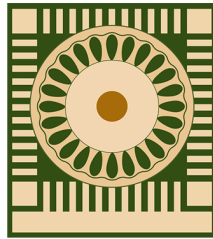


CITY OF HAYWARD

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



CITY OF
HAYWARD
HEART OF THE BAY

Agenda

Tuesday, March 5, 2024

7:00 PM

Council Chamber

City Council

CITY COUNCIL MEETING

NOTICE: The City Council will hold a meeting in the Council Chamber.

PUBLIC PARTICIPATION

HOW TO OBSERVE THE MEETING:

- 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 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:

In person at City Hall, Council Chambers, 777 B Street, Hayward, CA 94541.

Please note: Public comment via Zoom has been suspended.

CITY COUNCIL MEETING**CALL TO ORDER: Mayor Salinas****Pledge of Allegiance: Council Member Syrop****AB 2449 TELECONFERENCE NOTIFICATIONS AND CONSIDERATION****ROLL CALL****CLOSED SESSION ANNOUNCEMENT****February 27, 2024****PUBLIC COMMENTS**

The Public Comments section provides an opportunity to address the City Council on items not listed on the agenda or Informational Staff Presentation items. The Council welcomes 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, items will be taken under consideration and may be referred to staff. The City Council welcomes comments, including criticism, about the policies, procedures, programs, or services of the City, or of the acts or omissions of the City Council. Speakers shall not use threatening, profane, or abusive language which disrupts, disturbs, or otherwise impedes the orderly conduct of a City Council. The City is committed to maintaining a workplace free of unlawful harassment and is mindful that City staff regularly attend Council meetings. Discriminatory statements or conduct that is hostile, intimidating, oppressive, or abusive – are per se disruptive to a meeting and will not be tolerated.

Public comment via Zoom has been suspended.

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.

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 24-023](#) Approve the Minutes of the City Council Meeting on February 6, 2024

Attachments: [Attachment I Draft Minutes of 2/6/2024](#)

2. [MIN 24-024](#) Approve the Minutes of the Special City Council Meeting on February 10, 2024
- Attachments:** [Attachment I Draft Minutes of 2/10/2024](#)
3. [CONS 24-071](#) Adopt a Resolution Authorizing the City Manager to Award Up to \$627,554 in Community Development Block Grant Funds for the City's Approved Annual Action Plans and to Execute Agreements to Complete Three Public Facilities Improvement Projects
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
4. [CONS 24-080](#) Adopt a Resolution Amending Resolution Numbers 23-154 and 22-299 to Clarify that the City's Homekey Partnership is with Bay Area Community Services Housing Corporation and to Specify that Council Authorizes the City Manager or Her Designee to Negotiate and Execute Documents Related to the Homekey Program
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
5. [CONS 24-081](#) Adopt a Resolution Approving Plans and Specifications and Call for Bids for the FY24 Pavement Improvement Project
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Street List](#)
 [Attachment IV Location Map](#)
6. [CONS 24-084](#) Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Assignment /Assumption of Ground Lease with Signature Flight Support Located at 1 Tuskegee Airmen Drive
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Location Map](#)

7. [CONS 24-085](#) Adopt a Resolution Authorizing the City Manager or Her Designee to Accept and Appropriate an Amount Not- to-Exceed the 18-year Estimate of \$1,349,312 in Funding Associated with the Distributor Settlement Agreement for Opioid Remediation and to Allocate the Funds in Accordance with Eligible Uses Specified in the Distributor Settlement Agreement

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

8. [CONS 24-103](#) Adopt a Resolution Authorizing Application to and Participation in the Prohousing Designation Program

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

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 REFERRAL

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 SPECIAL MEETING, March 12, 2024, 7:00 PM

PUBLIC COMMENT RULES

Any member of the public desiring to address the Council shall limit their comments 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.

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 City website, Cable Channel 15 - KHRT, and YouTube. ****

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 cityclerk@hayward-ca.gov.

Assistance will be provided to those requiring language assistance. To ensure that interpreters are available at the meeting, interested persons must request the accommodation at least 48 hours in advance of the meeting by contacting the City Clerk at (510) 583-4400.



CITY OF HAYWARD

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

File #: MIN 24-023

DATE: February 27, 2024

TO: Mayor and City Council

FROM: City Council

SUBJECT

Approve the Minutes of the City Council Meeting on February 6, 2024

RECOMMENDATION

That the Council approves the City Council meeting minutes of February 6, 2024.

SUMMARY

The City Council held a meeting on February 6, 2024.

ATTACHMENTS

Attachment I Draft Minutes of February 6, 2024



CITY COUNCIL MEETING

777 B Street, Hayward, CA 94541

Conference Room 2A and Virtual Platform (Zoom)

<https://hayward.zoom.us/j/83639328548?pwd=ZUdDZE5lM2R1dHNFbVJoVXJBckdmQT09>

Tuesday, February 6, 2024, 7:00 p.m.

The City Council meeting was called to order by Mayor Salinas at 7:00 p.m. The City Council held a hybrid meeting in Conference Room 2A and virtually via Zoom.

Pledge of Allegiance: Council Member Goldstein

Present: COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche, Syrop, Zermeño
MAYOR Salinas

Absent: None

PRESENTATIONS

Mayor Salinas acknowledged the following individuals representing various organizations: Ron Payne from the office of US Congressman Swalwell Office; Rita Duncan from Black Women Organized for Political Action (BWOPA) of Hayward South Alameda County; April Lampkin, president of Hayward-Tri-City Alumnae Chapter (HTCAC) of Delta Sigma Theta Sorority, Inc.; Elizabeth Vacca from Senator Wahab's Office; and Todd Davis from the National Association for the Advancement of Colored People (NAACP) of Hayward South Alameda County.

Ron Payne presented certificates of congressional recognition in celebration of Black History Month to the following organizations: HTCAC of Delta Sigma Theta Sorority, Inc., NAACP of Hayward South Alameda County, and BWOPA of Hayward South Alameda County.

Elizabeth Vacca presented certificates of recognition from the Office of Aisha Wahab in honor of Black History Month to the following organizations: HTCAC of Delta Sigma Theta Sorority, Inc., NAACP of Hayward South Alameda County, and BWOPA of Hayward South Alameda County.

Mayor Salinas read a proclamation declaring February 2024 as Black History Month in the City of Hayward. On behalf of the City Council, Mayor Salinas presented proclamations to representatives of BWOPA of Hayward South Alameda County, HTCAC of Delta Sigma Theta Sorority, Inc., and NAACP of Hayward South Alameda County. April Lampkin, Rita Duncan, Todd Davis, and Mahdi Fugfugosh addressed the Council, expressing their honor in accepting the proclamations on behalf of their respective organizations.

CLOSED SESSION

The City Council convened in closed session on February 6, 2024, at 5:30 p.m., with all members present and no public speakers regarding four items: 1) public employment for City Manager pursuant to Government Code section 54957; 2) public employment for City Clerk pursuant to Government Code section 54957; 3) conference with legal counsel pursuant to Government Code section 54956.9(d)(1) regarding Lopez v. City of Hayward, Alameda County Superior

Court, No. RG19015514; and 4) conference with legal counsel pursuant to Government Code section 54956.9(d)(2) regarding one matter based on facts and circumstances regarding exposure to litigation against the local agency. Mayor Salinas indicated the Council met regarding Items 1 and 2 and took no reportable action. He also noted the last two items on the agenda would be heard after the work session, and reporting of the items would occur at the next City Council meeting.

PUBLIC COMMENTS

Matt Jack spoke in opposition to the Council’s decision to divest from companies allegedly involved in investment in Israel, urged the City to follow the direction to lessen the violence, and divest from Toyota Motor Company, whose vehicles serve terrorist organizations.

Joe Ramos, Hayward Unified School District Board member, suggested that the Council reinvest the money Council divested, enact an antisemitic resolution, and spoke about the Woke Kindergarten contract at Glassbrook Elementary School.

CITY MANAGER’S COMMENTS

There were none.

CONSENT

1. Adopt a Resolution Authorizing the City Manager to Accept \$3,252,000 in Federal Funding from the Safe Streets and Roads for All Grant Program Administered by the Federal Highway Administration and Appropriate \$4,065,000 for the Development of a Speed Management Plan Project No. 06943 and the High Injury Network Safety Plan Project No. 06942 **CONS 24-051**

Staff report submitted by Public Works Director Ameri, dated February 6, 2024, was filed.

In response to Council Member Syrop’s request for clarification, Public Works Director Ameri confirmed that the proposed project also applied to Foothill Boulevard as part of the loop and downtown improvements. There were no requests for public comment.

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

AYES:	COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche, Syrop, Zermeño MAYOR Salinas
NOES:	None
ABSENT:	None
ABSTAIN:	None



CITY COUNCIL MEETING

777 B Street, Hayward, CA 94541

Conference Room 2A and Virtual Platform (Zoom)

<https://hayward.zoom.us/j/83639328548?pwd=ZUdDZE5lM2R1dHNFbVJoVXJBckdmQT09>

Tuesday, February 6, 2024, 7:00 p.m.

Resolution 24-026 “Resolution Authorizing the City Manager to Accept \$3,252,000 in Federal Funding from the Safe Streets and Roads for all Grant Program and Appropriate \$4,065,000 for the Development of a Speed Management Plan Project No. 06943 and the High Injury Network Safety Plan Project No. 06942”

WORK SESSION

2. City’s Budget: Review of General Fund Long Range Financial Model and Fiscal Assumptions **WS 24-001**

Staff report submitted by Finance Director Gonzales, dated February 6, 2024, was filed.

Director of Finance Gonzales provided a synopsis of the staff report through a PowerPoint presentation and explained the City’s General Fund Long Range Financial Model (Model) with revenue and expenditure scenarios.

Discussion ensued among members of the City Council and City staff and clarifications were made as follow: the Council will need to consider multiple revenue and expenditure scenarios to understand the impact on reserves; future budget updates could include historical data and a ten-year forecast; the Transient Occupancy Tax (TOT) is currently 8.5 percent, which ranks second to the lowest compared to surrounding cities, and the Model could assume new hotels and a percentage increase to understand the impact to the General Fund; the assumption of a one percent return on positive fund balance is conservative and represents the interest rate on the City’s financial cash; other revenues include fines, forfeitures, rents, leases and concessions, among others; PERS employer contribution projections are based on the CalPERS Pension Outlook model; the \$8.5 million allocated for the movie theater will be shown as a loan receivable to be paid back in the Model; expenses occurring from July to January/February will be incorporated into the Model presented during the FY24 Mid-Year Review; revenue and expenditure scenarios were explained, with a correlation noted between overtime and vacancies from an expenditure perspective; policy decisions can positively impact the budget and close the General Fund use of reserves; General Fund reserves budget vs. actuals were explained; if there are American Rescue Plan Act (ARPA) projects that cannot be fulfilled, ARPA funds could be used for additional contributions to the General Fund for projected lost revenue, or allocated to support additional eligible projects; the Model assumes a two percent growth for all bargaining units, which is industry standard; the last Council Economic Development Committee meeting included information on what is needed to increase sales tax and to understand realities and opportunities; Council receives staff’s analysis/recommendations before making financial decisions; and investment in corporate notes/bonds was explained.

Members of the City Council provided the following input: requested data on highest generating sales tax by business type; requested data on Transient Occupancy Tax (TOT); asked for more financial data when the Council is asked to make decisions related to expenses in order to understand the impact to the General Fund; requested a summary of revenue categories to understand the portfolio; emphasized the importance of retaining businesses and attracting new businesses to increase sales tax revenue; suggested providing two years of historical data of employee contracts and compensation to use during negotiations with bargaining units; recommended incorporating comments from Council into the Model; asked to run scenarios including feedback provided by Council members and provide recommendations to guide future budget discussions; advised caution to leveraging only one revenue source; to be mindful to continue the twenty percent reserve target policy; and one member proposed increasing the TOT to 12 percent.

Finance Director Gonzales provided the following updates: the FY24 Mid-Year Review and Model will be presented to Council in March; a presentation by an economist will be presented to Council in March or April; a budget work session in May will discuss the FY 2025 Budget; and a possible TOT increase will be presented to the Council following outreach to the Hayward Chamber of Commerce and other community partners.

Mayor Salinas opened the public comment section at 8:56 p.m.

Suzanne noted that the decision on the divestment of four companies was made without knowing the City's financial situation and asked for thoughtful decisions moving forward.

Mayor Salinas closed the public comment section at 8:58 p.m.

Mayor Salinas and members of the Council thanked City staff for the information provided.

COUNCIL REPORTS AND ANNOUNCEMENTS

Mayor Salinas announced the State of the City Address was scheduled for February 29, 2024, at the Theater's California State University East Bay.

Council Member Syrop acknowledged the library for organizing a Lunar New Year celebration on February 3, 2024.

ADJOURNMENT

Mayor Salinas adjourned the City Council meeting back to Closed Session at 9:00 p.m., to resume the last two items on the Closed Session agenda.



CITY COUNCIL MEETING
777 B Street, Hayward, CA 94541
Conference Room 2A and Virtual Platform (Zoom)
<https://hayward.zoom.us/j/83639328548?pwd=ZUdDZE5lM2R1dHNFbVJoVXJBckdmQT09>
Tuesday, February 6, 2024, 7:00 p.m.

APPROVED

Mark Salinas
Mayor, City of Hayward

ATTEST:

Miriam Lens
City Clerk, City of Hayward



CITY OF HAYWARD

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

File #: MIN 24-024

DATE: February 27, 2024

TO: Mayor and City Council

FROM: City Clerk

SUBJECT

Approve the Minutes of the Special City Council Meeting on February 10, 2024

RECOMMENDATION

That the Council approves the special City Council meeting minutes of February 10, 2024.

SUMMARY

The City Council held a special meeting on February 10, 2024.

ATTACHMENTS

Attachment I Draft Minutes of February 10, 2024



**SPECIAL CITY COUNCIL MEETING/PRIORITY SETTING/
STRATEGIC ROADMAP RETREAT**

777 B Street, Hayward, CA 94541

Conference Room 2A and Virtual Platform (Zoom)

<https://hayward.zoom.us/j/83639328548?pwd=ZUdDZE5lM2R1dHNFbVJoVXJBckdmQT09>

Saturday, February 10, 2024, 9:00 a.m.

