIL REFERRALS**

None received.

**ADJOURNMENT**

Mayor Halliday adjourned the meeting at 10:45 p.m.

**APPROVED**

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Barbara Halliday  
Mayor, City of Hayward

**ATTEST:**

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Miriam Lens  
City Clerk, City of Hayward



# CITY OF HAYWARD

Hayward City Hall  
777 B Street  
Hayward, CA 94541  
[www.Hayward-CA.gov](http://www.Hayward-CA.gov)

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**File #:** MIN 21-067

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**DATE:** May 18, 2021

**TO:** Mayor and City Council

**FROM:** City Clerk

**SUBJECT**

Approve City Council Minutes of the City Council Meeting on May 4, 2021

**RECOMMENDATION**

That the City Council approves the City Council meeting minutes of May 4, 2021.

**SUMMARY**

The City Council held a meeting on May 4, 2021.

**ATTACHMENTS**

Attachment I          Draft Minutes of May 4, 2021



**CITY COUNCIL MEETING  
REMOTE PARTICIPATION  
Tuesday, May 4, 2021, 7:00 p.m.**

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The City Council meeting was called to order by Mayor Halliday at 7:05 p.m. The meeting was conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order No 29-20 dated March 17, 2020, regarding the COVID-19 pandemic. Members of the City Council, City Staff, and members of the public participated via the Zoom platform.

**Pledge of Allegiance:** Council Member Zermeño

**ROLL CALL**

Present: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab, Zermeño  
MAYOR Halliday  
Absent: None

**CLOSED SESSION ANNOUNCEMENT**

The City Council convened in closed session on April 29, 2021, at 6:00 p.m., regarding the City Manager performance evaluation pursuant to Government Code 54957. Mayor Halliday noted there was no reportable action.

The City Council convened in closed session on May 4, 2021, at 5:00 p.m., regarding two items: (1) conference with labor negotiators pursuant to Government Code 54957.6 regarding all labor groups; and (2) conference with legal counsel pursuant to Government Code 54956.9 regarding one anticipated litigation case. City Attorney Lawson noted there was no reportable action related to the items.

**PRESENTATIONS**

Council Member Lamnin read a Proclamation recognizing May 13 - May 20, 2021 as 25<sup>th</sup> Annual Affordable Housing Week in the City of Hayward. Eden Housing staff member Shawn Johnson accepted the proclamation on behalf of East Bay Housing Organizations.

Mayor Halliday read a Proclamation recognizing May 9 - May 15, 2021 as National Police Week and May 15, 2021 as Peace Officers' Memorial Day in the City of Hayward. Police Chief Chaplin accepted the proclamation on behalf of the Police Department.

Council Member Wahab read a Proclamation recognizing May 3 - May 7, 2021 as Public Service Recognition Week in the City of Hayward. City Manager McAdoo accepted the proclamation on behalf of the organization.

## **PUBLIC COMMENTS**

Mayor Halliday experienced internet connection issues and Mayor Pro Tempore Wahab presided over the meeting.

Ms. Lacei Amodei noted Hayward Community Coalition (HayCoCoa) budget recommendations: fund a mental health crisis response team, move the 911 call center away from the Hayward Police Department (HPD), double the funds for homelessness and housing affordability, and create a social services department; and spoke against public comments directed toward the unhoused population.

Mayor Halliday returned to the Zoom meeting.

Ms. Selina McManus reiterated (HayCoCoa) budget recommendations and comments made by Ms. Amodei; reminded Hayward is on Ohlone territory; and thanked Workers' Community Kitchen for their supply drive.

TJ with Hayward Concerned Citizens spoke in response to HayCoCoa's budget recommendations, agreed with funding mental health support but police need to back up crisis team, disagreed with moving the 911 call center away from HPD, supported advocating for better coordination of current City resources, and noted there is already a social services department in Hayward.

Ms. Claire Dugan acknowledged the service provided by the City Clerk's office; and spoke in support of drones for HPD and not borrowing from neighboring agencies, particularly for emergency situations such as an earthquake.

Ms. Vanessa Magana, Hayward resident, reiterated HayCoCoa updated budget demands, appreciated Hayward Concerned Citizens for studying the four demands, and hoped to see more action.

Ms. Suzanne Luther, Hayward Concerned Citizens member, spoke to the twelve frozen positions in HPD instituted due to the pandemic, requested the freeze be lifted and not use funds toward pilot programs, and thanked the City Council.

## **CONSENT**

Consent Items 3 and 8 were removed for separate discussion and vote.

1. Approve City Council Minutes of the City Council Meeting on April 20, 2021 **MIN 21-058**

It was moved by Council Member Márquez, seconded by Council Member Zermeño, and carried unanimously, to approve the minutes of the City Council meeting on April 20, 2021.



**CITY COUNCIL MEETING  
REMOTE PARTICIPATION  
Tuesday, May 4, 2021, 7:00 p.m.**

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2. Adopt a Resolution Approving the Project List for FY22 Road Repair and Accountability Act (RRAA) Funding for the FY22 Pavement Improvement Project **CONS 21-201**

Staff report submitted by Director of Public Works Ameri dated May 4, 2021, was filed.

It was moved by Council Member Márquez, seconded by Council Member Zermeño, and carried by the following roll call vote, to approve the resolution.

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab,  
Zermeño  
MAYOR Halliday  
NOES: None  
ABSENT: None  
ABSTAIN: None

Resolution 21-060, "Resolution Approving Project List for FY22 Road Repair and Accountability Act (RRAA) Funding for the FY22 Pavement Improvement Project"

3. Adopt Resolutions Approving Agreements with the Alameda County Probation Department for Delinquency Prevention Network (Youth Service Center) Services and the Alameda County Health Care Services Agency for Medi-Cal Administrative Activities and Authorizing the City Manager to Execute the Agreements **CONS 21-209**

Staff report submitted by Chief of Police Chaplin dated May 4, 2021, was filed.

The item was removed from the Consent Calendar at the request of Council Member Wahab. In response to Council Member Wahab's inquiry, Dr. Emily Young, Youth and Family Services Bureau Administrator, explained the Delinquency Network and Medi-Cal Administrative Activities programs, services, and outcomes. Council Member Wahab recommended a partnership with the Library Department to promote services provided through the programs.

It was moved by Council Member Wahab, seconded by Council Member Márquez, and carried by the following roll call vote, to approve the resolutions.

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab,  
Zermeño  
MAYOR Halliday  
NOES: None  
ABSENT: None  
ABSTAIN: None

Resolution 21-066, “Resolution Approving an Agreement with the Alameda County Probation Department for the Delinquency Prevention Network (Youth Service Center) Services and Authorize the City Manager to Execute the Agreement”

Resolution 21-067, “Resolution Approving an Agreement with the Alameda County Health Care Services Agency for Medical Administrative Activities and Authorize the City Manager to Execute the Agreement”

4. Adopt a Resolution Accepting for Public Use the Real Properties Shown on the Final Map of Tract 7620 as Parcel A, Tennyson Road, Alquire Parkway, Vista Grande Drive, Cantera Drive, Mountain View Drive, and Fortuna Way **CONS 21-211**

Staff report submitted by Director of Public Works Ameri dated May 4, 2021, was filed.

It was moved by Council Member Márquez, seconded by Council Member Zermeño, and carried by the following roll call vote, to approve the resolution.

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab,  
Zermeño  
MAYOR Halliday  
NOES: None  
ABSENT: None  
ABSTAIN: None

Resolution 21-061, “Resolution Accepting for Public Use the Real Properties Shown on the Final Map of Tract 7620 as Parcel A, Tennyson Road, Alquire Parkway, Vista Grande Drive, Cantera Drive, Mountain View Drive and Fortuna Way”

5. Adopt a Resolution Authorizing the City Manager to Execute a Contract with Revel Environmental Manufacturing Inc., for Purchase and Installation of Small Trash Capture Devices in Various Locations Throughout the City in an Amount Not-to-Exceed \$430,000 **CONS 21-217**

Staff report submitted by Director of Public Works Ameri dated May 4, 2021, was filed.



**CITY COUNCIL MEETING  
REMOTE PARTICIPATION  
Tuesday, May 4, 2021, 7:00 p.m.**

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It was moved by Council Member Márquez, seconded by Council Member Zermeño, and carried by the following roll call vote, to approve the resolution.

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab,  
Zermeño  
MAYOR Halliday  
NOES: None  
ABSENT: None  
ABSTAIN: None

Resolution 21-062, "Resolution Authorizing the City Manager to Negotiate and Execute a Contract with Revel Environmental Manufacturing Inc., for Purchase and Installation of Small Trash Capture Devices in an Amount Not to Exceed \$430,000"

6. Adopt a Resolution Authorizing the City Manager to Execute Amendment No. 1 to Increase the Professional Services Agreement with St. Francis Electric, Inc., to a Total Not-To-Exceed Amount of \$864,000 for Traffic Signal and Streetlight Maintenance Project No. 05187 and 05189 **CONS 21-223**

Staff report submitted by Director of Public Works Ameri dated May 4, 2021, was filed.

It was moved by Council Member Márquez, seconded by Council Member Zermeño, and carried by the following roll call vote, to approve the resolution.

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab,  
Zermeño  
MAYOR Halliday  
NOES: None  
ABSENT: None  
ABSTAIN: None

Resolution 21-063, "Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Professional Services Agreement with St. Francis Electric, Inc., Contract No. 20098, to a Total Not-to-Exceed Amount of \$864,000 for On-Call Traffic Signal and Street Light Maintenance Services Associated with Project No. 05187 and 05189"

7. Adopt Resolutions Approving Addendum No. 1 and Awarding a Contract to California Trenchless, Inc., for the Sanitary Sewer Main Replacement at Alameda County Transit Maintenance Facility Project, Project No. 07781, in an Amount Not-to-Exceed \$627,600, and Approving the Transfer of Funds in an Amount of \$747,600 for the Contract and Additional Inspection and Administration Expenses **CONS 21-226**

Staff report submitted by Director of Public Works Ameri dated May 4, 2021, was filed.

It was moved by Council Member Márquez, seconded by Council Member Zermeño, and carried by the following roll call vote, to approve the resolutions.

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab,  
Zermeño  
MAYOR Halliday  
NOES: None  
ABSENT: None  
ABSTAIN: None

Resolution 21-064, “Resolution Approving Addendum No. 1 and Awarding a Contract to California Trenchless, Inc., for the Sanitary Sewer Main Replacement at Alameda County Transit Maintenance Facility Project, Project No. 07781, in an Amount Not-to-Exceed \$627,600”

Resolution 21-065, “Resolution Authorizing the Transfer in the Amount of \$747,600 from the Sewer Line Replacement Project, Project No. 07694 to the Sanitary Sewer Main Replacement at Alameda County Transit Maintenance Facility Project, Project No. 07781”

8. Adopt Two Resolutions to 1) Initiate Proceedings Pursuant to Government Code Section 53753, 2) Provide Intention to Levy Assessments for FY 2022, 3) Preliminarily Approve FY 2022 the Engineer’s Report, 4) Provide a Notice of Proposition 218 Public Hearing for Stratford Village Flood Control Facilities Improvement Assessment (MD1 - 2021), 5) Approve the Mailing of Ballots, and 6) Adopt Proposition 218 Assessment Ballot **CONS 21-150**

Staff report submitted by Director of Maintenance Services Rullman dated May 4, 2021, was filed.

The item was removed from the Consent Calendar at the request of Council Member Lamnin. In response to Council Member Lamnin’s inquiry, SCI Consultant Kyle Tankard clarified the vote is weighted on the proposed assessment and since each property owner has same assessment rate, there needs to be a majority of the returned ballots received for it to pass.



**CITY COUNCIL MEETING  
REMOTE PARTICIPATION  
Tuesday, May 4, 2021, 7:00 p.m.**

In response to Council Member Lamnin’s inquiry to consider a fourth option of spreading the first year \$255 increase over two to three years, Management Analyst Blohm responded it would extend the life of the loan and double the interest charge.

Council Member Lamnin made a motion as presented in the staff report.

Council Member Márquez seconded the motion and thanked staff for taking the time to deliver door hangers to all properties for additional outreach.

It was moved by Council Member Lamnin, seconded by Council Member Márquez, and carried by the following roll call vote, to approve the resolutions.

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab,  
Zermeño  
MAYOR Halliday  
NOES: None  
ABSENT: None  
ABSTAIN: None

Resolution 21-068, “Resolution Initiating Proceedings Pursuant to Government Code Section 53753 And Article XIID of the California Constitution, Providing Intention to Levy Assessments for Fiscal Year 2022, Preliminarily Approving the Engineer’s Report, and Providing for Notice of Hearing, and the Mailing of Assessment Ballots for the Stratford Village Flood Control Facilities Improvement Assessment District (MD1-2021)”

Resolution 21-069, “Resolution Adopting Procedures for Proposition 218 Assessment Ballot Proceedings for the Stratford Village Flood Control Facilities Improvement Assessment (MD1-2021)”

**PUBLIC HEARING**

9. Home Avenue Single Family Residence: Adopt a Resolution Approving a Site Plan Review and Grading Permit Application for Proposed Single-Family Residence and Attached Accessory Dwelling Unit on a Vacant 0.21-Acre Hillside Lot with an Average Slope Greater than 20% Located at 2579 Home Avenue, Assessor Parcel No. 081D-1660-040-00, Application No. 202000579, Bich-Khoi Do (Applicant) and Bradley Switzer Trust (Owner) **PH 21-039**

Staff report submitted by Assistant City Manager/Director of Development Services Ott, dated May 4, 2021, was filed.

Acting Deputy Director of Development Services Buizer announced the item and highlighted efforts made since the March 2, 2021 City Council public hearing and introduced Associate Planner Martinez who provided a synopsis of the staff report.

City staff addressed questions raised by members of the City Council indicating the Old Highland Homeowners Association (OHHA) will provide feedback to see if additional trees, beyond the proposed three, are viable; the geotechnical report indicates the site is viable for development; the proposed Accessible Building Unit (ADU) is intended to be occupied by the applicant's extended family; new postcards included side elevation to more accurately display the rendering; staff will continue the outreach to OHHA members in partnership with the Board, the 1998 Hayward Highlands Neighborhood Plan did not meet State law changes; and the California for Homeownership indicates any denial has to be made based on health and safety standards and discussion of ADUs is ministerial.

Mayor Halliday opened the public hearing at 8:31 p.m.

Mr. John Vukasin, OHHA Chair, noted OHHA is opposed to the development but recognizes the right of the property owner to build on his lot, thanked City staff and Mr. Switzer for listening to concerns and adjusting the design to make it more palatable, and wanted to continue to work with City staff to address the 1998 Hayward Highlands Neighborhood Plan/2040 General Plan reconciliation, proper noticing, and future developments.

Ms. Sara Daniel, next door neighbor to the proposed property, noted her opposition to the proposed development indicating it has added 5400 square feet of inside property that used to be open space, the structure will force out middle class from the neighborhood, and view of the bay will be removed; and asked the 1998 Hayward Highlands Neighborhood Plan be reinstated.

Ms. Lodema Epperson, Hillcrest resident, noted the proposed house is huge and takes views away, does not support the project, and is multi-family in a single-family neighborhood.

Ms. Rosamaria Peralta, Hillcrest resident, noted she moved to the neighborhood because of the existing OHHA requirements and character of the neighborhood, opposed the proposal and was concerned the applicant will not add more trees as promised.

Ms. Teresa Dulberg, Hillcrest Avenue resident, spoke against the proposed development highlighting the Hayward Highlands Neighborhood Plan sought to protect the semi-rural character of the neighborhood, noted even after some plan adjustments made will still dominate an entire hillside, and requested that trees proposed to be planted on the Switzer lot not be pine trees.

Ms. Valerie Caveglia, Hillcrest resident, noted the ruralness of the neighborhood has gradually been eroded and the proposed project will further deteriorate it.



**CITY COUNCIL MEETING  
REMOTE PARTICIPATION  
Tuesday, May 4, 2021, 7:00 p.m.**

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Mr. Bradley Switzer, project applicant, indicated the project has spanned over two years and has resulted in an expensive process including all the modifications made, added that building the ADU is in response to need for affordable housing, and noted he will continue to work with OHHA on landscaping as needed,

Mayor Halliday closed the public hearing at 8:52 p.m.

Council Member Zermeño noted he was conflicted and wished the property owner would have built two houses rather than one large one, thanked all for meeting and working together on an agreement, and was inclined to agree with community members in opposing the proposed development.

Council Member Lamnin noted she was not present at the last meeting where the item was discussed, expressed appreciation to City staff, property owner, and community for working on a solution, acknowledged there is not enough housing, asked that conversations that codify neighborhood plans include density, and hoped that collaborative effort and creativity will come forward in plans for OHHA and throughout the community.

Council Member Lamnin made a motion to move the staff recommendation.

Council Member Márquez seconded the motion.

Council Member Márquez stated she was conflicted but acknowledged there are limitations by State laws and the applicant had done his best to compromise, acknowledged the housing crisis, and echoed comments made by Council Member Lamnin.

Council Member Wahab noted she was conflicted hearing from residents and OHHA.

Council Member Andrews acknowledged staff efforts in addressing OHHA concerns and hoped the same level of care goes into addressing other neighborhoods during the General Plan update, acknowledged the work of City staff and property owner to address concerns, noted the need for housing, and added the project was before Council to address a slope greater than 20%

Council Member Salinas mentioned he read the letter from Californians for Homeownership but could not ascertain where the group was from, stated Mr. Switzer has been a homeowner in that neighborhood for a long time, mentioned the neighbors are against the proposal, and noted the 1998 Plan and character of the neighborhood need to be respected, and indicated he would be voting against the project.

Mayor Halliday appreciated City staff's work and OHHA's engagement, noted she was reluctant to add density to the neighborhood because the infrastructure does not meet City standards,

indicated almost all neighborhoods had plans and they were taken into consideration when amending the General Plan but items were outdated for State laws, and noted the Council could not deny the right to build an ADU within guidelines and established requirements, and noted she was inclined to support the motion.

Ms. Bich-Khoi Do, applicant's architect, noted the work was done within design guidelines and building codes, they were not given the 1998 Plan because it is not current, and the house was designed to Mr. Switzer's specifications and according to State law.

It was moved by Council Member Lamnin, seconded by Council Member Márquez, and carried by the following roll call vote, to approve the resolution.

|          |   |
|----------|---|
| AYES:    | COUNCIL MEMBERS Andrews, Lamnin, Márquez, Wahab<br>MAYOR Halliday |
| NOES:    | COUNCIL MEMBERS Salinas, Zermeño                                  |
| ABSENT:  | None  |
| ABSTAIN: | None  |

Resolution 21-070, "Resolution Approving the Site Plan Review with Grading Permit Application No. 202000579 Pertaining to Construction of a New Single-Family Residence and Attached Accessory Dwelling Unit Located at 2579 Home Avenue"

10. Amazon Facility: Introduce an Ordinance Related to a Zoning Text Amendment to Conditionally Permit Truck Terminals in the Industrial Park District and Adopt a Resolution Approving a Conditional Use Permit and Related Addendum for an Amazon Last Mile Delivery Facility at 2701 W. Winton Avenue. Amazon.com Services, Inc. (Applicant); Black Creek Group (Property Owner) **PH 21-041**

Mayor Halliday noted the item was continued to May 25, 2021 at the request of the applicant.

Mayor Halliday called for a five-minute recess at 9:20 p.m., and reconvened the meeting at 9:25 p.m.

## **LEGISLATIVE BUSINESS**

11. Affordable Housing Development Funding: Adopt Resolutions Authorizing the City Manager to Prioritize Current Affordable Housing Projects for Allocation of Existing Inclusionary Housing Trust Funds Not-to-Exceed \$4.9 million and to Issue a Notice of Funding Availability (NOFA) to Establish an Affordable Housing Development Pipeline **LB 21-013**

Staff report submitted by Assistant City Manager Ott dated May 4, 2021, was filed.

Housing Manager Morales provided a synopsis of the staff report.



**CITY COUNCIL MEETING  
REMOTE PARTICIPATION  
Tuesday, May 4, 2021, 7:00 p.m.**

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Discussion ensued among members of the City Council and City staff about: data to quantify the amount of money needed to house the unhoused and to inform moving housing projects forward; mini homes and container homes could be submitted under broad Notice of Funding Availability (NOFA) for affordable rental or ownership; allocation of inclusionary housing funds that have been generated through the Affordable Housing Ordinance; racial equity criteria as a scoring opportunity and perhaps in the future as a requirement for organizations the City awards funds to; safeguards in place to ensure compliance of projects that commit to building onsite affordable housing; the Homelessness- Housing Task Force anticipates reviewing the Inclusionary Housing Ordinance toward the end of the next fiscal year; Regional Housing Needs Allocation responsibilities and penalties for expediting affordable housing projects; coordination and leveraging of different resources; and information on page 5 of the staff report might be 1 home has been built for every 17 jobs created in the Bay Area.

There being no public comment, Mayor Halliday opened and closed the public hearing at 10:13 p.m.

Members of the City Council praised Housing Division staff for the work on housing related items and the Homelessness-Housing Task Force (HHTF) members for all their efforts.

Council Member Wahab noted each project still comes before Council for approval, received confirmation in lieu fees versus percentages will be reviewed next fiscal year and asked that interested parties be provided with an update; noted the racial equity component was important; and asked staff to promote community discussions and market Hayward as an affordable housing pro-developer City.

Council Member Wahab made a motion per staff's recommendation.

Council Member Salinas seconded the motion.

Council Member Lamnin noted NOFA allows the City to look at other funding opportunities, indicated one criterion was the cost per unit to ensure efficient use of resources, appreciated requiring applicants to create racial equity plans, would like to see prioritization for those who have not been able to get into housing, was supportive of all housing types, and noted the focus is the ownership component.

Council Member Zermeño noted all cities in the region need to do something about increasing needed housing and added he wants to see built all types of housing to address the need.

Council Member Salinas thanked Council Members Lamnin and Wahab, his colleagues on the HHTF, for crafting policies that has served the City well and placed it on a track to make housing

more affordable; and noted Council was allocating \$4,900,000 to support existing projects and establishing a development pipeline, and had an eye on equity with a target of neighborhoods and families who have been historically excluded from high quality rental/owner affordable housing,

Council Member Márquez expressed she was glad Council made housing a priority, recognized former Council Member Mendall who helped her champion the push to update the Inclusionary Housing Ordinance, and noted the racial equity lens will be key moving throughout the NOFA process.

Council Member Andrews highlighted the percentage of homelessness is not race proportional to the population, noted the review of the Inclusionary Housing Ordinance needs to be expedited because developers need to do their fair share of providing more housing, and asked the developers to take a leap of faith in increasing inclusionary housing so staff can house more people.

Mayor Halliday wanted to focus on how to get more people into housing by leveraging available funds in the region, noted there have been efforts toward a regional tax measure to support housing funding and Bay Area Housing Financing Authority was working to raise money to support housing goals, and pondered how the region could support a lending fund to help first time homebuyers, particularly those whose ancestors were shut out of the housing market.

Council Member Wahab was excited to discuss upcoming projects that address gaps, noted the inclusionary housing percentage is low, and mentioned the public had positive feedback for the housing team.

It was moved by Council Member Wahab, seconded by Council Member Salinas, and carried by the following roll call vote, to approve the resolutions.

|          |  |
|----------|--|
| AYES:    | COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,<br>Wahab, Zermeño<br>MAYOR Halliday |
| NOES:    | None   |
| ABSENT:  | None   |
| ABSTAIN: | None   |

Resolution 21-071, “Resolution Amending the FY2021 Housing Division Budget by Appropriating Four Million Nine Hundred Thousand Dollars (\$4,900,000) from Fund Balance in the Inclusionary Housing Trust Fund to Fund Affordable Housing Development Loans”

Resolution 21-072, “Resolution Authorizing the City Manager to Negotiate and Execute Loan Documents Between the City of Hayward and Existing City Affordable Housing Projects. in an Amount Not-to-Exceed Four Million Nine Hundred Thousand



**CITY COUNCIL MEETING  
REMOTE PARTICIPATION  
Tuesday, May 4, 2021, 7:00 p.m.**

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Dollars (\$4,900,000)”

Resolution 21-073, “Resolution Authorizing the City Manager to Issue an Affordable Housing Notice of Funding Availability to Establish and an Affordable Housing Funding Pipeline”

**WORK SESSION**

12. City Council Retreat Follow Up: Further Discussion Regarding Council Referrals and Other Sections of the City Council Handbook **WS 21-021**

Staff report submitted by City Manager McAdoo dated May 4, 2021, was filed.

City Manager McAdoo provided a synopsis of the staff report.

There being no public comment, Mayor Halliday opened and closed public comment at 10:46 p.m.

Mayor Halliday noted the referral process is the most significant conversation to be had and the consultant had documented the other suggested changes to the other sections of the Handbook, suggested to convene an Ad Hoc Committee for the purpose of reviewing comments and discussing items that need to be changed to conform, review the referral process, and review guidelines for proclamations and commendations.

Council Member Zermeño expressed support for the revisions, while he preferred the former referral process, he supported Council Member Lamnin’s recommendation with one minor change that the referring Council Member will notify the City Manager as well as the Mayor.

Council Member Salinas received confirmation that the Mayor would serve on the committee and she would select two additional members, suggested to have a timeline and a process in place by July 1, 2021, and shared he would be willing to serve on the committee.

Council Member Wahab expressed individual Council Members should be able to put forth an idea for the Council to consider as the Council passed much needed polices in that manner, was fine if a referral needs to be vetted by a Committee after Council review and agreed with submitting a memo for an open Council meeting and have votes recorded.

Council Member Márquez noted that based on the survey there was consensus in some areas, her preference was to proceed with the Ad Hoc Committee and was willing to serve on the committee.

Council Member Andrews asked for an interim solution while the Ad Hoc Committee formalizes the referral process.

Mayor Halliday noted that most recent suggestions were addressed in Strategic Roadmap conversations and in the interim Council Members can start by talking with the City Manager or reach out to her or the Mayor Pro Tempore if needed.

Mayor Halliday asked Council Members to reach out to Colleen Kamae if members are interested in serving on the committee and she would decide next week.

### **CITY MANAGER'S COMMENTS**

City Manager McAdoo announced the downtown Hayward Public Library reopened on May 3, 2021 with limited hours of operation (Monday and Tuesday 2-4 and 5-7; Wednesday and Saturday 2-4); and noted she selected Ms. Jana Sangy as the Human Resources Director, spoke about her background, and noted she will start on May 24, 2021.

### **COUNCIL REPORTS AND ANNOUNCEMENTS**

Council Member Andrews and Council Member Zermeño highlighted the Hayward Youth Conference on May 15, 2021 organized by the Hayward Youth Commission and noted students can register on the City website.

Mayor Halliday announced the next regular meeting was scheduled for May 18, 2021.

### **COUNCIL REFERRALS**

None received.

### **ADJOURNMENT**

Mayor Halliday adjourned the meeting at 11:11 p.m.

### **APPROVED**

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Barbara Halliday  
Mayor, City of Hayward

### **ATTEST:**

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Miriam Lens  
City Clerk, City of Hayward



# CITY OF HAYWARD

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

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**File #:** CONS 21-230

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**DATE:** May 18, 2021

**TO:** Mayor and City Council

**FROM:** Fire Chief

**SUBJECT**

Adopt Two Resolutions Authorizing the City Manager to Accept and Appropriate \$60,000 in Grant Funding from Pacific Gas & Electric; and Enter into an Agreement for Services with Pacheco Landscape Management for The Fire Department's Vegetation Management Program

**RECOMMENDATION**

That Council adopts the attached resolutions authorizing the City Manager to accept and appropriate \$60,000 for the Defensible Space Resident Assistance Program from Pacific Gas and Electric (PG&E) (Attachment II); and authorizing the City Manager to enter into an agreement for services with Pacheco Landscape Management for the Fire Department's Vegetation Management Program, serving the Hayward Hills and the unincorporated Fairview Community (Attachment III).

**SUMMARY**

The City of Hayward Fire Department was awarded \$60,000 from PG&E to help fund the Defensible Space Resident Assistance Program (RAP) to assist residents who are unable to cut and stack tree limbs due to limited physical abilities and/or economic barriers.

After soliciting quotes from several companies, the Fire Department awarded Pacheco Landscape Management a three-year contract for on-call chipping, hauling, and additional assistance creating defensible space for RAP-approved residents.

Staff is requesting that Council approve the attached resolutions to: (1) accept and appropriate the PG&E award for the Fire Department's upcoming chipping season; and (2) award Pacheco Landscape Management a three-year contract to perform chipping and hauling services.

**ATTACHMENTS**

|                |   |
|----------------|---|
| Attachment I   | Staff Report                                |
| Attachment II  | Resolution for Grant Funds                  |
| Attachment III | Resolution for Pacheco Landscape Management |



**DATE:** May 18, 2021

**TO:** Mayor and City Council

**FROM:** Fire Chief

**SUBJECT:** Adopt Two Resolutions Authorizing the City Manager to Accept and Appropriate \$60,000 in Grant Funding from Pacific Gas & Electric; and Enter into an Agreement for Services with Pacheco Landscape Management for The Fire Department's Vegetation Management Program

**RECOMMENDATION**

That Council adopts the attached resolutions authorizing the City Manager to accept and appropriate \$60,000 for the Defensible Space Resident Assistance Program from Pacific Gas and Electric (PG&E) (Attachment II); and authorizing the City Manager to enter into an agreement for services with Pacheco Landscape Management for the Fire Department's Vegetation Management Program, serving the Hayward Hills and the unincorporated Fairview Community (Attachment III).

**SUMMARY**

The City of Hayward Fire Department was awarded \$60,000 from PG&E to help fund the Defensible Space Resident Assistance Program (RAP) to assist residents who are unable to cut and stack tree limbs due to limited physical abilities and/or economic barriers.

After soliciting quotes from several companies, the Fire Department awarded Pacheco Landscape Management a three-year contract for on-call chipping, hauling, and additional assistance creating defensible space for RAP-approved residents.

Staff is requesting that Council approve the attached resolutions to: (1) accept and appropriate the PG&E award for the Fire Department's upcoming chipping season; and (2) award Pacheco Landscape Management a three-year contract to perform chipping and hauling services.

**BACKGROUND**

The Fire Department established a vegetation management program in 2012 to assist residents of Hayward and the unincorporated Fairview Community with creating defensible space in high-fire hazard areas. The vegetation management program offers a no-cost

chipping service for residents who cut and stack their brush and tree limbs to be chipped for their use or hauled away. Since the inception of the program, the Fire Department has received several requests for assistance with cutting and stacking materials from residents unable to perform this work themselves. In response, the Fire Department implemented the RAP to assist community members unable to perform these tasks due to age, low income, or disability. Applications for the program are reviewed and selected based on need and high fire hazard concerns. In 2020, the Fire Department provided assistance to 219 homes, hauled 713 cubic yards of material, cleared 122 acres, and chipped 713 yards of material. Residents spent approximately 2,500 hours preparing for the chipping service, and ten homes opted to keep the weed and erosion control chips.

The Fire Department relies heavily on grant funding to sustain this program and was awarded \$60,000 from PG&E to help fund the RAP so the City can continue to provide the assistance needed.

## **DISCUSSION**

In April 2021, the Fire Department conducted RFQ# 2119-041321 to solicit quotes to perform as-needed vegetation management services. This program included on-call tree limb chipping service, creating defensible space, and as-needed fuel reduction services determined by our annual surveys, complaint inspections, defensible space projects, and consultations by Deputy Chief Vollmer. The Fire Department received three quotes on May 10, 2021, and issued an award letter to Pacheco Landscape Management. Pacheco Landscape Management has been awarded and managed this contract for seven years and continues to provide exceptional service, detailed record-keeping, and consistently exceeds expectations in a professional and timely manner.

Staff is requesting that Council approve the attached resolutions to accept and appropriate the grant funds and award Pacheco Landscape Management the contract. If the Council authorizes these actions, staff will appropriate the funding into the Fire Department's budget and enter into the intended transactions for services.

## **FISCAL IMPACT**

This funding source does not require a match and will have no impact on the City's General Fund. These funds will allow the Fire Department to procure supplies and services it would not be able to under this year's operating budget.

## **STRATEGIC ROADMAP**

This agenda item is a routine operational item and does not directly relate to any of the six priorities outlined in the Council's Strategic Roadmap.

*Prepared by:* Shanalee Gallagher, Management Analyst

*Recommended by:* Garrett Contreras, Fire Chief

Approved by:

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

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Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 21-

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

RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT AND APPROPRIATE \$60,000 IN GRANT FUNDING FROM PG&E FOR THE DEFENSIBLE SPACE RESIDENT ASSISTANCE PROGRAM

WHEREAS, The City of Hayward’s Fire Department provides an annual Chipping Program to help residents create defensible space on their properties and a Resident Assistance Program to assist disabled or low-income residents with tree trimming and clearing; and

WHEREAS, Pacific Gas & Electric (PG&E) has awarded the City a \$60,000 grant to supplement the chipping program and provide additional resident assistance.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward authorizes the City Manager to accept and appropriate \$60,000 in grant funding from PG&E for the Defensible Space Resident Assistance Program.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2021.

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

HAYWARD CITY COUNCIL

RESOLUTION NO. 21 -

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

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR SERVICES WITH PACHECO LANDSCAPE MANAGEMENT FOR THE FIRE DEPARTMENT'S VEGETATION MANAGEMENT PROGRAM PRIMARLY SERVING THE HAYWARD HILLS AND THE UNINCORPORATED FAIRVIEW COMMUNITY

WHEREAS, The City of Hayward's Fire Department provides an annual Vegetation Management Program to help residents create defensible space on their properties and a Resident Assistance Program to assist disabled or low-income residents with tree trimming and clearing; and

WHEREAS, the Vegetation Management Program requires a contractor to perform as-needed fuel reduction services determined by our annual surveys, complaint inspections, defensible space projects, and Hayward Fire Department consultations; and

WHEREAS, the City of Hayward and the Fire Department was awarded grant funding through Pacific Gas & Electric, continue operating the Resident Assistance Program; and

WHEREAS, through experience and a competitive bid process, Pacheco Landscape Management can meet programmatic requirements performing as-needed fuel reduction services; and

WHEREAS, the City and the Fire Department, through the grant program, have actively reduced the fire threat in the high-risk areas of the Hayward Hills, Five Canyons, and unincorporated Fairview since 2012; and

BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is authorized and directed to execute a contract with Pacheco Landscape Management for the Fire Department's Vegetation Management Programs serving the City of Hayward and the Fairview Community.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2021.

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

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**File #:** CONS 21-243

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**DATE:** May 18, 2021

**TO:** Mayor and City Council

**FROM:** City Clerk

**SUBJECT**

Adopt a Resolution Accepting the Resignation of Ms. Alicia Lawrence from the Community Services Commission, Effective Immediately

**RECOMMENDATION**

That Council adopts a resolution (Attachment II) accepting the resignation of Ms. Alicia Lawrence from the Community Services Commission, effective immediately.

**SUMMARY**

Ms. Alicia Lawrence was appointed to the Community Services Commission on September 18, 2018. Ms. Lawrence's resignation becomes effective immediately per her resignation letter dated April 28, 2021 (Attachment III). Ms. Alicia Lawrence's vacated position will be filled as part of the annual appointment process for the City's appointed officials to Commissions and Keep Hayward Clean and Green Task Force.

**ATTACHMENTS**

|                |                    |
|----------------|--------------------|
| Attachment I   | Staff Report       |
| Attachment II  | Resolution         |
| Attachment III | Resignation Letter |



**DATE:** May 18, 2021  
**TO:** Mayor and City Council  
**FROM:** City Clerk  
**SUBJECT:** Adopt a Resolution Accepting the Resignation of Ms. Alicia Lawrence from the Community Services Commission, Effective Immediately

**RECOMMENDATION**

That Council adopts a resolution (Attachment II) accepting the resignation of Ms. Alicia Lawrence from the Community Services Commission, effective immediately.

**SUMMARY AND DISCUSSION**

Ms. Alicia Lawrence was appointed to the Community Services Commission on September 18, 2018. Ms. Lawrence’s resignation becomes effective immediately per her resignation letter dated April 28, 2021 (Attachment III). Ms. Alicia Lawrence’s vacated position will be filled as part of the annual appointment process for the City’s appointed officials to Commissions and Keep Hayward Clean and Green Task Force.

**FISCAL IMPACT**

There is no fiscal impact associated with this action.

**STRATEGIC ROADMAP**

This agenda item is a routine operational item and does not relate to any of the projects outlined in the Council’s Strategic Roadmap.

*Prepared and Recommended by:* Miriam Lens, City Clerk

Approved by:

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Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 21-

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

RESOLUTION ACCEPTING THE RESIGNATION OF MS. ALICIA LAWRENCE FROM THE COMMUNITY SERVICES COMMISSION

WHEREAS, Ms. Alicia Lawrence was appointed to the Community Services Commission on September 18, 2018; and

WHEREAS, Ms. Alicia Lawrence submitted a resignation letter on April 28, 2021.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the Council hereby accepts the resignation of Ms. Alicia Lawrence; and commends her for her civic service to the City.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2021.

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

## ATTACHMENT III

**From:** Alicia Lawrence  
**Sent:** Wednesday, April 28, 2021 10:14 AM  
**To:** List-Mayor-Council <List-Mayor-Council@hayward-ca.gov>  
**Subject:** CSC Resignation

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**CAUTION:**This is an external email. Do not click on links or open attachments unless you know the content is safe.

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I resign from the Community Services Commission effective immediately.

Alicia G. Lawrence

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Alicia G. Lawrence



# CITY OF HAYWARD

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

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**File #:** CONS 21-244

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**DATE:** May 18, 2021

**TO:** Mayor and City Council

**FROM:** Assistant City Manager

**SUBJECT**

Adopt a Resolution Authorizing the City Manager to Execute an Agreement with Project Sentinel for Fiscal Year 2022 in an Amount Not-to-Exceed \$150,000 to Provide Mediation Services Related to Rent Stabilization and Repayment Agreements and Support Implementing the Tenant Relocation Assistance Ordinance at the Same Level as Fiscal Year 2021

**RECOMMENDATION**

That the Council adopts a resolution (Attachment II) to authorize the City Manager to execute an agreement with Project Sentinel to provide administrative support, educational services, relocation assistance implementation support, and mediation services related to rent stabilization, rent repayment agreements for tenants unable to pay rent due to COVID-19 economic impacts in an amount not-to-exceed \$150,000 for Fiscal Year 2022.

**SUMMARY**

As part of the Residential Rent Stabilization and Tenant Protection Ordinance (RRSO), the City provides a mandatory mediation program with binding arbitration to resolve rent increase disputes for tenants of covered rental units upon rent increases greater than five percent. Project Sentinel currently provides administrative support, administers the mediation and arbitration program, develops and facilitates educational workshops to advise tenants and landlords of their rights and responsibilities under the City's RRSO, and provides recently expanded mediation services to help tenants and landlords enter into repayment agreements. Project Sentinel's contract with the City will expire on June 30, 2021.

As the economic impacts of the COVID-19 pandemic continue to negatively affect Hayward renters and landlords, and with the current State eviction moratorium set to expire on June 30, 2021, staff recommend the Council authorize the City Manager to execute an agreement with Project Sentinel not-to-exceed \$150,000 for Fiscal Year 2022. This agreement will enable the City to continue providing mediation services for both the RRSO mediation and arbitration program, as well as the expanded services to support renters and landlords as they negotiate repayment plans to recover non-payment of rent due to COVID-19, provide the City support with implementation of the Tenant Relocation Assistance Ordinance (TRAO), and provide educational workshops to landlords and tenants. The new contract

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**File #:** CONS 21-244

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would replace the current contract and maintain funding at the same level approved by Council for the previous fiscal year, which included the expansion of services to mediate repayment agreements to address unpaid rent caused by the COVID-19 pandemic.

The Rental Housing Program Fund is funded by payment of the annual Residential Rent Stabilization Fee and goes to support the administration of the RRSO and the Mobilehome Space Rent Stabilization Ordinance. There are sufficient funds budgeted in the proposed FY 2022 Operating Budget to cover the cost associated with this contract with Project Sentinel. The total fiscal impact will be equal to the amount budgeted for FY22, and there is no additional impact to the Rental Housing Program Fund.

## **ATTACHMENTS**

|               |              |
|---------------|--------------|
| Attachment I  | Staff Report |
| Attachment II | Resolution   |



**DATE:** May 18, 2021

**TO:** Mayor and City Council

**FROM:** Assistant City Manager

**SUBJECT:** Adopt a Resolution Authorizing the City Manager to Execute an Agreement with Project Sentinel for Fiscal Year 2022 in an Amount Not-to-Exceed \$150,000 to Provide Mediation Services Related to Rent Stabilization and Repayment Agreements and Support Implementing the Tenant Relocation Assistance Ordinance at the Same Level as Fiscal Year 2021

## **RECOMMENDATION**

That the Council adopts a resolution (Attachment II) to authorize the City Manager to execute an agreement with Project Sentinel to provide administrative support, educational services, relocation assistance implementation support, and mediation services related to rent stabilization, rent repayment agreements for tenants unable to pay rent due to COVID-19 economic impacts in an amount not-to-exceed \$150,000 for Fiscal Year 2022.

## **SUMMARY**

As part of the Residential Rent Stabilization and Tenant Protection Ordinance (RRSO), the City provides a mandatory mediation program with binding arbitration to resolve rent increase disputes for tenants of covered rental units upon rent increases greater than five percent. Project Sentinel currently provides administrative support, administers the mediation and arbitration program, develops and facilitates educational workshops to advise tenants and landlords of their rights and responsibilities under the City's RRSO, and provides recently expanded mediation services to help tenants and landlords enter into repayment agreements. Project Sentinel's contract with the City will expire on June 30, 2021.

As the economic impacts of the COVID-19 pandemic continue to negatively affect Hayward renters and landlords, and with the current State eviction moratorium set to expire on June 30, 2021, staff recommend the Council authorize the City Manager to execute an agreement with Project Sentinel not-to-exceed \$150,000 for Fiscal Year 2022. This agreement will enable the City to continue providing mediation services for both the RRSO mediation and arbitration program, as well as the expanded services to support renters and landlords as they negotiate repayment plans to recover non-payment of rent due to COVID-19, provide the City support with implementation of the Tenant Relocation Assistance Ordinance (TRAO), and provide educational workshops to landlords and tenants. The new contract would replace the current

contract and maintain funding at the same level approved by Council for the previous fiscal year, which included the expansion of services to mediate repayment agreements to address unpaid rent caused by the COVID-19 pandemic.

The Rental Housing Program Fund is funded by payment of the annual Residential Rent Stabilization Fee and goes to support the administration of the RRSO and the Mobilehome Space Rent Stabilization Ordinance. There are sufficient funds budgeted in the proposed FY 2022 Operating Budget to cover the cost associated with this contract with Project Sentinel. The total fiscal impact will be equal to the amount budgeted for FY22, and there is no additional impact to the Rental Housing Program Fund.

## **BACKGROUND**

On June 19, 2019, City Council approved adding Chapter 12 to the Hayward Municipal Code to adopt a new Residential Rent Stabilization and Tenant Protection Ordinance (RRSO) to mitigate displacement of Hayward residents.<sup>1</sup> Included in the RRSO is a mediation and binding arbitration program in which tenants living in units covered by the residential rent threshold provision of the ordinance (Section 12-1.05) have access to free mediation services when they receive a rent increase greater than five percent. Further, in July 2020, City Council adopted an Ordinance implementing Tenant Relocation Assistance (Chapter 12, Article 2 of the Hayward Municipal Code).<sup>2</sup> The Tenant Relocation Assistance Ordinance (TRAO) requires that landlords 1) pay permanent relocation assistance in alignment with existing State law and 2) pay temporary relocation assistance when tenants are displaced due to substantial repairs or a government order to vacate when the repairs or order to vacate are not due to damage caused by the tenant or a natural disaster. The City entered into agreements in FYs 2020 and 2021 with Project Sentinel to support the City in its administration of rental housing legislation.

Since the onset of the COVID-19 pandemic in March 2020, several State, County, and local eviction moratoria have been implemented. Most recently, the Governor signed the COVID-19 Tenant Relief Act into law, which extended the tenant protections from the first State moratorium and created the State Emergency Rental Assistance Program (ERAP).<sup>3</sup> The State's eviction moratorium is set to expire on June 31, 2021. In conjunction with passing a local eviction moratorium that was eventually superseded by State law, Hayward City Council also adopted a resolution authorizing the City Manager to negotiate and execute an amendment to

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<sup>1</sup> June 19, 2019 City Council Meeting Staff Report and Attachments:

<https://hayward.legistar.com/LegislationDetail.aspx?ID=3985848&GUID=52D1B678-D6BB-401A-AB3C-8990885C0CDD&Options=ID|Text|&Search=rent+stabilization>

<sup>2</sup> July 14, 2020 City Council Meeting Staff Report and Attachments:

<https://hayward.legistar.com/LegislationDetail.aspx?ID=4590663&GUID=ADB12ECB-15EB-4DB2-B096-5A6D9877359A&Options=&Search=>

<sup>3</sup> COVID-19 Tenant Relief Act full text:

[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202120220SB91#:~:text=This%20bill%2C%20for%20the%20duration,rent%2C%20unless%20the%20tenant%20agrees](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB91#:~:text=This%20bill%2C%20for%20the%20duration,rent%2C%20unless%20the%20tenant%20agrees)

the FY 2020 agreement with Project Sentinel to expand mediation services to assist landlords and tenants impacted by COVID-19 to enter into repayment agreements. Staff anticipates that, even with State and County rent relief for low-income households, expanded mediation services for tenants and landlords impacted by COVID-19 will continue to be needed as the June 31, 2021 State eviction moratorium end date approaches. Staff also anticipates an increase in petition volume as part of the residential rent dispute process, as there may be additional rent increase petitions due to increased economic hardship as FY 2022 progresses.

## **DISCUSSION**

As part of the RRSO, the City provides a mandatory mediation program with binding arbitration to resolve rent increase disputes for tenants of covered rental units upon rent increases greater than five percent. Project Sentinel currently administers the mediation and arbitration program, educational workshops to advise tenants and landlords of their rights and responsibilities under the City's RRSO, and recently expanded mediation services to help tenants and landlords enter into repayment agreements. Additionally, staff expanded Project Sentinel's FY 2021 scope of work to include support for administering the TRAO. Project Sentinel's contract with the City will expire on June 30, 2021.

Based on the number of petitions filed since adoption of the new RRSO, the number of requests to negotiate repayment agreements resulting from COVID-19, the need for ongoing assistance in implementing the TRAO, and the current level of education seminars provided, staff recommends entering into a contract with Project Sentinel in an amount not-to-exceed \$150,000 for Fiscal Year 2022. This amount is consistent with the amount authorized by Council for Fiscal Year 2021 to maintain the same level of service, including response to the COVID-19 pandemic by providing tenants and landlords a forum to resolve disputes about past due rents while avoiding the court system.

### **Repayment Agreement Mediation**

Upon authorization from Council to expand mediation services in FY 2020, staff worked with Project Sentinel to confirm the structure of the mediation services, including the design of an online application process for individuals to request free mediation services. Individuals without access to a computer are connected to City staff, who can complete the application on their behalf. Once a request is submitted, Project Sentinel staff reach out to the applicant and begin the process of contacting all parties and scheduling remote sessions with mediators. The mediators then work with parties to negotiate repayment plans to recover any non-payment of rent.

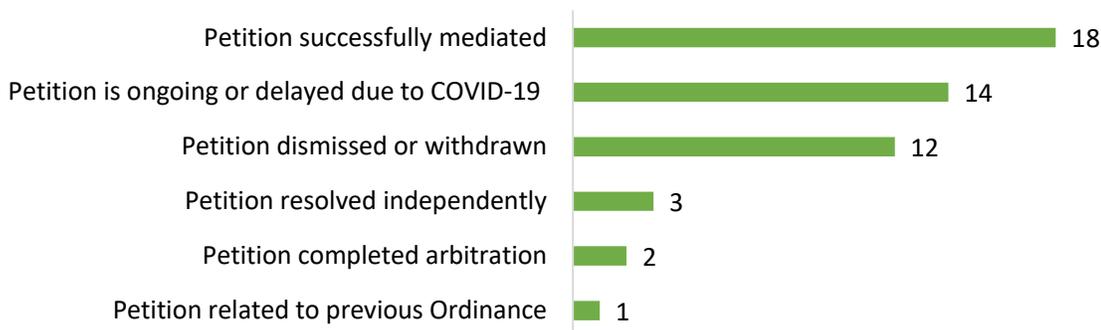
Since April 15, 2020, Project Sentinel has received 52 requests for mediation. Twelve of the requests are currently still in mediation, with outcomes pending. Of those that were completed, over half were resolved and approximately one-third were closed due to impasse or the inability for mediators to make contact with one of the parties. Project Sentinel has highlighted the value of working with tenants and landlords to both help them understand their rights and obligations and to provide a space for them to articulate their fears and

concerns, creating open dialogue and establishing a foundation for future discussion. It also provides an opportunity for resource sharing, as mediators provide relevant legal information and information about resources and programs available to assist landlords and tenants, including the Alameda County Emergency Rental Assistance Program. Staff recommends continuing to fund the expanded services, as the expiration of the State moratorium in June 2021 may increase the demand for services to prevent tenants and landlords from resolving unpaid rent disputes in the court system.

### Rent Dispute Mediation and Arbitration

The new RRSO, revised in July 2019, expanded the mediation and arbitration process to include more Covered Rental Units. The process is initiated by a petition, either from a tenant or landlord/property owner. From July 25, 2019 through March 31, 2021, the Housing Division received 50 petitions, all but one of which was from tenants. As shown in Figure 1, the majority of petitions that are not currently active have been successfully mediated, with few needing to advance to arbitration. One landlord capital improvement pass-through petition is currently active. Staff anticipate an increase in petitions in FY 2022 due to expiring eviction moratoria and the increased economic hardship landlords and tenants have experienced over the last year.

**Figure 1. Tenant Petition Outcomes, as of March 31, 2021**



### Education Services

In addition to conducting mediation and arbitration hearings for rent disputes, assistance with the TRAO, and COVID-19 repayment plan negotiation, Project Sentinel and City staff provide ongoing education services for Hayward residents. Together, staff and Project Sentinel have conducted 18 workshops since July 2020. Workshop topics include: overview of the RRSO and tenants’ and landlords’ rights and responsibilities under the revised ordinance; a “how-to” discussion of the petition process; review of the Just Cause provisions of the RRSO; an overview of fair housing law; and review of maintenance and habitability rights and responsibilities for tenants and landlords. Since the COVID-19 pandemic, staff and Project Sentinel have shifted to remote workshops, with topics focusing on review of local and State eviction moratoria and discussion of rent relief, including the City’s program, as well as the County’s new Emergency Rental Assistance Program operated by Centro Legal de la Raza.

Staff have also made a concerted effort to partner with Hayward Unified School District (HUSD), conducting five workshops with parents through HUSD. While workshops are tailored for either landlords or tenants, they are open for all individuals in Hayward.

To continue administering the mediation/arbitration program under the RRSO, facilitating the education programs to help tenants and landlords understand their rights, assisting with implementation of the TRAO, and to address the anticipated need for mediation services to assist landlords and tenants negotiate rent repayment plans to reduce the risk of displacement for Hayward residents, staff recommends authorizing the City Manager to enter into an agreement with Project Sentinel not-to-exceed \$150,000.

### **FISCAL IMPACT**

There are sufficient funds budgeted in the proposed FY 2022 Operating Budget to cover the cost associated with this item. The total fiscal impact will be equal to the amount budgeted, and there is no additional impact to the Rental Housing Program Fund.

### **STRATEGIC ROADMAP**

This agenda item supports the Strategic Priority of Preserve, Protect, and Produce Housing. This item is not specifically related to a project identified in the Strategic Roadmap. Staff is bringing forth this item because the contract with Project Sentinel is necessary for implementing the RRSO and TRAO.

### **PUBLIC CONTACT**

There has been no public comment related to this item.

### **NEXT STEPS**

If this item is approved, staff will enter into an agreement with Project Sentinel to provide the services described in this report.