The Special City Council meeting/priority setting/strategic roadmap retreat was called to order by Mayor Salinas at 9:05 a.m. The City Council held a hybrid meeting in Conference Room 2A and virtually via Zoom.

Pledge of Allegiance: Mayor Salinas

Present: COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche, Syrop, Zermeño
MAYOR Salinas

Absent: None

PUBLIC COMMENTS

There were none.

SPECIAL WORK SESSION

1. Strategic Roadmap: Discussion of Updated Priorities and Projects to be Considered for Fiscal Year 24-25 **WS 24-002**

Staff report submitted by City Manager McAdoo, dated February 10, 2024, was filed.

City Manager McAdoo introduced the goals for the retreat and provided an overview of the roadmap's vision and priority areas. It was noted that staff recommended splitting the "Enhance Quality of Life" priority into two priorities, "Cultivate Vibrant Neighborhoods" and "Enhance Community Safety," to better align with Council committees.

Discussion ensued among members of the City Council and City staff. Members of the City Council offered the following suggestions: evaluate reporting on the Cultivate Vibrant Neighborhoods priority through the Community Economic Development Committee; consider adding "an inviting downtown and vibrant neighborhoods across the city" to the vision statement; consider adding the Council Appointed Officers Committee as a committee that supports the Strengthen Organizational Health priority; consider changing the title of the "Confront Climate Change & Champion Environmental Justice" priority to "Champion Environmental Justice and Climate Resilience."

Assistant to the City Manager Thomas spoke about a management software and public dashboard, scheduled to launch in April, that will be utilized to add projects and provide status updates.

Equity and Inclusion Officer Ayankoya discussed the racial equity lens initiative and the goal of building a culture of racial equity. Assistant to the City Manager Thomas spoke about the Education City initiative and its goal.

Discussion ensued among members of the City Council and City staff regarding: the racial equity lens initiative and Racial Equity Action Plan; Government Alliance on Race and Equity (GARE); Education City initiative and metrics/reporting mechanism; utilization of the public dashboard to report on initiatives; and a marketing campaign on the vision statement.

The City Council took a break and reconvened at 10:14 a.m.

Assistant to City Manager Thomas provided an overview of Grow the Economy objectives, discussed metrics and FY25 proposed projects, and summarized the feedback received from the Council's survey.

Members of the City Council expressed general support for the information discussed and provided the following suggestions: prioritize branding and bringing amenities to the industrial sector; consider providing support for small businesses experiencing vandalism; consider addressing leakage of dollars to surrounding communities; provide a briefing on the vandalism/broken windows issue; evaluate the investment placed in corridors from a balanced perspective; provide a roadmap for the Economic Development Corporation; be intentional about making space available for new businesses; assess the enforcement strategy of the street vendor ordinance, focusing on limiting open flames/smoke; gather input from businesses and residents regarding street vendors, while preserving the integrity of neighborhoods; provide data on successful downtown revitalization; coordinate efforts with county partners regarding targeted outreach to vendors; consider contracting out government support services for weekend enforcement to alleviate staff workload; and consider making Access Hayward more accessible to community members.

Assistant to City Manager Thomas provided an overview of Invest in Infrastructure objectives, discussed metrics and FY25 proposed projects, and summarized the feedback received from the Council's survey.

Members of the City Council expressed general support for the information discussed and provided additional suggestions: consider implementing small impact changes to improve traffic flow before making large capital improvements; Council delegate to the AC Transit Inter-Agency Liaison Committee (IAL) can raise the potential shuttle service to downtown item before AC Transit IAL; consider sponsoring an AC Transit shuttle/bus painted green with a predominant "H" with a Hayward route and explore various methods of payment; provide an update on La Vista Park and phasing strategies; prioritize available funds to fill funding gap for the Stack Center; consider changing the Council Infrastructure and Airport Committee name to Council Airport and Infrastructure Committee; include water quality metrics in quarterly reports; provide metrics on traffic calming measures; and provide traffic accident statistics.



**SPECIAL CITY COUNCIL MEETING/PRIORITY SETTING/
STRATEGIC ROADMAP RETREAT**

777 B Street, Hayward, CA 94541

Conference Room 2A and Virtual Platform (Zoom)

<https://hayward.zoom.us/j/83639328548?pwd=ZUdDZE5lM2R1dHNFbVJoVXlBckdmQT09>

Saturday, February 10, 2024, 9:00 a.m.

Assistant to City Manager Thomas provided an overview of Preserve, Protect and Produce Housing for All objectives, discussed metrics and FY25 proposed projects, and summarized the feedback received from the Council's survey.

Discussion ensued among members of the City Council and City staff regarding: the Navigation Center and St. Regis Behavioral Health Campus and community input; the Preserve, Protect and Produce Housing for All priority; a rent registry; housing providers; and housing for students.

Members of the City Council expressed general support and provided additional suggestions: ensure that housing language and procedures reflect the authentic partnership with housing providers and tenants; be intentional about sharing housing resources with educational institutions, aiming to inform households through students; explore producing, in collaboration with Hayward Unified School District, a tenants rights booklet and information on housing resources to be shared with students and parents; and ensure discussions on housing include Hayward, as well as neighboring cities, to address it as regional problem.

Assistant to City Manager Thomas provided an overview of Confront Climate Crisis & Champion Environmental Justice objectives, discussed metrics and FY25 proposed projects, and summarized the feedback received from the Council's survey.

Discussion ensued among members of the City Council and City staff regarding including Keep Hayward Clean and Green Task Force in tree discussions; and the Tree Preservation Ordinance, which does not include planting more trees due to concerns with ongoing maintenance. It was noted there is an opportunity to collaborate with agencies interested in additional tree planting after data is collected to inform decision-making.

Members of the City Council provided the following additional suggestions: prioritize electric vehicle (EV) charging at multi-family buildings and explore the possibility of implementing shuttles; consider implementing best practices to reduce exposure to particulate matter pollution from cars; include airport emissions as part of the metrics; consider hosting a bike event/race with a category for e-bikes; StopWaste is looking for partners, restaurants in particular, to use reusable containers; prioritize the installation of bike parking in high traffic areas and consider adding more of U-shaped parking; and keep in mind that a community workforce is interested in helping plant additional trees.

The City Council took a break and reconvened at 12:18 p.m.

Assistant to City Manager Thomas provided an overview of Enhance Community Safety objectives, discussed metrics and FY25 proposed projects, and summarized the feedback received from the Council's survey.

Members of the City Council expressed general agreement and provided additional suggestions: continue the anti-theft catalytic converter program in partnership with Eden Area Regional Occupancy Program (ROP); consider highlighting more explicit language about firefighters and police officers in the next draft; consider a zero homicide goal; expand FY25 Project 3 under Objective 1 to include filling all vacant police officer positions; expand the Hayward Evaluation and Response Teams (HEART) program to operate 24 hours; consider changing the title of Objective 2 from “Strengthen Emergency Preparedness” to “Strengthening Community Resilience”; include Hayward Police Department recruitment efforts as metrics; report or provide metrics on the work through the cadette/explorer program; create a mechanism for reporting on cases; and prioritize de-escalation trainings for police officers.

Assistant to City Manager Thomas provided an overview of Cultivate Vibrant Neighborhood objectives, discussed metrics and FY25 proposed projects, and summarized the feedback received from the Council’s survey.

Members of the City Council expressed general agreement and provided additional suggestions: promote the City’s vision through special signage aligning with the Jackson Corridor landscape beautification; evaluate if the vacant building properties project belongs under Grow the Economy; continue Keep Hayward Clean and Green Task Force initiatives; continue working with Bay Area Rapid Transit (BART) to activate the South Hayward BART parking lot; strategically evaluate Foothill Boulevard, partner with community groups, and seize opportunities for collaboration; add Tennyson Corridor landscape beautification under Objective 3; support the initiative to have a farmers market in South Hayward; reconsider holding some Council meetings in South Hayward; expand green gateway welcome signage to other entryways into the community; enhance the Foothill Boulevard entryway with decorative fencing/dividers; expand youth civic engagement citywide in collaboration with Education City; promote third places, grocery areas, and gyms by continuing to improve safety in the community; organize more multicultural events like Juneteenth; improve lighting on Tennyson Road to improve cyclist and pedestrian safety; consider a pilot to add pet waste receptacles in problem areas to improve cleanliness; compile a list of all Hayward organizations and non-profits to create a volunteer hub online and share it widely with HUSD; and evaluate how to implement the People’s Budget in a sustainable way moving forward.

Assistant to City Manager Thomas provided an overview of Strengthen Organizational Health objectives, discussed metrics and FY25 proposed projects, and summarized the feedback received from the Council’s survey.

Members of the City Council expressed general agreement with staff’s recommendations and provided additional suggestions: update Access Hayward to improve usability, including a link to county resources and enable translation in additional languages; support economic development by encouraging City employees to patronize Hayward businesses and consider local discount programs citywide; find opportunities to share information on City efficiencies with the community; ensure future referrals align with pre-determined goals; explore ways to continue to build resident contact information and/or post a QR code to encourage people



**SPECIAL CITY COUNCIL MEETING/PRIORITY SETTING/
STRATEGIC ROADMAP RETREAT**

777 B Street, Hayward, CA 94541

Conference Room 2A and Virtual Platform (Zoom)

<https://hayward.zoom.us/j/83639328548?pwd=ZUdDZE5lM2R1dHNFbVJoVXlBckdmQT09>

Saturday, February 10, 2024, 9:00 a.m.

to sign up for the Stack newsletter when event tabling; consider hosting a March event (Hayward's birthday) to encourage employees to patronize local businesses; explore new technology to automate writing reports while in the field; reinstate tracking Council referrals and send them to Council periodically; include metrics such as the employee satisfaction survey, employee retention, and promoting within/cultivating internal talent under Objective 3; consider "rationalize the technology we have in the city looking to achieve a ten percent cost savings" as a metric for Objective 4; consider a plan to harness artificial intelligence (AI) and be intentional with its use; and report on Diversity Equity and Inclusion (DEI) initiatives and equity goals.

Members of the City Council provided the following responses regarding how they envision each committee supporting the Council's priority areas: agreed with the Council survey feedback outlined on page 72 of the PowerPoint slides; suggested discussing the People's Budget in the Community Services Commission and how the funding is increased; expressed concerns about commissions weighing in on matters outside of their purview; warranted more thoughtful discussion; called for clarification on the scope of the Community Services Commission; and noted the Library Commission has been searching for a mission/purpose and proposed the possibility of merging it with the Community Services Commission.

City Manager McAdoo concluded the retreat by thanking staff and indicating the second strategic roadmap work session was scheduled for March, a third work session in April, the budget retreat on May 11, and the adoption of the budget and strategic roadmap in June.

ADJOURNMENT

Mayor Salinas adjourned the special City Council meeting/retreat at 2:06 p.m.

APPROVED

Mark Salinas
Mayor, City of Hayward

ATTEST:

Miriam Lens
City Clerk, City of Hayward



CITY OF HAYWARD

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

File #: CONS 24-071

DATE: March 5, 2024

TO: Mayor and City Council

FROM: Assistant City Manager

SUBJECT

Adopt a Resolution Authorizing the City Manager to Award up to \$627,554 in Community Development Block Grant Funds For the City's Approved Annual Action Plans and to Execute Agreements to Complete Three Public Facilities Improvement Projects

RECOMMENDATION

That the Council adopts a resolution (Attachment II) authorizing the City Manager to:

- (1) Award up to \$627,554 in Community Development Block Grant (CDBG) Funds to carry out the City's approved Annual Action Plans; and
- (2) Authorize the City Manager to negotiate and execute a single source agreement with Allied Universal Technology Services to provide security upgrades for the parking garage, located at 871 B St., in an amount not to exceed \$227,700; and
- (3) Authorize the City Manager to negotiate and execute an agreement with SavATree, LLC to provide tree maintenance services at Weekes Park, located at 27300 Patrick Ave., in an amount not to exceed \$45,000; and
- (4) Authorize the City Manager to negotiate and execute a single source agreement with Stryker Corporation to purchase fire safety tools for use by the Hayward Fire Department (HFD) in an amount not to exceed \$384,000.

SUMMARY

In February 2023, Council adopted a resolution to award up to \$627,554 in Community Development Block Grant (CDBG) Funds to Bay Area Community Services (BACS) for the St. Regis Multi-Service Campus Project. The funds were planned for CDBG-eligible rehabilitation expenses that are allowable under HUD regulations and the City's approved Annual Action Plans.

Since the time of the award, BACS has determined that they will no longer be able to utilize these funds due to 1) the extensive federal regulations requirements that come with CDBG and 2) the need to expend CDBG funds in a timely manner. These challenges are not a reflection of BACS's performance as an agency, but instead are reasonable issues given the size of the St. Regis project and the scope of federal

File #: CONS 24-071

requirements triggered across the project, regardless of the portion funded by CDBG. In response, staff worked quickly to identify other eligible projects that meet HUD regulations and the City's approved Annual Action Plans.

Staff will terminate the agreement between the City of Hayward and BACS for the use of CDBG funding to rehabilitate the eligible portions of the St. Regis Retirement Center and recommends that the funds be awarded to three eligible unfunded projects that can be carried out to help the City meet its federal obligation to expend its CDBG entitlement in a timely manner.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution



DATE: March 5, 2024

TO: Mayor and City Council

FROM: Assistant City Manager

SUBJECT: Adopt a Resolution Authorizing the City Manager to Award up to \$627,554 in Community Development Block Grant Funds For the City's Approved Annual Action Plans and to Execute Agreements to Complete Three Public Facilities Improvement Projects

RECOMMENDATION

That the Council adopts a resolution (Attachment II) authorizing the City Manager to:

- (1) Award up to \$627,554 in Community Development Block Grant (CDBG) Funds to carry out the City's approved Annual Action Plans; and
- (2) Authorize the City Manager to negotiate and execute a single source agreement with Allied Universal Technology Services to provide security upgrades for the parking garage, located at 871 B St., in an amount not to exceed \$227,700; and
- (3) Authorize the City Manager to negotiate and execute an agreement with SavATree, LLC to provide tree maintenance services at Weekes Park, located at 27300 Patrick Ave., in an amount not to exceed \$45,000; and

Authorize the City Manager to negotiate and execute a single source agreement with Stryker Corporation to purchase fire safety tools for use by the Hayward Fire Department (HFD) in an amount not to exceed \$384,000.