*Prepared by:* Amy Cole-Bloom, Management Analyst  
Christina Morales, Housing Division Manager

*Recommended by:* Jennifer Ott, Assistant City Manager

Approved by:



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Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 21-

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

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH PROJECT SENTINEL IN AN AMOUNT NOT-TO-EXCEED \$150,000 TO PROVIDE ADMINISTRATIVE SUPPORT, EDUCATIONAL SERVICES, AND MEDIATION SERVICES RELATED TO RENT STABILIZATION, TENANT RELOCATION ASSISTANCE, AND REPAYMENT AGREEMENTS FOR TENANTS AND LANDLORDS IMPACTED BY COVID-19

WHEREAS, an Agreement with Project Sentinel was executed on July 1, 2019, to administer the City's Residential Rent Stabilization and Tenant Protection Ordinance and the Mobile Home Space Rent Stabilization Ordinance and to provide administrative support, develop a curriculum and provide education regarding tenant and landlord rights and responsibilities, and mediation and arbitration services to resolve disputes regarding rent increases in an amount not-to-exceed \$75,000; and

WHEREAS, during the COVID-19 pandemic outbreak, as a result of local and state-level State of Emergency declarations and local and state Shelter-in-Place orders, many tenants experienced sudden income loss and further income impacts, leaving tenants vulnerable when existing declarations and state and local eviction moratoria are lifted; and

WHEREAS, Hayward City Council authorized the City Manager to negotiate and execute an amendment to the Fiscal Year 2020 Agreement with Project Sentinel in an amount not-to-exceed \$150,000 to expand mediation services to help landlords and tenants negotiate repayment agreements in response to the negative economic impacts of the COVID-19 pandemic; and

WHEREAS, Hayward City Council authorized the City Manager to negotiate and execute an agreement for Fiscal Year 2021 to maintain the same level of expanded mediation services from the amended Fiscal Year 2020 agreement; and

WHEREAS, Project Sentinel also provides support to the Rent Review Office for implementation of the Tenant Relocation Assistance Ordinance; and

WHEREAS, it is anticipated that both the demand for mediated repayment agreements and the volume of rent dispute resolution process petitions will increase after the State moratorium is lifted and therefore necessary to fund the contract with Project Sentinel at the same level as FY 2021.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby authorizes the City Manager to execute an Agreement for Fiscal Year 2022 with Project Sentinel, in a form approved by the City Attorney, for a total not-to-exceed amount of One Hundred Fifty Thousand dollars (\$150,000).

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2021.

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

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**File #:** CONS 21-246

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**DATE:** May 18, 2021

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT**

Adopt a Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Carollo Engineers, Inc., for the Water Pollution Control Facility Main Switchboard Electrical Distribution Rehabilitation Project, Project No. 07656, in an Amount Not-to-Exceed \$1,108,835

**RECOMMENDATION**

That Council adopts a resolution (Attachment II) authorizing the City Manager to execute a professional services agreement (PSA) with Carollo Engineers, Inc., in an amount not-to-exceed \$1,108,835 for the Water Pollution Control Facility (WPCF) Main Switchboard Electrical Distribution Rehabilitation Project, Project No. 611-07656.

**SUMMARY**

The WPCF treats an annual average wastewater flow of approximately eleven million gallons per day (MGD) and meets current requirements to discharge treated effluent to the deep waters of the San Francisco Bay. The existing main switchboard (MSB), originally installed in 1982, is a key component of the power distribution system at the WPCF. The MSB along with several related motor control centers (MCCs) have provided power and controls to various plant processes for nearly forty years. Concern over continued reliability of the switchgear due to obsolescence and availability of parts, as well as the current condition and continued deterioration from corrosive atmospheres, prompted staff to request that the electrical system be evaluated as part of the WPCF Phase II Facilities Plan. The Phase II Facilities Plan serves as a comprehensive planning document for the WPCF infrastructure needs for the next twenty-five years. An evaluation of the Old Cogeneration Building Electrical System was performed as part of the planning effort. The evaluation recommended replacing the existing MSB, as well as consolidating and replacing several existing aged MCCs, and retrofitting the existing old Cogen Cogeneration System Building to house the new electrical equipment.

**ATTACHMENTS**

|               |              |
|---------------|--------------|
| Attachment I  | Staff Report |
| Attachment II | Resolution   |



**DATE:** May 18, 2021

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT** Adopt a Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Carollo Engineers, Inc., for the Water Pollution Control Facility Main Switchboard Electrical Distribution Rehabilitation Project, Project No. 07656, in an Amount Not-to-Exceed \$1,108,835

### **RECOMMENDATION**

That Council authorizes the City Manager to execute a professional services agreement (PSA) with Carollo Engineers, Inc., in an amount not-to-exceed \$1,108,835 for the Water Pollution Control Facility (WPCF) Main Switchboard Electrical Distribution Rehabilitation Project, Project No. 611-07656.

### **SUMMARY**

The WPCF treats an annual average wastewater flow of approximately eleven million gallons per day (MGD) and meets current requirements to discharge treated effluent to the deep waters of the San Francisco Bay. The existing main switchboard (MSB) originally installed in 1982, is a key component of the power distribution system at the WPCF. The MSB along with several related motor control centers (MCCs) have provided power and controls to various plant processes for nearly forty years. Concern over continued reliability of the switchgear due to obsolescence and availability of parts, as well as the current condition and continued deterioration from corrosive atmospheres, prompted staff to request that the electrical system be evaluated as part of the WPCF Phase II Facilities Plan. The Phase II Facilities Plan serves as a comprehensive planning document for the WPCF infrastructure needs for the next twenty-five years. An evaluation of the Old Cogeneration Building Electrical System was performed as part of the planning effort. The evaluation recommended replacing the existing MSB as well as consolidating and replacing several existing aged MCCs, and retrofitting the existing old Cogen Cogeneration System Building to house the new electrical equipment.

### **BACKGROUND**

The WPCF collects and treats wastewater from the City's residents and businesses. The original WPCF 480-volt MSB was designed to power the entire WPCF at the time of its construction and was connected directly to two cogeneration engines that satisfied part of the plant demand, and a standby generator as a backup to Pacific Gas & Electric (PG&E). In 2008,

the Phase 1 WPCF upgrade project was completed that included a new service entrance from PG&E, a new 12-kV switchgear building, a 12-kV power grid, several 12-kV substations to distribute power around the plant, and a new standby diesel generator. The electrical system upgrades were largely constructed to serve new loads added as part of the Phase 1 project and other than sub-feeding the power to the MSB, did not include improvements to the plant's existing 480-volt power system. In 2014, a new 1,132 kW cogeneration system was commissioned as part of the Cogeneration Upgrade Project, and the old cogeneration engines that previously supplied power to the plant through the MSB were decommissioned. The MSB continues to supply power to many vital loads throughout the plant, including the headworks, north and south vacuators, the primary treatment process, the west trickling filter, the anaerobic digesters, the site wastes pump station, and various buildings throughout the plant.

The MSB was installed in 1982, and at nearly forty years in service has exceeded its useful life. Staff have difficulty procuring replacement parts since they are obsolete and no longer being produced. In 2006, an assessment of the existing MSB equipment was performed by Terada Engineering, Inc., which recommended replacement of switchgear components due to component obsolescence. This assessment also noted that the switchgear was housed within a room that was subjected to significant levels of hydrogen sulfide due to its proximity to (the East Barminutor Structure) where two of the City's main sewer lines converge. In 2020, as part of the WPCF Phase II Facilities Plan, an evaluation was completed that confirmed the previous findings that recommended replacing the MSB.

In addition to evaluating the MSB, several of the existing MCCs powered by the MSB were evaluated and recommended for replacement due to their age, and obsolescence. These MCCs were installed at the same time the MSB (1982) and are also at the end of their useful life. These include the obsolete MCC-5B, which primarily includes breakers and starters associated with the old, decommissioned cogeneration equipment, MCC-5A, which supplies equipment located in the boiler room, several obsolete pump control panels serving the flow equalization return pumps, and several starters for the West Trickling Filter ventilation system located in a nearby outdoor MCC (MCC-19) that is in extremely poor condition and slated to be demolished. These MCCs and control panels will be housed in a new MCC panel located adjacent to the new MSB. In addition, the existing supervisory control and data acquisition (SCADA) / remote telemetry unit (RTU) cabinet located inside the electrical switchgear room will be replaced with a new programmable logic controller (PLC) cabinet to serve equipment housed in both the MSB and new MCC.

The Site Waste Pump Station (SWPS) currently houses MCC-2A and 2B which were also installed in 1982 and have reached the end of their useful life. A new replacement MCC and PLC panel is included as well as potential upgrades to the electrical room to achieve compliance with National Electric Code (NEC) and National Fire Protection Association (NFPA) requirements. Pending the results of the NFPA study, the HVAC design for the SWPS is included as an optional task. MCC-2A and 2B provide power and control to many essential plant process areas including primary treatment and anaerobic digestion. Replacement is needed to for continued reliability of the WPCF operations.

The Fluidized Bed Reactor (FBR) houses MCC 4 which was installed in 1982 and is powered from two 500-ampere breakers from the MSB. The FBR facility has been out of service since 2005 and subsequently the existing MCC 4 only serves minimal loads including building lighting and a couple sump pumps. The project includes decommissioning MCC 4, and installing a new 480-volt transformer and panelboard to serve the existing loads. This will both reduce construction costs associated with replacing the large 500-ampere breakers, as well as enhancing safety as MCC 4 and its associated 40-year-old duct banks that are no longer needed for the facility.

In addition to replacing the MSB and MCCs, the Phase II Facilities Plan recommended retrofitting the existing Old Cogeneration Building to provide the required architectural, seismic, and environmental improvements needed to house the new electrical equipment. The improvements include structural retrofits, removing unused equipment formerly associated with the cogeneration system from the roof of the building, sealing openings in the roof and floor associated with the engines and associated piping, installing a new roof, replacing existing louvers with windows or other infill, adding interior finishes, and replacing the heating, ventilation, and air conditioning (HVAC) equipment. A structural and building code evaluation will be included to determine options for potentially repurposing the area within the Old Cogeneration Building formerly housing the cogeneration equipment and standby power generator into an occupied space for use by WPCF staff. The design for repurposing the Old Cogeneration Building into an occupied space is included as an optional task.

As noted above, the building is currently designed in an open louvered and ventilated structure which has resulted in extensive corrosion of the copper components within the electrical enclosure, and corrosion to an elevated copper bus duct and surrounding structure associated with transformer located outside the building. A new transformer is included to replace the existing corroded unit and will be located further away from the existing East Barminutor Structure in a less corrosive atmosphere.

## **DISCUSSION**

The recommendations from the Phase II Facilities Plan are to replace the plant's existing MSB, MCCs, and related equipment. The existing electrical equipment, installed in 1982, has exceeded its useful life. In addition, staff have difficulty procuring replacement parts, as the parts are no longer produced. The existing MSB is at risk of failure due to long-term exposure to hydrogen sulfide and the resulting corrosion of its copper bussing. Replacement is needed for continued operational reliability of the WPCF and many of its essential processes.

On March 1, 2021, staff issued a request for proposals to consulting firms with specialized experience and knowledge of wastewater electrical equipment and facilities. On March 26, 2021, staff received three (3) proposals from Black & Veatch, Brown & Caldwell, and Carollo Engineers. The estimated design and engineering services during construction costs ranged from \$812,660 to \$1,095,694. After reviewing the submitted proposals, staff recommends Carollo Engineers, Inc., (Carollo) for the project based on their responsiveness to the proposal and schedule, extensive knowledge of wastewater plant electrical components and facilities, and experience of the proposed team in designing similar wastewater electrical and facility

improvements. The firm focuses on water and wastewater related projects and has performed recent similar projects for numerous clients in the Bay Area. In addition, Carollo has completed several projects for the City including the 2018 Headworks Rehabilitation Project, 2019 Headworks Bar Screens Project, and the highly successful cogeneration project at the WPCF.

After reviewing the submitted proposals, staff identified additional scope tasks to be included within this design contract, including decommissioning MCC 4, analyzing building code requirements to modify the occupancy at the Old Cogen Building, assessing the required structural and HVAC modifications required to bring the Site Waste Pump Station's electrical room in compliance with NFPA and NEC standards, reviewing the Phase II Facilities Plan for possible additional loads that might be serviced by the new MSB, and a hazardous materials survey that is required for any modifications of existing structures. Design for the Site Waste Pump Station structural and HVAC modifications, and improvements required for repurposing the room formerly housing the old Cogen and standby power diesel engines into an occupied space have been added as optional tasks. Staff will evaluate and authorize these additional design services only if needed and as determined following further design development in the preliminary design stage. In addition, the proposal fees were based on design of MCC 2A and 2B as optional scope items. Staff decided to proceed with design of the MCC 2A and 2B replacement, which added additional effort to engineering services during construction. Given the revised scope of work, staff has negotiated an additional \$146,810 for design services, and an additional \$48,364 in design services for the optional services. In addition, staff is requesting an additional \$100,000 in design contingency be added to the optional services task to cover additional design tasks and/or engineering services during construction if needed. Staff may utilize any additional budget allocated for optional services only after detailed review, on a case-by-case basis. The total not-to-exceed fee with the added scope items including optional services is \$1,108,835.

The total engineering design and engineering services during construction are approximately 13% of the estimated total construction cost, which is in the typical range for projects of this complexity. The total engineering design service fee is competitive given the scope of work and the complicated nature of wastewater electrical equipment and facility project upgrades.

## **ECONOMIC IMPACT**

Replacing the MSB, MCCs, and related electrical equipment are part of an effort to modernize and upgrade existing facilities. The project will greatly improve reliability by reducing staff time associated with breakers tripping causing unplanned outages and staff time attending to issues otherwise related to component failures. The community will enjoy the benefits of the project, including maintaining effective treatment that provides environmental protection of the San Francisco Bay.

## FISCAL IMPACT

The FY 2021 through FY 2030 Capital Improvement Project (CIP) includes funding for the projects described in the Sewer Replacement Fund (Fund 611). Table 1 shows the projects as described in the approved CIP.

Table 1. Sewer Improvements Funding

| Fund | Project No. | Description  | Budget      |
|------|-------------|--|-------------|
| 611  | 07653       | MCC 2 Replacement                                    | \$300,000   |
| 611  | 07707       | WPCF MCC 5 & 19 Replacement                          | \$500,000   |
| 611  | 07719       | WPCF Old Cogen Building Repurpose                    | \$400,000   |
| 611  | 07956       | WPCF Main 480V MCC Electrical Distribution Repurpose | \$7,467,000 |
|      |             | Total  | \$8,667,000 |

The breakdown for project costs is as follows:

### Total Project Cost

|   |                     |
|---|---------------------|
| Engineering Services (Consultant)                           | \$1,108,835         |
| Design and Construction Management – City Staff (Estimated) | \$100,000           |
| Construction Contract (Estimated)                           | \$8,211,000         |
| Construction Contingency (10% of Construction Contract)     | \$821,100           |
| Inspection and Testing (Estimated)                          | \$100,000           |
| Total   | <u>\$10,340,935</u> |

The construction cost assumes all project elements will be constructed. The project cost will be confirmed during the preliminary design phase. The construction cost is only a pre-design stage estimate, and staff would return to Council to request that additional funds be appropriated to cover the additional cost of the project if needed after the bids are received.

## STRATEGIC ROADMAP

This agenda item supports the Strategic Roadmap of Improve Infrastructure.

## SUSTAINABILITY FEATURES

This project will help the City maintain its ability to treat wastewater efficiently and adequately before discharging into San Francisco Bay.

## PUBLIC CONTACT

All project work will be within the WPCF plant boundary and should have no impact on area businesses or the public at large; therefore, no public contact is necessary for this project.

## NEXT STEPS

If approved, staff will finalize a PSA with Carollo Engineers, Inc., and issue a Notice to Proceed. Staff will return to Council for approval of the final design plans and specifications, and to call for bids in January 2022.

The following schedule has been developed for this project:

|  |              |
|--|--------------|
| Council Approval                                       | May 18, 2021 |
| Approval of Plans and Specifications and Call for Bids | January 2022 |
| Award of Construction Contract                         | March 2022   |
| Construction Completion                                | June 2023    |

*Prepared by:* Mariza Sibal, Associate Civil Engineer

*Reviewed by:* Suzan England, Senior Utilities Engineer

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

Approved by:



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Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 2I-

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

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH CAROLLO ENGINEERS, INC., IN AN AMOUNT NOT-TO-EXCEED ONE MILLION ONE HUNDRED EIGHT THOUSAND EIGHT HUNDRED THIRTY-FIVE DOLLARS (\$1,108,835) FOR THE WATER POLLUTION CONTROL FACILITY MAIN SWITCHBOARD ELECTRICAL DISTRIBUTION REHABILITATION PROJECT, PROJECT NO. 07656

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, the existing main switchboard (MSB), originally installed in 1982, is a key component of the power distribution system at the WPCF. The MSB along with several related motor control centers (MCCs) have provided power and controls to various plant processes for nearly forty years and have exceeded their useful lives; and

WHEREAS, in 2018, the City adopted the WPCF Phase II Facilities Plan, which serves as a comprehensive planning document for the WPCF infrastructure needs for the next twenty-five years; and

WHEREAS, the WPCF Phase II Facilities Plan evaluated the WPCF's electrical system and recommended replacing the MSB, MCCs, and retrofitting the existing old cogeneration building which houses this electrical equipment; and

WHEREAS, on March 1, 2021, the City issued a request for proposals (RFP) to award a contract for design and engineering services for the MSB Electrical Distribution Rehabilitation Project; and

WHEREAS, in response to the RFP, the City received three (3) proposals and after objectively evaluating proposals, has determined that Carollo Engineers, Inc. possesses the necessary experience and technical skills to perform the work.

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, on behalf of the City of Hayward, an agreement for professional services with Carollo Engineers, Inc. for design and engineering services during construction for the MSB Electrical Distribution Rehabilitation Project, Project No. 07656, in an amount not-to-exceed One Million One Hundred Eight Thousand Eight Hundred Thirty Five dollars (\$1,108,835), in a form approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2021

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

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**File #:** CONS 21-247

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**DATE:** May 18, 2021

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT**

Adopt a Resolution Authorizing the City Manager to Execute a Professional Services Agreement (PSA) with WaterSmart Software, Inc., for the Implementation of an Advanced Metering Infrastructure (AMI) Customer Portal, including Deploying the Services and Hosting the System for Three Years, in an Amount Not-to-Exceed \$273,165

**RECOMMENDATION**

That Council adopts the attached resolution (Attachment II) authorizing the City Manager to negotiate and execute a Professional Services Agreement (PSA) with WaterSmart Software, Inc., in an amount not-to-exceed \$273,165 for Advanced Metering Infrastructure (AMI) Customer Portal Project No. 07125.

**SUMMARY**

Advanced Metering Infrastructure (AMI) technology, which was recently installed at every water meter location in the City, transmits periodic meter reads to a Utility over a fixed network, enabling the Utility to view and manage its City-wide consumption data from an internal-facing software provided by the AMI vendor. This consumption data and other useful features, like leak alerting and bill presentation, can then be provided to the customers of a Utility via the implementation of a separate software hosted by an online customer portal vendor.

Staff has spent the past year working to identify the most capable vendor with which to implement an online customer portal for the City's approximately 36,000 customers. This will allow customers to take greater control of their water consumption by having on-demand access to their water use metrics, estimated water spending at any point in a billing period, and prompt leak notification, among other features. Staff hosted a four-month Pilot Program involving approximately 100 pilot customers to test two different vendors' customer portal platforms, including "AquaHawk" (a product developed by American Conservation & Billing Solutions, Inc.) and "WaterSmart" (a product developed by WaterSmart Software, Inc.). Based on the feedback of the Pilot participants, staff recommends that the City proceed with WaterSmart for City-wide implementation, and requests Council's authorization to negotiate a PSA with the vendor in an amount not-to-exceed \$273,165.

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**File #:** CONS 21-247

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**ATTACHMENTS**

Attachment I      Staff Report  
Attachment II      Resolution



DATE: May 18, 2021

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Adopt a Resolution Authorizing the City Manager to Execute a Professional Services Agreement (PSA) with WaterSmart Software, Inc. for the Implementation of an Advanced Metering Infrastructure (AMI) Customer Portal, including Deploying the Services and Hosting the System for Three Years, in an Amount Not-to-Exceed \$273,165

### **RECOMMENDATION**

That Council adopts the attached resolution (Attachment II) authorizing the City Manager to negotiate and execute a Professional Services Agreement (PSA) with WaterSmart Software, Inc., in an amount not-to-exceed \$273,165 for Advanced Metering Infrastructure (AMI) Customer Portal Project No. 07125.

### **SUMMARY**

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Staff has spent the past year working to identify the most capable vendor with which to implement an online customer portal for the City's approximately 36,000 customers. This will allow customers to take greater control of their water consumption by having on-demand access to their water use metrics, estimated water spending at any point in a billing period, and prompt leak notification, among other features. Staff hosted a four-month Pilot Program involving approximately 100 pilot customers to test two different vendors' customer portal platforms, including "AquaHawk" (a product developed by American Conservation & Billing Solutions, Inc.) and "WaterSmart" (a product developed by WaterSmart Software, Inc.). Based on the feedback of the Pilot participants, staff recommends that the City proceed with WaterSmart for City-wide implementation, and requests Council's authorization to negotiate a PSA with the vendor in an amount not-to-exceed \$273,165.

## **BACKGROUND**

In 2018, the City completed the replacement of its approximately 36,000 manual read water meters with new AMI meters. Staff are currently able to access the AMI-generated meter reads via basic internal-facing software, which is provided by Aclara, the vendor the City contracted with in 2016 to deploy the AMI system. However, providing customers access to the consumption metrics and other information associated with their account requires the development of a separate online customer engagement portal. To make the most informed decision regarding which customer-facing online portal platform to implement for City-wide implementation, the City piloted two platforms from October 2020 to February 2021 with a group of approximately 100 customer volunteers. The two piloted platforms, which were selected via a competitive Request for Proposals (RFP) process, included AquaHawk and WaterSmart.

Both customer portal platforms are in use by neighboring Bay Area agencies. Notably, AquaHawk is in use by Dublin San Ramon Services District (DSRSD), and WaterSmart is in use by East Bay Municipal Utilities District (EBMUD), Coastside County Water District, the Town of Hillsborough, and the City of Morgan Hill, among others. Additional details regarding the RFP process and vendor selection can be found in the report delivered during the CSC meeting on March 9, 2020<sup>1</sup>.

## **DISCUSSION**

The water customer portal, once fully implemented, will provide customers greater control over their water consumption, as they will have on-demand access to their water use metrics, estimated water spending at any point in a billing period, and prompt leak notification. By providing customers these tools, the portal will also likely aid the community in achieving greater water conservation over time. To best empower customers and achieve City-wide water conservation, the platform will need to be adopted and regularly used by as many customers as possible. To ensure maximum customer engagement, it is critical that the selected platform be easy to register for, easy to navigate, easy to understand, adequately informative, and must provide a generally-pleasing customer experience every time a customer logs in. For this reason, staff implemented a Pilot program to test two different customer portals to determine which one, if either, to recommend for City-wide implementation.

After a period of implementation to integrate both Pilot portals with City-wide data, the platforms were made available to Pilot customers from October 30, 2020 to February 25, 2021, during which time a series of survey questions were distributed to participants. The questions were designed to determine which portal best met the following criteria: Ease-of-Registration, Ease-of-Use, Clarity of Information Presented, and Look and Feel.

On a scale of one to five, with five being the highest, only 47% of responsive Pilot participants indicated that AquaHawk had a clarity level of four or five. Similarly, only 41%

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<sup>1</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=4389832&GUID=F46CB11A-247F-400F-AE74-907A02B58D6C&Options=&Search=>

rated AquaHawk’s ease of use as a four or five. In other words, the majority of respondents indicated AquaHawk’s clarity and ease-of-use as a three or lower. In contrast, 88% of responsive participants rated WaterSmart’s clarity as a four or five, and 91% rated WaterSmart’s ease-of-use as a four or five. When asked about preference of look and feel between the two platforms, 82% indicated a preference for WaterSmart, while only 18% indicated a preference for AquaHawk.

Finally, when directly asked to indicate their preference between the two platforms, 73% of respondents indicated that they would prefer that the City proceed with WaterSmart, while 15% indicated a preference for AquaHawk, and 12% indicated that they have no preference between the two.

Based on participant’s clear preference for WaterSmart, staff recommended to the Council Sustainability Committee (CSC) during their March 8, 2021<sup>2</sup> meeting that the City proceed with WaterSmart. The CSC approved staff’s recommendation. More details regarding the Pilot results can be found in the report delivered during the March 8 CSC meeting.

**ECONOMIC IMPACT**

The customer portal, once fully implemented, will provide customers greater control over their water consumption, as they will have on-demand access to their water use metrics, their estimated water spending at any point in a billing period, and prompt leak notification, which will result in reduced water loss. As such, the Portal will also likely aid the community in achieving greater water conservation over time.

**FISCAL IMPACT**

The Pilot Program to select a recommended customer portal vendor for City-wide implementation was funded by AMI Conversion Project No. 07025 in Water Replacement Fund 603. As shown in the table below, the total cost to implement the Pilot Program was approximately \$50,000.

|   |                 |
|---|-----------------|
| AquaHawk Pilot Program                  | \$20,000        |
| WaterSmart Pilot Program                | \$17,500        |
| WaterSmart Bridge Services <sup>3</sup> | \$833           |
| Aclara Integration of AMI Data          | \$12,000        |
| <b>Total</b>                            | <b>\$50,333</b> |

If authorized by Council, WaterSmart’s services to launch and host the City-wide customer portal would be funded by City-wide AMI Customer Portal Project No. 07125, also in the Water Replacement Fund. The table below reflects the total not-to-exceed amount to implement the City-wide portal over a three-year period.

<sup>2</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=4816829&GUID=09108CFF-23E6-4179-8AD1-5A0C4732D469&Options=&Search=>

<sup>3</sup> This additional \$833 covers WaterSmart’s provision of continued platform hosting services between the end of the Pilot and the beginning of the City-wide implementation contract term, pending Council’s authorization. This amount may increase depending on the length of time required to negotiate and execute the agreement.

|  | <b>Year 1</b>           | <b>Year 2</b>          | <b>Year 3</b>          |
|--|-------------------------|------------------------|------------------------|
| Platform Hosting Services                | \$62,900                | \$65,120               | \$67,340               |
| Single Sign On (SSO) Payment Integration | \$5,500                 | \$5,565                | \$5,835                |
| Print Leak Alerts                        | \$4,500                 | \$4,635                | \$4,770                |
| Print Customer Welcome Letters           | \$37,000                | n/a                    | n/a                    |
| Contingency                              | \$10,000                | n/a                    | n/a                    |
| <b><i>Annual total</i></b>               | <b><u>\$119,900</u></b> | <b><u>\$75,320</u></b> | <b><u>\$77,945</u></b> |

***Total not-to-exceed amount over three years***    **\$273,165**

It is important to note that integrating SSO payment options within the WaterSmart platform, referenced as line two in the above table, will first require negotiating and executing an agreement with a third party vendor specializing in the provision of these services. SSO payment refers to the ability for customers to pay their water bills within the WaterSmart platform, as opposed to being redirected to the Hayward Self Service (HSS) system in order to pay their bills, which requires signing in to a separate system. Feedback from the Pilot participants revealed that a single sign on payment option within the customer portal platform is highly desired. Staff are currently investigating the feasibility of implementing SSO payment options within the platform and associated costs. Staff may be returning to Council for authorization to enter into an agreement with a recommended SSO payment vendor depending on the findings of this investigation.