SUMMARY

In February 2023¹, Council adopted a resolution to award up to \$627,554 in Community Development Block Grant (CDBG) Funds to Bay Area Community Services (BACS) for the St. Regis Multi-Service Campus Project. The funds were planned for CDBG-eligible rehabilitation expenses that are allowable under HUD regulations and the City's approved Annual Action Plans.

Since the time of the award, BACS has determined that they will no longer be able to utilize these funds due to 1) the extensive federal regulations requirements that come with CDBG and 2) the need to expend CDBG funds in a timely manner. These challenges are not a reflection of BACS's performance as an agency, but instead are reasonable issues given the

¹ February 21, 2023 Staff Report and Attachments
<https://hayward.legistar.com/LegislationDetail.aspx?ID=6031667&GUID=F21C8F86-D97F-4F12-8727-631D9B57D57E&Options=&Search=>

size of the St. Regis project and the scope of federal requirements triggered across the project, regardless of the portion funded by CDBG. In response, staff worked quickly to identify other eligible projects that meet HUD regulations and the City's approved Annual Action Plans.

Staff will terminate the agreement between the City of Hayward and BACS for the use of CDBG funding to rehabilitate the eligible portions of the St. Regis Retirement Center and recommends that the funds be awarded to three eligible unfunded projects that can be carried out to help the City meet its federal obligation to expend its CDBG entitlement in a timely manner.

BACKGROUND

Through the U.S. Department of Housing and Urban Development (HUD), the City receives an annual formula-based CDBG entitlement award to carry out a wide range of community development activities directed toward revitalizing neighborhoods, economic development, and providing improved public facilities and services, principally for low- and moderate-income persons.

HUD requires that the City submits an Annual Action Plan to identify projects and activities to receive CDBG funds, certify the City's compliance with federal regulations, and act as an application for future HUD funding. Action Plan projects include activities such as expanding affordable housing, housing preservation, and permanent supportive housing, community development of public facilities, economic development, and public services. The City is required to utilize CDBG funds as indicated in the annual action plans, unless otherwise amended. As a CDBG grantee, the City is also required to adhere to timely performance and must carry out its program in a timely manner. This is measured by the rate of expenditure of funds from the City's Line of Credit (LOC). Sixty days prior to the end of the program year, HUD tests each grantee to ensure that they do not have a balance greater than one and one-half (1.5) times its annual grant remaining in the LOC. Violations of the timeliness standard can result in a warning letter from HUD after one year of not meeting the standard and informal consultation with HUD if it happens in a consecutive year. That consultation may result in HUD reducing the next year's grant allocation by the amount it exceeded the standard. Thus, staff works hard to ensure the timely use of funds each year to prevent the warning from HUD and any subsequent consequences, including loss of funds.

DISCUSSION

To ensure that communities are receiving the benefits of the CDBG program, HUD has specific performance measures for entitlement grantees, including the timely expenditure of funds. Staff works towards meeting this key component of CDBG funding by working with the City's service partners to submit monthly reimbursement requests and providing technical assistance to ensure partners are able to carry out project and programs in a timely manner. Even though measures are taken to comply, infrastructure subgrantees with larger construction-based projects often face spending challenges in the beginning of the fiscal year. Projects often require environmental reviews, permitting and procurement processes, and approval requirements, leading to larger reimbursement requests towards the end of the fiscal year. This can often impact the City's ability to meet the timeliness standard test, which takes place in early May each year.

Due to BACS's determination to not move forward with the CDBG grant, an additional \$627,554 remains in the City's LOC with HUD. In an effort to spend down these funds, Community Services staff have partnered with other City departments to identify unfunded eligible projects and purchases that 1) meet CDBG eligibility requirements, 2) align with the City's Annual Action Plans, and 3) benefit low- and moderate-income communities in Hayward.

Watkins Parking Garage Security Improvements

The Watkins Parking Garage located at 871 B St., is utilized by patrons of the 21st Century Library and Learning Center, Downtown businesses, members of the public conducting business at Hayward City Hall, and city employees. The safety and security of public spaces is a concern for the City, along with residents, patrons, and businesses. The Watkins Parking Garage security improvements is a key initiative to increase safety and deter various kinds of criminal activity, including burglary and vandalism.

Maintenance Services is proposing to award a Single Source agreement with Allied Universal Technology Services to provide security upgrades for the parking garage, located at 871 B St., in an amount not to exceed \$227,700. There are sufficient funds between CDBG entitlement and the FY24 Facilities Management CIP budget to support this project. Under the CDBG Program, funds may be used to undertake a variety of public facilities and public improvement projects that are publicly owned and open to the general public. The Watkins Garage's first and second floors are open to the public and are eligible for CDBG funding. The third floor, typically reserved for city employees, would not be eligible as it requires an employee badge to access the area. This portion of the project will be supported by Maintenance Services Department's Facilities CIP budget

Weekes Park Tree Maintenance Project

Weekes Community Center Park is located in South Hayward on Patrick Ave. The park is adjacent to the Weekes Branch Library and features an open lawn area, a playground, basketball courts, picnic areas, and other amenities. There are many overgrown trees in Weekes Park around the Weekes Branch Library, including ten to twelve extremely large eucalyptus trees that stand directly behind the library, causing an imminent hazard to pedestrians walking to and from the building, visitors inside, and users of the park.

In the past, numerous limbs and branches have broken off causing extensive roof damage to the library, but fortunately no one has been physically harmed. The City's arborist has inspected these trees and recommends their removal as soon as possible. Unfortunately, the cost to remove these trees would exceed the available budget. As a necessary and temporary measure, staff are recommending that the trees be extensively trimmed to lessen the size and weight of the canopy.

Staff solicited bids for the tree maintenance project and conducted an in-person walk-through of the area on February 1, 2024. To ensure full use of the funding, staff requested that bids be submitted in a way that was scalable, resulting in a per tree cost. Four vendors attended the walk-through. On February 6, 2024, the City received four bids that ranged from \$668.10 to \$2,800 per tree. Staff recommend awarding the project to the lowest bidder,

SavATree, LLC, in a not-to-exceed amount of \$45,000. There are sufficient funds in Fund 225 (CDBG) to support this work.

Purchase of Fire Safety Tools

The existing equipment in use by the Hayward Fire Department has reached the end of its usable lifespan and replacements are needed. The purchase of LIFEPAK 15 V4 monitors/defibrillators is necessary for patient care. The LIFEPAK 15 has been shown to improve conversion rates for difficult-to-defibrillate patients and meets all county and American Heart Association requirements for emergency medical care. These necessary measures allow for compliance with guidelines to perform emergency medical care and maintain all licensing.

The continual usage of Stryker Corporation as a vendor has secured a redemption value for all equipment that has been in use with HFD for the last 10 years. The offset provided by the return of equipment has lowered the anticipated purchase price by \$52,000. This cost reduction has shown Stryker to be the purchasing partner for the execution of this necessary equipment. Stryker is the parent company of the manufacturer of the LIFEPAK 15 V4, Physio-Control, and therefore is able to provide the best availability, service, and pricing for the state-of-the-art tools and machinery. By purchasing directly from the source, all necessary services will be provided directly by the manufacturer and will ensure the highest working capacity for the duration of the life of the product. These tools will be used at Fire Stations that serve low- and moderate-income areas based on census tract data. This purchase of tools is an eligible use of CDBG funds, and staff are recommending a single source award up to \$384,000 to Stryker Corporation for eight LIFEPAK 15 V4 monitor/defibrillator units and accessories.

ECONOMIC IMPACT

These recommended projects and purchases have a collective positive economic impact on the community by enhancing community safety and quality of life.

FISCAL IMPACT

There are sufficient funds in the FY 2024 operating budget in Fund 225 (CDBG) to support the public infrastructure improvement project at Weekes Park, the purchase of fire safety tools, and publicly accessible infrastructure improvements at the Watkin Parking Garage. Furthermore, Project No. 07227, Facility Security Infrastructure project, the City's Facility Management Capital Fund (Fund 726), has sufficient budget to carry out the work in restricted areas on the third floor, which does not qualify as an eligible use of CDBG funds. These expenditures have neutral impacts on the City's General Fund. The award and timely use of \$627,554 in CDBG funds is necessary to spend down the City's LOC and positively impacts the City's timeliness test in the spring. Failure to meet timeliness could negatively impact the City's future CDBG grant allocation.

STRATEGIC ROADMAP

These recommended projects and purchases support the City's Strategic Roadmap priority areas of Improve Infrastructure and Support Quality of Life.

PUBLIC CONTACT

As part of the annual Community Agency Funding process, the City opens a public comment period to collect community feedback on the annual recommended funding allocations and the Annual Plan. No public comments were received regarding the Annual Action Plans and the intended use of these funds. Additional public engagement was not conducted or required for these awards.

NEXT STEPS

If Council approves this item, staff will work with the City Manager to negotiate and execute agreements with various vendors to expedite the aforementioned projects and purchases in order to serve the Hayward community and spend down the City's CDBG fund balance in an effort to meet the Timeliness Test.

Prepared by: Carol Lee, Management Analyst
Lauren Dekas, Management Analyst
Liz Sanchez, Management Analyst

Recommended by: Amy Cole-Bloom, Community Services Manager
Regina Youngblood, Assistant City Manager

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 24-

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO AWARD UP TO \$627,554 IN COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR THE CITY'S APPROVED ANNUAL ACTION PLANS AND TO EXECUTE AGREEMENTS TO COMPLETE THREE PUBLIC FACILITIES IMPROVEMENT PROJECTS

WHEREAS, the Housing and Community Development Act of 1974 makes Community Development Block Grant (CDBG) funds available to qualified cities for certain community development activities, and the City of Hayward is qualified to receive certain funds pursuant to said act; and

WHEREAS, staff had identified \$627,554 in available and eligible CDBG funds from FY 2019, FY 2021, and FY 2023 to contribute to acquisition and rehabilitation activities to support community development and production and preservation of affordable housing; and

WHEREAS, on August 9, 2022, Council adopted Resolution 22-225 appropriating a \$627,554 Community Development Block Grant (CDBG) award to Bay Area Community Services (BACS) to help acquire the St. Regis Retirement Center; and

WHEREAS, the CDBG funds appropriated by Resolution 22-225 are also eligible for rehabilitation expenses for neighborhood facilities such as the St. Regis Multi-Service Campus; and

WHEREAS, on February 21, 2023, Council adopted Resolution 23-044 amending Resolution 22-225 to appropriate the CDBG funds for rehabilitation expenses instead of acquisition expenses meets an existing need to convert the St. Regis facility into a multi-service campus; and

WHEREAS, since the time of award, the City and BACS have mutually agreed to terminate the agreement between the City and BACS as BACS is not able to expend the funds within the timeframe required by the City due to the existing construction timeline and extensive federal regulations triggered by the award for the whole project; and

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) requires grantees to adhere to timely performance, and as such, the City must comply and must carry out its program in a timely manner; and

WHEREAS, the identified \$627,554 in available and eligible CDBG funds from FY 2019, FY 2021, and FY 2023 can contribute towards public facilities and improvement activities; and

WHEREAS, staff have identified three un-funded eligible activities to support community development in a timely manner; and

WHEREAS, staff have adhered to purchasing and procurement policies and procedures to obtain quotes and single source justification authorizations to carry out these activities.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hayward finds that this Resolution supersedes Resolution No. 23-044; and

BE IT FURTHER RESOLVED, that the City Council of the City of Hayward authorizes the use of CDBG funds for public facility improvements to support eligible CDBG activities in accordance with the approved Annual Action Plans; and

BE IT FURTHER RESOLVED, that the City Council of the City of Hayward authorizes the City Manager or designee to negotiate and execute a single source agreement, in a form approved by the City Attorney, with Allied Universal Technology Services to provide security upgrades for the parking garage, located at 871 B St., in an amount not to exceed \$227,700, to carry out the approved Action Plan; and

BE IT FURTHER RESOLVED, that the City Council of the City of Hayward authorizes the City Manager or designee to negotiate and execute an agreement, in a form approved by the City Attorney, with SavATree, LLC for public facilities improvements at the Weekes Community Center Park located on Patrick Avenue, in an amount not to exceed \$45,000, to carry out the approved Action Plan; and

BE IT FURTHER RESOLVED, that the City Council of the City of Hayward authorizes the City Manager or designee to negotiate and execute a single source agreement, in a form approved by the City Attorney, with Stryker Corporation for the purchase of fire safety tools, in an amount not to exceed \$384,000, to carry out the approved Action Plan.

IN COUNCIL, HAYWARD, CALIFORNIA , 2024

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward



CITY OF HAYWARD

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

File #: CONS 24-080

DATE: March 5, 2024

TO: Mayor and City Council

FROM: Assistant City Manager

SUBJECT

Adopt a Resolution Amending Resolution Numbers 23-154 and 22-299 to Clarify that the City's Homekey Partnership is with Bay Area Community Services Housing Corporation and to Specify that Council Authorizes the City Manager or her Designee to Negotiate and Execute Documents Related to the Homekey Program

RECOMMENDATION

That the Council adopts a resolution (Attachment II) amending Resolution Nos. 23-154 and 22-299 to clarify that the entity the City is partnering with for its Round 3 Homekey application is Bay Area Community Services Housing Corporation and to specify that documents related to Homekey may be negotiated and executed by the City Manager or her designee.

SUMMARY

On June 20, 2023, Council adopted Resolution 23-154 authorizing a joint application with Bay Area Community Services (BACS) and the City of Union City for the State Homekey Program to fund the City's Scattered Site Housing program, called Project Reclamation. As a scattered site program, Project Reclamation involves acquiring multiple single-family homes and converting them to supportive shared housing, bringing housing for those experiencing chronic homelessness into existing residential communities with proximity to services, transport, and social connections.