## **STRATEGIC ROADMAP**

This agenda item supports the Strategic Priority of Improve Infrastructure. Specifically, this item relates to the implementation of the following project:

Project 13, Part 13.a: Develop and launch Advanced Metering Infrastructure (AMI) customer portal.

## **SUSTAINABILITY FEATURES**

The AMI Customer Portal and larger AMI Project promote efficient water use and water conservation. The water consumption data provided by AMI technology will aid in the City's efforts to measure the overall effectiveness of targeted conservation initiatives. This information will also be used to inform customers about potential leaks or overly high consumption.

## **PUBLIC CONTACT**

During Spring 2020, staff sought approximately 100 Pilot customer volunteers via a number of methods, including posts in social media, the City's environmental newsletter, The Leaflet, and physical handouts, as well as letters to targeted groups like those who have recently received a leak notification letter. Staff also regularly engaged with the Pilot Customers for the duration of the four-month Pilot from October 2020 to February 2021.

## **NEXT STEPS**

If approved, staff will complete negotiations with WaterSmart to execute a PSA to implement and host the City-wide customer portal.

*Prepared by:* Kait Byrne, Management Analyst

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

Approved by:

A handwritten signature in black ink, appearing to read 'Kelly McAdoo', written over a horizontal line.

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Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 21-

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

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH WATERSMART SOFTWARE INC., IN AN AMOUNT NOT-TO-EXCEED \$273,165 FOR ADVANCED METERING INFRASTRUCTURE (AMI) CUSTOMER PORTAL PROJECT NO. 07125

WHEREAS, the City seeks to contract with a vendor to provide its water customers access to an online customer portal; and

WHEREAS, a group of City staff and Hayward water customers Pilot-tested two customer portal platforms identified via a competitive Request for Proposals process, including "AquaHawk," a product developed by American Conservation & Billing Solutions Inc., and "WaterSmart," a product developed by WaterSmart Software Inc.; and

WHEREAS, the results of the Pilot Program indicated that WaterSmart best met customer's needs and was superior in the areas of clarity, ease of navigation, availability of information, and look and feel; and

WHEREAS, AMI Customer Portal Project No. 07125 in the Water Replacement Fund (Fund 603) has sufficient annual funding to support this contract.

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 a Professional Services Agreement with WaterSmart Software Inc., in an amount not-to-exceed \$273,165 over the three-year term of the contract for AMI Customer Portal Project No. 07125 in the Water Replacement Fund (Fund 603), in a form approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2021.

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

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**File #:** WS 21-024

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**DATE:** May 18, 2021

**TO:** Mayor and City Council

**FROM:** Director of Finance

**SUBJECT**

FY2022 City Budget: Proposed Fiscal Year 2022 Operating Budget Work Session #2

**RECOMMENDATION**

That the Council continues to review and provide direction to staff on the City's Proposed FY 2022 Operating Budget.

**SUMMARY**

The Council Budget Work Session #2 of the proposed FY 2022 Operating Budget is a continuation of the budget conversation following the Saturday, May 15, 2021 budget work session. Budget Work Session #2 will include department presentations that were not completed during the Saturday budget work session and will include follow-up discussion on any specific items requiring Council direction in advance of adoption of the FY 2022 Operating Budget on June 1, 2021.

**ATTACHMENTS**

Attachment I      Staff Report



**DATE:** May 18, 2021  
**TO:** Mayor and City Council  
**FROM:** Director of Finance  
**SUBJECT** Proposed FY 2022 Operating Budget Work Session #2

### **RECOMMENDATION**

That the Council continues to review and provide direction to staff on the City's Proposed FY 2022 Operating Budget.

### **SUMMARY**

The Council Budget Work Session #2 of the proposed FY 2022 Operating Budget is a continuation of the budget conversation following the Saturday, May 15, 2021 budget work session. Budget Work Session #2 will include department presentations that were not completed during the Saturday budget work session and will include follow-up discussion on any specific items requiring Council direction in advance of adoption of the FY 2022 Operating Budget on June 1, 2021.

### **BACKGROUND**

The FY 2022 Operating Budget process began in January of 2021. Over the last several months, Finance staff and the various departments met to review the respective FY 2022 department budget proposals before presenting them to the City Manager. On April 28, the proposed FY 2022 Operating Budget was provided to the Council ahead of the Saturday budget work session on May 15, 2021<sup>1</sup>.

### **DISCUSSION**

#### *Proposed FY 2022 Operating Budget*

The Proposed FY 2022 Operating Budget document was provided to the Council on April 28, 2021 in advance of the May 15, 2021 Saturday work session. Over the upcoming weeks, Council will consider the annual budget prior to the planned adoption on June 1, 2021. During the Saturday work session, Council receives and discusses department budgets, where Council has an opportunity to ask questions as well as discuss and provide feedback to each

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<sup>1</sup> Council Budget Work Session #1 - Special Council Meeting on May 15, 2021 - <https://hayward.legistar.com/LegislationDetail.aspx?ID=4942511&GUID=C2E19913-F4E0-4AF3-A4A7-AAA3FD418DC8&Options=&Search=>

department. The Saturday budget work session also includes a review of the City’s Five-Year Plan.

In FY 2022, the City continues to balance the challenges related to economic recovery of key revenue sources, rising operational expenses, and the continuation of providing support to the most vulnerable members of the Hayward community. The proposed FY 2022 Operating Budget provided to Council on April 28, 2021 reflects projected General Fund revenues of \$178.6 million, an increase of \$12.3 million over the FY 2021 Adjusted Budget, with General Fund expenditures at \$184.7 million, an increase of \$15.1 million over the FY 2021 Adjusted Budget, resulting in a projected a use of \$6.0 million Reserves.

General Fund Five-Year Plan Update

The General Fund Five-Year Plan was reviewed by the Council at the Saturday budget work session on May 15, 2021. If the City does not implement any changes and adopts the FY 2022 Operating Budget as proposed, the City projects the use of \$6.0 million in Reserves. The General Fund Reserve level will fall below the Council’s 20% General Fund Reserve Policy to 12.2% in FY 2022, with complete depletion of the City’s General Fund Reserve in 2025, leaving a -1.4% ending fund balance.

**TABLE 1: GENERAL FUND FIVE-YEAR PLAN UPDATE**

| General Fund Forecast<br>(FY 2022 Proposed)<br><i>\$ In thousands</i> | FY 2022<br>Year 1 | FY 2023<br>Year 2 | FY 2024<br>Year 3 | FY 2025<br>Year 4 | FY 2026<br>Year 5 |
|---|-------------------|-------------------|-------------------|-------------------|-------------------|
| Revenue   | \$178,634         | \$184,941         | \$190,855         | \$196,427         | \$201,783         |
| Expenditures  | 184,659           | 194,122           | 199,921           | 206,715           | 212,483           |
| <b>Net Change in Reserve-Surplus / (shortfall)</b>                    | <b>(6,025)</b>    | <b>(9,181)</b>    | <b>(9,067)</b>    | <b>(10,288)</b>   | <b>(10,700)</b>   |
| <b>Beginning Balance</b>  | <b>\$28,631</b>   | <b>\$22,606</b>   | <b>\$14,925</b>   | <b>\$7,358</b>    | <b>(\$2,930)</b>  |
| <i>Net Change in Reserve - Surplus / (Shortfall)</i>                  | <i>(6,025)</i>    | <i>(9,181)</i>    | <i>(9,067)</i>    | <i>(10,288)</i>   | <i>(10,700)</i>   |
| <i>American Rescue Plan Act Funding</i>                               |                   | 1,500             | 1,500             |                   |                   |
| <b>Ending Balance</b>   | <b>\$22,606</b>   | <b>\$14,925</b>   | <b>\$7,358</b>    | <b>(\$2,930)</b>  | <b>(\$13,629)</b> |

The proposed FY 2022 budget projects a \$6.0 million use of General Fund Reserves. As shown in Table 1, the City continues to forecast structural budget gaps in future years, as the City continues to recover from the economic impacts of the pandemic, while balancing rising operational expenses. The current proposed budget does not include any funds from the Federal stimulus package. The Council will discuss allocation of these funds in early July.

**FISCAL IMPACT**

The fiscal impacts of the information presented is dependent on the direction of Council. Changes resulting from Council direction will be included in the FY 2022 Operating Budget presented for the public hearing and adoption at the regularly scheduled Council meeting on June 1, 2021.

**STRATEGIC ROADMAP**

This agenda item is a routine operational item and does not relate to any of the six priorities outlined in the Council's Strategic Roadmap.

**NEXT STEPS**

The proposed FY 2022 Operating Budget and Capital Improvement Program budgets will be presented to the Council for consideration at a public hearing and adoption on June 1, 2021.

*Prepared by:* Nicole Gonzales, Deputy Director of Finance

*Recommended by:* Dustin Claussen, Director of Finance

Approved by:



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Kelly McAadoo, City Manager



# CITY OF HAYWARD

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

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**File #:** WS 21-025

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**DATE:** May 18, 2021

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT**

FY2022-2031 CIP: Review of Recommended Capital Improvement Program (CIP) for FY 2022 - FY 2031

**RECOMMENDATION**

That the Council reviews and comments on the Recommended Capital Improvement Program for Fiscal Year (FY) 2022 through FY 2031.

**SUMMARY**

The Capital Improvement Program (CIP) is a planning document intended to guide the City's capital project expenditures for the upcoming ten-year period. The proposed CIP budget includes approximately \$158 million in FY22 and an estimated \$562 million in the next ten years. Given that Hayward is a full-service city, the CIP covers a wide range of projects, which may include: street construction and improvements; wastewater, recycled water, storm water, and water system upgrades; groundwater projects; construction of public buildings; airport projects; replacement of major equipment; clean and renewable energy generation; and other miscellaneous projects. As in past years, the document also includes Identified and Unfunded Capital Needs, which currently total \$310 million.

The Recommended FY22 - FY31 CIP can be found on the City's website and features a new online format. A brief tutorial regarding how to navigate this online platform will be provided during the presentation of this item to the Council. Additionally, a downloadable PDF version the CIP can be accessed. This PDF version has been created so that viewers can print the document, if desired, and so that it can be downloaded for in-document note taking purposes. However, it is important to note that some of the interactive functionality of the new online CIP format is lost when viewed in the static PDF version, so viewing it in its new online format is recommended when possible.

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**File #:** WS 21-025

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Council Budget and Finance Committee

During the April 21, 2021 Council Budget and Finance Committee (CBFC) Meeting, staff presented a tour of the new online CIP format to the CBFC for their review and comment. This tour can be viewed by watching the recording of the meeting on the City's website.

Planning Commission Review

State law requires that the Planning Commission review the Recommended CIP to ensure conformance with the City's adopted General Plan. The Recommended FY22 - FY31 CIP was presented to the Planning Commission at their April 22, 2021 meeting, and the Commission unanimously found that the Recommended FY22 - FY31 CIP is consistent with the City's 2040 General Plan.

**ATTACHMENTS**

Attachment I          Staff Report



**DATE:** May 18, 2021  
**TO:** Mayor and City Council  
**FROM:** Director of Public Works  
**SUBJECT** Review of Recommended Capital Improvement Program for FY 2022 – FY 2031

## **RECOMMENDATION**

That the Council reviews and comments on the Recommended Capital Improvement Program for Fiscal Year (FY) 2022 through FY 2031.

## **SUMMARY**

The Capital Improvement Program (CIP) is a planning document intended to guide the City's capital project expenditures for the upcoming ten-year period. The proposed CIP budget includes approximately \$158 million in FY22 and an estimated \$562 million in the next ten years. Given that Hayward is a full-service city, the CIP covers a wide range of projects, which may include: street construction and improvements; wastewater, recycled water, storm water, and water system upgrades; groundwater projects; construction of public buildings; airport projects; replacement of major equipment; clean and renewable energy generation; and other miscellaneous projects. As in past years, the document also includes Identified and Unfunded Capital Needs, which currently total \$310 million.

The Recommended FY22 – FY31 CIP can be found [here](#)<sup>1</sup> on the City's website and features a new online format. A brief tutorial regarding how to navigate this online platform will be provided during the presentation of this item to the Council. Additionally, a downloadable PDF version the CIP can be accessed [here](#)<sup>2</sup>. This PDF version has been created so that viewers can print the document, if desired, and so that it can be downloaded for in-document note taking purposes. However, it is important to note that some of the interactive functionality of the new online CIP format is lost when viewed in the static PDF version, so viewing it in its new online format is recommended when possible.

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<sup>1</sup> <https://www.hayward-ca.gov/your-government/documents/capital-improvement-program>

<sup>2</sup> <https://www.hayward-ca.gov/sites/default/files/Recommended%20FY%202022%20-%202031%20Capital%20Improvement%20Program%202.pdf>

## Council Budget and Finance Committee

During the April 21, 2021 Council Budget and Finance Committee (CBFC) Meeting<sup>3</sup>, staff presented a tour of the new online CIP format to the CBFC for their review and comment. This tour can be viewed by watching the recording of the meeting, found [here](#)<sup>4</sup>.

## Planning Commission Review

State law requires that the Planning Commission review the Recommended CIP to ensure conformance with the City's adopted General Plan. The Recommended FY22 – FY31 CIP was presented to the Planning Commission at their April 22, 2021 meeting<sup>5</sup>, and the Commission unanimously found that the Recommended FY22 – FY31 CIP is consistent with the City's 2040 General Plan.

## **BACKGROUND**

The CIP process begins with staff's preparation of projects and related cost estimates, which are framed by the guidance provided by Council, as well as the needs of the community. Capital projects are identified and prioritized with an emphasis on eliminating geographic inequities in the distribution of City services and infrastructure. Highest priority is given to areas in the community that have received less than their proportionate level of improvements in past years, as well as those communities with the current highest need, as evidenced by the condition of their infrastructure.

The projects in the Recommended FY22 – FY31 CIP have also been identified and prioritized based on their relevancy to the recently adopted Strategic Roadmap and its Three-Year Vision. The CIP, by its nature, predominantly supports the Improve Infrastructure Priority, but it also includes a number of projects that support the Combat Climate Change Priority, the Support Quality of Life Priority, the Improve Organizational Health Priority, and the Grow the Economy Priority.

The projects ultimately identified for inclusion in the CIP are designed to meet the requirements of the City's General Plan, specific plans, and master plans. The capital project funding requests are then submitted for evaluation to an internal capital projects review committee. Once the review committee's feedback is incorporated, the Recommended Ten-Year CIP is compiled and presented to the Planning Commission for determination of conformance with the General Plan. Then, the Recommended Ten-Year CIP is reviewed by Council at a work session. The public has the opportunity to provide comments at each of these meetings, as well as at the last public hearing, which is tentatively planned to take place on June 1, 2021. It is at this final public hearing that the capital spending plan for the upcoming year will be considered by Council for adoption.

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<sup>3</sup> <https://hayward.legistar.com/MeetingDetail.aspx?ID=810804&GUID=206DBA04-1B45-4E90-8D23-081B9638DAB1&Options=info|&Search=>

<sup>4</sup> [http://hayward.granicus.com/MediaPlayer.php?view\\_id=1&clip\\_id=977](http://hayward.granicus.com/MediaPlayer.php?view_id=1&clip_id=977). The tour of the new online format begins at approximately 00:02:29.

<sup>5</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=4917317&GUID=FB2F3433-7512-4F6F-9337-F3CE473FBE25&Options=&Search=>

## DISCUSSION

The CIP is a planning document intended to guide the City's capital project expenditures for the upcoming ten-year period. The proposed CIP budget includes approximately \$158 million in FY22 and an estimated \$562 million in the next ten years. Given that Hayward is a full-service city, the CIP covers a wide range of projects, which may include street construction and improvements; wastewater, recycled water, storm water, and water system upgrades; groundwater projects; construction of public buildings; airport projects; replacement of major equipment; clean and renewable energy generation; and other miscellaneous projects. As in past years, the document also includes Identified and Unfunded Capital Needs, which currently total \$310 million. As the FY22 operating budgets are finalized, some of the final transfers from the General Fund to the CIP may be adjusted downwards to support the need to move closer towards a balanced budget in the General Fund.

Below is a discussion of major projects in each category for which work will begin or continue into FY22. Please note that not all of the projects featured in this report are being recommended to receive new FY22 funding.

### *Livable Neighborhoods Projects*

Projects categorized as "Livable Neighborhoods" include street lighting projects, pedestrian traffic signal improvements, landscaping, and traffic calming measures, as well as sidewalk and wheelchair ramp improvements throughout the City. Some major Livable Neighborhoods Projects in the Recommended FY22 – FY31 CIP include the Hayward Boulevard Feasibility Study Project, which is expected to be completed in early FY22. The Study will explore opportunities to improve safety and enhance use of the 2.5-mile stretch of Hayward Boulevard from Campus Drive to Fairview Avenue.

Another major Livable Neighborhoods Project is La Vista Park, the 50-acre destination park located a quarter mile east of the intersection of Tennyson Road and Mission Boulevard in South Hayward. The project site is currently undergoing a California Environmental Quality Act (CEQA) update, after which staff will be able to finalize construction bid documents.

New sidewalk projects are another key piece of the Livable Neighborhoods category. New sidewalk project locations are typically identified through requests from residents. The requests are evaluated based on distance to schools, existing pedestrian routes, and pedestrian volume. This evaluation is used to determine the priorities for new sidewalk locations. The FY22 New Sidewalk Program includes \$1,550,000 in recommended programming and would involve constructing sidewalks on Hesperian Blvd from Catalpa Way to Bolero Ave, and along West Winton Ave from Hesperian Blvd to the Union Pacific Railroad crossing.

### Road and Streets Projects

Projects in the “Road and Streets” category range from curb and gutter repair to major gateway corridor improvements and are primarily funded through non-discretionary funding including Measures B (Fund 215) and Measure BB (Fund 212), Gas Tax (Fund 210), Vehicle Registration Fee (VRF) (Fund 218), Streets Improvement (Fund 450), and grants such as LATIP and the Alameda County Transportation Commission (Alameda CTC) funds.

A key project in this category is Phase 3 of the Mission Boulevard Corridor Improvement Project, located from A Street to the northern City limit at Rose Street. This is the last phase of the three-phase Mission Blvd Corridor Improvement Project and, like the phases before it, includes undergrounding of overhead utilities, electrical service conversions of private properties, construction of bicycle cycle track, sidewalk, curb and gutter, rehabilitation of pavement, installation of traffic signals and streetlights, installation of traffic striping, pavement marking and signage, improvements to storm drains systems, installation of irrigation system and landscaping, as well as City of Hayward monument signs.

### Pavement Rehabilitation

Pavement Rehabilitation projects are a subsection of the Road and Streets projects that are typically discussed separately because they represent a relatively large part of the annual CIP. Approximately \$8.7 million in Pavement Rehabilitation programming is recommended for FY22.

Street selection for pavement rehabilitation projects is based on several criteria. First, the Pavement Management Program (PMP) is used to evaluate current roadway conditions and future condition predictions. The PMP provides a logical and efficient method for identifying street rehabilitation needs and determining a path for implementation. Staff also refers to the Metropolitan Transportation Commission’s (MTC) guidelines, Maintenance Services staff’s reports on streets in need of repair, especially after a severe rainy season, and public requests for street rehabilitation. The PMP is updated every two years and is a prerequisite for certain funding sources. The industry standard practice recommended by MTC is that a minimum of 15% of funding be spent on preventive maintenance and a maximum of 85% on pavement rehabilitation. The City improves on this standard with a minimum of 20% spent on preventive maintenance and 80% on pavement rehabilitation. Additionally, in 2014, Council approved the Economic Development Strategic Plan, which recommended additional improvements be made to streets in the Industrial area. Approximately 15% to 20% of the overall paving budget is allocated to improvements in that area. Staff also has an internal policy to allocate at least 10% of the overall paving budget to roads with a pavement condition index (PCI) of less than 30. This year, the Pavement projects include reconstruction of two streets within the Old Highlands area, following neighborhood approval of an assessment district in this area earlier this year.

### Building and Miscellaneous

The “Building and Miscellaneous” category includes projects that directly involve the construction of buildings, as well as capital projects that do not neatly fit into the other categories. One major project included in this category is the Fire Station No. 6 & Fire Training Center Project, which is currently budgeted at \$71 million. The project includes deconstruction of the existing buildings and construction of nine new buildings and structures. These new structures include the Fire Station 6/Classroom Building; Apparatus Building; Burn Building; Training Tower; Storage Building; Hangar Building; Outdoor Classroom Building; Urban Search & Rescue/BART Training Structure; and the Entry Structure. Construction, which began in early 2020, is well underway and is scheduled to be completed in 2022.

### Sewer System Projects

The “Sewer Systems” category includes projects that are Enterprise Fund-supported, and that are related to the improvement of our sewer system, water re-use efforts, and Water Pollution Control Facility (WPCF).

The City’s sewer line replacement projects are examples of key projects in this category. They typically involve the replacement of pipelines that are showing signs of age, or the upsizing of undersized mains to increase their conveyance capacity to handle current and future flows. With a goal of replacing an average of three miles of sewer mains annually, the proposed CIP recommends \$4.4 million in funding for the FY22 Sewer Line Replacement Program.

Other projects in this category include those related to the WPCF Phase II Facilities Upgrades. The various upgrade projects have been established following the recent development of a Facilities Plan Update, which is intended to guide the plant’s infrastructure and technology needs for the next twenty-five years. The final plan was completed in June 2020, and staff are currently working to identify a consultant to recommend to Council for completion of the design work to implement the identified improvements. The design phase of the recommended improvements is expected to last approximately eighteen months, followed by a two- to three-year construction period, with total Phase II improvement projects estimated to cost \$90 million. As recommended by the Facilities Plan Update, upgrades will include the construction of a new water laboratory and administration building, as well as improvements to the treatment facility. However, the development of a nutrient removal management strategy to meet the future State Water Board regulations is perhaps the most important aspect of the Plan. Nutrients in the San Francisco Bay are a growing concern for the environmental and science community and, as a result, requirements are being developed by the State to regulate their discharge into the Bay.

Phase I of the Recycled Water Project is also a major project in the Sewer Systems category. This project is being implemented to improve the City’s overall water supply reliability and conserve drinking water supplies, and the nearly completed first phase of the project involves the delivery of tertiary treated recycled water to sites near the WPCF for landscape

irrigation and industrial uses. Construction of the storage tank, pump station, and distribution pipelines for the system was completed in FY20. Construction of the treatment facility was completed in summer 2020, and recycled water deliveries to the first phase of customers are anticipated to begin in summer 2021. The Phase I customer sites include four parks, six schools, one college, nineteen private businesses, and City street landscaping.

### Water Systems Projects

“Water System Projects” are Enterprise Fund-supported and are related to the improvement of our water system, as well as projects which promote water conservation. One key program in this category is the Cast Iron Water Pipeline Replacement Program. Over the next ten years, the City will continue annually replace existing cast iron pipes that are either reaching the end of their practical useful life, as evidenced by the frequency of the main and service connection breaks and leaks, or they are hydraulically undersized. The Recommended CIP includes \$500,000 in annual programming to support this effort.

The FY 2022 Water Line Replacement Program supports the replacement existing water mains to provide adequate capacity for fire flow and to maintain the operability of the water distribution system. Water mains are selected for a variety of reasons including having exceeded service life, frequency of breaks, and/or upgrades needed for supply reliability. With a goal of replacing an average of three miles of water pipeline annually, the proposed CIP includes \$3.5 million in funding for the FY22 Water Line Replacement Program.

### Fleet Management

The “Fleet Management” category is comprised of projects involving the replacement of fleet units in various departments, divisions, and work groups. Fleet purchases benefitting the Fire and Police departments are predominantly funded by transfers from the General Fund, while fleet purchases benefitting the Airport, Stormwater, Sewer, and Water divisions are predominantly supported by Enterprise funding. Approximately \$4.3 million in FY22 Fleet Management category projects are included in the proposed CIP, and involve projects supporting both General Fund fleet replacement efforts, as well as Enterprise Fund-supported fleet replacement efforts.

The City maintains a fleet of approximately 450 vehicles and equipment units, and the useful life of these fleet units is maximized and managed via the 10 Year Fleet Capital Replacement Plan. The plan identifies replacement timelines based on age, mileage, maintenance, and safety. When it comes time to retire a unit, carbon emissions are a key consideration. This is in alignment with the City's Strategic Roadmap "Combat Climate Change" Priority Project No. 7 to transition 15% of total City fleet to EV/hybrid models.

In FY21, Fleet Management began a Police Hybrid Patrol Vehicle Pilot Program that included the replacement of four patrol gasoline powered vehicles with four hybrid models. After a six-month trial in 24/7 operation, the hybrid vehicles performed as required, clearing the way for the City to order future police patrol replacement vehicles as hybrids. In FY21, Fleet also purchased an all-electric ride-on lawnmower to replace a

gasoline model in an effort to evaluate and purchase greener types of vehicles and equipment. The new mower is being used in the downtown area and operates quietly, eliminating noise in and around businesses and homes.

Staff are also working to invest in electric vehicles (EV) where possible and within current replacement cycles and budget parameters. Development of an implementation plan to increase City EV charging infrastructure is necessary in order to accommodate future increases in the City's EV Fleet. This EV infrastructure effort is in alignment with the City's Strategic Roadmap "Improve Infrastructure" Priority Project No. 9 to expand EV charging infrastructure for City fleet and employees.

### Equipment

The "Equipment" category is predominantly comprised of equipment-related purchases supporting the Fire, Police, and Information Technology Departments, such as the purchase of Fire Department radios, purchase of fleet cameras, and replacement of aging fiber optic lines between City facilities. The recommended FY22 CIP includes programming of approximately \$3.7 million in this category.

### Airport

This category encompasses all projects related to the improvement of the Hayward Executive Airport (HEA), the City's self-supporting general aviation reliever airport which encompasses nearly 500 acres. One key project in this category is the Sulphur Creek Mitigation Project, which involves the enclosure of open creek channels which cross the Airport in an effort to mitigate runway safety concerns. Construction of this project is anticipated to begin in mid-2023. The project includes a total budget of \$4.2 million, which is being provided by the Federal Aviation Administration (FAA), Caltrans Division of Aeronautics, and the City's Airport Enterprise fund.

An additional project established this year is the Skywest Property Reuse project, which involves the preparation of a conceptual plan to guide future development of the former Skywest Golf Course, located on the Airport property.

### Identified and Unfunded Capital Needs

The last section of the Recommended FY22 – FY31 CIP is the Identified and Unfunded Capital Needs section. This list was last significantly modified for the FY16 CIP to remove projects that were funded with Measure C and Measure BB funds, like improvements to Fire Stations 1-6, construction of a new 21st Century Library and Community Learning Center, and \$1 million per year for paving improvements. A significant reduction occurred with street and transportation-related projects, due to the passage of Measure C, Measure BB, and the Road Repair and Accountability Act (RRAA)(SB1).

While the approval of Measure C allowed the City to address many critical facility needs (e.g., the new Library, upgrades to Fire Stations, and the new Fire Training Center), significant needs still exist. The facility update to the City's Corporation Yard (Corp Yard)

is one such capital need that remains unfunded. The Corp Yard is comprised of six buildings on Soto Road which were originally constructed in the early 1980s and are in need of major improvements. The necessary improvements to the Corp Yard were estimated several years ago to amount to more than \$50,000,000. The Recommended CIP includes a "Corporation Needs Assessment" Project, which would fund the development of a revised assessment to determine the current improvement needs and updated costs.

Another significant need proposed to be added to the Unfunded Capital Needs list as part of the Recommended CIP is the South Hayward Youth and Family Center, which currently has an unfunded need of an estimated \$32,000,000 for the construction phase of the project.

Unfunded Capital Needs are generally broken down into the following categories:

|                            |                      |
|----------------------------|----------------------|
| Fleet:                     | \$600,000            |
| Airport:                   | \$16,500,000         |
| Facilities and Equipment:  | \$91,450,000         |
| Street and Transportation: | <u>\$201,502,000</u> |
| Total:                     | \$310,052,000        |

It is important to reiterate that this list identifies critical needs that have, as of now, no identified funding sources. The number of projects will continue to grow over time, as will the amounts needed to fund these extremely important upgrades and repairs to infrastructure and equipment.

*Proposed changes to the published Recommended FY22 – FY31 CIP*

Capital Projects (Governmental) Fund 405 – In the weeks following publication of the Recommended CIP, staff have worked to continue identifying opportunities to reduce the CIP's reliance on transfers from the General Fund. One such opportunity was identified in Project 05102 for Landscape Material and Median Tree/Shrub Replacements in Fund 405. In the published Recommended CIP, this project currently includes a budget of approximately \$424,000 in FY22 and \$105,000 in the out years through FY31. The FY22 expenses will be partially reimbursed by Pacific Gas & Electric (PG&E); however, that reimbursement is not expected to be received until the following year, in FY23, which would have required the funds be advanced from the General Fund. Staff have determined that this work and requested budget can be spread across multiple years in order to reduce the amount of General Fund funding that would be required to support the upfront costs of the improvements in FY22. As such, staff propose amending the Project 05102 budget in FY22 through FY25 to an annual amount of \$185,000, and reducing the requested General Fund transfer in FY22 from \$2,300,000 to approximately \$2,160,000.

Information Technology Capital Fund 731 – Staff have also identified three proposed changes to Information Technology Capital Fund 731 to improve the accuracy of the calculated fund balance and one project budget. If authorized for implementation by Council, these updates will result in a net reduction of \$91,000 to the Fund's impact on

the General Fund.

*FY21 Fund Balance Update* – To correct an error in the calculation method, staff have determined that the FY21 beginning fund balance of Fund 731 should be reduced from \$5,542,000, as displayed in the published Recommended CIP document, to \$2,735,000. This revised fund balance will result in a short fall to the FY21 fund balance of approximately \$2,500,000, which will be resolved in FY22, at which time staff anticipate receiving over \$2,000,000 in Economic Development Administration (EDA) grant funds to support the Highspeed Hayward Project 07275.

*Internal Service Fees Correction* – Staff have identified a necessary correction to the Internal Service Fees (ISF) within Fund 731, which will reduce the Fund's reliance on transfers from the General Fund. ISF is collected when one City department provides a service to another, drawing those service expenses from the operating budget of the benefiting department. The published Recommended CIP includes \$800,000 in FY22 ISF revenue in Fund 731. However, the correct amount required to support internal services in this Fund is approximately \$851,000. This increase of \$51,000 to the proposed FY22 ISF amount would allow for a corresponding decrease of \$51,000 from the General Fund transfer, resulting in a net-zero impact to the Fund.

*Highspeed Hayward Project 07275 Budget Reduction* – Finally, staff recommend a reduction to the budget of Project 07275 for Highspeed Hayward, as well as the implementation of a transfer correction that will ultimately result in a reduction to this Project's impact on the General Fund. The published Recommended CIP identifies that this project has a total budget of \$3.6 million, with \$896,000 spent in prior years, \$2.4 million budgeted in FY21, and \$300,000 requested in FY22. However, this total project budget unnecessarily includes in-kind contributions of nearly \$600,000. To more accurately reflect this project's impact on Fund 731, staff propose that the in-kind value be removed from the project total, resulting in a more accurate total budget of approximately \$3 million, including approximately \$2.2 million in FY21, and reducing the FY22 new budget ask from \$300,000 to zero. Additionally, staff discovered the Economic Development Grant Fund contribution that was approved in FY 2017 to support this project was incorrectly transferred to Federal Grants Fund 220. Correcting this error requires transferring approximately \$40,000 from Fund 220 to the project in Fund 731. This correction will also enable a corresponding decrease to the General Fund transfer. In short, this proposed change will have a net decrease of \$300,000 to the FY22 recommended budget, while also decreasing the General Fund impact by \$40,000.

## **ECONOMIC IMPACT**

The direct economic impact of these projects is not quantifiable. However, maintaining and improving the City's infrastructure, fleet, and equipment will have an unquestionable impact on maintaining and improving economic health and vitality of the City. It is also important to

note that capital projects are identified and prioritized with an emphasis on eliminating geographic inequities in the distribution of City services and infrastructure. Highest priority is given to areas in the community which have received less than their proportionate level of improvements in past years, as well as those communities with the current highest need, as evidenced by the condition of their infrastructure.

### FISCAL IMPACT

The recommended capital budget for FY22 totals about \$158 million, with a total of approximately \$562 million tentatively programmed for the entire ten-year period from FY22 through FY31. An additional \$310 million of unfunded needs have been identified for the same period.

Five of the twenty-three CIP funds rely on transfers from the General Fund for project expenses. The following table reflects the approximate proposed General Fund transfers to these five funds when compared to FY21. The FY20 General Fund transfers are also included for reference.

| CIP Fund                              | FY20 GF Transfer   | FY21 GF Transfer | FY22 GF Transfer   | Increase over FY21 |
|---------------------------------------|--------------------|------------------|--------------------|--------------------|
| 405/Capital Projects (General)        | \$4,888,000        | \$15,000         | \$2,300,000*       | \$2,285,000        |
| 410/Route 238 Corridor Improvement    | -                  | -                | \$185,000          | \$185,000          |
| 460/Transportation System Improvement | \$233,000          | \$340,000        | \$650,000          | \$310,000          |
| 726/Facilities Management Capital     | \$268,000          | -                | \$150,000          | \$150,000          |
| 731/Information Technology Capital    | \$390,000          | \$435,000        | \$950,000*         | \$515,000          |
| <b>Total Cost to General Fund</b>     | <b>\$5,779,000</b> | <b>\$790,000</b> | <b>\$4,235,000</b> | <b>\$3,445,000</b> |

*\*Note: The proposed FY22 General Fund transfer in Fund 405 would be reduced to approximately \$2,160,000, and the proposed General Fund transfer in Fund 731 would be reduced to approximately \$859,000, if Council approves staff's proposed changes to the Recommended CIP, which are further detailed at the end of the Discussion section of this report.*

Four of the CIP funds are also Internal Service Funds, meaning they use Internal Service Fees to finance project expenses. Internal Service Fees are collected when one City department provides a service to another, drawing those service expenses from the operating budget of the benefiting department. Although some departments are funded by Enterprise Funds, many are part of the General Fund. The total approximate proposed Internal Service Fees for FY22 are shown below. The FY20 ISF amounts are also included for reference.

| CIP Fund                                    | FY20 ISF           | FY21 ISF           | FY22 ISF           | Increase over FY21 |
|---|--------------------|--------------------|--------------------|--------------------|
| 726/Facilities Management Capital           | \$214,000          | \$300,000          | \$350,000          | \$50,000           |
| 731/Information Technology Capital          | \$756,000          | \$756,000          | \$800,000*         | \$44,000           |
| 736/Fleet Management Capital (General Fund) | \$3,100,000        | \$500,000          | \$1,500,000        | \$1,000,000        |
| 737/Fleet Replacement (Enterprise Funds)    | \$552,000          | \$657,000          | \$657,000          | -                  |
| <b>Total ISF</b>                            | <b>\$4,622,000</b> | <b>\$2,213,000</b> | <b>\$3,307,000</b> | <b>\$1,094,000</b> |

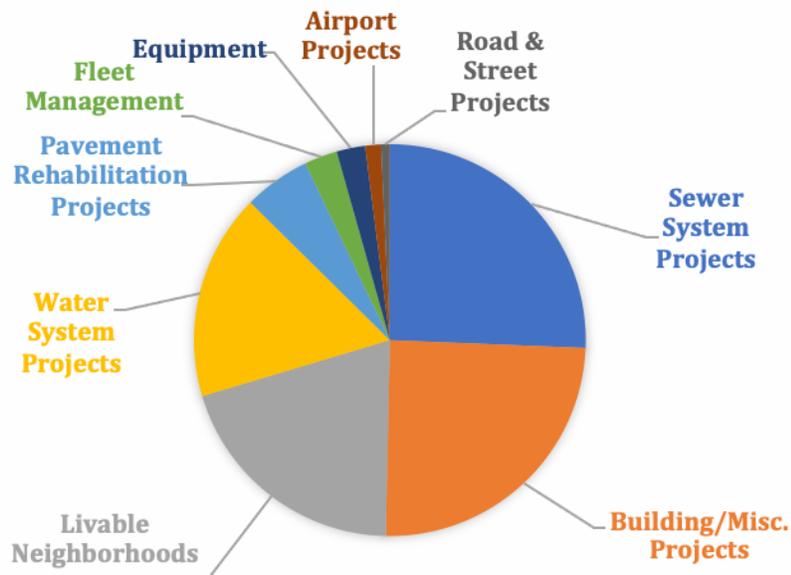
*\*Note: The proposed FY22 Internal Service Fees in Fund 731 would be increased to approximately \$851,000 if Council approves staff's proposed changes to the Recommended CIP, which are further detailed at the end of the Discussion section of this report.*

As displayed in the tables above, the published Recommended CIP includes an overall increase of \$3,445,000 in General Fund transfers over FY21, and an increase of \$1,094,000 in ISF over FY21. The proposed FY22 General Fund transfer would be reduced by approximately \$231,000 (\$140,000 in Capital Projects Fund 405 and \$91,000 IT Fund 731) and the proposed ISFs would be increased by \$51,000 (in IT Fund 731) if Council approves staff's proposed additional changes to the Recommended CIP, which are further detailed at the end of the Discussion section of this report. It is important to note that some of the ISFs referenced above do have a General Fund impact, as many departments paying ISF are funded by the General Fund. Fund 736 for General Fund Fleet Replacement, for instance, supports fleet replacement efforts for the Fire Department, Police Department, and other General Fund-funded departments, and therefore has a direct General Fund impact.

The proposed project costs by CIP category are as follows:

| Project Category                          | FY21 Adopted        | FY22 Recommended     | Increase/ (Decrease) from FY21 CIP |
|---|---------------------|----------------------|------------------------------------|
| Sewer System Projects                     | \$14,351,000        | \$40,437,390         | \$26,086,390                       |
| Building/Misc. Projects                   | \$18,805,000        | \$38,946,000         | \$20,141,000                       |
| Livable Neighborhoods                     | \$11,880,000        | \$31,603,000*        | \$19,723,000                       |
| Water System Projects                     | \$6,040,000         | \$26,821,000         | \$20,781,000                       |
| Pavement Rehabilitation Projects          | \$9,728,000         | \$8,688,000          | (\$1,040,000)                      |
| Fleet Management                          | \$1,215,000         | \$4,285,000          | \$3,070,000                        |
| Equipment                                 | \$1,956,000         | \$3,718,000*         | \$1,762,000                        |
| Airport Projects                          | \$1,787,000         | \$2,052,000          | \$265,000                          |
| Road & Street Projects                    | \$6,812,000         | \$1,144,000          | (\$5,668,000)                      |
| <b>Total Capital Improvement Projects</b> | <b>\$72,574,000</b> | <b>\$157,694,390</b> | <b>\$85,120,390</b>                |

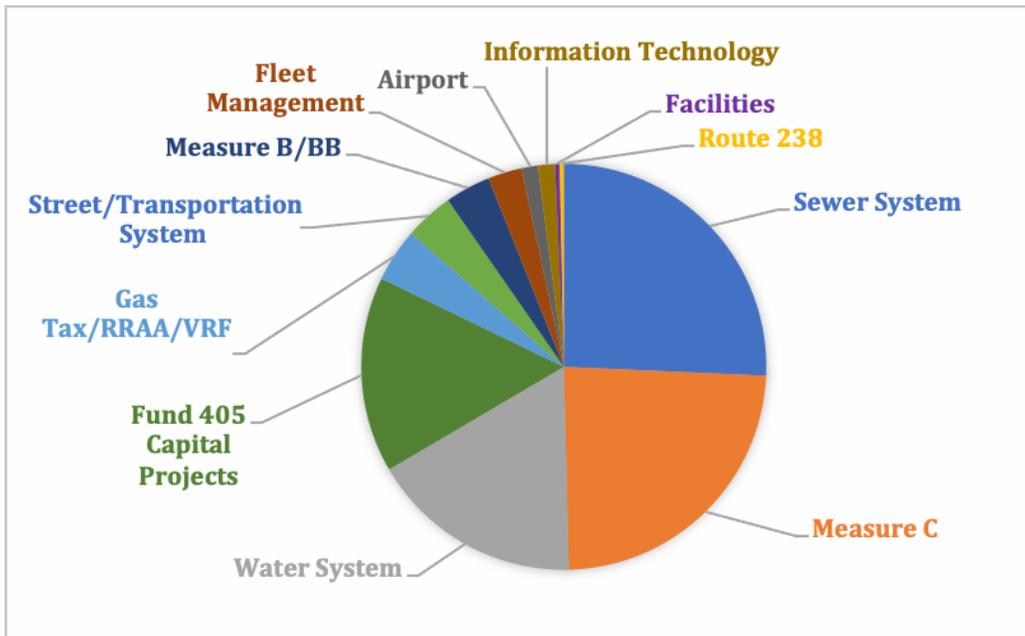
*\*Note: The proposed total budget request in the Livable Neighborhoods Category would be reduced to approximately \$31,364,000 and the request in the Equipment Category would be reduced to approximately \$3,418,000 if Council approves staff's proposed changes to the Recommended CIP, which are further detailed at the end of the Discussion section of this report.*



The proposed project costs in each CIP Fund are as follows:

| CIP Fund                                 | FY22<br>Recommended |
|--|---------------------|
| (210) Special Gas Tax                    | \$2,968,000         |
| (211) RRAA (SB1)                         | \$2,900,000         |
| (212) Measure BB - Local Transportation  | \$2,100,000         |
| (213) Measure BB - Ped & Bike            | \$670,000           |
| (215) Measure B - Local Transportation   | \$1,650,000         |
| (216) Measure B - Ped & Bike             | \$550,000           |
| (218) Vehicle Registration Fund          | \$850,000           |
| (219) Measure BB - Paratransit           | \$750,000           |
| (405) Capital Projects                   | \$24,593,000*       |
| (406) Measure C Capital                  | \$37,700,000        |
| (410) Rte. 238 Corridor Improvement      | \$0                 |
| (411) Rte. 238 Settlement Admin          | \$520,000           |
| (450) Street System Improvements         | \$4,692,000         |
| (460) Transportation System Improvements | \$1,450,000         |
| (603) Water Replacement                  | \$12,395,000        |
| (604) Water Improvement                  | \$14,342,000        |
| (611) Sewer Replacement                  | \$21,642,390        |
| (612) Sewer Improvement                  | \$18,886,000        |
| (621) Airport Capital                    | \$2,052,000         |
| (726) Facilities Capital                 | \$580,000           |
| (731) Information Tech Capital           | \$2,119,000*        |
| (736) Fleet Management Capital           | \$2,590,000         |
| (737) Fleet Management Enterprise        | \$1,695,000         |

*\*Note: The proposed total budget request in Fund 405 would be reduced to approximately \$24,354,000 and the request in Fund 731 would be reduced to approximately \$1,819,000 if Council approves staff's proposed changes to the Recommended CIP, which are further detailed at the end of the Discussion section of this report.*



**STRATEGIC ROADMAP**

The 2024 Vision and Strategic Roadmap adopted in 2020 are at the forefront of the City’s capital project planning efforts. To the greatest extent possible, a formal management and implementation process ensure that CIP projects are aligned with the City’s Strategic Roadmap and that the value each generates is maximized.

CIP Projects touch the Combat Climate Change, Support Quality of Life, Grow the Economy, and Improve Organizational Health Priorities. However, they predominantly support the Improve Infrastructure Priority.

**SUSTAINABILITY FEATURES**

While the proposed projects are aligned with and advance the Council’s sustainability goals and policies, the action taken for this agenda report will not result in a physical development, purchase or service, or a new policy or legislation. Any physical work will require future Council action. Sustainability features for individual CIP projects are listed in each staff report.

**PUBLIC CONTACT**

The public has the opportunity to review and comment on the CIP at this evening’s Council Work Session and will again at the Council Public Adoption Hearing, which has been tentatively scheduled for June 1, 2021.

Staff previously presented the Recommended FY 2022 – FY 2031 CIP to the Planning Commission at their April 22, 2021 meeting, at which the Commission unanimously found that the CIP was in conformance with the Hayward 2040 General Plan. A notice advising residents about the Planning Commission Public Hearing on the CIP was published on April

9, 2021 in *The Daily Review* newspaper. Another Public Notice will be published in the *Daily Review* newspaper at least ten days in advance of the Council Public Adoption Hearing on June 1. A copy of the Recommended CIP is made available online and by contacting the office of the City Clerk. Additionally, individual projects receive Council approval and public input as appropriate.

## **NEXT STEPS**

Once the Council has reviewed and offered comments on the Recommended CIP, as well as the additional proposed changes identified at the end of the Discussion section of this report, the appropriate updates will be made to the CIP. The Council Public Hearing for the adoption of the CIP budget is currently scheduled to take place on June 1, 2021.

*Prepared by:* Kait Byrne, Management Analyst

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

Approved by:



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Kelly McAdoo, City Manager



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**File #:** LB 21-017

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**DATE:** May 18, 2021

**TO:** Mayor and City Council

**FROM:** City Manager

**SUBJECT**

Update on Community Public Safety Workshops and Adoption of a Resolution Authorizing Funding for the Public Safety Workshop Projects Recommended for Immediate Implementation

**RECOMMENDATION**

That Council adopts a resolution (Attachment II) authorizing funding for the Public Safety Policy Innovation Workshop projects recommended for immediate implementation.

**SUMMARY**

In response to community concerns around policing and public safety following the murder of George Floyd by an officer of the Minneapolis Police Department, Council directed staff to conduct community engagement efforts, including community conversations and a community survey about public safety and policing in Hayward. After receiving the results of the community engagement work, Council directed staff to convene a Public Safety Policy Innovation Workshop inclusive of community members and City staff to recommend public safety policy and programmatic changes for Fiscal Year 2022.

This report and its attachments detail the work completed by the workshop participants and their recommendations for addressing four key problems community members identified from the community engagement work:

1. There is a lack of trust between the community and government, including City Hall and Hayward Police Department (HPD), stemming from a lack of communication and relationship building and an inadequate recognition of the long-term negative impacts of systemic racism.
2. Systemic health inequities for the Black, Indigenous, and people of color (BIPOC) community, inadequate cultural responsiveness, and a lack of resources have led to limited and/or uncoordinated response options for mental health crises.

3. There are inadequate shelter and outreach resources to meet the needs of people experiencing homelessness. In addition, the current outreach model and resource options are not meeting everyone's needs, and some people decline services. These challenges are especially burdensome for people that have experienced systemic inequities and other long-term traumas, particularly BIPOC communities.
4. There are limited public resources and a possible misalignment between resource allocation and community safety needs, including inadequate transparency and focus on the long-term negative impacts of systemic racism.

This February through April, over a period of ten weeks, participants have dedicated over 2,000 collective hours to interviewing key stakeholders, refining their understanding of the problems, and developing and prioritizing the solutions listed in this staff report and detailed in Attachment III. Staff compiled participants' recommendations and provided additional analysis of cost, responsiveness to community input, racial equity, staffing, and intersections with existing City plans and projects. Staff is recommending that the Council adopt a resolution (Attachment II) authorizing funding for and directing staff to implement the projects identified for immediate implementation as outlined in Attachment IV.

## **ATTACHMENTS**

|                |  |
|----------------|--|
| Attachment I   | Staff Report   |
| Attachment II  | Resolution   |
| Attachment III | Public Safety Innovation Workshop Project Sheets                   |
| Attachment IV  | Implementation Plan for Projects Recommended for Immediate Funding |
| Attachment V   | Public Safety Innovation Workshop Findings and Recommendations     |
| Attachment VI  | Themes from Community Feedback                                     |



**DATE:** May 18, 2021

**TO:** Mayor and City Council

**FROM:** City Manager

**SUBJECT:** Update on Community Public Safety Workshops and Adoption of a Resolution Authorizing Funding for the Public Safety Workshop Projects Recommended for Immediate Implementation

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challenges are especially burdensome for people that have experienced systemic inequities and other long-term traumas, particularly BIPOC communities.

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## **BACKGROUND**

Following the May 25, 2020 murder of George Floyd by an on-duty officer of the Minneapolis Police Department and subsequent national protests and conversations about race, police brutality, and public safety, a group of Hayward community members brought forth concerns about Hayward's policing services, policies, and programs in light of three officer-involved shootings that occurred around the same time period. On July 21, 2020, the Council directed staff to implement a public safety community engagement project designed to elicit further information and experiences from Hayward community members to inform future policy discussions.<sup>1</sup>

### **Community Conversations**

From August through October 2020, staff worked with consultants to administer a resident survey and partnered with community members and organizations to hold conversations about public safety in Hayward. Over 1,700 community members provided their input on public safety and policing in Hayward by participating in this community engagement project. Following the community conversations project, an interdepartmental team of 20 staff worked on analyzing the data and summarizing common concerns, themes, and attitudes. The results of the survey and community conversations were presented to Council on October 27, 2020.<sup>2</sup> Some of the key themes from the community engagement work include:

- Racism and homelessness are top safety concerns.
- Community members appreciate Hayward's diversity and complexity and want all community members to feel safe.
- Many community members have positive views of the police, and an equal number have some level of concern about policing in Hayward. These included concerns about

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<sup>1</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=4595758andGUID=1B1F44FA-A2AE-4612-9135-7F0034B2DCCE>

<sup>2</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=4677304andGUID=52E170E7-7C7A-4B62-AEA8-32BB683AC71D>

responsiveness and effectiveness, a general lack of trust due to historical systemic racism and intergenerational trauma, and specific negative experiences with police.

- Survey results indicated a general satisfaction and feeling of safety interacting with Hayward police, but a significant minority of respondents reported negative or ambivalent responses to these general safety-related questions.
- Close to 60% of survey respondents indicated a feeling that the relationship between Hayward Police and Hayward residents is positive.
- A majority of survey respondents supported reducing the police budget and redistributing it towards other community services, and 60% supported establishing a participatory committee for dictating how that funding is reallocated.
- A majority of survey respondents did not support proposals to freeze police hiring, limit equipment purchases, or ban spending on police facilities.
- Eighty-two percent of respondents supported using 3-1-1 as an urgency hotline, indicating a desire for public safety services beyond policing to respond to emergencies.

On November 17, 2020, the Council received the HPD 2019 and 2020 annual reports<sup>3</sup> and on January 25, 2021, the Council Budget and Finance Committee reviewed HPD's FY 21 adopted budget and organizational structure.<sup>4</sup> During this same time period, HPD leadership and staff took the following actions:

- Modified HPD policies to ban shooting into a moving vehicle and eliminate the use of carotid restraints (I.e., "chokehold" or "stranglehold" restraints.)<sup>5</sup>
- Built relationships and increased coordination with Alameda County Behavioral Health (ACBH) and the Community Assessment and Transport Team (CATT), resulting in a 30% increase in CATT and ACBH Crisis Team responses in Hayward.

### **Policy Innovation Workshop**

At the December 16, 2020 Council Budget and Finance Committee meeting, staff outlined a proposal for a policy innovation workshop during Spring 2021 to help staff and the City Council develop recommendations and/or pilot programs that could be funded as part of the FY 2022 budget.<sup>6</sup> Staff provided an informational update on the process, schedule, and participant selection for the workshop to the Committee during the January 25, 2021 meeting.<sup>7</sup>

The first policy innovation workshop was held on Wednesday, February 18. The workshop included 33 participants, including 13 community members and 20 City employees, of which

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<sup>3</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=4696842andGUID=F45588E7-4157-4F67-8EBC-D2AE0B9CD276>

<sup>4</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=4763552andGUID=6D00F1EA-7BEB-4EC3-8C0E-578CD0F5AE47>

<sup>5</sup> Later banned statewide by when Governor Newsom signed AB 1196 into law on September 30, 2020.

<sup>6</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=4730803andGUID=B7016A74-469D-4B54-A400-B830088097E7>

<sup>7</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=4763551andGUID=D83DF95A-3DDF-4F10-9714-51A7ED81326E>

9 were HPD staff, 4 were Hayward Fire Department staff, and 7 were from various other City departments. Over the course of ten weeks and over 2,000 combined hours, participants identified the most pressing concerns raised in the community outreach work, broke into groups to tackle the identified challenges, and began working to deeply understand the complex problems they chose. Teams identified key community stakeholders, interviewed them to learn from their lived experiences, and drew key insights from those interviews to inform solutions brainstorming. The teams then prioritized their solutions and identified assumptions that will need to be addressed in shaping the projects through implementation. A summary of the teams' individual processes and findings can be found in Attachment V.