In addition to applying for State Homekey funding to support Project Reclamation, the City received a State earmark of \$5.4 million for the program as part of the most recent State budget, Assembly Bill 179. Council adopted Resolution 22-299 on December 6, 2022, authorizing the City Manager to negotiate and execute a loan agreement with Bay Area Community Services for acquisition, rehabilitation, and operations associated with the scattered site program, using the AB 179 funding.

The City and its co-applicants received notice from the State Department of Housing and Community Development (HCD) in November 2023 that Project Reclamation received a conditional Homekey award.

HCD laid out specific threshold requirements the City and its co-applicants had to meet by February 2, 2024, to be considered for a final award. After submitting these subsequent materials, HCD staff identified an inconsistency in language used across the application to refer to BACS and directed city applicants to amend applicable resolutions, changing references from “Bay Area Community Services” to “Bay Area Community Services Housing Corporation,” as the Bay Area Community Services Housing Corporation is the entity that will be making the capital transactions and managing the properties for Project Reclamation.

Resolution 22-299 addresses the Homekey threshold requirement for the City to provide an enforceable funding commitment for its local match. Resolution 23-154 demonstrates the Council’s authorization to apply for Homekey funding. Staff recommends that Council adopt a new resolution (Attachment II) amending each of these resolutions to address HCD’s feedback and clarify that the loan and Homekey partnership is with Bay Area Community Services Housing Corporation. Staff also recommends that, for consistency, each resolution be updated to reflect that Council authorizes the City Manager or her designee to negotiate and execute all documents related to the Homekey program.

ATTACHMENTS

Attachment I Staff Report

Attachment II Resolution



DATE: March 5, 2024

TO: Mayor and City Council

FROM: Assistant City Manager

SUBJECT: Adopt a Resolution Amending Resolution Numbers 23-154 and 22-299 to Clarify that the City’s Homekey Partnership is with Bay Area Community Services Housing Corporation and to Specify that Council Authorizes the City Manager or her Designee to Negotiate and Execute Documents Related to the Homekey Program

RECOMMENDATION

That the Council adopts a resolution (Attachment II) amending Resolution Nos. 23-154 and 22-299 to clarify that the entity the City is partnering with for its Round 3 Homekey application is Bay Area Community Services Housing Corporation and to specify that documents related to Homekey may be negotiated and executed by the City Manager or her designee.

SUMMARY

On June 20, 2023, Council adopted Resolution 23-154 authorizing a joint application with Bay Area Community Services (BACS) and the City of Union City for the State Homekey Program to fund the City’s Scattered Site Housing program, called Project Reclamation. As a scattered site program, Project Reclamation involves acquiring multiple single-family homes and converting them to supportive shared housing, bringing housing for those experiencing chronic homelessness into existing residential communities with proximity to services, transport, and social connections.

In addition to applying for State Homekey funding to support Project Reclamation, the City received a State earmark of \$5.4 million for the program as part of the most recent State budget, Assembly Bill 179. Council adopted Resolution 22-299 on December 6, 2022, authorizing the City Manager to negotiate and execute a loan agreement with Bay Area Community Services for acquisition, rehabilitation, and operations associated with the scattered site program, using the AB 179 funding.

The City and its co-applicants received notice from the State Department of Housing and Community Development (HCD) in November 2023 that Project Reclamation received a conditional Homekey award. HCD laid out specific threshold requirements the City and its co-

applicants had to meet by February 2, 2024, to be considered for a final award. After submitting these subsequent materials, HCD staff identified an inconsistency in language used across the application to refer to BACS and directed city applicants to amend applicable resolutions, changing references from “Bay Area Community Services” to “Bay Area Community Services Housing Corporation,” as the Bay Area Community Services Housing Corporation is the entity that will be making the capital transactions and managing the properties for Project Reclamation.

Resolution 22-299 addresses the Homekey threshold requirement for the City to provide an enforceable funding commitment for its local match. Resolution 23-154 demonstrates the Council’s authorization to apply for Homekey funding. Staff recommends that Council adopt a new resolution (Attachment II) amending each of these resolutions to address HCD’s feedback and clarify that the loan and Homekey partnership is with Bay Area Community Services Housing Corporation. Staff also recommends that, for consistency, each resolution be updated to reflect that Council authorizes the City Manager or her designee to negotiate and execute all documents related to the Homekey program.

BACKGROUND AND DISCUSSION

The City of Hayward is leveraging multiple State and County funding sources to implement a scattered site housing program in partnership with Bay Area Community Services (BACS) Housing Corporation and the City of Union City. Known as Project Reclamation, the program converts single family homes to supportive shared housing, bringing housing for those experiencing chronic homelessness into existing residential communities with proximity to services, transport, and social connections. The City will leverage the following funding sources for this project:

- **Assembly Bill 179 Scattered Site Earmark:** On June 30, 2022, the Governor approved AB 179, the Budget Act of 2022. The bill included an award to the City of Hayward in the amount of \$5.4 million for the Scattered Site Housing program. Council adopted Resolution 22-299 on December 6, 2022, authorizing the City Manager to negotiate and execute a loan agreement with Bay Area Community Services for acquisition, rehabilitation, and operations associated with the scattered site program using the AB 179 funding.
- **Homekey Round 3 Funding:** On June 20, 2023, Council adopted Resolution 23-154 authorizing a joint application with BACS and Union City for the State Homekey Program to fund the City’s Scattered Site Housing program. Homekey funding would provide an award of up to \$150,000 per door for capital expenses (i.e., application and rehabilitation) associated with Project Reclamation, as well as operating subsidy for up to three years.
- **County of Alameda HOME Investment Partnership Program American Rescue Plan (ARP) Allocation:** Along with the City of Union City and BACS, the City responded to a Request for Funding Proposals from the County of Alameda for projects that comply with HOME-ARP requirements from the Department of Housing and Urban Development. The project received \$1.5M for operating expenses, conditional on receipt of Homekey funding and Board of Supervisors approval.

Council supported using the \$5.4M approved under AB 179 primarily as down payment or acquisition loans to BACS to help them acquire a minimum of four single family homes, which would enable the Project Reclamation Homekey application to meet threshold requirements. The City applied for Homekey funding in June 2023, using the AB 179 funding along with the HOME-ARP operating award from the County to provide enforceable funding commitments for the City's local match as required in the Round 3 Homekey Notice of Funding Availability.

In November 2023, Project Reclamation received a Conditional Award from HCD, which outlined requirements for meeting additional threshold requirements by February 2, 2024. Staff worked with BACS and Union City staff to submit the required subsequent materials, then were notified by HCD of an inconsistency in language used across the Project Reclamation application to refer to BACS. HCD staff directed city applicants to amend applicable resolutions, changing references from "Bay Area Community Services" to "Bay Area Community Services Housing Corporation." Bay Area Community Services Housing Corporation is BACS's housing development entity, which will be making the capital transactions and managing the properties for Project Reclamation. HCD requires that the City's resolutions related to BACS reflect this name.

Staff recommends that Council adopt a new resolution (Attachment II) amending Resolution numbers 22-299 and 23-154 to address HCD's feedback and clarify that the loan and Homekey partnership is with Bay Area Community Services Housing Corporation. Staff also recommends that, for consistency, each resolution be updated to reflect that Council authorizes the City Manager or her designee to negotiate and execute all documents related to the Homekey program.

ECONOMIC IMPACT

There is no economic impact associated with this item, which revises existing resolutions.

FISCAL IMPACT

There is no fiscal impact associated with this item, which revises existing resolutions.

STRATEGIC ROADMAP

This agenda item supports the Strategic Priority of Preserve, Protect & Produce Housing. Specifically, this item supports the implementation of the following project(s):

- 2b. Implement the Homelessness Reduction Strategic Plan
- 8b. Apply for state housing funding to support strategic partnerships and Council Priorities.

PUBLIC CONTACT

Pursuing Homekey funding to support innovative, dedicated homeless housing projects was identified as a priority project in the LHH plan, which had extensive public contact throughout its development process. Staff presented on the scattered site program in several prior public meetings as part of the Homekey application process.^{1,2,3}

NEXT STEPS

If authorized, staff will provide the updated resolution to HCD to include in their review of the City's supplementary Homekey application materials. Staff will provide an update on Homekey funding following HCD's review.

Prepared by: Amy Cole-Bloom, Community Services Manager

Recommended by: Regina Youngblood, Assistant City Manager

Approved by:



Kelly McAdoo, City Manager

¹ January 25, 2022, City Council Staff Report and Materials:

<https://hayward.legistar.com/LegislationDetail.aspx?ID=5390892&GUID=B276DA40-2A6A-46C1-A313-28235E575135&Options=&Search=>

² December 6, 2022, City Council Staff Report and Materials:

<https://hayward.legistar.com/LegislationDetail.aspx?ID=5955257&GUID=5B2A0638-83AF-43B9-A62E-C8D58632C3BC&Options=&Search=>

³ June 20, 2023, City Council Staff Report and Materials:

<https://hayward.legistar.com/LegislationDetail.aspx?ID=6264024&GUID=7153A3FF-D8D5-4396-9076-DD5BE189FC60&Options=&Search=>

HAYWARD CITY COUNCIL

RESOLUTION NO. 24-_____

Introduced by Council Member _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAYWARD AMENDING RESOLUTION NUMBERS 23-154 AND 22-299 TO CLARIFY THAT THE CITY'S HOMEKEY PARTNERSHIP IS WITH BAY AREA COMMUNITY SERVICES HOUSING CORPORATION AND TO SPECIFY THAT COUNCIL AUTHORIZES THE CITY MANAGER OR HER DESIGNEE TO NEGOTIATE AND EXECUTE DOCUMENTS RELATED TO THE HOMEKEY PROGRAM

WHEREAS, the State of California Department of Housing and Community Development ("Department") issued a Notice of Funding Availability, dated March 29, 2023 ("NOFA"), for the Homekey Program ("Homekey" or "Program") and pursuant to Health and Safety Code section 50675.1.3 (Assem. Bill No. 140 (2021-2022 Reg. Sess.), § 20.); and

WHEREAS, through Resolution Number 23-154 the City Council of the City of Hayward authorized a joint application to and participation in the State Homekey Program for the Project Reclamation scattered site program; and

WHEREAS, through Resolution Number 22-298 the City Council of the City of Hayward authorized the City Manager to accept and appropriate funds awarded by the California State Legislature under Assembly Bill 179 in the amount up to \$5.4 million for the City's scattered site program, and authorized the City Manager to negotiate and execute any documents and any subsequent amendments, modifications, or other documents thereto with the California State Department of Housing and Community Development regarding the acceptance of these funds; and

WHEREAS, through Resolution Number 22-299 the City Council of the City of Hayward authorized the City Manager to negotiate and execute loan documents between the City of Hayward and Bay Area Community Services in an amount not to exceed \$5.4 million for the City's scattered site housing program; and

WHEREAS, on February 2, 2024, staff representing the Department requested that all application materials related to the City's joint application for Homekey funding consistently refer to Bay Area Community Services Housing Corporation, instead of Bay Area Community Services, including all executed resolutions related to the City's joint application and enforceable funding commitments; and

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Hayward hereby amends Resolution 22-299 to change all references to “Bay Area Community Services” and “BACS” to “Bay Area Community Services Housing Corporation.”

BE IT FURTHER RESOLVED THAT the City Council of the City of Hayward hereby amends Resolution 22-299 to authorize the City Manager or her designee to negotiate and execute loan documents related to the scattered site program.

BE IT FURTHER RESOLVED THAT the City Council of the City of Hayward hereby amends Resolution 23-154 to change all references to “Bay Area Community Services” and “BACS” to “Bay Area Community Services Housing Corporation.”

BE IT FURTHER RESOLVED THAT the City Council of the City of Hayward hereby amends Resolution 23-154 to authorize and direct the City Manager or her designee to execute a Standard Agreement, in a form to be approved by the City Attorney, in a total amount not to exceed \$10 million; and any and all other documents required or deemed necessary or appropriate to secure Homekey funds from the Department and to participate in the Homekey Program; and all amendments thereto (collectively, the “Homekey Documents”).

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2024

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward



CITY OF HAYWARD

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

File #: CONS 24-081

DATE: March 5, 2024

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT

Adopt a Resolution Approving Plans and Specifications and Call for Bids for the FY24 Pavement Improvement Project

RECOMMENDATION

That the Council adopts a resolution (Attachment II) approving the plans and specifications and call for bids for the FY24 Pavement Improvement Project (PIP).

SUMMARY

The FY24 PIP calls for the rehabilitation of 38 street sections and preventive maintenance of 90 street sections for a total of 128 street sections (Attachment III). The proposed improvements will repair failed pavement sections and improve street surfaces.

The project budget of \$15,000,000 is funded via the Gas Tax, Measure B, Measure BB, Vehicle Registration Fees, anticipated Road Repair and Accountability Act (RRAA) (SB1), and Street System Improvement funds.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution
Attachment III	Street List
Attachment IV	Location Map



DATE: March 5, 2024

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT Adopt a Resolution Approving Plans and Specifications and Call for Bids for the FY24 Pavement Improvement Project

RECOMMENDATION

That the Council adopts a resolution (Attachment II) approving the plans and specifications and call for bids for the FY24 Pavement Improvement Project (PIP).

SUMMARY

The FY24 PIP calls for the rehabilitation of 38 street sections and preventive maintenance of 90 street sections for a total of 128 street sections (Attachment III). The proposed improvements will repair failed pavement sections and improve street surfaces.

The project budget of \$15,000,000 is funded via the Gas Tax, Measure B, Measure BB, Vehicle Registration Fees, anticipated Road Repair and Accountability Act (RRAA) (SB1), and Street System Improvement funds.

BACKGROUND

On April 25, 2023¹, staff recommended Council approve a project list for the SB1 FY24 PIP Funding. A resolution was required to submit an application to the California Transportation Commission (CTC) to receive an estimated \$4,000,000 in funding for pavement improvement.

On April 25, 2023², staff recommended Council adopt a resolution authorizing the City Manager to execute Amendment No. 5 to the Professional Services Agreement (PSA) with Pavement Engineering, Inc., (PEI) for engineering services associated with the FY24 PIP. The scope of work for PEI is limited to engineering review, pavement evaluation, measurement of field quantities, curb ramp design, and construction support.