The workshop teams generated 19 recommended projects detailed in this report, to which City staff added four existing projects and two recommendations based on suggestions from the Community Conversations and Survey feedback (see Attachment III). Workshop participants have indicated a desire to remain involved in the project planning, implementation, and reporting processes moving forward.

During the April 26, 2021 Council Budget and Finance Committee meeting, Committee members received a report and presentation from staff and workshop participants on the findings and recommendations from the Public Safety Policy Innovation Workshop.<sup>8</sup>

### **Racial Equity and Historical Context**

The Public Safety Project, including the Community Conversations, Community Survey, and Policy Innovation Workshop, all relate to the City's ongoing racial equity work, first begun in conversation with the Community Task Force in 2017. Community-Police Relationships was a key focus point of the action plan in the Commitment for an Inclusive, Equitable, and Compassionate Community brought before Council on November 28, 2017.<sup>9</sup> At the recommendation of a Community Task Force member, the City joined the Government Alliance on Race and Equity (GARE), a network of local governments working to achieve racial justice and advance opportunities for their community members. The GARE team brought a citywide Racial Equity Action Plan to City Council on May 26, 2020.<sup>10</sup>

As with all City programs, approaching policing and public safety work with a racial equity lens is critical. By focusing on racial disparities, in the context of historical and continued inequitable policies and in partnership with the community, the City can take intentional actions to address the long history of racially disparate outcomes in policing and the criminal justice system, particularly for Black people. For example, in Alameda County, 11% of the

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<sup>8</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=4923274andGUID=8578F78D-F62B-4332-9497-04E8187D0741>

<sup>9</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=3215739andGUID=F3049814-41FA-4CBE-A0CA-ED5F1F8DBFDD>

<sup>10</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=4544083andGUID=5CDE545C-2BB9-4C01-AC3C-9C1CBBDB4A0A>

population is Black or African-American,<sup>11</sup> while 48% percent of the County’s probationers<sup>12</sup> and 47% of the County’s jailed population are Black or African-American.<sup>13</sup> In Hayward, where Black and African American individuals comprised 9.6% of the population during the four years covered by the Commission on Accreditation for Law Enforcement Agencies (CALEA)<sup>14</sup> Compliance Report, 19% of traffic warnings and citations were issued to Black and African American community members.<sup>15</sup> The criminal justice outcomes in our County show evidence of deep racial disparities between Black and African-American community members and other racial groups.

The projects in this staff report are the first steps in working toward local solutions to broad, systemic problems. While Hayward is a unique community in many ways and the relationship between HPD and the community may be different from other jurisdictions, the City is not exempt from or immune to the institutional and systemic racism that many other communities and our nation as a whole are working to name and address. Other broad, systemic problems arose in the course of the policy workshop, including: deinstitutionalization and the lack of mental health resources and housing support for those in our community who need it most; a decades-long decline in nationwide public trust in the government; and scarce public resources paired with reduced public investment in health, housing, education, and other human services.

## **DISCUSSION**

As teams identified and prioritized solutions, staff compiled the recommendations into a comprehensive project spreadsheet divided into categories based on the teams' prioritization and recommended timing based on staff resources and the need for additional resources and exploration. Staff also added projects from the City’s Strategic Roadmap and Racial Equity Action Plan planned for implementation in FY 22 that relate to the problems identified by workshop participants and results from the Public Safety Community Conversations and Survey.

Workshop participants received this spreadsheet for review and feedback prior to the Council Budget and Finance Committee meeting. Participants had the opportunity to provide feedback via email, in one-on-one meetings with members of the project team, and/or by attending three discussion sessions held on April 14, April 15, and April 17. Their feedback is noted throughout this report and summarized in Attachment VI.

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<sup>11</sup> U.S. Census Bureau QuickFacts Alameda County, California.

<https://www.census.gov/quickfacts/alamedacountycalifornia>

<sup>12</sup> Alameda County FY 2020-2021 Community Corrections Partnership Plan

<https://www.acgov.org/probation/documents/CCPPlan-FINAL.pdf>

<sup>13</sup> United States Department of Justice Bureau of Justice Statistics, Annual Survey of Jails, 2018.

<sup>14</sup> For reference, the Commission on Accreditation for Law Enforcement Agencies (CALEA) was created in 1979 as a credentialing authority through the joint efforts of law enforcement’s major executive associations. The Hayward Police Department has maintained the highest level of accreditation for at least the past ten years. For more information, visit [www.calea.org](http://www.calea.org).

<sup>15</sup> Hayward Police Department CALEA Compliance Review, 2017-2020 <https://www.hayward-ca.gov/sites/default/files/documents/CALEA-Compliance-Review-2017-2020.pdf>

The projects identified on the list fell into three main categories:

- *New Public Safety Response Models and Services* - How can the City of Hayward modify its public safety services to address responsiveness to behavioral and mental health, people experiencing homelessness, and property crimes?
- *Community Relationships* - How can the City of Hayward work to improve and strengthen relationships with community members to increase trust and enhance communication?
- *Transparency and Accountability* - How can the City and Police Department improve transparency and accountability to the community?

As some participants noted, while this project list is a comprehensive overview of the recommendations that came out of the Public Safety Innovation Workshop, there are some participant-identified opportunities for change that did not arise during the workshop, including HPD’s hiring process (e.g., hiring for characteristics, values, and ethics that reflect community priorities) and analysis of and accountability for negative outcomes from policing interactions, including racial disparities/disproportionate harm to people of color, injury, and death.

The highest priority projects emerging from the Public Safety Workshop are recommended for launch within the first six months of FY 22 and highlighted in Table 1 below.

**Table 1: Projects Recommended for Immediate Implementation  
(launch within next 6 months)**

| Category                                       | ID | Project  |
|--|----|--|
| New Public Safety Response Models and Services | 1  | <b>Dispatch Needs Assessment and Capacity Improvement:</b> Conduct a needs assessment on incoming calls and outgoing responses with actionable recommendations, including providing additional emergency behavioral health and medical capacity in dispatch. |
|  | 2  | <b>Mobile Mental Health Response Team:</b> Pilot deploying a behavioral health response to nonviolent calls for service through a 40-hour/week mobile team (one medic, one behavioral health clinician, and one community counselor).                        |
|  | 3  | <b>District Command Behavioral Health Clinician:</b> Pilot temporary behavioral health staffing in the District Command (community policing) Unit.   |
|  | 4  | <b>Behavioral/Mental Health Coordinator:</b> Pilot a temporary behavioral health coordinator position to track the responses and outcomes from pilot programs, as well as County services.   |
|  | 5  | <b>Expand Shelter Options and Outreach:</b> Including solutions for those who decline typical services, such as safe parking or a  |

|                                 |   |  |
|---------------------------------|---|--|
|                                 |   | sanctioned encampment, and non-congregate options, such as the hotel annex. For each new shelter option, deploy trained outreach workers into community on a daily basis.  |
|                                 | 6 | <b>Community Services Officers Respond to Property Crimes:</b> Pilot using unarmed Community Service Officers to respond to cold calls such as vehicle break-in and property damage.   |
| Community Relationships         | 7 | <b>Law Enforcement Community Internships:</b> Develop substantive Community Service Officer training internships with the Hayward Police Department, Chabot Community College and California State University East Bay that may lead to law enforcement careers, with the goal of creating a pipeline for Hayward residents to serve in HPD. |
|                                 | 8 | <b>Neighborhood Participatory Budgeting:</b> This one-time participatory budget process would have community members submit and vote on proposals to increase neighborhood connections/cohesion.   |
| Transparency and Accountability | 9 | <b>HPD Training Curriculum Working Group:</b> Establish a group of community members (particularly young people of color) to review and co-create HPD training curriculum with a community-informed lens to incorporate community knowledge and concerns into HPD's extensive training.  |

In addition to the projects recommended by the workshop teams, there are a number of projects planned for implementation in FY 21 and FY 22 that originated in other City plans but relate to the goals of the public safety project more generally. They are listed in Table 2 below.

**Table 2: Projects Currently Underway/Ready for Immediate Implementation**

| Category                        | ID | Project   |
|---------------------------------|----|---|
| Transparency and Accountability | 10 | <b>Traffic Stop Software:</b> This project is included in staff's existing FY 22 racial equity work plan. It will implement a software system to collect data on police stops with the goal of providing more targeted training on implicit bias, accountability, and making policy changes using that data.  |
|                                 | 11 | <b>Equity Analysis of City's Social Media Policies:</b> This is included in the Community and Media Relations Office's existing FY22 racial equity work plan and is intended to improve the accessibility, content, and relevance of information provided through all City social media channels.   |
|                                 | 12 | <b>Budget Equity Analysis:</b> This project is included in staff's existing FY 22 racial equity work plan. It includes a review of both the operating and capital budgets and entails applying a racial equity lens to resource allocation in the City's full budget, with a focus on the Police Department in year one. The project will include a public-facing data dashboard. |

|  |    |   |
|--|----|---|
|  | 13 | <b>Introduction to Racial Equity/The Role of Government Training:</b> This project is included in the Racial Equity Action Plan. Roll out GARE (Government Alliance for Racial Equity) trainings to staff throughout the City, with a focus on HPD in year one. |
|--|----|---|

Workshop participants also recognized the need to delay the implementation of several projects due to limitations on staff capacity and identified a number of projects recommended for launch within the next 12 to 18 months as outlined in Table 3.

**Table 3: Projects Recommended for Mid-Term Implementation  
(launch within next 12-18 months)**

| Category                        | ID | Project   |
|---------------------------------|----|---|
| Community Relationships         | 14 | <b>City Employee Volunteer Time:</b> Designate a number of hours set aside monthly for staff to spend outside of their official duties volunteering in the community to build relationships through service.  |
|                                 | 15 | <b>Pilot Youth Outreach Models:</b> Explore engagement and relationship-building opportunities with school-age Hayward community members to share information and lived experiences.  |
|                                 | 16 | <b>Community and Media Relations Social Media Internships:</b> Work with the Hayward Youth Commission to develop social media internship in conjunction with the CMR team to develop youth-centric information regarding resources, services, and events. Host interns from each school during 22/23 school year to get the program off the ground. |
| Transparency and Accountability | 17 | <b>Community Feedback/Complaint Liaison:</b> Contract with an outside intermediary (non-profit or a firm) to field feedback and complaints from community members and serve as a neutral liaison to the City.   |

There were also project suggestions from participants that required further exploration and consideration beyond the scope of the team’s work. The projects recommended for additional research and review over the next 12 months include:

18. Hold City facilitated discussions/forums to engage behavioral/mental health experts regarding responses in Hayward.
19. Explore a program that provides monthly stipends for income-qualified individuals.
20. Establish a process for people to voluntarily provide behavioral/mental health information pre-crisis.
21. Run a City-sponsored behavioral/mental health de-stigmatization campaign.
22. Communicate and map existing behavioral/mental health resources/processes for community members.
23. Explore the feasibility of a sales tax increase in Hayward with all funds allocated to community safety, homelessness, and mental health needs.

24. Develop a long-term plan for a Restorative/Transformative Justice public safety model in Hayward.
25. Evaluate the Community Advisory Panel and explore other community oversight models, such as a Civilian Auditing and Investigations Office.

## **Staff Analysis**

In addition to compiling the list of recommended projects, staff has provided analysis of the projects in several key dimensions for Council and community consideration. The analysis for each project is detailed on the individual project sheets (Attachment III). A brief description of each dimension and methodology is included below.

*Community Responsiveness:* Staff have highlighted the project's connection to specific community feedback received in the Community Conversations, Community Survey, and/or stakeholder interview processes.

*Racial Equity Analysis:* At its most basic level, racial equity analysis asks who is burdened and who benefits from policy decisions, informed by the context in which people and communities of color – particularly Black people and communities – have been marginalized and harmed by institutional and systemic racism. The analysis in the attached project summaries relies on data from the Public Safety Community Conversations and Community Survey, HPD CALEA Compliance Review, U.S. Census and American Community Survey, and various other sources as noted in each project sheet. The goal of this analysis is to provide context for the recommendations through a racial equity lens. This analysis is presented with the caveat that continued co-creation of the proposed policies, programs, and projects with impacted communities is necessary for advancing racial equity. Data analysis is only the first step in understanding the inequities in our community.

*Cost:* Staff has provided cost estimates for each solution based on new appropriations needed to fund anticipated staffing needs, contracting, equipment, and other necessities. The majority of these cost estimates are based on a one-time pilot period. Staff will continue to refine the cost estimates outlined in the attached project sheets and identify an interval at which to return to Council with ongoing cost estimates for each program, including long-term staffing needs. Staff have also identified recommended funding sources for the pilot year of the recommended projects, further detailed in the Fiscal Impact section of this report.

*Staffing:* The staffing section of each analysis identifies an Executive sponsor(s) for each of the projects and departments that will participate in solution implementation. The staffing recommendation is provided to help City staff begin to assemble teams for each project, promote transparency, and identify for Council the staffing resources that will be needed to support this work for consideration when prioritizing Strategic Roadmap projects and related staff-intensive work. Implementing the projects in this list may require reassigning staff and/or reprioritizing existing workplans.

*Accountability and Success:* Staff also made preliminary suggestions for ways to report out on the progress of each project and some possible metrics to measure project success. As

projects move closer to implementation, reporting structure and frequency as well as metrics used to measure success will become more well-defined.

*Immediate Next Steps:* Staff has also identified the immediate next steps for each project as highlighted in Attachment IV.

Additionally, staff will provide analysis supporting project implementation including immediate next steps, funding recommendations, ways of measuring project success, methods and frequency of project updates to Council and the public, and other questions or considerations.

**STRATEGIC ROADMAP**

This agenda item supports the Strategic Priorities of Supporting Quality of Life, Improving Organizational Health (Racial Equity), and Preserving, Protecting, and Producing Housing as it relates to supporting services to residents experiencing homelessness. Staff is bringing this item in response to strong and continued community concerns around policing and public safety services. This item will be included in the next update to Council on the Strategic Roadmap.

**FISCAL IMPACT**

The fiscal impact of each project is outlined on the individual project sheets in Attachment III. Staff recommends funding the proposed pilot projects from two main sources: by using salary savings from five (5) vacant Police Officer positions and allocating \$385,000 in federal stimulus funding to the projects as detailed below.

| Funding Source Recommendations                    |                    |                  |
|---|--------------------|------------------|
| Police Officer Vacancies (5)                      | \$1,294,405        |                  |
| Stimulus Funding                                  |                    | \$385,000        |
| Project   |                    |                  |
| Dispatch Needs Assessment and Capacity            | \$65,000           | \$0              |
| Mobile Mental Health Response Team                | \$900,000          | \$0              |
| District Command Behavioral Health Clinician      | \$150,000          | \$0              |
| Behavioral/Mental Health Coordinator              | \$178,600          | \$0              |
| Law Enforcement Community Internships             | \$0                | \$35,000         |
| Neighborhood Participatory Budgeting              | \$0                | \$350,000        |
| Expand Shelter Options and Outreach <sup>16</sup> | \$0                | \$0              |
| CSO Response to Property Crimes                   | \$0                | \$0              |
| HPD Training Curriculum Working Group             | \$0                | \$0              |
| <b>Total</b>                                      | <b>\$1,293,600</b> | <b>\$385,000</b> |

<sup>16</sup> There are significant costs associated with this solution, but they are being considered as part of the Let's House Hayward plan.

In addition to the expenditures listed above, the cost of staff projects recommended for immediate implementation are already included in the FY 21 and FY 22 budget allocations for their respective departments and divisions.

Staff has estimated the costs and additional budget needs of projects recommended for mid-term implementation in FY 22 or FY 23, which may be funded out of existing FY 22 budget allocations or considered in the FY 23 budget, as follows:

|  |                  |
|--|------------------|
| City Employee Volunteer Time .....         | \$0              |
| Pilot Youth Outreach Models .....          | \$0              |
| CMR Social Media Internships .....         | \$25,000         |
| Community Feedback/Complaint Liaison ..... | \$75,000         |
| <b>Total</b>                               | <b>\$100,000</b> |

The projects recommended for further exploration and consideration for long-term implementation bear unknown, variable, or extensive costs and will require further research and scoping before staff can provide accurate cost estimates, though staff has included budgeting considerations in “Implementation Notes” for each project, where applicable.

After the initial pilot year, sustainable funding sources will need to be identified for subsequent program years for those projects that prove successful and are recommended to continue. When staff returns to report to Council at the end of the pilot period for any approved projects, staff will provide recommendations for ongoing project funding.

**PUBLIC CONTACT**

In addition to the presentations, discussions, and opportunities for public comment at public meetings as outlined in the Background section of this report, the Public Safety Policy Innovation Workshop and the preparation of this report incorporated the following public contact/community engagement efforts:

- Feedback from the Public Safety Community Conversations and Community Survey informed the creation of the Public Safety Innovation Workshop. Participants were asked to review the data from both the community interviews and survey prior to the first workshop session. Workshop participants were then asked to identify common areas of concern in the interviews and survey to select the problems teams would address over the course of the workshop.
- Each workshop team included community members. Thirteen (13) of 33 workshop participants were members of the Hayward community, not counting staff members who are also residents of Hayward.
- Workshop teams interviewed a total of 91 community stakeholders over the course of the workshop.
- Workshop participants were given the opportunity to review and provide feedback on the project lists, which is summarized in Attachment VI.

- Community members who were not formal workshop participants were invited to sign up as “Community Advisors” to the workshop and were offered the opportunity to meet with project team members during the workshop period to provide feedback, ask questions, or share concerns.
- Project team members met with the Hayward Community Coalition and Hayward Concerned Citizens to discuss the project recommendations coming out of the Policy Innovation Workshop.

Additionally, the City kept interested parties and the Hayward community at large informed of the project through the project website at <https://hayward-ca.gov/haywardsafe> and shared information about the Public Safety Project and the opportunity to sign up as a Community Advisor via a February 24, 2021 special edition of The Stack newsletter and ongoing social media campaign.

### **NEXT STEPS**

If Council adopts the attached resolution, staff will proceed with implementing the projects recommended for immediate implementation as outlined in the attachments. Staff plans to return to Council at six-month intervals (January 2022 and July 2022) with project updates on the projects under implementation and further analysis and recommendations for the mid-term and long-term projects. Additionally, Council will receive project updates through the Strategic Roadmap implementation and update process, and throughout the course of the FY 23 budgeting cycle.

*Prepared by:* Public Safety Innovation Workshop Project Team:  
Terence Candell, Management Fellow  
Monica Davis, Community Services Manager  
Laurel James, Management Analyst  
Daniel Mao, Policy Fellow  
Bryan Matthews, Police Captain  
Nicholas Mullins, Management Analyst  
Rosalinda Romero, Executive Assistant  
Mary Thomas, Management Analyst

*Recommended by:* Dustin Claussen, Director of Finance

*Approved by:*



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Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 21-

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

RESOLUTION AUTHORIZING FUNDING FOR THE PUBLIC SAFETY WORKSHOP  
PROJECTS RECOMMENDED FOR IMMEDIATE IMPLEMENTATION

WHEREAS, following the murder of George Floyd, subsequent national protests and conversations about race, police brutality, and public safety, Hayward community members brought forth concerns about Hayward's policing services, policies, and programs; and

WHEREAS, Council directed staff to implement a public safety community engagement project designed to gather further information and experiences from Hayward community members to inform future policy discussions; and

WHEREAS, the results of the community engagement work revealed racism and homelessness as the community's top safety concerns, mixed results on how the community views the Hayward Police Department (HPD), and a strong desire for a 3-1-1 urgency hotline; and

WHEREAS, Council directed staff to convene a Public Safety Policy Innovation Workshop inclusive of community members and City staff to recommend public safety policy and programmatic changes for Fiscal Year 2022 that would address community safety concerns; and

WHEREAS, the workshop participants, consisting of 33 participants, including 13 community members and 20 City employees, identified the most pressing concerns raised in the community outreach work over the course of ten (10) weeks and generated twenty-five (25) recommended projects; and

WHEREAS, the main sources of funding for the recommended workshop policies would be provided by reallocating the budgeted funds from five (5) vacant Police Officer positions and by federal stimulus funding; and

WHEREAS, the cost of staff projects recommended for immediate implementation are already included in the FY 2021 and FY 2022 budget allocations for their respective departments and divisions; and

WHEREAS, while Hayward is a unique community in many ways and the relationship between HPD and the community may be different from other jurisdictions, the City is not exempt from or immune to institutional and systemic racism; and

WHEREAS, the Public Safety Project, including the Community Conversations, Community Survey, and Policy Innovation Workshop, all relate to the City’s ongoing racial equity work; and

WHEREAS, the recommended workshop solutions are meant to address the systemic problems and safety concerns the community raised in public meetings and survey results.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby authorizes the funding for the Public Safety Policy Innovation workshop projects as described in the implementation plan outlined in Attachment IV to this item.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2021.

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

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| <b>Immediate Implementation (project launch in the next 6 months)</b>  |
| <b>New Public Safety Response Models &amp; Services</b>  |
| <p><b>1</b></p> <p><b>Dispatch Needs Assessment and Capacity Improvements</b></p> <p>Teams C &amp; D</p>   |
| <b>Description</b>   |
| <p>Conduct a needs assessment and explore capacity for expanded services (e.g. emergency medical dispatching, behavioral/mental health triage for calls for service, etc.) within the Communications Center with actionable recommendations. This project would support outgoing response solutions outlined in other recommended projects.</p>  |
| <b>Cost</b>  |
| <p>\$65,000 to hire a consultant to conduct assessment.<br/>Staff estimates that the study will cost up to \$65,000. Study recommendations may include additional staffing, training, or equipment. Staff will return to Council with additional funding needs at the conclusion of the study.</p> <p>Recommended funding source: HPD vacancy salary savings</p>   |
| <b>Connection to Community Input</b>   |
| <p>This project recommendation is responsive to concerns conveyed through community survey data, community conversations, and innovation workshop participants regarding a desire for alternative response models for addressing behavioral/mental health calls for service and/or City response to homelessness through effectively triaging calls for service as they are received by the Communications Center.</p> |
| <b>Racial Equity Analysis</b>  |
| <p>The City has insufficient information to conduct a racial equity analysis; however such an analysis can be included in the assessment scope of work.</p>  |
| <b>Project Staffing Model</b>  |
| <p>Executive Sponsor: City Manager, Police Chief, Fire Chief<br/>Coordinating Departments: Hayward Fire Department, Hayward Police Department, IT</p>  |
| <b>Accountability &amp; Success</b>  |
| <p>6- and 12-month progress reports to City Council on findings and project progress.<br/>Ongoing updates to be posted on a web portal/dashboard as project progresses.</p>  |
| <b>Connection to Other City Plans/Programs/Documents</b>   |
| <p>Commitment to an Inclusive, Equitable, and Compassionate Community<br/>Hayward Strategic Roadmap<br/>Let's House Hayward - Strategic Plan to Reduce Homelessness</p>  |

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| <b>Immediate Implementation (project launch in the next 6 months)</b>  |
| <b>New Public Safety Response Models &amp; Services</b>  |
| <p><b>2</b></p> <p><b>Mobile Mental Health Response Team</b></p> <p>Team D (Also raised in Team E)</p>   |
| <b>Description</b>   |
| <p>Pilot deploying a mobile mental health response team to nonviolent calls for service. This response team will have the needed certifications to also provide follow up care to community members who have recently been discharged from the emergency room or hospital to assist with ongoing recovery.</p> <p>The pilot will set up one 40-hour/week mobile team of one medic, one behavioral health clinician, and one community counselor. The medic and clinician will be authorized to provide licensed care and discharge follow-up. The community counselor position will be a person with lived experienced and ties to the Hayward community.</p> <p>These staff positions will be temporary 12-month positions. The clinician and counselor will be contracted positions through existing community partners. The medic may be contracted out or a temporary assignment of existing Fire personnel.</p>   |
| <b>Cost</b>  |
| <p>\$900,000 for a twelve-month pilot. This covers the cost of the three full-time temporary positions with benefits, plus a vehicle lease, supplies, and training for supporting staff.</p> <p>Staff will provide a detailed breakdown of costs at the six-month and ending reports.</p>  |
| <b>Connection to Community Input</b>   |
| <p>The Fall 2020 community conversations and survey both found community interest in non-law enforcement response models for non-violent mental health calls for service.</p> <p>Team D interviewed individuals experiencing homelessness, many of whom had also witnessed or had been part of calls for service for mental health related issues. Team D also interviewed staff from Police, Fire, and Community Services and looked at call data by call type. Based on this data, the Team found that there are calls that can be handled by a mobile health response team, freeing officers up for other types of calls. This pilot will help determine the exact frequency and types of those calls.</p> <p>In addition, the Team uncovered insights that reinforced the theory that follow-up behavioral health and medical care can build trust and prevent future calls for service for vulnerable community members, further reducing the need for police response. This pilot will collect data to test this theory.</p> |

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| <b>Racial Equity Analysis</b>   |
| <p>The Alameda County Health Data Profile from 2014 reports that the county rate of visits to the emergency department for severe mental illness is 2.7 times higher in high poverty neighborhoods than affluent neighborhoods.</p> <p>In addition, the hospitalization rate for severe mental illness is 2.3 times higher for Black or African Americans than the overall population. Hayward has the highest hospitalization rate for severe mental illness in the county (333.5 per 100,000), which is over two times higher than the city with the lowest rate (134.2 per 100,000 in Fremont).</p> <p>The report states that, “Hospitalization rates for racial/ethnic minorities may be disproportionately high due to barriers in obtaining proper diagnosis, treatment, and management of mental illness. Barriers may include stigma, limited English proficiency, cultural understanding of health care services, lack of transportation, fragmented services, cost, co-morbidity of mental illness and other chronic diseases, and incarceration. These barriers may lead to exacerbations of mental illnesses and their symptoms, which may result in more hospitalizations.”</p> <p>Additionally, operational data from the February report to the Alameda County Community Assessment and Transport Team (CATT) Oversight Committee indicates that 28% of the 615 responses since its launch in July 2020 have served Black or African American clients.</p> |
| <b>Project Staffing Model</b>   |
| <p>Executive Sponsor: Assistant City Manager, Fire Chief, Police Chief<br/>Coordinating Departments: Hayward Fire Department, Hayward Police Department, Community Services Division</p>  |
| <b>Accountability &amp; Success</b>   |
| <p>Staff will provide a report to Council on pilot outcomes six months after launch, and at the end of the twelve-month pilot. This report will combine each of the pilots that have behavioral health components. This report will include number of responses by call type for the mobile mental health response team, response outcomes, demographic data of those being served, and a cost breakdown. Evidence from similar programs in other communities have shown to save lives, reduce violence escalation, and reduce incarceration.</p> <p>Ongoing updates to be posted on a web portal/dashboard as project progresses.</p>  |
| <b>Connection to Other City Plans/Programs/Documents</b>  |
| <p>Strategic Roadmap Priority: Quality of Life, Project 3: Implement mental health comprehensive assessment teams (CAT) to provide targeted mental health services</p>  |

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| <b>Immediate Implementation (project launch in the next 6 months)</b>  |
| <b>New Public Safety Response Models &amp; Services</b>  |
| <p><b>3</b></p> <p><b>District Command Behavioral Health Clinician</b></p> <p>Team D (Also raised in Team E)</p>   |
| <b>Description</b>   |
| <p>Pilot having a temporary full-time behavioral health clinician in the District Command (Community Policing) unit for twelve months. This person would respond with the District Command for violent calls that may have a mental health component. Once the Police Officers have ensured the scene is safe, the clinician would provide de-escalation and other support services.</p>   |
| <b>Cost</b>  |
| <p>\$150,000 for a twelve-month pilot. This covers the cost of a full-time temporary clinician with benefits.</p>  |
| <b>Connection to Community Input</b>   |
| <p>The Fall 2020 community conversations and survey both found community interest in increasing a behavioral health framework and services during mental health calls for service. Team D interviewed staff from pilot programs in other jurisdictions, including Alameda County, and found that clinicians require the local Police Department to be present and secure the scene when responding to violent calls. In addition, Team D interviewed individuals experiencing homelessness and found that past experiences with law enforcement and incarceration may create trust barriers during a call for service. In these incidents, a clinician may be able to deescalate a situation more effectively than if no clinician were present. This pilot will test that theory.</p> |
| <b>Racial Equity Analysis</b>  |
| <p>[See this section from #2: Mobile Mental Health Response Team]</p>  |
| <b>Project Staffing Model</b>  |
| <p>Executive Sponsor: Assistant City Manager, Police Chief, Fire Chief<br/>Coordinating Departments: Hayward Police Department, Hayward Fire Department, Community Services Division</p>   |
| <b>Accountability &amp; Success</b>  |
| <p>Staff will provide a report to Council on pilot outcomes six months after launch, and at the end of the twelve-month pilot.<br/>Ongoing updates to be posted on a web portal/dashboard as project progresses.</p>   |
| <b>Connection to Other City Plans/Programs/Documents</b>   |
| <p>Related to Strategic Roadmap Quality of Life project 3. Implement mental health comprehensive assessment teams (CAT) to provide targeted mental health services.</p>  |

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| <b>Immediate Implementation (project launch in the next 6 months)</b>   |
| <b>New Public Safety Response Models &amp; Services</b>   |
| <p>4</p> <p><b>Behavioral/Mental Health Coordinator Position</b></p> <p>Team C</p>  |
| <b>Description</b>  |
| Pilot a Behavioral/Mental Health Coordinator position to track responses and outcomes for related pilot programs and to coordinate behavioral/mental health resources between the City and County.  |
| <b>Cost</b>   |
| \$180,000 for a twelve-month pilot. This covers the cost of a full-time temporary clinician with benefits.  |
| <b>Connection to Community Input</b>  |
| This project recommendation is responsive to concerns conveyed through community survey data, community conversations, and innovation workshop participants regarding a desire for alternative response models for addressing behavioral/mental health calls for service. |
| <b>Racial Equity Analysis</b>   |
| Racial equity analysis can be incorporated into the job responsibilities for this position.   |
| <b>Project Staffing Model</b>   |
| Executive Sponsor: Assistant City Manager, Police Chief, Fire Chief<br>Collaborating Departments: Hayward Police Department, City Manager's Office (Community Services)   |
| <b>Accountability &amp; Success</b>   |
| Progress reports to City Council on pilot programs and resource collaboration between the City and County (frequency TBD).<br>Ongoing updates on a web portal/dashboard as project progresses.  |
| <b>Connection to Other City Plans/Programs/Documents</b>  |
| Commitment to an Inclusive, Equitable, and Compassionate Community<br>Strategic Plan to Reduce Homelessness   |

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| <b>Immediate Implementation (project launch in the next 6 months)</b>   |
| <b>New Public Safety Response Models &amp; Services</b>   |
| <p><b>5</b></p> <p><b>Expand Shelter Options &amp; Outreach</b></p> <p>Team D</p>   |
| <b>Description</b>  |
| <p>Team D recommends funding additional shelter options, as outlined in the Let's House Hayward Plan. In particular, consider shelter options that accommodate those who decline typical services, such as safe parking or a sanctioned encampment, and those who prioritize privacy, such as the hotel annex. Team D also recommends pairing any new shelter options with targeted outreach support through non-profit providers in close coordination with the staff working team.</p>  |
| <b>Cost</b>   |
| <p>There are significant costs associated with this solution. These costs are being considered as part of the Let's House Hayward plan. The estimated cost for the three shelter options above are:</p> <ul style="list-style-type: none"> <li>• Hayward Navigation Hotel Annex: \$2 Million Annually</li> <li>• Safe Parking site: \$500,000 Annually</li> <li>• Sanctioned Encampment: TBD (more study needed)</li> </ul>   |
| <b>Connection to Community Input</b>  |
| <p>The Fall 2020 community conversations and survey both found that homeless encampments and related issues have a tremendous emotional impact on businesses and neighbors.</p> <p>Team D interviewed individuals experiencing homelessness, and found that those who decline services often have challenges with mental illness, substance use, incarceration, and trauma that make traditional shelter options inaccessible or undesirable. However, these individuals expressed strong interest in alternative shelter options like safe parking or a sanctioned encampment. Privacy and safety are also a top priority in shelter settings.</p> <p>In addition, Team D found that past negative experiences with government can create trust barriers, including law enforcement and incarceration. These barriers can sometimes be overcome with intensive, sustained outreach. The existing model of contracting with a non-profit for outreach is currently working, as long as there continues to be strong coordination with the staff working team.</p> |
| <b>Racial Equity Analysis</b>   |
| <p>In the 2019 homeless point-in-time count, Black or African American community members made up 24% of Hayward's homeless population, but only 10% of Hayward's overall population. American Indians or Alaskan Natives and Native Hawaiians or Pacific Islanders are also more likely to experience homelessness when compared to each group's overall Hayward population.</p>  |

**Attachment III  
Public Safety Innovation Workshop  
Project Sheets**

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| <b>Project Staffing Model</b>  |
| Executive Sponsor: Assistant City Manager<br>The Community Services Division will lead this project and the Let's House Hayward Strategic Plan development. Staff from Police, Fire, Maintenance Services, and Code Enforcement will continue to be on the interdepartmental working team to build on the successes and lessons learned during 2020. This internal team will coordinate closely with community partners and service providers. |
| <b>Accountability &amp; Success</b>  |
| After the April 20 Council Work Session, the goal is to have a completed Let's House Hayward plan in May 2021. Staff will present the completed plan to the Homelessness-Housing Task Force in June 2021, then return to full Council for final authorization. Staff will return to Council with regular updates on homeless service levels and outcomes, per the Let's House Hayward plan.  |
| <b>Connection to Other City Plans/Programs/Documents</b>   |
| Let's House Hayward Homelessness Reduction Strategic Plan<br>Strategic Roadmap Housing Project 2b - Implement Homelessness Reduction Strategic Plan<br>General Plan Program CS-4 - Homeless Services Partnership<br>General Plan Program H-13 - Funding for Emergency Shelters and Transitional Housing  |

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| <b>Immediate Implementation (project launch in the next 6 months)</b>  |
| <b>New Public Safety Response Models &amp; Services</b>  |
| <p><b>6</b><br/><b>Community Services Officers Respond to Property Crimes</b><br/>Team E</p>   |
| <b>Description</b>   |
| Pilot using unarmed Community Service Officers to respond to cold calls such as vehicle break-ins and property damage to increase responsiveness to victims of crime in an efficient and approachable way.   |
| <b>Cost</b>  |
| Current vacancies can allow for future flexibility regarding new job duties and roles after review by the appropriate bargaining unit and the Personnel Commission.  |
| <b>Connection to Community Input</b>   |
| Responsive to desire for increased responsiveness to property crimes and other lower-priority incidents identified in Community Conversations, as well as key insights from empathy conversations, including that residents who have been victims of crime were left feeling powerless and unheard, and felt upset over the perceived total lack of response to property crimes. |
| <b>Racial Equity Analysis</b>  |
| Per the Community Survey, people of color in Hayward are slightly less likely to have been the victim of a crime in Hayward. This project is not addressing a specific racial disparity.   |
| <b>Project Staffing Model</b>  |
| Executive Sponsor: Police Chief  |
| <b>Accountability &amp; Success</b>  |
| Resident Satisfaction Surveys, quarterly reporting to determine continued feasibility, 6-month review and report to Council  |
| <b>Connection to Other City Plans/Programs/Documents</b>   |
| None.  |

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| <b>Immediate Implementation (project launch in the next 6 months)</b>  |
| <b>Community Relationships</b>   |
| <p>7</p> <p><b>Law Enforcement Career Internships</b></p> <p>Team E</p>  |
| <b>Description</b>   |
| <p>Develop substantive Community Service Officer training internships with the Hayward Police Department, Chabot Community College, and California State University East Bay that may lead to law enforcement careers, with the goal of creating a pipeline for Hayward residents to serve in the PD.</p>  |
| <b>Cost</b>  |
| <p>\$35,000 for the cost of 2 interns at roughly 20 hours per week for 10 months.</p>  |
| <b>Connection to Community Input</b>   |
| <p>Two of the team’s key empathy insights supported this solution – a desire for Hayward public safety services to be community-based and a need for more HPD employees to come from the Hayward community.</p>  |
| <b>Racial Equity Analysis</b>  |
| <p>Per the 2017-2020 HPD CALEA Compliance Report, approximately 45% of HPD staff members are people of color, compared to 83% of the City’s population. Creating a career pipeline for and investing in Hayward students is one way to continue to diversify staffing while increasing connections to the community and local knowledge in the department.</p> |
| <b>Project Staffing Model</b>  |
| <p>Executive Sponsor: Police Chief<br/>Collaborating Departments/Partnerships: Hayward Police Department would lead this project, with support from Human Resources and the Library and in partnership with Chabot Community College and California State University East Bay.</p>   |
| <b>Accountability &amp; Success</b>  |
| <p>Report back to Council after initial pilot period; include information about number and demographics of applicants, active interns, and follow career path of interns after graduation.</p>   |
| <b>Connection to Other City Plans/Programs/Documents</b>   |
| <p>None.</p>   |

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| <b>Immediate Implementation (project launch in the next 6 months)</b>   |
| <b>Community Relationships</b>  |
| <p>8</p> <p><b>Neighborhood Participatory Budgeting</b></p> <p>Staff Suggestion</p>   |
| <b>Description</b>  |
| <p>This one-time participatory budget process would have community members submit and vote on proposals to increase connections/cohesion in their neighborhoods. During this process, community members will first share and discuss ideas for projects. Community delegates will then develop the ideas into feasible proposals, in partnership with staff. Community members throughout Hayward will then have the opportunity to vote on the top proposals for implementation.</p> |
| <b>Cost</b>   |
| <p>\$350,000 for a one-time participatory budgeting process. This full amount would go towards community projects. Staff will absorb the implementation hours into existing workloads.</p>  |
| <b>Connection to Community Input</b>  |
| <p>This solution is in response to the finding from community conversations that people feel safer in their neighborhood when they feel connected to their neighbors. In addition, it is in response to the support for a participatory budget process in fall 2020 survey.</p>   |
| <b>Racial Equity Analysis</b>   |
| <p>The City does not have data for racial equity analysis on this topic. However, racial equity can be incorporated as part of the criteria for the budgeting workshop and selection of projects for funding.</p>   |
| <b>Project Staffing Model</b>   |
| <p>Executive Sponsor: Finance Director</p> <p>The City Manager’s Office will lead this pilot, with staff from Finance, Library, Fire, and Police on an implementation steering committee (and any other interested department)</p>  |
| <b>Accountability &amp; Success</b>   |
| <p>This project will include an initial report to the Council Budget and Finance Committee on the process and timeline. There will be a report to Council on the implementation plan once project votes are final (5-month mark) and a final report to Council at the end (13-month mark). Staff will conduct qualitative surveys throughout the process and will measure participation rates.</p>  |

**Connection to Other City Plans/Programs/Documents**

**Commitment to an Inclusive, Equitable, and Compassionate Community:**

- Action Item A.2.1 - The City of Hayward will sponsor, co-sponsor, or otherwise support community events designed to encourage inclusion, increase cultural and religious awareness, and celebrate diversity in the Hayward community.
- Action Item B.1.5 - Ensure events sponsored by the City of Hayward are held in various locations across the city for equitable access for all neighborhoods.

|   |
|---|
| <b>Immediate Implementation (project launch in the next 6 months)</b>   |
| <b>Transparency &amp; Accountability</b>  |
| <p>9</p> <p><b>HPD Training Curriculum Working Group</b></p> <p>Team A</p>  |
| <b>Description</b>  |
| <p>Establish a group of community members (particularly young people of color) to review and co-create HPD training curriculum with a community-informed lens to incorporate community knowledge and concerns into HPD's extensive training.</p>  |
| <b>Cost</b>   |
| <p>No additional appropriation required; staff time and materials will be absorbed into existing budgets.</p>   |
| <b>Connection to Community Input</b>  |
| <p>This recommendation is based on empathy interviews and the need for mutual respect/understanding between young POC in the Hayward community and HPD. Additionally, based on the Community Survey, young people ages 18-39 were 5% more likely and Black residents were 4% more likely to believe the relationship between HPD and the Hayward residents is generally negative.</p>     |
| <b>Racial Equity Analysis</b>   |
| <p>This project is not in response to a specific racial disparity beyond those that generally exist in policing and criminal justice, but presents an opportunity for incorporating racial equity analysis and work into training practices in a way that is community-driven and relationship-building.</p>  |
| <b>Project Staffing Model</b>   |
| <p>Executive Sponsor: Assistant City Manager (reclassified position proposed in FY 22 budget)<br/> Collaborating Departments: City Manager's Office, Hayward Police Department, Human Resources</p> <p>This project presents an opportunity for partnership with the Community Advisory Panel, as long as the working group includes and centers the voices of young people of color.</p> |
| <b>Accountability &amp; Success</b>   |
| <p>Progress reports to City Council on pilot; report on changes to training curriculum.</p>   |
| <b>Connection to Other City Plans/Programs/Documents</b>  |
| <p>None.</p>  |

**Attachment III  
Public Safety Innovation Workshop  
Project Sheets**

| Projects Currently Underway/Ready for Immediate Implementation  |   |   |   |
|---|---|---|---|
| Transparency & Accountability   |   |   |   |
| ID  | Project   | Staffing  | Timeline  |
| <b>10</b>   | <b>Traffic Stop Software:</b> This project is included in staff's existing FY 22 racial equity work plan. It will implement a software system to collect data on police stops with the goal of providing more targeted training on implicit bias, accountability, and making policy changes using that data.  | Hayward Police Department with Government Alliance on Race and Equity (GARE) team support | RFP complete by Fall 2021                                   |
| <b>11</b>   | <b>Equity Analysis of City's Social Media Policies:</b> This is included in the Community and Media Relations Office's existing FY 22 work plan and is intended to improve the accessibility, content, and relevance of information provided through all City social media channels.  | City Manager's Office (Community & Media Relations) with GARE team support                | Complete by Fall 2021                                       |
| <b>12</b>   | <b>Budget Equity Analysis:</b> This project is included in staff's existing FY 22 racial equity work plan. It includes both the operating and capital budgets and entails applying a racial equity lens to resource allocation in the City's full budget, with a focus on the Police Department in year one. The project will include a public-facing data dashboard. | Finance, Public Works with GARE team support  | Complete tools by Fall 2021 for pilot in FY 23 budget cycle |
| <b>13</b>   | <b>Introduction to Racial Equity/The Role of Government Training:</b> This project is included in the Racial Equity Action Plan. Roll out GARE (Government Alliance for Racial Equity) trainings to staff throughout the City, with a focus on the Police Department in year one.   | GARE team with Hayward Police Department support  | Complete by end of FY 22                                    |
| Accountability & Success  |   |   |   |
| Council will receive updates on the projects in this category via the Strategic Roadmap implementation and update process as well as the FY 23 CIP and budgeting processes. |   |   |   |

|   |
|---|
| <b>Midterm Implementation (launch within 12-18 months)</b>  |
| <b>Community Relationships</b>  |
| <p>14<br/><b>City Employee Volunteer Time</b><br/>Team A</p>  |
| <b>Description</b>  |
| Designate a number of hours set aside monthly for staff to spend outside of their official duties volunteering in the community to build relationships through service.   |
| <b>Cost</b>   |
| To be absorbed into existing staff time/budget.   |
| <b>Connection to Community Input</b>  |
| This solution is in response to requests during the community conversations for more relationship building between the City and community members and from young people interviewed during the Policy Innovation Workshop.  |
| <b>Racial Equity Analysis</b>   |
| There is no data directly tying this program or work to racial inequity. However, the program can be structured to focus on connecting staff with volunteer opportunities working alongside and/or serving people and communities of color in Hayward to build relationships. |
| <b>Project Staffing Model</b>   |
| Executive Sponsor: Assistant City Manager (reclassified position proposed in FY 22 budget)<br>Collaborating Departments: Human Resources, City Manager's Office   |
| <b>Accountability &amp; Success</b>   |
| Staff will regularly update public-facing portal with metrics and provide a report to Council at the end of the pilot year on the results of program.<br><br>Metrics: service hours, participating employees, projects/events/results from volunteering efforts.              |
| <b>Connection to Other City Plans/Programs/Documents</b>  |
| None.   |

|   |
|---|
| <b>Midterm Implementation (launch within 12-18 months)</b>  |
| <b>Community Relationships</b>  |
| <p>15<br/><b>Pilot Youth Outreach Models</b><br/>Team B</p>   |
| <b>Description</b>  |
| Explore engagement opportunities with school-age Hayward community members to share information and lived experiences.  |
| <b>Cost</b>   |
| Cost dependent on engagement format (workshops, classroom visits, resource fair, etc.)  |
| <b>Connection to Community Input</b>  |
| This solution is in response to requests during the community conversations for more relationship building between the City and community members and from youth interviewed during the Policy Innovation Workshop. |
| <b>Racial Equity Analysis</b>   |
| There are limited engagement opportunities between school-age Hayward community members and City staff.   |
| <b>Project Staffing Model</b>   |
| Executive Sponsor: Library Director<br>Collaborating Departments: Hayward Fire Department, Hayward Library, Hayward Police Department   |
| <b>Accountability &amp; Success</b>   |
| Track attendance at engagement events (workshops, resource fairs, etc) and review feedback on engagement experience.<br><br>Metrics: feedback surveys, event attendance   |
| <b>Connection to Other City Plans/Programs/Documents</b>  |
| None.   |

|   |
|---|
| <b>Midterm Implementation (launch within 12-18 months)</b>  |
| <b>Community Relationships</b>  |
| <p>16<br/><b>Community, Media, and Relations Social Media Internships</b><br/>Team B</p>  |
| <b>Description</b>  |
| <p>Work with the Hayward Youth Commission to develop social media internship in conjunction with the CMR team to develop youth-centric information regarding resources, services, and events. Host interns from each school during 21/22 school year to get the program off the ground.</p>   |
| <b>Cost</b>   |
| <p>\$25,000 covers 4 interns at 8 hours a week for 10 months.</p>   |
| <b>Connection to Community Input</b>  |
| <p>This solution is in response to requests during the community conversations for more relationship building between the City and community members and from youth interviewed during the Policy Innovation Workshop who would like improved information sharing regarding services, resources, and employment opportunities on social media platforms (Instagram, YouTube, etc) that is reflective of and developed by their age group.</p> |
| <b>Racial Equity Analysis</b>   |
| <p>Information regarding City services, resources, and job opportunities is not adequately communicated to Hayward BIPOC youth based on the feedback in empathy interviews.</p>   |
| <b>Project Staffing Model</b>   |
| <p>Executive Sponsor: Public Information Officer<br/>Collaborating Departments: City Manager's Office (Communications and Media Relations), Human Resources, Hayward Fire Department, Library, Hayward Police Department</p>  |
| <b>Accountability &amp; Success</b>   |
| <p>Require regular reporting on content created specifically for youth, demographics of those engaging with social media (who follows/subscribes to, comments on, and messages) and if services and resources see an increase in youth usage.</p> <p>Metrics: social media followers/subscribers, demographics, services and resource usage rate by youth.</p>  |
| <b>Connection to Other City Plans/Programs/Documents</b>  |
| <p>None.</p>  |

|  |
|--|
| <b>Midterm Implementation (launch within 12-18 months)</b>   |
| <b>Transparency &amp; Accountability</b>   |
| <p>17</p> <p><b>Community Feedback and Complaint Liaison</b></p> <p>Staff Suggestion</p>   |
| <b>Description</b>   |
| This pilot will set up a contract with an outside intermediary (a non-profit or a firm) to field feedback and complaints from community members and serve as a neutral liaison to the City and Police Department. The third party would field both formal complaints and generalized feedback that would then be provided to the City.   |
| <b>Cost</b>  |
| \$70,000 for a one-year contract, with a set amount for startup costs and an hourly rate. If the pilot does not demonstrate community interest after six months, then staff will cease the contract and return any remaining funds to the General Fund.  |
| <b>Connection to Community Input</b>   |
| This solution is in response to concerns heard during the community conversations and confirmed by survey data that community members who have had negative experiences often do not feel safe or comfortable bringing feedback or complaints to the City.   |
| <b>Racial Equity Analysis</b>  |
| The City has insufficient data on all complaints received to complete a racial equity analysis. However, Black and Latinx residents are involved with a disproportionate share of police use-of-force incidents in the City of Hayward based on data from the recent CALEA Compliance Review Report. Only one use of force complaint has been filed in the past four years. <sup>1</sup> |
| <b>Project Staffing Model</b>  |
| Executive Sponsor: Assistant City Manager (reclassified position proposed in FY 22 budget)<br>Collaborating Departments: City Attorney's Office, Human Resources, Police, Fire, Public Works, IT, and Maintenance Services on an implementation steering committee   |
| <b>Accountability &amp; Success</b>  |
| Staff will provide a six-month report and twelve-month report on the pilot. This report will include data on complaints and feedback received, use rate, user demographics (including race), and number of unique users.   |
| <b>Connection to Other City Plans/Programs/Documents</b>   |
| Commitment to an Inclusive, Equitable, and Compassionate Community – Related to Parts E.4 - Community Access and Feedback  |

<sup>1</sup> Per data reported in the Hayward Police Department's CALEA Compliance Review, 2017-2020  
<https://www.hayward-ca.gov/sites/default/files/documents/CALEA-Compliance-Review-2017-2020.pdf>

| Projects Recommended for Additional Research and Review over the Next 12 Months |   |      |
|---|---|------|
| New Public Safety Response Models & Services                                    |   |      |
| ID  | Project   | Team |
| <b>18</b>   | <p><b>Hold City facilitated discussions/forums to engage behavioral/mental health experts regarding responses in Hayward</b></p> <p><u>Implementation Notes:</u> Next steps in additional research and review are to research prospective program models, gauge interest, identify resource needs (staffing and/or budget). Assuming staff are able to absorb this responsibility into current workloads and/or reprioritize work to accommodate this project, it is unlikely to require additional budget.</p>   | C    |
| <b>19</b>   | <p><b>Explore a program that provides monthly stipends for income-qualified individuals</b></p> <p><u>Implementation Notes:</u> Next steps in additional research and review are to research and monitor similar programs in Stockton, Oakland, San Francisco, Marin County, and Los Angeles as well as the work of Mayors for a Guaranteed Income; identify potential partners and funding sources; and work with community members and data to understand needs specific to Hayward. Estimating a program budget would depend on the amount of the stipend and the size of the program. The budgets for the aforementioned programs range from \$400,000 (2-year pilot in Marin County providing \$1,000 monthly to 125 families) to \$24,000,000 (Los Angeles’s proposal to provide \$1,000 monthly to 2000 families).</p> | E    |
| <b>20</b>   | <p><b>Establish a process for people to voluntarily provide behavioral/mental health information pre-crisis</b></p> <p><u>Implementation Notes:</u> Next steps in additional research and review are to research prospective program models, work with community members and subject matter experts to determine the need for, interest in, and constraints/sensitivities of the project.</p>   | C    |
| <b>21</b>   | <p><b>Run a City-sponsored behavioral/mental health de-stigmatization campaign</b></p> <p><u>Implementation Notes:</u> Next steps in additional research and review will be to identify a models, features, and impacts of successful campaigns, collaborate with community and regional partners, and recommend a strategy for effective communication. Budget and staffing needs will depend on the recommended strategy, but are unlikely to exceed \$10,000.</p>  | C    |

**Attachment III  
Public Safety Innovation Workshop  
Project Sheets**

|  |  |      |
|--|--|------|
| <b>22</b>                                | <p><b>Communicate and map existing behavioral/mental health resources/process for community members</b></p> <p><u>Implementation Notes:</u> Next steps in additional research and review will be to identify and compile existing materials, coordinate with the County and community partners, and work with community members to refine communications. Assuming staff are able to absorb this responsibility into current workloads and/or reprioritize work to accommodate this project, it is unlikely to require additional budget.</p>  | C    |
| <b>23</b>                                | <p><b>Explore the feasibility of a sales tax increase in Hayward with all funds allocated to community safety needs</b></p> <p><u>Implementation Notes:</u> Next steps in additional research and review will be to identify similar funding structures and the impact of raising sales tax on the Hayward community.</p>  | E    |
| <b>24</b>                                | <p><b>Develop a long-term plan for a Restorative Justice public safety model in Hayward</b></p> <p><u>Implementation Notes:</u> Next steps in additional research and review will be to research prospective program models and begin conversations with multiple stakeholders (including community members, Hayward Police Department, Hayward Unified School District, various departments within Alameda County, and many others) to understand the status quo and possible paths forward. This project is likely to require significant staff time and budgetary resources, which can be mitigated by phasing.</p> | A    |
| <b>Transparency &amp; Accountability</b> |  |      |
| ID                                       | Project  | Team |
| <b>25</b>                                | <p><b>Evaluate the Community Advisory Panel and explore other community oversight models, such as a Civilian Auditing &amp; Investigations Office</b></p> <p><u>Implementation Notes:</u> Next steps in additional research and review will be to identify prospective alternative models and interview stakeholders to better understand the status quo.</p>  | E    |