The PIP involves one of four types of treatments:

Pavement Rehabilitation:

¹ <https://hayward.legistar.com/LegislationDetail.aspx?ID=4544075&GUID=F617FA6F-C198-474E-B133-26C761043039&Options=&Search=>
² <https://hayward.legistar.com/LegislationDetail.aspx?ID=4548864&GUID=6506EE24-A2C3-455B-92E1-8A42B60887B1&Options=&Search=>

- 1) Standard overlay of the existing street pavement with new Hot Mix Asphalt surfacing.
- 2) Cold-In-Place Recycling (CIR), which involves removing the top layer of asphalt, mixing the removed aggregates with a recycling agent and other additives on-site, replacing this pavement material onto the same roadway, then applying a Hot Mix Asphalt overlay.
- 3) Full Depth Reclamation (FDR), which consists of pulverizing and mixing distressed asphalt and underlying pavement materials with or without the addition of stabilizing agents; using the resulting material as a base for the renewed pavement structure and adding a new Hot Mix Asphalt cap.

Preventive Maintenance:

- 4) Varying combinations of: crack sealing, 6" spot repair, and micro-surfacing.

Street selection for the PIP is based on staff's analysis using several criteria described below:

- **Technology** – The Pavement Management Program (PMP)³ evaluates current and predicts future roadway conditions. It provides logical and efficient methods of identifying street rehabilitation needs. It also determines the most cost-effective allocation of funds to the street segments needing preventive maintenance, rehabilitation or reconstruction. Staff utilized the PMP to compile an initial list of recommended streets. This list is then revised to consider other criteria and project budget allocation parameters.
- **Internal Reports** - Reports from the City's Maintenance Services staff on streets needing repair were considered.
- **Council Members Input** – Council member requests for selecting streets were considered.
- **Public Input** - Public requests for selecting streets were considered.
- **Geographic Location** – Selecting streets in close vicinity to help lower construction bids was considered.
- **Funding Availability** – Available funding and potential for obtaining outside grant funding was evaluated.

The Pavement Condition Index (PCI) is an overall rating of road conditions. The PCI of each arterial and collector street segment is evaluated by an independent third-party every other year, and each residential street segment is evaluated every five years.

<u>PCI Rating</u>	<u>Description</u>
100	This rating is given to newly constructed or rehabilitated roadways.
85 - 99	Highly functional roadway. No action required.
70 - 85	Roadway can be maintained ("preventive maintenance") with crack sealing, slurry seals, micro-surfacing, and some minor,

³ The PMP is a Metropolitan Transportation Commission (MTC) recommended software program.

	localized pothole repairs. As the roadway pavement ages, preventive maintenance may not be effective after a few maintenance cycles.
40 - 70	Extensive "dig-outs," grinding, fabric, or asphalt overlays may be required to maintain (or "rehabilitate") roadway.
0 - 40	Roadway requires complete reconstruction using full depth reconstruction, cold in place recycling, or hot in-place recycling methods. If a street deteriorates beyond certain points, it becomes progressively more expensive to bring that street back to the desired standard.

As part of the 2018 Capital Improvement Program (CIP) agenda item at the November 26, 2017⁴ CIP meeting, Council reviewed and agreed to the following budget allocations for annual pavement improvement projects:

- Minimum 20% for preventive maintenance (streets with PCI of 70-85).
- Minimum 15% for streets located in Industrial Hayward as recommended by the Economic Development Strategic Plan in 2014.
- Minimum 10% for deteriorated streets (streets with PCI of 0-30).

DISCUSSION

Based on staff's analysis using the criteria described above, the project parameters are as follows:

Project Budget Allocation	Goal	Current Performance	Difference
Preventive Maintenance Treatment	20% minimum	20%	0%
Streets Located in Industrial Hayward	15% minimum	5%	-10%
Streets with PCI Less than 30	10% minimum	55%	45%

The project budget allocation is skewed away from industrial streets due to heavy emphasis in previous years (FY22 PIP and FY23 PIP) to pave industrial streets including: West Winton Ave, Cabot Blvd, Depot Rd, Mack St, Investment Blvd, Eden Landing Rd, Corporate Ave, etc.

The project budget allocation is skewed towards streets in very poor condition (PCI less than 30) due to various reasons:

- Increasing social equity by paving streets in lower socioeconomic neighborhoods. FY24 PIP is emphasizing streets in the Mt Eden and Glen Eden neighborhoods and

⁴ <https://hayward.legistar.com/LegislationDetail.aspx?ID=3162145&GUID=271A23E5-9011-4B2B-9B73-99C315A0FDD1&Options=&Search=>

have numerous streets which have not been paved in 25+ years, including West Tennyson Rd, Thayer Ave, Portsmouth Ave, and Panama St.

This selection requires both judgement and experience. Staff has engaged an experienced consultant, Pavement Engineering, Inc., (PEI) to confirm the selection of streets segments, the approximate level of treatment for each and provide engineering support services.

14.9 miles of bike lane striping will be installed at the following locations:

7.3 centerline miles of Class II Bike Lanes:

- Arf Ave, Hesperian Blvd to Baumberg Ave (0.8 miles)
- Corsair Blvd, West Winton Ave to Sabre St (1.5 miles)
- Cryer St, Industrial Blvd to Adrain Ave (0.8 miles)
- Gettysburg Ave, Cryer St to Depot Rd (0.8 miles)
- Portsmouth Ave, West Tennyson Rd to Baumberg Ave (0.7 miles)
- Sleepy Hollow Ave, Industrial Pkwy to Hesperian Blvd (1.2 miles)
- Tyrell Ave, Tennyson rd to Shafer Ave (1.5 miles)

7.6 centerline miles of Class III Bike Lanes:

- Adrian Ave, Cryer St to Depot Rd (0.2 miles)
- Baumberg Ave, Arf Ave to Industrial Pkwy (0.5 miles)
- C St, Fifth St to Seventh St (0.4 miles)
- Everglade St, Florida St to Orlando Ave (0.6 miles)
- Fourth St, B St to D st (0.4 miles)
- Harder Rd, Westview Wy to Cal State Campus (0.4 miles)
- Hayward Blvd, University Ct to Farm hill Dr (2.7 miles)
- Palisade St, Mission Blvd to Overlook Ave (0.8 miles)
- Thayer Ave, Gettysburg Ave to Trafalgar Ave (0.4 miles)
- West Tennyson Rd, Industrial Blvd to Hesperian Blvd, (1.2 miles)

ECONOMIC IMPACT

The project is funded by City's CIP Program and State RRAA (SB1) funds.

FISCAL IMPACT

The estimated project funding sources are as follows:

• 210 - Gas Tax	\$402,000
• 211 – RRAA (SB1)	\$4,000,000
• 212 - Measure BB – Local Transportation	\$6,198,000
• 218 – Vehicle Registration Fee	\$900,000
• 406 – Measure C Capital	\$2,000,000
• 450 – Street System Improvements	<u>\$1,500,000</u>
<i>Total:</i>	\$15,000,000

STRATEGIC ROADMAP

This agenda item supports the FY24 to FY25+ Strategic Roadmap of Invest in Infrastructure. Specifically, this item relates to the implementation of the following project(s):

Project N6 - Continue to add approximate 10 miles of bike lanes annually, with a focus on protected bike lanes and intersections that have high traffic/incidents.

SUSTAINABILITY FEATURES

The project requires the contractor to recycle all construction and demolition debris generated from the project.

This project is consistent with City's Complete Streets Policy and improves travel for all users including:

- Improved pavement for motorists
- Additional bike lanes and sharrows for bicyclists
- More visible pavement markings for pedestrians, including near school zones
- New or upgraded curb ramps to meet the recently revised Caltrans standards for pedestrians

The project satisfies the following 2040 General Plan policies:

- PFS-7.10 Recycled Products or Processes for Capital Projects
- HQL-2.5 Safe Routes to School
- HQL-2.6 Education on Sharing the Road
- M-1.7 Eliminate Gaps (in pedestrian networks)
- M-3.1 Serving All Users
- M-5.1 Pedestrian Needs
- M-5.6 Safe Pedestrian Crossings
- M-6.2 Encourage Bicycle Use

PUBLIC CONTACT

Immediately after the construction contract is awarded, a preliminary notice explaining the project will be posted and distributed to all residents and businesses along the affected streets. After the construction work has been scheduled, signs on barricades will be posted seventy-two hours prior to commencement of work indicating the date and time of work for each street. Residents will be advised to park their vehicles on side streets outside of the work area during the period when the streets are being treated.

NEXT STEPS

March 2024

Bid Opening

April 2024
May 2024
Fall 2024

Award of Contract
Start of Construction
End of Construction

Prepared by: Kathy Garcia, Deputy Director of Public Works

Recommended by: Alex Ameri, Director of Public Works

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 24-

Introduced by Council Member _____

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR THE
FY24 PAVEMENT IMPROVEMENT PROJECT, PROJECT NOS. 05242
AND CALL FOR BIDS

BE IT RESOLVED by the City Council of the City of Hayward as follows:

WHEREAS, those certain plans and specifications for the FY24 Pavement Improvement Project, Project Nos. 05242, on file in the office of the City Clerk, are hereby adopted as the plans and specifications for the project; and

WHEREAS, the City Clerk is hereby directed to cause a notice calling for bids for the required work and material to be made in the form and manner provided by law; and

WHEREAS, sealed bids therefor will be received by the City Clerk's office at City Hall, 777 B Street, City Hall Rotunda, Hayward, California 94541, up to the hour of 2:00 p.m. on Tuesday, March 26, 2024, and immediately thereafter publicly opened and declared by the City Clerk in the Hayward City Hall Rotunda, located on the 1st Floor of City Hall, Hayward, California.

NOW, THEREFORE, BE IT RESOLVED, that the City Council will consider a report on the bids at a regular meeting following the aforesaid opening and declaration of same.

BE IT FURTHER RESOLVED, that the project is categorically exempt under section 15301(c) of the California Environmental Quality Act Guidelines for the operation, repair, maintenance, or minor alteration of existing facilities