**Attachment IV  
Implementation Plan for Projects  
Recommended for Immediate  
Implementation**

**Implementation Plan for Projects Recommended for Immediate Implementation**

| # | Project   | Estimated Cost & Funding Source(s)   | Executive Sponsor  | Timeline & Immediate Next Steps  |
|---|---|--|--|--|
| 1 | <b>Dispatch Needs Assessment and Capacity Improvement</b> | <p>\$65,000<br/>(Staff estimates that the study will cost up to \$65,000. Study recommendations may include additional staffing, training, or equipment. Staff will return to Council with additional funding needs at the conclusion of the study.)</p> <p><u>Source:</u> Police Officer Vacancy<br/>Salary Savings</p> | City Manager, Fire Chief, Police Chief                                   | <p>Convene working group, issue RFP for study.</p> <p>Hire consultant by Q1 FY 22.</p>   |
| 2 | <b>Mobile Mental Health Response Team</b>                 | <p>\$900,000<br/>(\$600,000 for 1-year 40-hour medic, clinician, and counselor positions, \$300,000 for equipment, training, and vehicle lease)</p> <p><u>Source:</u> Police Officer Vacancy<br/>Salary Savings</p>  | Assistant City Manager, Police Chief, Fire Chief with YFSB Administrator | <p>Convene working group, clarify program model (e.g., scope, hours of operation, regulatory compliance, reporting structure, etc.), work with bargaining groups and Personnel Commission to develop/modify job classification specifications, recruit and hire staff.</p> <p>Job specifications to go before Personnel Commission in July.<br/>Recruitment to launch following approval with target hire date of October 1.</p> |

**Attachment IV  
Implementation Plan for Projects  
Recommended for Immediate  
Implementation**

|          |   |  |   |  |
|----------|---|--|---|--|
| <b>3</b> | <b>District Command Behavioral Health Clinician</b> | <p>\$150,000</p> <p><u>Source:</u> Police Officer Vacancy<br/>Salary Savings</p> | <p>Assistant City Manager, Fire Chief, Police Chief with YFSB Administrator</p> | <p>Convene working group, identify reporting structure and job duties, work with bargaining groups and Personnel Commission to develop/modify job classification specifications, recruit and hire staff.</p> <p>Job specifications to go before Personnel Commission in July. Recruitment to launch following approval with target hire date of October 1.</p> |
| <b>4</b> | <b>Behavioral/Mental Health Coordinator</b>         | <p>\$178,600</p> <p><u>Source:</u> Police Officer Vacancy<br/>Salary Savings</p> | <p>Assistant City Manager, Fire Chief, Police Chief with YFSB Administrator</p> | <p>Convene working group, identify reporting structure and job duties, work with bargaining groups and Personnel Commission to develop/modify job classification specifications, recruit and hire staff.</p> <p>Job specifications to go before Personnel Commission in July. Recruitment to launch following approval with target hire date of October 1.</p> |

**Attachment IV  
Implementation Plan for Projects  
Recommended for Immediate  
Implementation**

|          |   |  |                        |   |
|----------|---|--|------------------------|---|
| <b>5</b> | <b>Expand Shelter Options &amp; Outreach</b>                  | Funding for this project is being considered in the context of the Let's House Hayward Strategic Plan.                 | Assistant City Manager | The Let's House Hayward Plan will go before the Housing & Homelessness Task Force on June 3, 2021 and is anticipated to return to City Council on July 20, 2021.  |
| <b>6</b> | <b>Community Services Officers Respond to Property Crimes</b> | This project can be incorporated into existing budgets and staff time, though it may require reprioritizing workloads. | Chief of Police        | <p>Convene working group, identify changes to internal policies, work with bargaining groups and Personnel Commission to develop/modify job classification specifications. Train staff and launch program.</p> <p>Job specifications to go before Personnel Commission in July. Training to begin following approval.</p> |
| <b>7</b> | <b>Law Enforcement Community Internships</b>                  | <p>\$35,000</p> <p>Source: Stimulus funds</p>  | Chief of Police        | <p>Work with community partners (Chabot, CSUEB, etc.) to develop program, establish work plan , recruit and hire interns.</p> <p>Interns to be hired in September 2021 to coincide with academic year.</p>  |

**Attachment IV  
Implementation Plan for Projects  
Recommended for Immediate  
Implementation**

|          |  |   |  |   |
|----------|--|---|--|---|
| <b>8</b> | <b>Neighborhood Participatory Budgeting</b>  | <p>\$350,000</p> <p>Source: Stimulus funds</p>  | Finance Director   | <p>Staff will incorporate this process into the FY22 City Hall to You program, which is relaunching in July 2021. If approved by Council, the webpage for this project will launch by August 1, 2021.</p>   |
| <b>9</b> | <b>HPD Training Curriculum Working Group</b> | <p>This project can be incorporated into existing budgets and staff time, though it may require reprioritizing workloads.</p> | <p>Assistant City Manager<br/>(reclassified position to be proposed in FY 22 budget)</p> | <p>Convene working group, identify scope and regulatory limitations, work with community to understand interest level, desired format, and recruitment strategy.</p> <p>Community outreach and scoping for this project will continue into Fall 2021. Staff anticipates convening the working group in Winter 2021.</p> |

## **Public Safety Policy Innovation Workshop Findings and Recommendations**

Each of the teams in the policy innovation workshop has summarized findings from their work and identified prioritized recommendations to address the concerns raised during the Community Conversations, Community Survey, and workshop stakeholder interviews. The teams' findings and recommendations are summarized below.

### **Team A Findings & Recommendations**

**Participants:** Priscilla Banks, Tasha DeCosta, Arti Garg, Wayne Smith, Andrew Westfield, Michael Wright, and Laurel James (coach)

**Problem:** There is a lack of trust between the community and government, including City Hall and HPD, stemming from a lack of communication and relationship building and an inadequate recognition of the long-term negative impacts of systemic racism.

Based on data from the Public Safety Community Conversations and Community Survey, the team identified POC community members under 30 years of age as the key stakeholder most impacted by this problem. The team wanted to learn more about the experiences their stakeholders have had interacting with the City and the Police Department, the origins of this lack of trust and communication from the stakeholders' perspectives, and what building trust would mean and look like to them.

The team interviewed 14 stakeholders to learn about their lived experiences. Some of the key learnings from the interviews were:

- When community members didn't have individual firsthand experience with the City or the Police Department, perceptions were formed by experiences with other agencies or opinions about government or policing as a whole.
- Similarly, a lack of timely information or communication about City and Police Department services and incidents makes space for assumptions and rumors to take hold.
- There are distinctly different power dynamics and outcomes from interactions between the community and the Police Department and the community and other City staff or officials.
- Community members are open to changing to their perspectives but state a need for mutual respect in interactions.
- This is a difficult time to engage community in conversation, likely due to the pandemic, Zoom fatigue, and/or other competing demands on people's attention.

The team brainstormed and prioritized solutions for addressing the lack of trust between community members and the City and police department using the insights from their stakeholder interviews and elected to further explore the idea of establishing a working group primarily composed of young community members of color to review and co-create HPD's training curriculum to be responsive to community needs and values. Moving forward with this solution requires exploring the following questions:

- Will community members in the stakeholder group participate?
- Does training change behavior, and if so, under what conditions?

## Attachment V Workshop Team Findings and Recommendations

- How can we integrate co-creating training with requirements of Peace Officer Standards and Training and/or MOUs?

The team also identified a need for City and HPD staff to spend more time in the Hayward community outside of their official capacity to get to know and build relationships with community members. All of this, the team noted, could serve as the first steps for moving toward a community-oriented restorative/transformational justice model of public safety in Hayward.

**Priority Recommendation(s):** Establish a working group primarily composed of young community members of color to review and co-create HPD's training curriculum to be responsive to community needs and values.

### **Additional Project Ideas:**

- Designate a set number of hours monthly or quarterly for City and HPD employees to volunteer in the community.
- Develop a long-term plan for a Restorative/Transformational Justice public safety model in Hayward.

## Team B Findings & Recommendations

**Participants:** Tommie Clayton, Brenda Gomez, Wade Harper, Jamie Martin, Denise Thompson, Sandi Wong, and Nicholas Mullins (Coach)

**Problem:** There is a lack of trust between the community and government, including City Hall and HPD, stemming from a lack of communication and relationship building and an inadequate recognition of the long-term negative impacts of systemic racism.

Based on data from the Public Safety Community Conversations and Community Survey, the team identified community members under 26 years of age as the key stakeholder most impacted by this problem. The team wanted to learn more about the experiences their stakeholders have interacting with the City and the Police Department, the origins of this lack of trust and communication from the stakeholders' perspectives, and what building trust would mean and look like to them.

The team interviewed 18 stakeholders to learn about their lived experiences. Some of the key learnings from the interviews were:

- Create social media content to share information regarding resources, services, and employment opportunities that is youth-centric.
- Use more social media platforms to share information and increase transparency (possibly rebrand the City Instagram account, create a City TikTok account, utilize YouTube more).
- Provide more information more frequently regarding City resources and services and services/resources offered by community partners.
- Create more opportunities for the City and community members to partner and learn more about City functions.

The team brainstormed and prioritized solutions for addressing the lack of trust between community members and the City and police department using the insights from their stakeholder

interviews and elected to further explore the idea of engaging with school-age Hayward community members to share information and lived experiences. Moving forward with this solution requires exploring the following questions:

1. What format is best for developing relationships and understanding with school-age Hayward community members? (e.g. in-school workshops, classroom visits, City run resource fair, etc.)
2. What community partnerships need to be established to present service and resource options within the City?
3. What agreements need to be established with HUSD to conduct in-school workshops? Is that is the preferred format?

The team also identified a need for the City to create more content on social media platforms that better engage the youth. To accomplish this, the team proposed an internship program for school-age Hayward community members with the Community, Media, and Relations team to create content providing information on City services, resources, and employment opportunities.

**Priority Recommendation(s):** Establish an internship program for school-age Hayward community members with the Community, Media, and Relations team and explore the idea of engaging with school-age Hayward community members to share information and lived experiences.

### **Team C Findings & Recommendations**

**Participants:** Varsha Chauhan, George Escutia, Jr., Harnoor Gill, Andrew Kazemi, Jessica Lobedan, Minnie Vij, Emily Young, Daniel Mao (Coach) and Bryan Matthews (Coach)

**Problem:** Systemic health inequities for the Black, Indigenous, and people of color (BIPOC) community, inadequate cultural responsiveness, and a lack of resources have led to limited and/or uncoordinated response options for mental health crises.

Based on the Public Safety Community Conversations and Community Survey data, the team identified Hayward community members who have been impacted by this problem. The team wanted to learn more about their stakeholders' experiences interacting with the City and the Police Department and identify the obstacles they faced when dealing with a mental health crisis.

The team interviewed 14 stakeholders to learn about the experiences of those who have directly or indirectly experienced a mental health crisis. These interviewees also included staff from the Police Department, Fire Department, Code Enforcement, Community Services, and non-profit partners. Some of the key findings from these interviews were:

- There are challenges with communication and access to services.
- Resources and availability are limited for responding to a mental health crisis.
- There is a gap in training and a need for relationship building between responders and service providers.
- There is a lack of intervention services before a crisis and a lack of follow up and continuity of care.

## **Attachment V Workshop Team Findings and Recommendations**

The team took the key insights and brainstormed what solutions could address the limited and uncoordinated responses for mental health crises. From those solutions, they prioritized the ones that would be most effective and acceptable to the stakeholders. For a solution to adequately address this problem, the following questions must be explored:

1. Will this solution lead to people feeling more comfortable calling in to access services?
2. What is the best way to inform the already difficult-to-reach stakeholders about these new services?
3. How can we better track the data related to mental health response and ensure it is communicated to collaborative partners?

The team identified the need for a cohesive and collaborative response to mental health crises that could better serve the city and act as a liaison to other governing bodies, such as the county.

**Priority Recommendation(s):** Provide additional emergency behavioral health and medical capacity by placing a specialist in dispatch.

### ***Additional Project Ideas:***

- Dispatch needs assessment and capacity to support behavioral health response.
- Pilot a Behavioral/Mental Health Coordinator position to track responses and outcomes for related pilot programs and to coordinate behavioral/mental health resources between the City and County.
- Hold City facilitated discussions or forums to engage behavioral and mental health experts regarding responses in Hayward.
- Establish a process for people to voluntarily provide behavioral and mental health information pre-crisis.
- Run a City-sponsored behavioral and mental health de-stigmatization campaign.
- Communicate and map existing behavioral and mental health resources and processes for community members.

### **Team D Findings & Recommendations**

**Participants:** Alex Iwanicki, Amy Cole, Andrew Ghali, Bubba Manzo, Faye Maloney, Rachel Zargar, Zachariah Oquenda, and Mary Thomas (Coach)

**Problem:** There are inadequate shelter and outreach resources to meet the needs of people experiencing homelessness. In addition, the current outreach model and resource options aren't meeting everyone's needs, and some people decline services. These challenges are especially burdensome for people that have experienced systemic inequities and other long-term traumas, particularly BIPOC communities.

For the key stakeholder most impacted by this problem, the team identified people in Hayward experiencing both homelessness and service calls from the City. The team's interviews focused on this group. In addition, the team reviewed the survey and community conversation data from the fall to better understand how homelessness impacts the safety and sense of safety for community members who live near encampments.

## **Attachment V Workshop Team Findings and Recommendations**

Team D interviewed 17 individuals experiencing homelessness to learn about their lived experiences. Some of the key learnings from the interviews were:

- There is an overall lack of shelter services of all types.
- Privacy and safety are a key factor for users of shelter settings. These factors came up in most interviews.
- Those who decline services often have challenges with mental illness, addiction, incarceration, and trauma that make traditional shelter options inaccessible or undesirable. However, several interviewees who have declined shelter services expressed strong interest in safe parking or a sanctioned encampment, as long as there would be sufficient security and privacy.
- Past experiences with law enforcement and incarceration can create trust barriers, which can sometimes be overcome with intensive sustained, and compassionate outreach.
- Clearing encampments often moves unsheltered community members to another area in Hayward, which isn't addressing the root problem.
- The problems faced in Hayward are systemic throughout the nation. At least eight of the interviewees described the deinstitutionalization of state hospitals in the 1960s and subsequent federal cuts to funding for those experiencing mental illness throughout the 1980s as a direct cause of chronic homelessness.

In addition, Team D interviewed 11 staff who are involved with service delivery to individuals experiencing homelessness. This included staff from the City's Police Department, Fire Department, Community Services, Maintenance Services, and Code Enforcement, as well as staff from non-profit service providers, the County, and neighboring jurisdictions. The Team also reviewed the themes from the focus groups and interviews conducted to create the Let's House Hayward plan. Finally, the Team interviewed two businesses. Some key learnings from these interviews were:

- Encampments and related issues have a tremendous emotional impact on staff, businesses, and neighbors. Many expressed deep fatigue and a sense that there is no light at the end of the tunnel.
- Staff has put many hours into creating a multi-departmental working group to refine referral processes and develop humane responses to homeless encampments during the Covid-19 pandemic. This team includes staff from Community Services, Police Department, Fire Department, Maintenance Services, and Code Enforcement.
- First responders often don't know what shelter services are available, so it's very difficult to make referrals in real time during a service call. Fire personnel are interested in a coordinated app or other information sharing, but that effort may not be worth it since there are currently very few shelter options.
- Some unsheltered community members experience repeat calls for service. If there were targeted shelter solutions for these individuals, it may reduce overall call volume. However, many of these individuals have declined exiting shelter options.
- The County Community Assessment & Transport Team (CATT) requires police presence during their responses for the safety of their employees. Various staff indicated that staff safety is a priority when piloting alternative response models.
- The County also has a mobile crisis team that can be deployed for non-violent responses. City staff expressed the need to continue to build/maintain a working relationship with the

## **Attachment V Workshop Team Findings and Recommendations**

County's Behavioral Health Department to advocate for more resources focused in Hayward. In addition, City staff felt that a local pilot would provide the opportunity for more nimble, targeted responses and the ability to evaluate pilot outcomes and make local changes.

The team brainstormed and prioritized solutions for addressing homelessness in Hayward, especially as the experience of homelessness intersects with those experiencing mental illness and/or addiction. The four priority recommendations are listed below.

### ***Priority Recommendations:***

- Fund additional shelter options, as outlined in the Let's House Hayward Plan. In particular, consider shelter options that accommodate those who decline typical services, such as safe parking or a sanctioned encampment, and those who prioritize privacy, such as the hotel annex.
- Pair any additional shelter options with targeted outreach support. The existing model of contracting with a non-profit for outreach is currently working, as long as there continues to be strong coordination with the staff working team.
- Pilot a 12-month mobile mental health response team to respond to nonviolent calls for service and conduct follow ups for individuals who were recently discharged from the emergency room or hospital. This team will have one medic, one behavioral health clinician, and one community counselor.
- Pilot placing a behavioral health clinician in the Police Department's District Command unit for 12 months to respond with the unit during violent calls for service.

### **Team E Findings & Recommendations**

***Participants:*** Ricardo Prada, Linda Moore, Eric Vollmer, Nicole Grucky, Marcus Martinez, Heather Costa, Libier Ledezma, Monica Davis (Coach) and Rosalinda Romero (Coach)

***Problem:*** There are limited public resources and a possible misalignment between resource allocation and community safety needs, including inadequate transparency and focus on the long-term negative impacts of systemic racism.

Based on data from the Public Safety Community Conversations and Community Survey, the team identified Hayward residents who are a part of a community of color as the stakeholder most impacted by this problem. The team wanted to learn more about the experiences their stakeholders have interacting with the City and the Police Department and identify where there are opportunities to shift resources to better respond to these residents' needs and foster trust and accountability with the Police Department.

The team interviewed 15 stakeholders to learn about their interactions with the Police Department during emergency situations or their rationale for not engaging with the Police Department when facing a crisis. One repeated learning that Team E experienced was that when non-violent property crimes occur, residents are asked to complete a form online or make a report over the phone and that there was little to no direct follow up with the resident on the issue. Key empathetic learnings from the interviews included:

**Attachment V  
Workshop Team Findings  
and Recommendations**

- The victim residents were left feeling powerless and unheard.
- Residents felt upset over the total lack of response to property crimes.
- Residents expressed that a safe community can be achieved through basic presence and response in neighborhoods.

Team E utilized the key learnings from their empathy interviews to generate potential solutions that spanned interdepartmental collaborations and responses to topics such as homelessness, mental health crisis response, and community collaborations amongst Hayward education institutions, including Chabot Community College and California State University East Bay. The priority recommendation that was selected below most directly responded to the common community feedback received during the empathy interviews when residents were asked to share their experiences about their engagements with Police Department.

If Community Service Officers (CSOs), who are non-sworn uniformed officers of the department, are assigned to respond to these issues and take statements from the victims, and engage in follow up investigation, this solution could include exploring the following questions:

- Is there improved feeling of safety with unarmed officers present?
- CSOs are typically paid less than sworn officers; can the resource savings be used for other programs that would benefit residents and invest in root cause prevention strategy?
- What would closure and true success look like?
- Is the interaction measured as successful only if the crime solved?
- Is restorative justice an option for closure if/when the crime is solved?

***Priority Recommendation(s):*** Pilot using unarmed Community Service Officers to respond to cold calls such as vehicle break-ins and property damage.

***Additional Project Ideas:***

- Pilot an internship program with CSUEB and Chabot College students who are interested in law enforcement careers.
- Explore a program that provides monthly stipends for income-qualified individuals.
- Explore the feasibility of a sales tax increase in Hayward with all funds allocated to community safety needs.
- Evaluate the Community Advisory Panel and explore other community oversight models, such as a Civilian Auditing & Investigations Office.
- Twelve-month pilot of a 40-hour/week mobile team (one medic and one behavioral health clinician) and a medical dispatcher (a priority recommendation from Team C).
- Pilot temporary behavioral health staffing in the District Command (community policing) Unit (a priority recommendation from Team C).

## **Themes from Community Feedback**

One of the overall goals of this project has been to maximize community engagement and input in this process. Due to the need to keep team sizes manageable, all interested community members could not be in the workshop as participants.

To create more opportunities for engagement throughout this workshop process, the staff asked community members to sign up as Community Advisors.

The following themes have been collected from meetings with community advisors providing feedback on the proposed solutions by the workshop participants.

### **Continued Opportunities for Engagement**

- Many community members expressed deep interest in continuing to provide feedback and input on this project as it develops and implements policies to address public safety in Hayward.
- There is a desire to continue to include people with lived experience designing and implementing these programs, especially people who have experience with homelessness or mental illness.
- There is an interest in increasing awareness of this project through the greater use of social media. It would also allow community members to interact with each other on the subject.

### **Gaps in the Proposals Being Presented and the Survey Data**

- Many community members expressed concerns that these solutions were not addressing all of the themes found from the community conversations survey data.
- These proposals do not address **Domestic Violence**. There is a desire to include that call type as part of the analysis of the solutions that deal with response options.
- **Hiring and recruitment** have not been addressed in these proposals.
- There is a want for more **police that live in or are from Hayward**.
- **Demilitarization** of the police is not included in these proposals.
- The proposals do not address the demand for **a reallocation of funds**. Instead, many of these proposals seem to be allocating **more** funds to HPD.
- The proposals are not addressing HPD's **use of force**.
- There is a want for proposals and information about how HPD handles police **misconduct**.
- There is a need for improved criminal investigation services. Several community members have brought up the obstacles they've faced when reporting a crime. That there is no sense of urgency and no clear communication with investigators.

### **HPD and School Partnerships**

- There is a desire for more clarification about the relationship between HPD and the school district.
- There is some concern about student safety now that the SRO program has been discontinued.

**Attachment VI  
Themes from Community Feedback**

- If police officers interact with classrooms and students, they should be doing it in plain clothes and not uniforms.

**Staffing Priorities**

- There is a want for most city employees, especially HPD, to be residents of Hayward. This can be either through locally recruiting or creating incentives for city staff to move and live in Hayward. This can also mitigate the scheduling difficulties that often come from long commute times.
- HPD often operates under 12-hour shifts due to staffing shortages. There is a concern that this leads to more significant fatigue and a disconnect from the community they serve when they are not immersed in their community.
- Because of the diversity of Hayward, more staff and officers that speak multiple languages are needed to support residents.

**Priorities for Next Steps**

- There is a clear need for **data and metrics** to be a vital component of the next steps of this project addressing public safety.
- As stated previously, the community wants to remain engaged **throughout** the implementation of these pilot projects.
- There need to be clear connections between these proposals/solutions and the problems they are addressing.
- Some community members would like **less** community feedback and engagement in the process moving forward.

**Feedback on Each Solution**

| Solution | Description                                     | Notes/Feedback  |
|----------|---|---|
| 1        | Behavioral Health Dispatcher & Needs Assessment | <ul style="list-style-type: none"> <li>• There is significant support for this proposal.</li> <li>• There is a concern for where the project will be housed, specifically if it leads to more funding for HPD.</li> </ul> |
| 2        | Mobile Health Response Team                     | <ul style="list-style-type: none"> <li>• There is significant support for this proposal.</li> <li>• There is a concern for where the project will be housed, specifically if it leads to more funding for HPD.</li> </ul> |
| 3        | District Command Behavioral Health Clinician    | <ul style="list-style-type: none"> <li>• Several community members do not support an increase in HPD funding.</li> </ul>  |
| 4        | Expand Shelter Options & Outreach               |   |
| 5        | Behavioral/Mental Health Coordinator            |   |

**Attachment VI  
Themes from Community Feedback**

|    |   |  |
|----|---|--|
| 6  | Community Services Officers Respond to Property Crimes  | <ul style="list-style-type: none"> <li>• This proposal has received several community members supporting it.</li> <li>• There is a want for the CSOs to expand their services to respond to non-criminal calls or other community services.</li> <li>• There is concern over this proposal if it will be housed under HPD and increase its overall funding.</li> </ul> |
| 7  | Law Enforcement Career Internships  | <ul style="list-style-type: none"> <li>• There has been support for this proposal and its potential to increase trust between HPD and community members.</li> <li>• Some community members do not support this proposal and would like the funding to support internships outside of HPD.</li> </ul>   |
| 8  | HPD Training Curriculum Working Group   |  |
| 9  | Run one-time participatory budgeting process on building neighborhood connections   |  |
| 10 | Implement a software system and analysis for traffic stops  |  |
| 11 | Conduct multi-departmental equity analysis of the City's social media policies  |  |
| 12 | Apply a racial equity lens to resource allocation in the City's full budget, with a focus on the Police Department in year one                  |  |
| 13 | Roll out GARE (Government Alliance for Racial Equity) trainings to staff throughout the City, with a focus on the Police Department in year one |  |

**Attachment VI  
Themes from Community Feedback**

|    |   |  |
|----|---|--|
| 14 | Employee Volunteer Time   | <ul style="list-style-type: none"> <li>There is support for city employees to have more community engagement, but not for HPD staff to use city funding for recreation.</li> </ul>   |
| 15 | Pilot Workshop Program with the City and HUSD   |  |
| 16 | Community, Media, and Relations Social Media Internships  |  |
| 17 | Community Feedback/Complaint Liaison  |  |
| 18 | Hold City facilitated discussions/forums to engage behavioral/mental health experts regarding responses in Hayward                      |  |
| 19 | Explore a program that provides monthly stipends for income-qualified individuals   |  |
| 20 | Establish a process for people to voluntarily provide behavioral/mental health information pre-crisis                                   |  |
| 21 | Run a City-sponsored behavioral/mental health de-stigmatization campaign  |  |
| 22 | Communicate and map existing behavioral/mental health resources/process for community members   |  |
| 23 | Explore the feasibility of a sales tax increase in Hayward with all funds allocated to community safety needs                           | <ul style="list-style-type: none"> <li>There have been several concerns about the use of regressive taxes.</li> <li>There is a lot of funding for public safety projects, and there is a want for those projects to be housed outside of HPD.</li> </ul> |
| 24 | Develop a long-term plan for working toward a Restorative Justice Public Safety Model in Hayward  |  |
| 25 | Evaluate the Community Advisory Panel and explore other community oversight models, such as a Civilian Auditing & Investigations Office | <ul style="list-style-type: none"> <li>There is support for this to be explored further.</li> <li>There are community members that would like to see this proposal incorporate an external consultant to audit the department.</li> </ul>                |