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2024

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

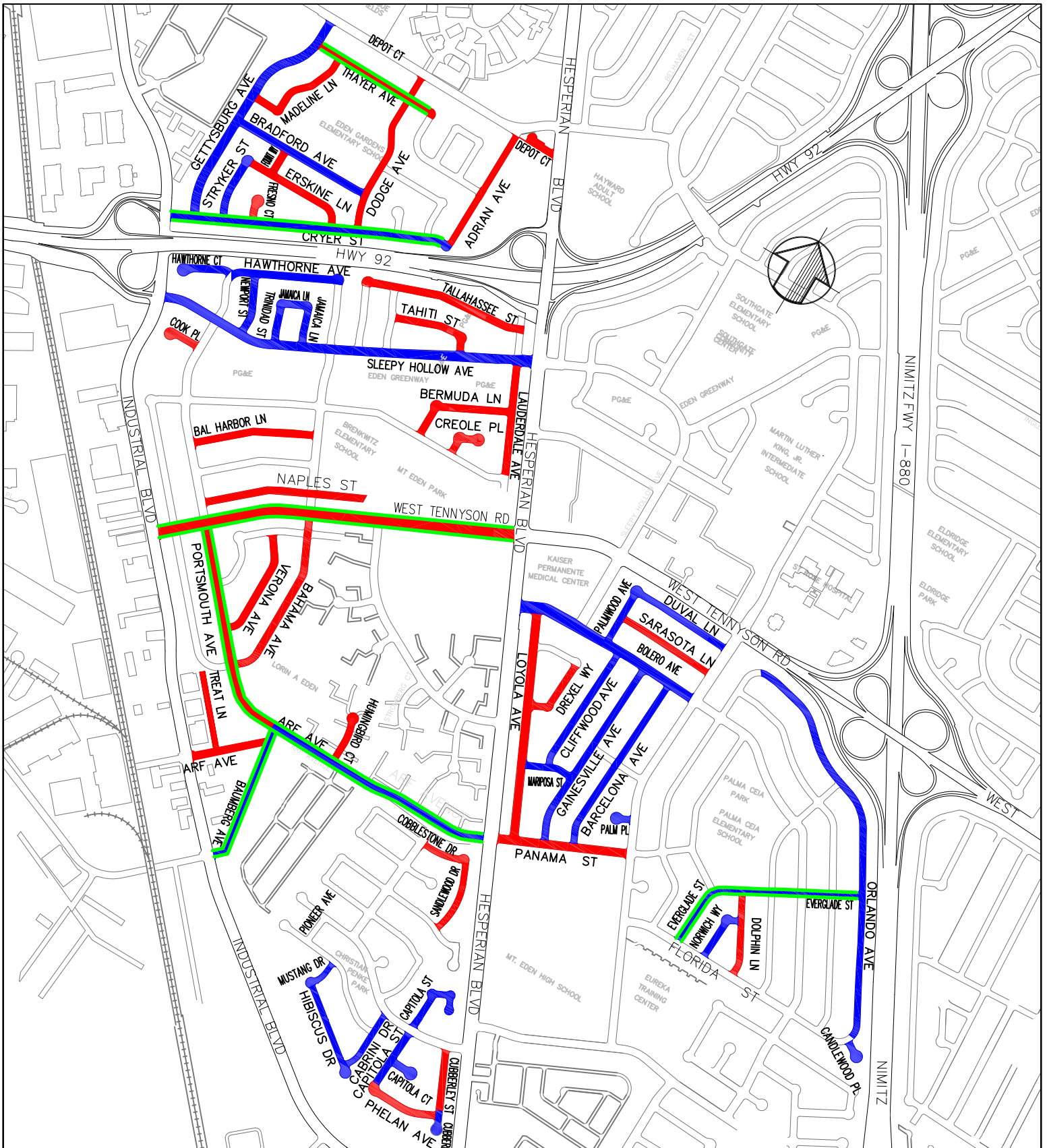
City Attorney of the City of Hayward

Preventive Maintenance			
	Street	From	TO
1	APPLE AVE	FOOTHILL BLVD	OAK ST
2	ARF AVE	BAUMBERG AV	HESPERIAN BLVD
3	BAUMBERG AVE	ARF AVE	INDUSTRIAL PKWY
4	BELLINA ST	2ND ST	3RD ST
5	BOLERO AVE	HESPERIAN BLVD	PALMWOOD AVE
6	BOLERO AVE	PALMWOOD AVE	CALAROGA AVE
7	BRADFORD AVE	GETTYSBURG AV	DODGE AV
8	C ST	FIRST ST	SECOND ST
9	CABRINI DR	TAHOE AVE	HIBISCUS DR
10	CANDLEWOOD PL	ORLANDO AV/FLORIDA AV	CUL DE SAC
11	CAPITOLA ST	TAHOE AVE	CUL-DE-SAC
12	CAPITOLA ST	PHELAN AV	TAHOE AVE
13	CAPITOLA CT	CUL DE SAC	CAPITOLA ST
14	CLIFFWOOD AVE	MARIPOSA ST	BOLERO AV
15	CRYER ST	GETTYSBURG AV	ADRIAN AV
16	Cubberley Ct	PHELAN AV	END
17	DRACENA ST	LOYOLA AVE	DREXEL WY
18	DUVAL LANE	PALMWOOD AVE	CALAROGA AVE
19	EVERGLADE ST	FLORIDA ST	ORLANDO AV
20	FIRST ST	E ST	C ST
21	GAINESVILLE AVE	PANAMA ST	BOLERO AV
22	GETTYSBURG AVE	CRYER ST	DEPOT RD
23	HAWTHORNE AVE	PORTSMOUTH AV	BAHAMA
24	HAWTHORNE CT	PORTMOUTH AVE	END
25	HIBISCUS DR	MUSTANG DR	CUL-DE-SAC
26	JAMAICA LN	TRINIDAD ST	SLEEPY HOLLOW AVE
27	MARIPOSA ST	LOYOLA AVE	GAINESVILLE AVE
28	MUSTANG DR	HIBISCUS DR	MISTLETOE DR
29	NEWPORT ST	SLEEPY HOLLOW AV	HAWTHORNE AV
30	NORWICH AVE	FLORIDA ST	DOLPHIN LN
31	ORLANDO AVE	CORONADO ST	CANDLEWOOD CT
32	Palisade ST	MISSION BLVD	MARGARET DR
33	PALM PLACE	CUL DE SAC	CALAROGA AVE
34	PALMWOOD AVE	BOLERO AV	DUVAL LN
35	SLEEPY HOLLOW AVE	INDUSTRIAL PKWY	HESPERIAN BLVD
36	STAFFORD AVE	FIFTH ST	SIXTH ST
37	STRYKER ST	CRYER ST	ERSKINE LN
38	TRINIDAD ST	SLEEPY HOLLOW	JAMAICA LN

Rehabilitation			
	Street	From	TO
39	ADRIAN AVE	DEPOT RD	TRAFALGAR AVE
40	ADRIAN AVE	TRAFALGAR AVE	CRYER ST
41	ARF AVE - ARFAVE	INDUSTRIAL PKWY	BAUMBERG AVE
42	BAHAMA AVE	PORTSMOUTH AVE	TENNYSON RD
43	BAL HARBOR LN	PORTSMOUTH AVE	BAHAMA AVE
44	BAYVIEW AVE	KELLY ST	COUNTY LINE
45	BEECH ST	CEDAR ST	B ST
46	BERMUDA LN	DARWIN ST	LAUDERDALE AVE
47	Bowhill Rd	RUUS LN	CUL DE SAC
48	CEDAR ST	LINDEN ST	BEECH ST
49	CHESTNUT ST	B ST	DEAD END
50	CLAREMONT CT	HOPKINS ST	CUL DE SAC
51	COBBLESTONE DR	MORNINGSIDE DR	SANDLEWOOD DR
52	COOK PL	PORTSMOUTH AVE	END
53	CORSAIR BLVD	WEST WINTON AVE	SABRE ST
54	CORSAIR BLVD	SABRE ST	BARRICADE
55	CREOLE PL	DARWIN ST	CUL DE SAC
56	CUBBERLEY ST	PHELAN AVE	TAHOE AVE
57	DEPOT CT	HESPERIAN BLVD	END
58	DODGE AVE	CRYER ST	DEPOT RD
59	Dole Way	A ST	RUSSELL WY
60	DOLPHIN LANE	FLORIDA ST	EVERGLADE ST
61	DREXEL WY	DRACENA ST	LOYOLA AVE
62	ERSKINE LANE	STRYKER ST	CRYER ST
63	FIFTH ST	B ST	STAFFORD AVE
64	FOUNT WAY	ERSKINE LN	BRADFORD AVE
65	FOURTH ST	C ST	D ST
66	FOURTH ST	B ST	C ST
67	FRESNO CT	CRYER ST	CUL DE SAC
68	GROVE WAY	LOCUST ST	FOOTHILL BLVD
69	Hayward Blvd	UNIVERSITY CT	PARKSIDE DR
70	Hayward Blvd	PARKSIDE DR	CIVIC AVE
71	Hayward Blvd	CIVIC AVE	FARMHILL DR
72	HENNINGS CT	B ST	CUL DE SAC
73	HERMOSA TER	BAYVIEW AVE	MAROLYN CT
74	HILL AVE	TEMPLETON ST	COUNTY LINE
75	HOPKINS ST	INDUSTRIAL PKWY	NORTH END
76	HOPKINS ST	INDUSTRIAL PKWY	CLAREMONT CT
77	HUMMINGBIRD CT	ARF AV	CUL DE SAC
78	KINGS CT	"D" ST	DEAD END
79	LAUDERDALE AVE	DARWIN ST	SLEEPY HOLLOW AVE
80	LAUDERDALE AVE	SLEEPY HOLLOW AVE	END
81	LOYOLA AVE	PANAMA ST	BOLERO AV

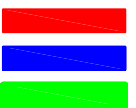
Rehabilitation			
	Street	From	TO
82	MADLINE LANE	GETTYSBURG AV	THAYER AV
83	MADRONE ST	CEDAR ST	B ST
84	MAROLYN CT	CUL DE SAC	HEROMOSA TERR
85	NAPLES ST	PORTSMOUTH AVE	DEAD END
86	NORTH THIRD ST	KNOX ST	END
87	NORWOOD DR	B ST	CUL DE SAC
88	OAK ST	APPLE AV	COUNTY LINE (POLE #5639)
89	OLIVE PL	KELLY ST	CUL-DE-SAC
90	OSAGE AVE	CARDINAL ST	HESSE DR
91	OSAGE AVE	SPARROW RD	CARDINAL ST
92	OSAGE CT	HESSE DR	END
93	OVERLOOK AVE	CARLOS BEE BLVD	BARRICADE
94	Palisade St	OVERLOOK AV	END
95	Palisade St	MARGARET DR	OVERLOOK AV
96	PANAMA ST	HESPERIAN BLVD	CALAROGA AV
97	PEARCE ST	GRACE ST	SIMON ST
98	PHELAN AVE	CUBBERLEY CT	CAPITOLA ST
99	PORTSMOUTH AVE	W TENNYSON RD	BAUMBERG AVE
100	PROSPECT TERRACE	HOTEL AVE	WARREN ST
101	REDBUD LN	FULLER AV	AMADOR ST
102	REDSTONE PL	PALISADE ST	END
103	REX RD	FOOTHILL BLVD	END OF PAVEMENT
104	REX RD	FOOTHILL BLVD	RIO VISTA DR
105	RICHARD PL	A ST	SECOND ST
106	ROCKAWAY LN	A ST	DEAD END
107	RUUS LN	RUUS RD	SIMS
108	SANDLEWOOD DR	CABRILLO DR	COBBLESTONE DR
109	SARASOTA LANE	PALMWOOD AVE	CALAROGA AV
110	SIMON ST	MISSION BLVD	PROSPECT ST
111	SIMS CT	RUUS LN	END
112	TAHITI ST	AMAPALA ST	SLEEPY HOLLOW AVE
113	TALLAHASSEE ST	CAMPECHE ST	LAUDERDALE AVE
114	Tamalpias Pl	PALISADE ST	END
115	TENNYSON RD WEST	INDUSTRIAL BLVD	HESPERIAN BLVD
116	TERRACE AVE	HIGH ST	DEAD END
117	THAYER AVE	GETTYSBURG AVE	TRAFALGAR AVE
118	THIRD ST	D ST	A ST
119	TYRELL AV	TENNYSON RD	SHEPHERD AVE
120	TYRELL AVE	SHEPHERD AVE	SCHAFFER RD
121	VALLEY ST	"D" STREET	"C" STREET
122	VERONA AVE	PORTSMOUTH AVE	OCALA ST
123	WARD ST	FOURTH ST	DEAD END
124	WARD ST	SIXTH ST	END
125	WILDWOOD ST	KELLY ST	CUL DE SAC

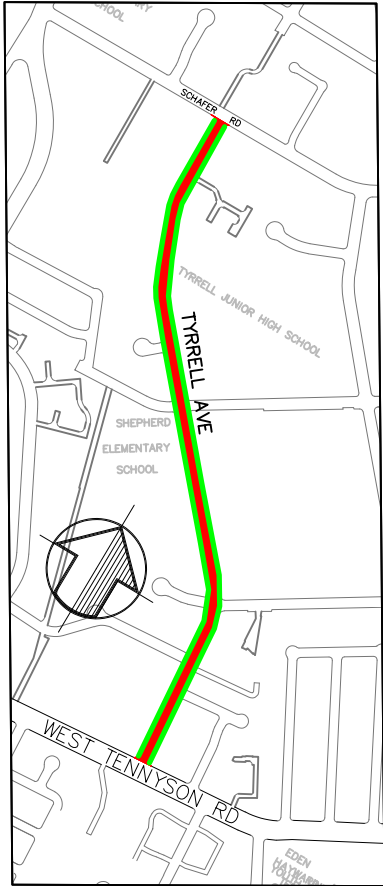
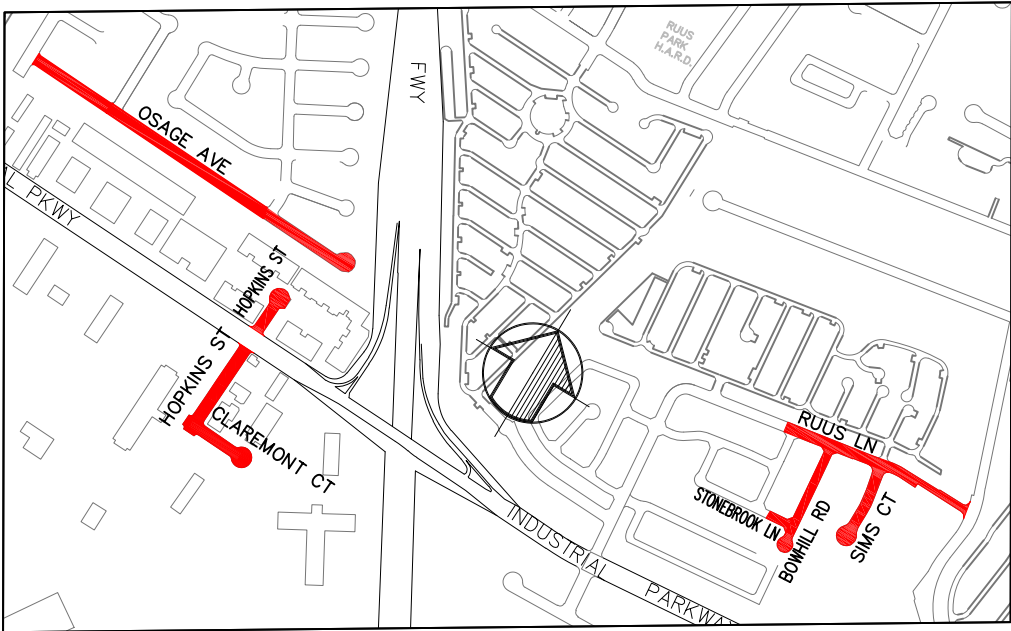
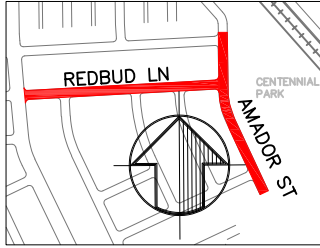
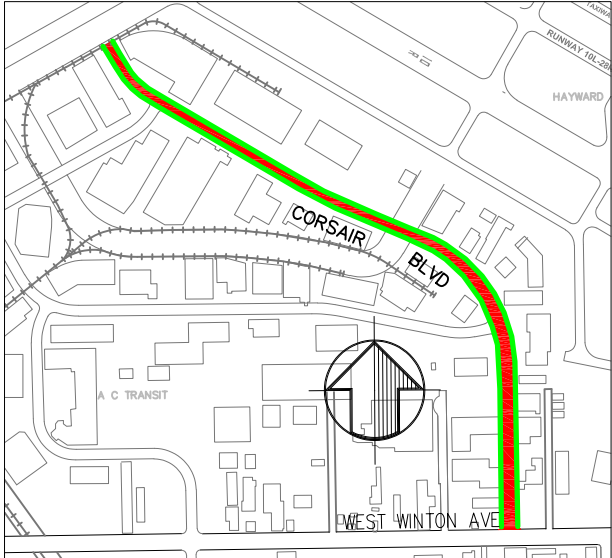
Rehabilitation			
	Street	From	TO
126	Fletcher Ln	Mission Blvd	Watkins ST
127	Harder Rd	Westview WY	Cal State Campus
128	Hayward Blvd	Carlos Bee Blvd	University Ct



FY24 PAVEMENT IMPROVEMENT PROJECT
PROJECT NO. 05242

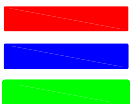
PAVEMENT REHABILITATION
PREVENTIVE MAINTENANCE
BIKE LANE

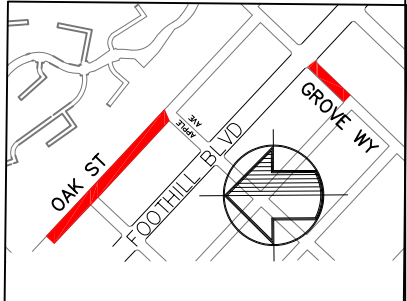
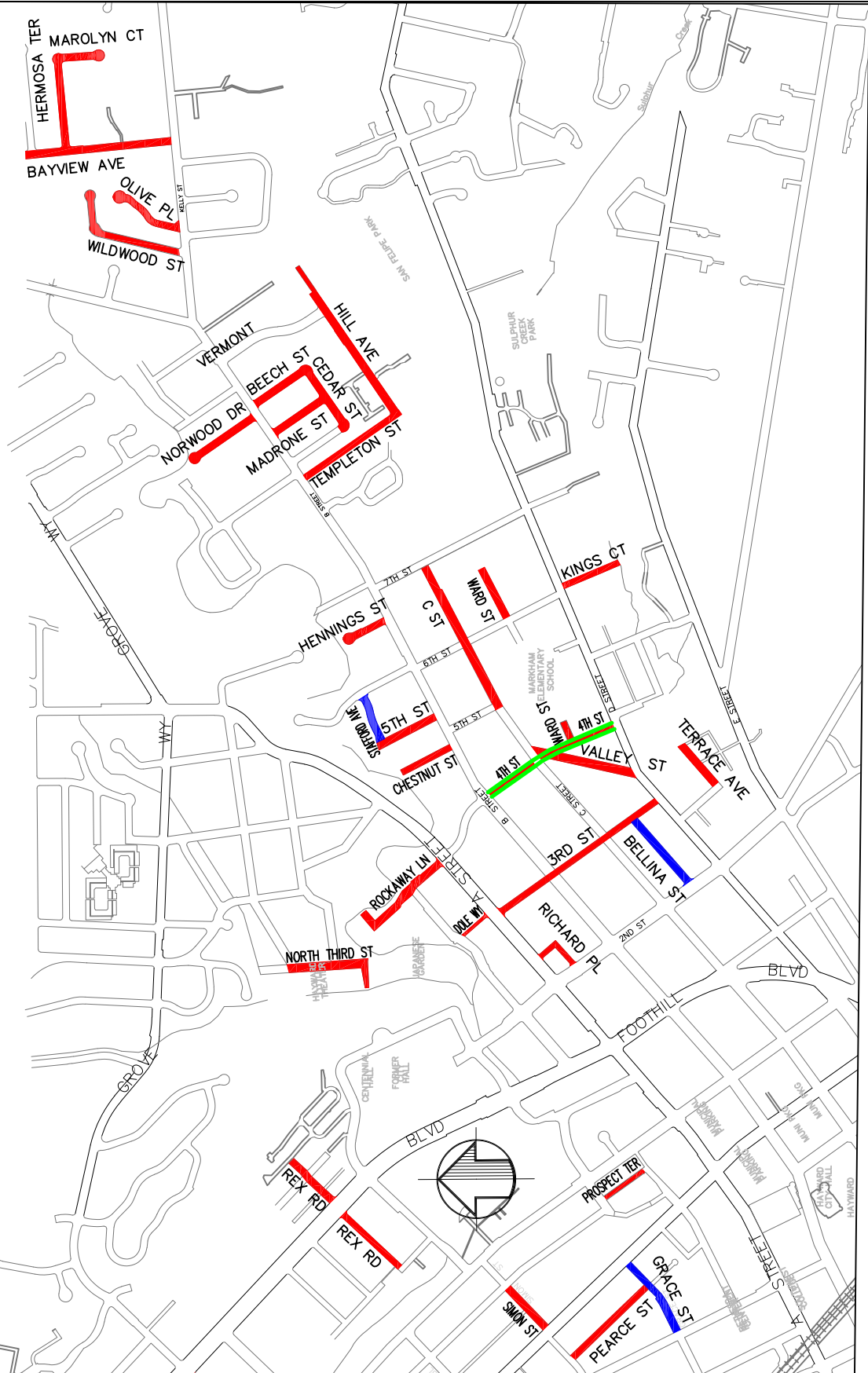




**FY24 PAVEMENT IMPROVEMENT PROJECT
PROJECT NO. 05242**

PAVEMENT REHABILITATION
PREVENTIVE MAINTENANCE
BIKE LANE





FY24 PAVEMENT IMPROVEMENT PROJECT
PROJECT NO. 05242

PAVEMENT REHABILITATION	
PREVENTIVE MAINTENANCE	
BIKE LANE	



CITY OF HAYWARD

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

File #: CONS 24-084

DATE: March 5, 2024

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT

Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Assignment /Assumption of Ground Lease with Signature Flight Support located at 1 Tuskegee Airmen Drive

RECOMMENDATION

That the City Council adopts a resolution (Attachment II) authorizing the City Manager to negotiate and execute an Assignment/Assumption of Lease from Meridian to Signature Flight Support.

SUMMARY

On December 5, 2013, Council approved an agreement with Meridian to construct a Fixed Base Operation (FBO) at Hayward Executive Airport. Over the past ten years, Meridian completed Phase I of the project, which included construction of a parking apron, a hangar, and a passenger terminal. However, the management of the Meridian companies decided last year to offer the company for sale, which includes their FBO locations in Teterboro, New Jersey and Hayward. After careful consideration, Signature Flight Support (Signature) was the successful bidder, and the transaction was completed in early January.

This assignment holds Signature to all the terms and conditions of the existing lease, which includes the development of additional hangar space in construction of Phases II-IV on the leasehold. All terms and conditions of the existing lease remain unchanged.

ATTACHMENTS

- Attachment I Staff Report
- Attachment II Resolution
- Attachment III Location Map



DATE: March 5, 2024

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Assignment /Assumption of Ground Lease with Signature Flight Support located at 1 Tuskegee Airmen Drive

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This assignment holds Signature to all the terms and conditions of the existing lease, which includes the development of additional hangar space in construction of Phases II-IV on the leasehold. All terms and conditions of the existing lease remain unchanged.

BACKGROUND

In July 2012, discussion with Meridian began about the establishment of a Fixed Base Operation (FBO) at Hayward Executive Airport. On November 12, 2013, Council authorized the City Manager to negotiate and execute a lease with Meridian for approximately fifteen acres on the south side of the airport, and a ground lease was executed with Meridian on December 5, 2013. Over the subsequent ten years, Meridian has improved the leasehold,

which now includes a 122,500 square foot aircraft parking apron, one 30,000 square foot aircraft storage hangar, and an attached 6,000 square foot passenger terminal.

DISCUSSION

After 77 years in the aviation business, the management of the Meridian companies decided last year to offer the company for sale. This includes their FBO locations in Teterboro, New Jersey and Hayward. After a careful evaluation process, Signature Flight Support was the successful bidder, and the sale was concluded on January 2, 2024. Both teams will be working on a seamless transition over the coming months that includes incorporating best practices from both companies, enhancing site plans, updating branding and integrating Meridian's team members into Signature's family.

Signature operates an industry-leading network of private aviation terminals, with over 200 locations covering key destinations in 27 countries across five continents. The United States is the company's largest market with operations at 38 of the top 50 busiest airports. The company also offers over 14 million square feet of multi-use office and hangar real estate, providing unique network-wide benefits and advantages to customers who base their aircraft at a Signature location.

Signature will assume the terms and conditions contained in the existing lease with Meridian, and the lease therefore remains unchanged. One of the key terms outlined in the lease is the construction of additional hangars during Phases II-IV of the development on the leasehold.

ECONOMIC IMPACT

Any future hangar construction contemplated by Signature and as outlined in the existing lease will generate work for skilled and unskilled tradespeople. In addition, the City's General Fund will benefit from any additional sales tax generated from the new hangar tenants. Furthermore, this project will benefit the local economy by providing job opportunities and generating sales tax from aircraft sales.

FISCAL IMPACT

Annual rent for the completed Phase I of construction on the leasehold is \$107,894, which reflects the current rate for aviation-related uses of \$0.35 per square foot, per year. Future Phases II-IV, which include the construction of additional hangars, is currently assessed at a lower rate of \$0.10 per square foot, per year until constructed by the timelines outlined in the lease; this annual amount is currently \$40,576. Upon substantial completion of the new improvements, a rate of \$0.35 per square foot, per year will be assessed. This will generate \$142,016 annually. The rates noted above reflect the latest adjustment, which occurred on January 1, 2023. Per Attachment C to the lease, rent will be adjusted every five years, first

by a market rate study and then by the Consumer Price Index (CPI) for the previous five years, not-to-exceed a maximum of 7%.

STRATEGIC ROADMAP

This agenda item pertains to development at the Airport and does not directly relate to any of the six priorities outlined in the Council's Strategic Roadmap.

SUSTAINABILITY FEATURES

The Airport is strongly committed to developing projects that are environmentally responsible. Therefore, staff will ensure that all plans proposed by Signature incorporate features that are commensurate with the City's sustainability guidelines.

PUBLIC CONTACT

The original lease with Meridian was presented to and approved by the Council Airport Committee on October 31, 2013 and approved by Council on November 12, 2013. The agenda and staff report for this item have been posted on the City's website and distributed to interested parties.

NEXT STEPS

If approved, Airport staff will prepare the Assignment and Assumption Agreement for execution by the City Manager.

Prepared by: Doug McNeeley, Airport Manager

Recommended by: Alex Ameri, Director of Public Works

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 24-____

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE
AND EXECUTE AN ASSIGNMENT/ASSUMPTION OF LEASE WITH
SIGNATURE FLIGHT SUPPORT

WHEREAS, the City of Hayward ("City") owns and operates Hayward Executive Airport ("Airport"); and

WHEREAS, on December 5, 2013, the City of Hayward approved a lease with Meridian for property located at 1 Tuskegee Airmen Drive for the purposes of establishing a Fixed Base Operation at Hayward Executive Airport; and

WHEREAS, Phase I was completed, which includes a 122,500 square foot aircraft parking apron, one 30,000 square foot aircraft storage hangar, and an attached 6,000 square foot passenger terminal; and

WHEREAS, after 77 years in the aviation business, the management of the Meridian companies made a decision last year to offer the company for sales; and

WHEREAS, after a careful evaluation process, Signature Flight Support was the successful bidder and the sale was completed on January 2, 2024; and

WHEREAS, Meridian is now requesting that the ground lease be assigned to Signature Flight Support.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized to negotiate and execute an Assignment/Assumption of Lease with Signature Flight Support in a form to be approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2024

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward





CITY OF HAYWARD

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

File #: CONS 24-085

DATE: March 5, 2024

TO: Mayor and City Council

FROM: Assistant City Manager

SUBJECT

Adopt a Resolution Authorizing the City Manager or her Designee to Accept and Appropriate an Amount Not to Exceed the 18-year Estimate of \$1,349,312 in Funding Associated with the Distributor Settlement Agreement for Opioid Remediation and to Allocate the Funds in Accordance with Eligible Uses Specified in the Distributor Settlement Agreement

RECOMMENDATION

That the City Council adopts a resolution (Attachment II) authorizing the City Manager or her designee to accept and appropriate \$1,349,312 in funding associated with the Distributor Settlement Agreement for Opioid Remediation and to allocate the funds in accordance with eligible uses specified in the Distributor Settlement Agreement.

SUMMARY

On December 14, 2021, and March 28, 2023, Council approved the City's participation in National Opioid Settlement litigation and authorized the City Manager to accept the terms of the California Allocation Agreement and to execute and submit all necessary settlement participation documents on behalf of the City. Beginning in June 2023, the City began receiving payments through this settlement agreement, receiving \$186,656 to date. Staff estimate that the City will receive an additional \$1,159,656 via annual installment payments through July 2038, bringing the total received to approximately \$1,349,312.

The use of funds is restricted by the settlement agreement. Staff recommend that Council accept and appropriate the funds to be allocated to community-based non-profits for the following eligible uses, as specified in the Distributor Settlement Agreement:

- Opioid use prevention programs and services
- Support the treatment of opioid use disorder and any co-occurring substance use disorder or mental health conditions
- Support people in treatment and recovery from opioid use disorder and any co-occurring substance use disorder or mental health conditions, including wrap-around services like housing,

transportation, education, job placement, job training, peer support, counseling, community navigators, case management, legal services, and connections to community-based services

- Provide connections to care for people who have or are at risk of developing opioid use disorder and any co-occurring substance use disorder or mental health conditions
- Support efforts to discourage or prevent misuse of opioids
- Support efforts to prevent or reduce overdose deaths or other opioid-related harms

ATTACHMENTS

Attachment I Staff Report

Attachment II Resolution



DATE: March 5, 2024

TO: Mayor and City Council

FROM: Assistant City Manager

SUBJECT: Adopt a Resolution Authorizing the City Manager or her Designee to Accept and Appropriate an Amount Not to Exceed the 18-year Estimate of \$1,349,312 in Funding Associated with the Distributor Settlement Agreement for Opioid Remediation and to Allocate the Funds in Accordance with Eligible Uses Specified in the Distributor Settlement Agreement

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- Support people in treatment and recovery from opioid use disorder and any co-occurring substance use disorder or mental health conditions, including wrap-around services like housing, transportation, education, job placement, job training, peer

support, counseling, community navigators, case management, legal services, and connections to community-based services

- Provide connections to care for people who have or are at risk of developing opioid use disorder and any co-occurring substance use disorder or mental health conditions
- Support efforts to discourage or prevent misuse of opioids
- Support efforts to prevent or reduce overdose deaths or other opioid-related harms

BACKGROUND

On July 21, 2021, the National Prescription Opiate Litigation MDL Plaintiffs' Executive Committee, several State Attorneys General, and four major defendants announced agreement on terms of proposed nationwide settlements to resolve all Opioids litigation brought by states and local political subdivisions against the three largest pharmaceutical distributors: McKesson; Cardinal Health and AmerisourceBergen ("Distributors"); and manufacturer Janssen Pharmaceuticals, Inc. and its parent company Johnson & Johnson (collectively, "J&J"). In November and December 2022 Teva, Allergan, Walmart, Walgreens, and CVS entered into National Opioid Settlements arising out of coordinated national lawsuits against various responsible entities filed by various state attorneys general and various local subdivisions. Collectively, these settlements provide substantial funds to states and local subdivisions for abatement of the national opioid epidemic and will impose transformative changes in the way the settling defendants conduct their business.¹

On December 14, 2021, Council adopted Resolution Number 21-247, approving participation in the National Opioid Settlement litigation, accepting the terms of the California Allocation Agreement, and authorizing the City Manager to execute and submit all necessary settlement participation documents on behalf of the City.² On March 28, 2023, Council subsequently adopted Resolution Number 23-067, approving participation in the National Opioid Settlement litigation with Teva, Allergan, CVS, Walmart, and Walgreens; accepting the terms of the California Allocation Agreement, and authorizing the City Manager to execute and submit all necessary settlement participation documents on behalf of the City.³

The settlements resolve the claims of both state and local governments across the country, including the nearly 4,000 that have filed lawsuits in federal and state courts. Settlement approval is contingent on a critical mass of states and local governments participating. States and their local governments will receive maximum payments if each state and its local governments join together in support of the agreement. Across the two settlements Council has authorized the City to participate in, California stands to receive a maximum of approximately \$4 billion.

¹ Refer to national settlement website at [National Opioid Settlement](#)

² December 14, 2021, City Council Staff Report and Materials:
<https://hayward.legistar.com/LegislationDetail.aspx?ID=5357661&GUID=EA7FE236-03F6-4186-9950-9C8E558DA9BC&Options=&Search=>

³ March 28, 2023, City Council Staff Report and Materials:
<https://hayward.legistar.com/LegislationDetail.aspx?ID=6105684&GUID=E37E2256-CAEF-4C2F-B45D-B277122D5961&Options=&Search=>

DISCUSSION

Pursuant to the terms of the settlements, 9.9% of the funds from each settlement is allocated to California and eligible subdivisions within California. Pursuant to the terms of the Allocation Agreement, California's settlement is divided among three funds:

- State Fund – 15% of settlement goes to the state.
- Subdivision Fund – 15% to litigating subdivisions.
- Abatement Fund – 70% to eligible subdivisions (including Hayward) identified in the respective settlement agreements. Also includes litigating subdivisions.

Pursuant to the allocation agreements for each settlement, Hayward is entitled to receive .117% of California's Abatement Fund. To date, the City has received \$189,656 from the settlements. Across all settlements, the City anticipates receiving the following payments through July 2038:

Installment	Date	Amount
Received payments 1-3	To date	\$189,656.00
Projected payment 4	July 2024	\$72,344.07
Projected payment 5	July 2025	\$72,344.07
Projected payment 6	July 2026	\$73,002.05
Projected payment 7	July 2027	\$73,002.05
Projected payment 8	July 2028	\$89,269.06
Projected payment 9	July 2029	\$89,269.06
Projected payment 10	July 2030	\$89,269.06
Projected payment 11	July 2031	\$75,144.53
Projected payment 12	July 2032	\$75,144.53
Projected payment 13	July 2033	\$75,144.53
Projected payment 14	July 2034	\$75,144.53
Projected payment 15	July 2035	\$75,144.53
Projected payment 16	July 2036	\$75,144.53
Projected payment 17	July 2037	\$75,144.53
Projected payment 18	July 2038	\$75,144.53
TOTAL ANTICIPATED FUNDING		\$1,349,311.66

The settlement funds must be used on opioid remediation programs that are specifically described in the settlement agreements. Staff recommends that the funding be used to support community-based nonprofit organizations that meet the eligibility criteria established in the settlement agreement. This includes agencies that do the following:

- Opioid use prevention programs and services
- Support the treatment of opioid use disorder and any co-occurring substance use disorder or mental health conditions
- Support people in treatment and recovery from opioid use disorder and any co-occurring substance use disorder or mental health conditions, including wrap-around services like housing, transportation, education, job placement, job training, peer support, counseling, community navigators, case management, legal services, and connections to community-based services

- Provide connections to care for people who have or are at risk of developing opioid use disorder and any co-occurring substance use disorder or mental health conditions
- Support efforts to discourage or prevent misuse of opioids
- Support efforts to prevent or reduce overdose deaths or other opioid-related harms

STRATEGIC ROADMAP

This item does not relate to any of the specific projects outlined in the Council's Strategic Roadmap.

FISCAL IMPACT

There is a positive fiscal impact associated with this item, as it brings in an additional \$1.16 million in revenue to the City to support individuals affected by the opioid epidemic. The City can use these funds to offset or supplement future expenses of existing programs, to expand or enhance existing programs, or to fund new programs. The funds cannot be used to reimburse past program expenses.

PUBLIC CONTACT

Any portion of this funding set aside to allocate via the Community Agency Funding Process will be part of a community-driven funding process in which members of the Community Services Commission review funding applications and make recommendations for funding which are made available for multiple public comment periods.

NEXT STEPS

Adoption of this resolution will allow staff to accept and appropriate an estimated \$1,159,656 in funding. It will also enable staff to allocate an additional \$100,000 through the FY25 Community Agency Funding process, which will be brought for Council review and approval in April 2024.

Prepared by: Amy Cole-Bloom, Community Services Manager
Michael Vigilia, Senior Assistant City Attorney

Recommended by: Nicole Gonzales, Finance Director
Regina Youngblood, Assistant City Manager

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 24-

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO ACCEPT AND APPROPRIATE AN AMOUNT NOT TO EXCEED THE 18-YEAR ESTIMATE OF \$1,349,312 IN FUNDING ASSOCIATED WITH THE DISTRIBUTOR SETTLEMENT AGREEMENT FOR OPIOID REMEDIATION AND TO ALLOCATE THE FUNDS IN ACCORDANCE WITH ELIGIBLE USES SPECIFIED IN THE DISTRIBUTOR SETTLEMENT AGREEMENT

WHEREAS, Council adopted Resolution Number 21-247, approving participation in the National Opioid Settlement litigation, accepting the terms of the California Allocation Agreement, and authorizing the City Manager to execute and submit all necessary settlement participation documents on behalf of the City; and

WHEREAS, Council adopted Resolution Number 23-067, approving participation in the National Opioid Settlement litigation with Teva, Allergan, CVS, Walmart, and Walgreens; accepting the terms of the California Allocation Agreement, and authorizing the City Manager to execute and submit all necessary settlement participation documents on behalf of the City; and

WHEREAS, under the terms of these Settlements, California is scheduled to receive up to nearly \$4 billion, some of which will be distributed to cities and counties; and

WHEREAS, by opting into these Settlements, the City anticipates receiving approximately \$1,349,312 in annual installment payments through July 2038; and

WHEREAS, Exhibit H of the Distributor Settlement Agreement specifies the eligible use of the funds.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Hayward that the City Manager or her designee is hereby authorized to accept and appropriate an amount not to exceed the 18-year estimate of \$1,349,312 in funding associated with the opioid Distributor Settlement Agreement for opioid remediation.

BE IT FURTHER RESOLVED that the City Council of the City of Hayward hereby approves the amendment to the FY 2024 Budget Resolution by appropriating \$1,349,312 in funding associated with the opioid Distributor Settlement Agreement for opioid remediation.

BE IT FURTHER RESOLVED that the City Council of the City of Hayward that the City Manager or her designee is hereby authorized to allocate the funds in accordance with eligible uses specified in Exhibit H of the Distributor Settlement Agreement.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2024

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward



CITY OF HAYWARD

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

File #: CONS 24-103

DATE: March 5, 2024

TO: Mayor and City Council

FROM: Director of Development Services

SUBJECT

Adopt a Resolution Authorizing Application to and Participation in the Prohousing Designation Program

RECOMMENDATION

That the Council adopts a resolution (Attachment II) authorizing application to and participation in the Prohousing Designation Program.

SUMMARY

The State of California established the Prohousing Designation Program to incentivize local policies that would increase the availability of housing statewide. Staff have determined that the City would likely meet the minimum qualifications to receive the Prohousing Designation and that it would be beneficial to the City to apply. Staff recommends adoption of the resolution authorizing application to and participation in the Prohousing Designation Program.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution



DATE: March 5, 2024
TO: Mayor and City Council
FROM: Director of Development Services
SUBJECT: Adopt a Resolution Authorizing Application to and Participation in the Prohousing Designation Program

RECOMMENDATION

That the Council adopts a resolution (Attachment II) authorizing application to and participation in the Prohousing Designation Program.

SUMMARY

The State of California established the Prohousing Designation Program to incentivize local policies that would increase the availability of housing statewide. Staff have determined that the City would likely meet the minimum qualifications to receive the Prohousing Designation and that it would be beneficial to the City to apply. Staff recommends adoption of the resolution authorizing application to and participation in the Prohousing Designation Program.

BACKGROUND

The 2019-2020 Budget Act provided a spectrum of support, incentives, and accountability measures to meet California’s housing goals, and provided for the establishment of the Prohousing Designation Program (Program). The purpose of the Program is to increase the availability of housing statewide to better the quality of life of all Californians and to end homelessness by providing incentives to cities and counties in the form of additional points or other preferences in the scoring of competitive housing, community development, and infrastructure programs. Current incentives include access to the Prohousing Incentive Pilot Program Funding and priority processing of funding points when applying to the following state grant programs:

- Affordable Housing & Sustainable Communities (AHSC)
- Infill Infrastructure Grant (IIG)
- Transformative Climate Communities (TCC)
- Solutions for Congested Corridors

- Local Partnership Program
- Transit and Intercity Rail Capital Program (TIRCP)

On December 22, 2023, the City submitted the Prohousing Designation Program Application. However, on January 2, 2024, the permanent regulations for the Prohousing Designation Program were approved. While the City submitted its Prohousing Designation Application prior to the effective date, the state was unable to approve the application prior to the March 1, 2024 deadline and the City must resubmit under the new regulations.

DISCUSSION

Staff have determined that the City will likely meet the minimum qualifications to receive the Prohousing Designation and that it would be beneficial to the City to apply. The minimum requirements include:

- Compliant housing element and annual progress reports
- All required rezones complete
- Jurisdiction compliant with all housing laws
- Compliant with constitutional rights of persons experiencing homelessness and enact best practices consistent with the United States Interagency Council on Homelessness' "7 Principles for Addressing Encampments" (June 17, 2022, update)
- Can revoke for failure to stay in compliance with threshold requirements

Having the Prohousing Designation would increase competitiveness for the state funding opportunities listed above. It would give the City access to housing funding that is limited to Prohousing designated jurisdictions (the Prohousing Incentive Pilot Program). Lastly, it would give the City the opportunity to highlight all the Prohousing policies that it currently has in place and plan to implement within the next two years.

In addition to meeting the minimum requirements, the State awards Prohousing Designation to jurisdictions that have policies that:

- Create housing favorable zoning and land use policies
- Accelerate housing production timeframes
- Reduce construction and development costs
- Provide housing financial subsidies

As of the date of this report, there are 37 jurisdictions that have received the Prohousing Designation.

FISCAL IMPACT

There is no fiscal impact associated with this agenda item.

STRATEGIC INITIATIVES

This agenda item supports the Strategic Priority of Preserve, Protect & Produce Housing. This item is not specifically related to a project identified in the Strategic Roadmap. Staff are bringing forth this new item because it will improve competitiveness for some state housing grants for projects located in the City of Hayward. Staff will include this item in the next bi-annual update to Council on the Strategic Roadmap.

NEXT STEPS

If approved, staff will complete the Prohousing Designation Application. HCD will have 60 days to review and provide feedback.

Prepared by: Christina Morales, Housing Division Manager

Recommended by: Sara Buizer, AICP, Director of Development Services

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 24-

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY TO AND PARTICIPATE IN THE PROHOUSING DESIGNATION PROGRAM

WHEREAS, Government Code section 65589.9 established the Prohousing Designation Program (“Program”), which creates incentives for jurisdictions that are compliant with state housing element requirements and that have enacted Prohousing local policies; and

WHEREAS, such jurisdictions will be designated Prohousing, and, as such, will receive additional points or other preference during the scoring of their competitive Applications for specified housing and infrastructure funding; and

WHEREAS, the California Department of Housing and Community Development (“Department”) has adopted regulations (Cal. Code Regs., tit. 25, § 6600 et seq.) to implement the Program (“Program Regulations”), as authorized by Government Code section 65589.9, subdivision (d); and

WHEREAS, the City of Hayward (“Applicant”) desires to submit an application for a Prohousing Designation (“Application”).

NOW, THEREFORE, BE IT RESOLVED, that the Applicant is hereby authorized and directed to submit an Application to the Department.

FURTHER RESOLVED, that the Applicant acknowledges and confirms that it is currently in compliance with applicable state housing law.

FURTHER RESOLVED, that the Applicant acknowledges and confirms that it will continue to comply with applicable housing laws and to refrain from enacting laws, developing policies, or taking other local governmental actions that may or do inhibit or constrain housing production. Examples of such local laws, policies, and actions include moratoriums on development; local voter approval requirements related to housing production; downzoning; and unduly restrictive or onerous zoning regulations, development standards, or permit procedures. Applicant further acknowledges and confirms that the Prohousing Policies in its Application comply with its duty to Affirmatively Further Fair Housing pursuant to Government Code sections 8899.50 and 65583. Applicant further acknowledges and confirms that its general plan is in alignment with an adopted sustainable communities strategy pursuant to Public Resources Code section 21155-21155.4. Applicant further acknowledges and confirms that its policies for the treatment of

homeless encampments on public property comply with and will continue to comply with the Constitution and that it has enacted best practices in its jurisdiction that are consistent with the United States Interagency Council on Homelessness' "7 Principles for Addressing Encampments" (June 17, 2022, update).

FURTHER RESOLVED, that if the Application is approved, Applicant is hereby authorized and directed to enter into, execute, and deliver all documents required or deemed necessary or appropriate to participate in the Program, and all amendments thereto (the "Program Documents").

FURTHER RESOLVED, that the Applicant acknowledges and agrees that it shall be subject to the Application; the terms and conditions specified in the Program Documents; the Program Regulations; and any and all other applicable law.

FURTHER RESOLVED, that the City Manager is authorized to execute and deliver the Application and the Program Documents on behalf of the Applicant for participation in the Program.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2024

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward