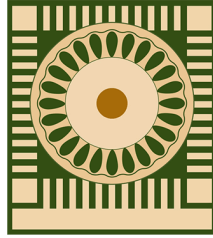


CITY OF HAYWARD

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



CITY OF
HAYWARD
HEART OF THE BAY

Agenda

Tuesday, July 16, 2019

7:00 PM

Council Chambers

City Council

CITY COUNCIL MEETING**CALL TO ORDER Pledge of Allegiance: Council Member Márquez****ROLL CALL****CLOSED SESSION ANNOUNCEMENT****PRESENTATION**

Resolution Memorializing Former Mayor Roberta Grace Cooper
Presented by Assembly Member Bill Quirk

Library Card Redesign Contest Winners

PUBLIC COMMENTS

The Public Comment section provides an opportunity to address the City Council on items not listed on the agenda or Information Items. The Council welcomes your comments and requests that speakers present their remarks in a respectful manner, within established time limits, and focus on issues which directly affect the City or are within the jurisdiction of the City. As the Council is prohibited by State law from discussing items not listed on the agenda, your item will be taken under consideration and may be referred to staff.

ACTION ITEMS

The Council will permit comment as each item is called for the Consent Calendar, Public Hearings, and Legislative Business. In the case of the Consent Calendar, a specific item will need to be pulled by a Council Member in order for the Council to discuss the item or to permit public comment on the item. Please notify the City Clerk any time before the Consent Calendar is voted on by Council if you wish to speak on a Consent Item.

CONSENT

1. [MIN 19-096](#) Minutes of the City Council Meeting on July 2, 2019
Attachments: [Attachment I Draft Minutes of 7/2/2019](#)
2. [MIN 19-099](#) Minutes of the Special City Council Meeting on April 30, 2019
Attachments: [Attachment I Draft Minutes of 4/30/2019](#)
3. [CONS 19-546](#) Adopt a Resolution Approving the Green Infrastructure Plan
Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III Green Infrastructure Plan](#)

4. [CONS 19-479](#) Adopt a Resolution Approving an Amendment to the Fiscal Year 2020 Operating Budget for the Development Services Department for Contracted Security Services at the Property Located at Maple Avenue and Main Street
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
5. [CONS 19-507](#) Approve a Resolution Authorizing the City Manager to Negotiate and Execute Two Annual MOUs with the Hayward Unified School District for School Resource Officers and School-Based Counseling Services and Accept and Appropriate Related Funds
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
6. [CONS 19-526](#) Adopt a Resolution Authorizing the City Manager to Execute a Utility Service Agreement for Water Service for Twenty-five Single-family Residential Lots Along Five Canyons Parkway within Unincorporated Alameda County and File an Application with Alameda County Local Agency Formation Commission for Approval of an Out-of-Service Area Agreement
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Terrace View Area Map](#)
 [Attachment IV Utility Services Agreement](#)
7. [CONS 19-533](#) Adopt a Resolution to Appropriate \$108,881 and Authorize the City Manager to Execute Professional Services Agreement with CivicMakers to Provide Strategic Planning Services and Create a Three to Five-Year Strategic Plan
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Phase 1 Summary Notes](#)
 [Attachment IV Strategic Initiatives Two Year Action Plans](#)
 [Attachment V Phase 2 Scope of Work](#)

8. [CONS 19-534](#) Adopt a Resolution Authorizing the City Manager to Accept and Appropriate up to \$100,000 Annually for the Next Five Years from the Fairview Fire Protection District for Special Projects

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

9. [CONS 19-535](#) Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Contract Amendment with 3Di Systems for Wildfire Fuel Management Inspection Software

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

10. [CONS 19-540](#) Adopt a Resolution to Reject all Bids for the Installation of Trash Capture Infrastructure on Arf Avenue

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

11. [CONS 19-541](#) Adopt a Resolution Authorizing the City Manager to Amend the Professional Services Agreement with HydroScience Engineers, Inc., to Increase the Contract Amount to a not-to-exceed Amount of \$1,028,000 to Provide Additional Recycled Water Support Services

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

12. [CONS 19-542](#) Adopt a Resolution Approving Plans and Specifications and Call for Bids for the Recycled Water Customer Onsite Conversions

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

13. [CONS 19-543](#) Adopt a Resolution Authorizing the City Manager to Execute a Professional Services Agreement with St. Francis, Inc., for On-Call Streetlight and Traffic Signal Maintenance Services

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

14. [CONS 19-544](#) Adopt a Resolution Approving Plans and Specifications and Call for Bids for the Sewer Line Replacement Project

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

PUBLIC HEARING

15. [PH 19-070](#) 21st Century Library and Community Learning Center and Heritage Plaza: Public Contract Code § 4107 Hearing Regarding Removal and Substitution of the Electrical Subcontractor, Collins Electrical Company, Inc (Report from Public Works Director Ameri and City Attorney Lawson) (Continued from July 9, 2019)

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

LEGISLATIVE BUSINESS

16. [LB 19-032](#) Adopt a Resolution Accepting Revisions and Additions to the Council Member Handbook (Report from Assistant City Manager Hurtado, City Attorney Lawson, and City Clerk Lens)

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Redlined Council Member Handbook](#)

CITY MANAGER'S COMMENTS

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

COUNCIL REPORTS AND ANNOUNCEMENTS

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

COUNCIL REFERRALS

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

ADJOURNMENT**NEXT SPECIAL MEETING, July 23, 2019****PUBLIC COMMENT RULES**

Any member of the public desiring to address the Council shall limit her/his address to three (3) minutes unless less or further time has been granted by the Presiding Officer or in accordance with the section under Public Hearings. The Presiding Officer has the discretion to shorten or lengthen the maximum time members may speak. Speakers will be asked for their name before speaking and are expected to honor the allotted time. Speaker Cards are available from the City Clerk at the meeting.

PLEASE TAKE NOTICE

That if you file a lawsuit challenging any final decision on any public hearing or legislative business item listed in this agenda, the issues in the lawsuit may be limited to the issues that were raised at the City's public hearing or presented in writing to the City Clerk at or before the public hearing.

PLEASE TAKE FURTHER NOTICE

That the City Council adopted Resolution No. 87-181 C.S., which imposes the 90-day deadline set forth in Code of Civil Procedure section 1094.6 for filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure section 1094.5.

****Materials related to an item on the agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office, City Hall, 777 B Street, 4th Floor, Hayward, during normal business hours. An online version of this agenda and staff reports are available on the City's website. Written comments submitted to the Council in connection with agenda items will be posted on the City's website. All Council Meetings are broadcast simultaneously on the website and on Cable Channel 15, KHRT. ****

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request the accommodation at least 48 hours in advance of the meeting by contacting the City Clerk at (510) 583-4400 or TDD (510) 247-3340.

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



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
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File #: MIN 19-096

DATE: July 16, 2019

TO: Mayor and City Council

FROM: City Clerk

SUBJECT

Minutes of the City Council Meeting on July 2, 2019

RECOMMENDATION

That the City Council approves the minutes of the City Council meeting on July 2, 2019.

SUMMARY

The City Council held a meeting on July 2, 2019.

ATTACHMENTS

Attachment I Draft Minutes of 7/2/2019



MINUTES OF THE CITY COUNCIL MEETING
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, July 2, 2019, 7:00 p.m.

The meeting of the City Council was called to order by Mayor Halliday at 7:00 p.m., followed by the Pledge of Allegiance led by Council Member Salinas.

ROLL CALL

Present: COUNCIL MEMBERS Zermeño, Márquez, Mendall, Wahab, Salinas
MAYOR Halliday
Absent: COUNCIL MEMBER Lamnin

CLOSED SESSION ANNOUNCEMENT

The City Council convened in closed session at 6:00 p.m., regarding conference with legal counsel pursuant to Government Code 54956.9(d)(2) regarding one anticipated litigation. City Attorney Lawson announced there was no reportable action.

Mayor Halliday, with Council's concurrence, moved Legislative Business Item 13 after the Consent Calendar and Public Hearing Item 12 before Public Hearing Item 11.

PRESENTATION

The City of Hayward was recognized with the League of California Cities' City Managers' Department Award for the Advancement of Diverse Communities. The award was presented by California City Managers to City Manager Kelly McAdoo for the work and commitment to an inclusive, equitable and compassionate community through the Community Task Force. Ms. Samantha Caygill, Regional Public Affairs Manager at the League of California Cities presented the award to City Manager McAdoo and the City of Hayward. Ms. Caygill also noted that Assistant City Manager, Maria Hurtado, was recognized with the John H. Nail Memorial Award for being an outstanding Assistant City Manager at the League City Managers Conference.

PUBLIC COMMENTS

Mr. Charlie Peters, Clean Air Performance Professionals representative, submitted articles related to ethanol in gasoline and reduction of global warming and reduction in price of gasoline.

The following Bunker Hill neighborhood group spoke about an upcoming agenda item related to the Request for Proposal (RFP) for the development of Parcel Group 5 and expressed concerns with community input not represented in the RFP related to lot size and coverage, spoke about traffic patterns and Carlos Bee Boulevard access, and asked the

Council to review the report that will be presented to Council and to reach out to Planning Commission members to address concerns expressed.

Ms. Mary Ann Higgs
Mr. Eric Morkve
Mr. Thomas Birt

Mr. Jim Drake, Hayward resident, spoke about various items regarding safety in the Downtown, fees and taxes, and cannabis retail.

Mr. Bryan Roy, with Erik's DeliCafe, reported on an incident in front of his store where a gentleman was assaulted and expressed concern for the safety of his patrons and employees.

CONSENT

1. Minutes of the Special Joint City Council and Hayward Area Recreation and Park District Board of Directors Meeting on June 18, 2019 **MIN 19-089**

It was moved by Council Member Mendall, seconded by Council Member Márquez, and carried unanimously, to approve the minutes of the Special Joint City Council and Hayward Area Recreation and Park District Board of Directors Meeting on June 18, 2019.

2. Minutes of the City Council Meeting on June 18, 2019 **MIN 19-090**

It was moved by Council Member Mendall, seconded by Council Member Márquez, and carried unanimously, to approve the minutes of the City Council Meeting on June 18, 2019.

3. Adoption of an Ordinance Adding Article 7 to Chapter 9 of the City of Hayward Municipal Code to Require Seismic Screening of Certain Residential Buildings **CONS 19-490**

Staff report submitted by City Clerk Lens, dated July 2, 2019, was filed.

It was moved by Council Member Mendall, seconded by Council Member Márquez, and carried unanimously, to approve the following:

Ordinance 19-14, "An Ordinance Adding Article 7 to Chapter 9 of the City of Hayward Municipal Code to Require Seismic Screening of Certain Residential Buildings"

4. Adopt a Resolution Confirming the Report of Non-Abatable Code Violations and Penalty Liens Associated with the Community Preservation and Rental Housing Programs **CONS 19-458**

Staff report submitted by Development Services Director Simpson, dated July 2, 2019, was filed.



MINUTES OF THE CITY COUNCIL MEETING
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, July 2, 2019, 7:00 p.m.

It was moved by Council Member Mendall, seconded by Council Member Márquez, and carried unanimously, to approve the following:

Resolution 19-145, “Resolution Confirming the Report and Non-Abatable Code Violations and Penalties Liens List Associated with the Code Enforcement Division and Community Preservation/Rental Housing Programs”

5. Adopt a Resolution Confirming the Report and Special Assessment for Past Due Residential Rental Inspection Program Fees for the Period from January 1, 2018 Through May 4, 2019 and Authorize the Assessment to Become a Special Assessment Against the Properties if Not Paid on or Before August 1, 2019 **CONS 19-461**

Staff report submitted by Development Services Director Simpson, dated July 2, 2019, was filed.

It was moved by Council Member Mendall, seconded by Council Member Márquez, and carried unanimously, to approve the following:

Resolution 19-146, “Resolution Confirming the Report and Special Assessment List and Authorizing Transmittal of Assessments to the County Auditor for Collection Associated with Overdue Residential Rental Inspection and Program Fees for Calendar Year January 1, 2018 through May 4, 2019”

6. Adopt a Resolution Confirming the Report and Assessment for Community Preservation Fees Past Due **CONS 19-462**

Staff report submitted by Development Services Director Simpson, dated July 2, 2019, was filed.

It was moved by Council Member Mendall, seconded by Council Member Márquez, and carried unanimously, to approve the following:

Resolution 19-147, “Resolution Confirming the Report and Special Assessment List and Authorizing Transmittal of Assessments to the County Auditor for Collection Associated with Overdue Community Preservation Charges for Calendar Year January 1, 2018 through May 4, 2019”

7. Adopt a Resolution Authorizing the City Manager to Execute Professional Services Agreements with Consolidated Engineering Laboratories, Signet, and Applied Materials & Engineering for On-Call Material Testing and Special Inspection Services for a Term of Three-Years and a Not-to-Exceed Amount of \$200,000 per Firm **CONS 19-470**

Staff report submitted by Public Works Director Ameri, dated July 2, 2019, was filed.

It was moved by Council Member Mendall, seconded by Council Member Márquez, and carried unanimously, to approve the following:

Resolution 19-148, “Resolution Authorizing the City Manager to Negotiate and Execute Agreements for Materials Testing & Special Inspection Services”

8. Adoption of a Resolution Authorizing the City Manager to Execute an Amendment to the Agreement with Dutchover & Associates for Landscape Architect Services **CONS 19-483**

Staff report submitted by Development Services Director Simpson, dated July 2, 2019, was filed.

It was moved by Council Member Mendall, seconded by Council Member Márquez, and carried unanimously, to approve the following:

Resolution 19-149, “Resolution Authorizing the City Manager to Negotiate and Execute an Amendment to the Agreement with Dutchover & Associates, for Landscape Architect Services”

PUBLIC HEARING

9. Introduction of an Ordinance of the City of Hayward Amending the Downtown Specific Plan and Development Code (Report from Development Services Director Simpson) **PH 19-060**

Staff report submitted by Development Services Director Simpson, dated July 2, 2019, was filed.

Development Services Director Simpson announced the report and introduced Senior Planner Golubics who provided a synopsis of the report.

There being no public comments, Mayor Halliday opened and closed the public hearing at 8:17 p.m.

It was moved by Council Member Mendall, seconded by Council Member Salinas, and carried with the following vote, to approve:



MINUTES OF THE CITY COUNCIL MEETING

Council Chambers

777 B Street, Hayward, CA 94541

Tuesday, July 2, 2019, 7:00 p.m.

Introduction of Ordinance 19-_, “An Ordinance of the Council of the City of Hayward Amending the City’s Downtown Specific Plan and Code Related to the Parking Provisions in the Adopted Plan and Code Documents”

AYES: COUNCIL MEMBERS Zermeño, Márquez, Mendall, Wahab, Salinas
MAYOR Halliday

NOES: NONE

ABSENT: COUNCIL MEMBER Lamnin

ABSTAIN: NONE

10. Amendment of the Fiscal Year 2020 Master Fee Schedule to Update the Fees Associated with Administration of the New Residential Rent Stabilization and Tenant Protection Ordinance and the Mobilehome Space Rent Stabilization Ordinance (Report from Deputy City Manager Ott) **PH 19-066**

Staff report submitted by Deputy City Manager Ott, dated July 2, 2019, was filed.

Deputy City Manager Ott announced the item and introduced Housing Manager Morales who provided a synopsis of the report.

Discussion ensued among Council Members and City staff regarding the proposed minimal fee increase; past and future notification and communication with Mobilehome Park residents; educational workshops for Mobilehome Park residents and outreach via representatives of the Mobilehome Park residents.

Mayor Halliday opened the public hearing at 8:30 p.m.

Ms. Kathryn Morris, Hayward Mobilehome Park Association President, voiced the Association’s concern about more efficient communication with the City, spoke about the proposed fee increase, and requested a more efficient approach to communicating information to all stakeholders in a timely manner.

Ms. Rose Rivera, Hayward resident, protested a notice she received related to the Residential Rental Inspection Program – Item 5 on the agenda. As the item had already passed, City Manager McAdoo stated staff would meet with Ms. Rivera to address the assessment fee.

Mayor Halliday closed the public hearing at 8:38 p.m.

Council Member Salinas made a motion per staff's recommendation and asked staff to ensure that information that is sent out and added to the website be printed in large font that is easy to read and process.

Council Member Márquez seconded the item.

Members of the City Council apologized to the Hayward Mobilehome Park Association for the shortcoming in communication due to various items related to the Residential Rent Stabilization and Tenant Protection Ordinance. It was noted the item related to the fee increase for Mobilehome Space, while minimal, was held over for one week to allow for proper communication to the Mobilehome Park community. As the Council did not hear a protest about the fee increase, Council members supported the motion and acknowledged there would be improved communication moving forward.

It was moved by Council Member Salinas, seconded by Council Member Márquez, and carried with the following vote, to approve:

Resolution 19-151, "Resolution Authorizing the Amendment to Resolution 19-059, the Resolution for the City of Hayward Fiscal Year 2020 Master Fee Schedule Associated with the Administration of Chapter 12, Article 1, of the Hayward Municipal Code Regarding the New Residential Rent Stabilization and Tenant Protection Ordinance and the Mobilehome Space Rent Stabilization Ordinance"

AYES: COUNCIL MEMBERS Zermeño, Márquez, Mendall, Wahab, Salinas
MAYOR Halliday

NOES: NONE

ABSENT: COUNCIL MEMBER Lamnin

ABSTAIN: NONE

11. Adopt a Resolution Amending the Master Fee Schedule and Approving the Proposed Recycled Water Rates and Connection Fees (Report from Public Works Director Ameri)
PH 19-064

Staff report submitted by Public Works Director Ameri, dated July 2, 2019, was filed.

Public Works Director Ameri provided a synopsis of the staff report, reported there were no protests received and indicated that the Council could not adopt the proposed rates if 15 protests (a majority of property owners) were received.

There being no public comments, Mayor Halliday opened and closed the public hearing at 9:22 p.m.

Mayor Halliday confirmed that no protests were received during the public hearing.



MINUTES OF THE CITY COUNCIL MEETING
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, July 2, 2019, 7:00 p.m.

It was moved by Council Member Salinas, seconded by Council Member Mendall, and carried unanimously, to approve the following:

Resolution 19-153, "Resolution Amending the Master Fee Schedule and Approving Recycled Water Rates and Connection Fees"

AYES: COUNCIL MEMBERS Zermeño, Márquez, Mendall, Wahab, Salinas
MAYOR Halliday
NOES: NONE
ABSENT: COUNCIL MEMBER Lamnin
ABSTAIN: NONE

12. Adopt a Resolution Amending the Master Fee Schedule and Approving the Proposed Water and Sewer Service Rates and Connection Fees (Report from Public Works Director Ameri) **PH 19-065**

Staff report submitted by Public Works Director Ameri, dated July 2, 2019, was filed.

Public Works Director Ameri provided a synopsis of the report and clarified questions. Director Ameri reported the City had received 132 protests and indicated that the Council could not adopt the proposed rates if 19,000 protests (a majority of property owners) were received.

Mayor Halliday opened the public hearing at 9:04 p.m.

Ms. Annette De Julio, Hayward resident, expressed she did not have concerns with the water fee but objected to the percentage of the fee related to meter service and sewer charges.

Mayor Halliday closed the public hearing at 9:09 p.m.

Mayor Halliday confirmed that no protests were received during the public hearing.

Council Member Mendall offered a motion per staff's recommendation noting the proposed fee increase was a fairly modest increase.

Council Member Zermeño seconded the item.

Council Member Márquez offered a friendly amendment to the motion requesting that staff add an insert in water bills to educate the public about fees.

Council Member Mendall and Council Member Zermeño were amenable to the friendly amendment.

It was moved by Council Member Mendall, seconded by Council Member Zermeño as amended, and carried with the following vote, to approve:

Resolution 19-152, “Resolution Amending the Master Fee Schedule and Approving Water and Sewer Rates”

AYES: COUNCIL MEMBERS Zermeño, Márquez, Mendall, Wahab, Salinas
MAYOR Halliday
NOES: NONE
ABSENT: COUNCIL MEMBER Lamnin
ABSTAIN: NONE

LEGISLATIVE BUSINESS

13. Adopt a Resolution to Appropriate \$30,000 Towards Public Heritage Art and Interpretive Signage and Receive an Update on Hayward Heritage Plaza Construction (Report from Public Works Director Ameri) **LB 19-037**

Staff report submitted by Public Works Director Ameri, dated July 2, 2019, was filed.

Management Analyst Thomas provided a synopsis of the report.

Discussion ensued among Council Members and City staff regarding: opportunities to research and commemorate additional history and cultural heritage while collaborating with the Hayward Area Historical Society; Library Commission oversight before final installation of art, heritage and interpretative features occur; location of heritage monuments; selection process for exhibits and artifacts contemplated for installation; temporary exhibits; and historic elements depicting the history of the Downtown.

Mayor Halliday opened the public hearing at 7:57 p.m.

Mr. Victor Fujii, Japanese American Internment Memorial group member, read a statement from the Japanese American community thanking the City for its support of a historical marker commemorating the forced removal, detention and incarceration of Japanese Americans during WWII.

Ms. Veronica Martinez, Chabot College teacher and Amah Mutsun Tribal Band member, supported a collaborative effort for artwork that would represent the Ohlone Nation and demonstrate respect for the indigenous community.

Mayor Halliday closed the public hearing at 8:02 p.m.



MINUTES OF THE CITY COUNCIL MEETING
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, July 2, 2019, 7:00 p.m.

Council Member Salinas made a motion to name the plaza Hayward Heritage Plaza and appropriate \$30,000 toward public heritage art and interpretive signage.

Council Member Marquez seconded the motion.

There was general Council consensus in support of naming the plaza Heritage Plaza and appropriation of \$30,000 for public heritage art and interpretive signage.

Members of the Council offered the following recommendations: continue the work with the Hayward Area Historical Society to commemorate the history of the Downtown including the house of Don Guillermo Castro; be mindful of exhibits and key historical events and help manage programming in the plaza; ensure there is an interpretive element that provides historical context; consider a program for installation of temporary art; consider technology for the plaza; have the community working groups and the Library Commission vet any additional heritage elements for the plaza and if necessary have the City Council review any controversial matters; have good space planning and equal treatment for heritage features; do not repeat pieces of art that have been erected in other parts of the City to ensure Hayward's history is well and equally represented; and ensure the plaza is available for different cultural and gathering events.

Members of the community were thanked for their contributions and for helping highlight history for future generations.

City Manager McAdoo disclosed that while her personal residence was within 500 feet of the plaza, her participation on the item was not a conflict of interest. Council Member Márquez also disclosed that while her family had a business in close proximity to the plaza, she did not have a conflict of interest and could participate and vote on the item.

It was moved by Council Member Salinas, seconded by Council Member Márquez, and carried with the following vote, to approve:

Resolution 19-150, "Resolution Appropriating \$30,000 from the General Fund to Measure C Capital for Design and Fabrication of Heritage Art and Interpretive Signage at the Heritage Plaza, Project No. 06988"

AYES: COUNCIL MEMBERS Zermeño, Márquez, Mendall, Wahab, Salinas
MAYOR Halliday
NOES: NONE
ABSENT: COUNCIL MEMBER Lamnin
ABSTAIN: NONE

CITY MANAGER'S COMMENTS

There were none.

COUNCIL REPORTS AND ANNOUNCEMENTS

Council Member Wahab asked City staff to remind the public to send emails instead of hard copy materials when sharing information with the City Council.

Council Member Márquez announced the last day to apply for service on any City commission and Keep Hayward Clean and Green Task Force was July 5, 2019.

Council Member Márquez and Council Member Zermeño spoke about the successful 6th Annual Tennyson All America Festival on June 29, 2019 at the Mt. Eden Mansion and thanked all participants including the partnership of Hayward Area Recreation and Park District.

Mayor Halliday thanked Council Members Márquez and Zermeño for organizing the All America Festival.

On behalf of the City Council, Mayor Halliday wished everyone a safe and happy Fourth of July and pleaded all to not use fireworks for the safety of the community.

COUNCIL REFERRALS

None submitted.

ADJOURNMENT

Mayor Halliday adjourned the meeting at 9:28 p.m.

APPROVED

Barbara Halliday
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 19-099

DATE: July 16, 2019

TO: Mayor and City Council

FROM: City Clerk

SUBJECT

Minutes of the Special City Council Meeting on April 30, 2019

RECOMMENDATION

That the City Council approves the minutes of the City Council meeting on April 30, 2019.

SUMMARY

The City Council held a special meeting on April 30, 2019. The Council held six Council meetings in April and this set of minutes was inadvertently not included.

ATTACHMENTS

Attachment I Draft Minutes of 4/30/2019



MINUTES OF THE SPECIAL CITY COUNCIL MEETING
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, April 30, 2019, 7:00 p.m.

The special meeting of the City Council was called to order by Mayor Halliday at 7:00 p.m., followed by the Pledge of Allegiance led by Council Member Halliday.

ROLL CALL

Present: COUNCIL MEMBERS Zermeño, Márquez, Mendall, Lamnin, Wahab, Salinas
MAYOR Halliday

Absent: None

CLOSED SESSION ANNOUNCEMENT

The City Council convened in closed session at 5:00 p.m. regarding three items: 1) public employment pursuant to Government Code 54957 regarding the City Manager's performance evaluation; 2) conference with legal counsel pursuant to Government Code 54956.9 regarding AGG, et al. v. City of Hayward, et al., U.S. District Court, ND CA, No. #4: 4:19-civ-00697-DMR; and 3) conference with legal counsel pursuant to Government Code 54956.9 regarding Spears v. City of Hayward, Alameda County Superior Court, No. RG17851268. Mayor Halliday noted there was no reportable action related to Item 1 and City Attorney Lawson added there was no reportable action concerning Item 2. Regarding Item 3, City Attorney Lawson reported the Council unanimously, with Council Member Salinas moving and Council Member Lamnin seconding, approved settlement of the case.

PRESENTATIONS

Council Member Salinas read a proclamation declaring the week of May 5 to May 11, 2019, as Public Service Recognition Week in the City of Hayward. City Manager McAdoo recognized past Hearts of Services Award winners who were present at the meeting and accepted the proclamation.

Council Member Zermeño read a proclamation declaring May 2019 as Bike to Work Month in the City of Hayward. Ms. Susie Hufstader, Community Organizer with Bike East Bay, accepted the proclamation.

Mayor Halliday announced the 36th Annual Earth Day Poster and Writing Contest Awards presentation. It was noted that 758 entries were received from students representing 31 Hayward schools, and four judges from the Hayward Arts Council evaluated and selected the winners. Council Member Mendall, who serves as the Chair of the Council Sustainability Committee, announced the 20 Poster and Writing Contest winners who were recognized with gift certificates and all teachers involved who were also recognized with gift cards.

PUBLIC COMMENTS

Mr. Zachariah Oquenda, Hayward resident, asked staff to present a resolution supporting statewide measures on a rent control cap.

Mr. Ramiro Iniquez and Ms. Rhea Grover, from Tennyson High School, Youth Advisory Panel, invited the public to the event “Reach for a Better Community” at Matt Jimenez Community Center on May 18, 2019.

The following individuals spoke about an Airbnb business on Seventh Street that is causing problems for the neighborhood and requested the City consider regulating these businesses and that they be required to receive use permits in residential neighborhoods. A petition with signatures was submitted for the record.

Mr. Tim Dragoni, Hayward resident
Ms. Susan Dragoni, Hayward resident
Mr. Tyler Dragoni, Hayward resident

Council Member Mendall suggested that staff add information to the City’s website where residents can report problems with Air B&Bs in their neighborhoods.

Mr. Anwar Mohammed shared that he was the victim of an attack and then wrongfully arrested by the Hayward police, and he was concerned about police brutality, profiling, and misconduct.

Ms. Kristina Boyce and Ms. Gail Minor submitted a document and requested postponement of a Parcel Group 5 eviction notice for her terminally ill father, Troy Minor.

Mr. Charlie Peters, Clean Air Performance Professionals representative, spoke about a document submitted for the record regarding information about GMO corn fuel and ethanol in gasoline.

Mr. Sean Kim, program director with International Youth Fellowship, introduced his group to the Council, which helps to develop youth global leadership training, and invited the community to their Christmas Cantata on September 28, 2019 in San Jose at the Cow Palace.

Ms. Mary Ann Higgs, Hayward resident, commented on homebuying assistance being provided to City employees and asked that it also be extended to longtime renters.

Mr. Bill Espinola, Bay East Association of Realtors, presented a document for the record on the real estate market in Hayward, and he expressed a desire to work with the City to provide further homeownership opportunities.

Mr. Joshua Kim, International Youth Fellowship member, announced the 2019 Korean Camp in San Jose on May 4, 2019.



MINUTES OF THE SPECIAL CITY COUNCIL MEETING
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, April 30, 2019, 7:00 p.m.

Ms. Sharan Aminy thanked the City for its support of Eden I&R, 2-1-1 which helps individuals who are homeless and those in a housing crisis.

Consent Item No. 6 was removed from the Consent Calendar to allow for a public comment.

CONSENT

1. Minutes of the City Council Meeting on April 2, 2019 **MIN 19-053**

It was moved by Council Member Mendall, seconded by Council Member Márquez, and carried unanimously, to approve the minutes of the City Council meeting on April 2, 2019.

2. Minutes of the Special City Council Meeting on April 9, 2019 **MIN 19-054**

It was moved by Council Member Mendall, seconded by Council Member Márquez, and carried unanimously, to approve the minutes of the Special City Council meeting on April 9, 2019.

3. Approval of Final Map Tract 8439 for 59 Townhomes (Hideaway-Ersted) Located South of the New Tennyson Road Extension Between Mission Boulevard and Vista Grande Drive **CONS 19-237**

Staff report submitted by Development Services Director Simpson, dated April 30, 2019, was filed.

It was moved by Council Member Mendall, seconded by Council Member Márquez, and carried unanimously, to approve the resolution:

Resolution 19-071, "Resolution Approving Final Map for Tract 8439 and Authorizing the City Manager to Execute a Subdivision Agreement"

4. Adoption of a Resolution to Commit to Participate in the Climate Mayors Electric Vehicle Purchasing Collaborative **CONS 19-247**

Staff report submitted by Public Works Director Ameri and Maintenance Services Director Rullman, dated April 30, 2019, was filed.

It was moved by Council Member Mendall, seconded by Council Member Márquez, and carried unanimously, to approve the resolution:

Resolution 19-072, "Resolution in Support of the Climate Mayors Electric Vehicle (EV) Purchasing Collaborative"

5. Authorization to Award a Construction Contract to Evans Brothers, Inc., in the amount of \$246,300 for the Fire Station 6 and Fire Training Center Project-Abatement and Deconstruction and to Approve Addendum No. 1 to Clarify Plans and Specifications **CONS 19-251**

Staff report submitted by Public Works Director Ameri, dated April 30, 2019, was filed.

It was moved by Council Member Mendall, seconded by Council Member Márquez, and carried unanimously, to approve the resolution:

Resolution 19-073, "Resolution Approving Addendum No. 1 for the Fire Station 6 and Fire Training Center: Abatement and Deconstruction of Existing Buildings Project, Project Nos. 07481 and 07482 and Awarding the Contract to Evans Brothers, Inc."

6. Authorize the City Manager to Negotiate and Execute an Agreement with KBM Office Equipment Inc. (KBM-Hogue) for the Purchase of Office Modules and Furniture for the Records Bureau of the Hayward Police Department **CONS 19-267**

Staff report submitted by Police Chief Koller, dated April 30, 2019, was filed.

Mayor Halliday opened the public comments section at 8:23 p.m.

Mr. Zachariah Oquenda, Hayward resident, expressed concern about the City's reliance on US Communities contracts and multi-agency bidding process rather than going through a local bid process. He requested that the Council vote to pause the process, gather more information and consider adopting a policy that commits to a local process.

Mayor Halliday closed the public comments section at 8:26 p.m.

Council Member Lamnin suggested that Mr. Oquenda share the research with the League of California Cities as a starting point.

It was moved by Council Member Lamnin, seconded by Council Member Mendall, and carried unanimously, to approve the resolution:

Resolution 19-074, "Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with KBM Office Equipment for the Remodel of the Hayward Police Department Records Bureau"



MINUTES OF THE SPECIAL CITY COUNCIL MEETING
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At the request of Council Member Zermeño, the City Council unanimously agreed to move the Public Hearing Item 8 before Work Session Item 7.

WORK SESSION

7. Overview of the 2019 Resident Satisfaction Survey Results (Report from City Manager McAdoo) **WS 19-030**

Staff report submitted by Communications and Marketing Officer Finnie, dated April 30, 2019, was filed.

City Manager McAdoo announced the report and introduced Communications and Marketing Officer Finnie to provide an overview of the community survey. Mr. David Metz, consultant with FM3 Research, provided key findings from a survey of residents “Opinion Research & Strategy” conducted April 7-17, 2019.

There being no public comments, Mayor Halliday opened and closed the public comments at 10:25 p.m.

Discussion ensued among Council Members and City staff regarding the results of the Resident Satisfaction Survey.

Council Members provided the following recommendations: ensure that the City provide outreach for the 2020 Census with multilanguage materials; ensure that residents participate in the 2020 Census and be provided information about the citizenship question being optional; provide the Council with a copy of the Resident Satisfaction Survey Results prior to the Council Retreat; be more inclusive in the future to include the immigrant community and older residents who may not vote such as in a complementary data set to capture opinions; and consider including an additional language in the future and that language options continue to increase after that.

PUBLIC HEARING

Council Member Salinas disclosed he is the Executive Director of the Kids Breakfast Club and has an office in the Downtown but could participate in the hearing and vote. Council Member Márquez disclosed her family owns a business in Downtown and she could participate in the hearing and vote. City Manager McAdoo disclosed her personal residence is in Downtown but could participate in the hearing.

8. Adoption of the Downtown Specific Plan and Development Code and Certification of the Final Environmental Impact Report, per CEQA, with a Statement of Overriding

Considerations and Mitigation Monitoring and Reporting Program (Report from Development Services Director Simpson) **PH 19-027**

Staff report submitted by Development Services Director Simpson, dated April 30, 2019, was filed.

Development Services Director Simpson and Senior Planner Golubics announced the report and introduced Kathryn Slama, Project Manager with Lisa Wise Consulting and Terri McCracken, Associate Principal, who provided a synopsis of the Downtown Specific Plan “Plan” and Development Code – Chapter 6 Development Code Environmental Impact Report.

Discussion ensued among Council Members, City staff, and Lisa Wise Consulting team about: implementation of conversion of A Street rather than B Street; consideration of cannabis retail dispensaries; regulations for senior housing or group homes as done for home businesses; there was clarification that Council is not bound by the project order timeline being presented, which can be impacted by additional funding availability and other factors that may arise over time; preliminary steps that would proceed after adoption of the Plan; the ability of the Plan to be modified should there be problems or future concerns; input provided by the Hayward Downtown Improvement Area Organization; and construction of affordable units onsite.

Mayor Halliday opened the public hearing at 9:13 p.m.

Mr. Andreas Cluver, Secretary-Treasurer of the Alameda County Building and Construction Trades Council, introduced members of the workforce and expressed support for including Apprenticeship Utilization Requirements within the Downtown Specific Plan.

Mr. John Belperio, Carpenters Local 713 representative, expressed support for the proposed changes in the Plan on behalf of the union.

Mr. Tim Frank, Director of Center for Sustainable Neighborhoods, supported a full, build-out sustainable, walkable Plan, and a workforce development policy that will help build it faster.

Mr. Mark Wachter suggested the Plan include information to provide sufficient flexibility to preserve the existing neighborhood character and transition toward compliant development.

Mayor Halliday closed the public hearing at 9:25 p.m.

Council Member Zermeño suggested to add more green areas, tie-in City trails, and improve the Greyhound Station in Downtown. Council Member Zermeño offered a motion per staff’s recommendation with a modification to move the two-way street conversion of A and B Streets to short-term projects.

Council Member Mendall seconded the motion.



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Mayor Halliday requested to prioritize moving the conversion of A Street to short-term projects.

Council Member Zermeño and Council Member Mendall were amenable to the modification.

Council Member Mendall expressed support for the Plan because it captures the vision the Council has been articulating over the past years.

Council Member Márquez offered a friendly amendment to the motion to strongly encourage the production of onsite affordable housing in the Plan area.

Council Member Zermeño and Council Member Mendall accepted the friendly amendment.

Council Member Lamnin expressed support for the Plan and asked staff to ensure that current conditions for C Street is a one-way Street and noted she looked forward to seeing the different plans in a cohesive strategic planning document that connects to staff's workload.

Council Member Salinas expressed support for the Plan, wants A Street to be a priority, and would like to see B Street closed on weekends in the future.

Council Member Wahab expressed support for the components in the Plan and supported making A Street a priority.

Mayor Halliday supported the Plan and its vision for the future and expressed concern about the idea of a park in the middle of a roundabout street.

The City Council expressed appreciation for City staff, the consulting team and the community for all the contributions.

It was moved by Council Member Zermeño, seconded by Council Member Mendall, and carried unanimously, with two additional recommendations: 1) prioritize converting A Street to a two-way street as part of the short-term improvements for street modifications; and 2) strongly encourage the production of onsite affordable housing in the Plan area consistent with the City's Inclusionary Housing Ordinance.

Resolution 19-075, "Resolution Certifying the Program Environmental Impact Report, Approving the Mitigation Monitoring and Reporting Program, Adopting the Statement of Overriding Considerations, Adopting the Downtown Specific Plan and Findings in Support of the Downtown Development Code and all Zoning Map Amendments for the Project"

Introduction of Ordinance 19-_, “An Ordinance of the Council of the City of Hayward Adopting the Downtown Development Code and Amending the City’s Zoning Map to Incorporate all Proposed Downtown Hayward Regulating Plan Map Amendments contained in Figure 2.1.020.1 of the Downtown Specific Plan and Code”

CITY MANAGER’S COMMENTS

There were none.

COUNCIL REPORTS AND ANNOUNCEMENTS

Council Member Lamnin made three announcements: 1) along with Council Member Zermeno, Council Member Lamnin attended the first City of Hayward/AC Transit Interagency Liaison Committee meeting on April 24, 2019; 2) nomination period is open for community agencies to select volunteers to be recognized during the Annual Volunteer Recognition and Awards Dinner; and 3) luncheon on Census 2020 for faith-based organization on May 8, 2019 at Glad Tidings Church.

Council Member Márquez invited all to the 37th Annual Cinco de Mayo celebration on May 4, 2019 at B and Main Streets organized by La Alianza de Hayward.

Council Member Zermeño reported he attended a Waste Management Authority Board meeting where there was a budget presentation.

COUNCIL REFERRALS

9. Consider an Item for Discussion on a Future City Council Agenda Regarding the Promotion of Housing & Home Ownership Opportunities with Hayward Residents Given Priority Preference Regarding the City of Hayward’s Partnerships, Projects, and Services
RPT 19-284

Referral Memorandum submitted by Council Member Wahab, dated April 30, 2019, was filed.

Mayor Halliday announced the item, clarification about the memorandum ensued, and staff responded to questions posed by Council members.

There being no public comments, Mayor Halliday opened and closed the public comments section at 10:48 p.m.

It was moved by Mayor Halliday, seconded by Council Member Wahab, and carried unanimously, to approve the referral memorandum.



MINUTES OF THE SPECIAL CITY COUNCIL MEETING
Council Chambers
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Tuesday, April 30, 2019, 7:00 p.m.

ADJOURNMENT

Mayor Halliday adjourned the meeting at 11:15 p.m., in memory of Naphtali “Neff” MoiMoi. Neff MoiMoi was a standout football player at Hayward High School and had earned a full ride scholarship to the University of Wyoming. Neff MoiMoi drowned while boogie boarding at Half Moon Bay. Mayor Halliday asked City staff to work with the family and the school to plant a tree at Hayward High School in memory of Neff MoiMoi.

APPROVED

Barbara Halliday
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 19-546

DATE: July 16, 2019

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT

Adopt a Resolution Approving the Green Infrastructure Plan

RECOMMENDATION

That Council adopts a resolution (Attachment II) approving the Green Infrastructure Plan, which describes the City's implementation for Green Infrastructure as required by the Municipal Regional Permit for stormwater regulatory compliance.

SUMMARY

To comply with the provisions of the reissued Municipal Regional Stormwater Permit (MRP 2.0), the City is required to adopt a Green Infrastructure (GI) Plan by September 30, 2019. The MRP regulates municipalities within Alameda, Contra Costa, Santa Clara, and San Mateo counties as well as the cities of Fairfield, Suisun, and Vallejo and the Vallejo Sanitation and Flood Control District. All these jurisdictions are required to adopt GI Plans and install GI. Staff has developed a GI Plan, which serves as an implementation guide as well as a tracking and reporting tool to provide reasonable assurance the City will meet set goals for increasing stormwater treatment and reducing pollution in waterways.

On May 13, 2019, the City Council Sustainability Committee considered portions of the draft GI Plan including the project list and map as well as potential funding options. The Committee suggested staff consider increasing the storm water fee as the primary funding source. The Committee agreed the list of projects included good potential sites for GI. Due to the timing of the development of the draft GI Plan, the Committee was not able to review the full document. As such, while generally supportive, the Committee did not make a formal recommendation on adoption of the GI Plan.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution
Attachment III	Green Infrastructure Plan

File #: CONS 19-546



DATE: July 16, 2019

TO: Mayor and City Council

FROM: Director of Public Works

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On May 13, 2019, the City Council Sustainability Committee considered portions of the draft GI Plan including the project list and map as well as potential funding options. The Committee suggested staff consider increasing the storm water fee as the primary funding source. The Committee agreed the list of projects included good potential sites for GI. Due to the timing of the development of the draft GI Plan, the Committee was not able to review the full document. As such, while generally supportive, the Committee did not make a formal recommendation on adoption of the GI Plan.

BACKGROUND

To comply with the MRP, the City is required to prepare a GI Plan for the inclusion of vegetated landscape into appropriate projects on public rights-of-way and public and private properties including streets, storm drains, parking lots, building roofs, and other storm drain infrastructure elements. Vegetated or green landscape is required by the MRP to address the storm water quality impacts from paved roadways, parking lots, and other areas where

stormwater collects pollutants, which would otherwise flow to the San Francisco Bay. Green Infrastructure slows runoff, filters pollutants, and allows absorption of stormwater for recharging of groundwater.

Provision C.3.b requires stormwater treatment for new development or redevelopment projects that create and/or replace 5,000 square feet or more of impervious surface and road projects that create 10,000 square feet or more of newly constructed contiguous impervious surface. Provision C.3.j requires the GI Plan and expands the requirements for stormwater treatment to apply to smaller projects and road projects that replace existing impervious surface area. In addition, GI is intended to decrease the release of certain pollutants to the Bay such as polychlorinated biphenyls (PCBs) and mercury.

The requirements for the Plan include a description of how the City will shift impervious surfaces and storm drain infrastructure away from gray, or traditional storm drain infrastructure where runoff flows directly into the storm drain and then the receiving water, to a green and more sustainable system. GI in rights-of-way include innovative designs to fit in stormwater treatment measures such as bioretention, tree wells, or underground structural cells in the street or sidewalk areas. These treatment measures collect drainage from the rights-of-way, filter it, and drain it to the public stormwater network. Examples of GI are shown below:



A bioretention area with gutter modification to allow inflow of stormwater.



A curb extension or “bulb out” creating space for green infrastructure.

To begin the development of a GI Plan, the City was required to prepare a GI Framework that describes specific tasks and timeframes for developing the GI Plan. To complete this task and begin early implementation of the Green Infrastructure requirements, staff convened a “GI Team” including staff from Environmental Services, Planning, Building, Streets and Maintenance, Engineering, Transportation, Fire, and Economic Development. The GI Team reviewed all capital improvement projects to incorporate GI features into the design as feasible and drafted GI Framework. On May 2, 2017¹, upon a recommendation from the Council Sustainability Committee, Council approved a GI Framework document that describes the tasks and timeframes for development of the City’s GI Plan. Within this framework, the City committed to meeting the mandated deadline and completing the GI Plan prior to submittal of the City’s annual stormwater report, which must be filed by September 30, 2019.

DISCUSSION

The GI Team worked with Geosyntec, a consulting firm that specializes in GI and stormwater compliance, to draft the City’s GI Plan to fulfill the MRP mandate and shift the City’s development, both public and private, to “green” versus “gray.” The attached GI Plan (see Attachment III) contains the following required elements:

- A mechanism to prioritize and map areas for potential and planned projects, both public and private, by 2020, 2030 and 2040.
- A target for the amount of impervious surface, from public and private projects to be retrofitted over the time schedule
- A process for tracking and mapping completed projects and making the information publicly available

¹ <https://hayward.legistar.com/LegislationDetail.aspx?ID=3034173&GUID=7CE8F3EE-E594-4B32-BB6C-125F25904974&Options=&Search=>

- Guidelines for design and construction for projects that are concurrent with other project needs such as street improvements
- Standard specifications for projects
- A summary of the planning documents the City must update or modify to incorporate GI requirements
- An evaluation of prioritized project funding options

In addition to the GI Plan, the City is required to adopt a legal mechanism such as a planning document or policies to ensure implementation of the GI Plan, conduct outreach to professionals involved in infrastructure planning and design, train staff for implementation of the GI Plan, and educate elected officials of the GI requirements in the MRP. As noted in Section 2.5 of the Plan, GI requirements will apply to private development on a case by case basis to be determined during the discretionary review and approval of proposed development projects through negotiations with project proponents and documented in either Conditions of Approval or a Development Agreement.

The GI Plan includes the following appendices:

A. Map and List of Prioritized Projects.

Selection of projects in the GI Plan were aligned with existing development and known future development. The twelve planned projects listed in the City's GI Plan (see Appendix A) are located primarily in industrial areas known to have legacy pollution and are suitably sized and feasible for GI design. Nine of these projects are in public right of ways. Three projects are either private or public projects already in the design phase or undergoing construction. Overall, 80 acres has been identified as suitable for GI implementation and located in areas where a high potential of pollution can be removed from treating stormwater runoff.

B. General Guidelines for GI Projects

- Section B.1 Functions Associated with GI
- Section B.2 Guidelines for GI Retrofits of Existing Streets
- Section B.3 Guidelines for GI Retrofits of Public Parcels
- Section B.4 Guidelines for Coordination of Projects
- Attachment B-1 Hydraulic Sizing Requirements
- Attachment B-2 Worksheet for Calculating the Combination Flow and Volume Method
- Attachment B-3 Mean Annual Precipitation Map of Alameda County
- Attachment B-4 Standard Specifications and Typical Designs
- Attachment B-5 Model Sign-off Form for Capital Improvement Projects
- Attachment B-6 (1) Guidance for Sizing Green Infrastructure Facilities in Street Projects
- Attachment B-6 (2) Green Infrastructure Facility Sizing for Non-Regulated Street Projects

C. Workplan to Incorporate Green Infrastructure Requirements in City of Hayward's Bicycle and Pedestrian Master Plan Update.

ECONOMIC IMPACT

The development community will share in the cost of implementing green infrastructure as new development or redevelopment is required to use green infrastructure to treat stormwater on their frontages. Given the regional and statewide reach of the GI requirements, the cost impacts will not be unique to Hayward.

FISCAL IMPACT

Implementation of the GI Plan will impact staff resources though the exact costs are unknown at this time. Funding for MRP-related activities is currently provided by the Stormwater Enterprise Fund. The City's Stormwater Enterprise is funded by an assessment on property tax bills; however, expenditures have increased and are expected to increase further in future years. The Sustainability Committee asked staff to explore a potential increase in the stormwater assessment. Staff will continue to pursue additional funding opportunities, especially those identified in the GI Plan to complete the GI projects. Staff will also continue to work collaboratively as a member of the Alameda Countywide Clean Water Program to comply with the MRP 2.0 as well as taking advantage of collective efforts to develop tools and funding resources to satisfy future GI implementation. Geosyntec was hired to assist staff with the GI Plan for a budget under \$75,000. The contract was paid for from the Stormwater Enterprise Fund.

STRATEGIC INITIATIVES

This item indirectly supports Council's Complete Streets initiative as some GI projects will be constructed in conjunction with bicycle and pedestrian infrastructure. The GI Plan also supports the Complete Communities initiative as GI projects will help to create more resilient and sustainable neighborhoods. The GI Plan also supports the Tennyson Corridor initiative as it will enhance bicycle and pedestrian safety and help improve the community appearance.

SUSTAINABILITY FEATURES

Green Infrastructure aims to capture and reuse stormwater. GI also helps create more green landscape and filtration of stormwater. GI is also consistent with the City's Complete Streets Policy by creating more open space.

PUBLIC CONTACT

The GI requirements and Framework were discussed during the September 2016 and March 2017 Sustainability Committee meetings and Council approved the GI Framework on May 2, 2017. The GI Plan requirements, project list, and funding options were presented during the May 2019 Sustainability Committee meeting. Staff will conduct comprehensive outreach with developers upon adoption of the Green Infrastructure Plan.

ENVIRONMENTAL REVIEW

The adoption of the GI Plan has been determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA categorical exemptions under Guideline 15307 (Actions by Regulatory Agencies for Protection of Natural Resources). Individual projects will be reviewed pursuant to CEQA for potential adverse impacts to the environment.

NEXT STEPS

If Council adopts the plan, staff will include and report on the GI Plan in the City's 2018/2019 stormwater annual report and future annual reports to the Regional Water Quality Control Board. Staff will implement the GI Plan as allowed by funding and may develop standard specifications and details in the City documents to facilitate GI implementation in private projects. In addition, staff will review current and future Capital Improvement Projects and private projects for GI inclusion and report on progress in the annual reports.

Prepared by: Elisa Wilfong, Water Pollution Control Administrator

Recommended by: Alex Ameri, Director of Public Works

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 19-_____

Introduced by Council Member _____

RESOLUTION ADOPTING THE GREEN INFRASTRUCTURE PLAN

WHEREAS, in order to comply with Provision C.3.j of the reissued Municipal Regional Stormwater Permit (MRP2), adopted by the San Francisco Bay Regional Water Quality Control Board on November 19, 2015 (Order No. R2-2015-0049), the City of Hayward is required to prepare a Green Infrastructure Plan for the inclusion of low impact development drainage design into appropriate projects on public and private lands to address the adverse water quality impacts and pollutants from urban stormwater runoff and urbanization, including the paving of roadways and parking lots; and

WHEREAS, the goal of low impact development drainage design is to reduce runoff; minimize land disturbance; minimize pavement and other impervious cover; and remove pollutants from stormwater runoff using methods that employ natural processes of storage, detention, infiltration, evapotranspiration, and filtering of runoff through soil media as described in Provision C.3.c of MRP2; and

WHEREAS, on May 2, 2017, Council approved the Green Infrastructure Framework, which included the tasks, timeframes and commitment for development of the Green Infrastructure Plan; and

WHEREAS, on May 13, 2019, the City Council Sustainability Committee considered portions of the draft GI Plan including the project list and map as well as potential funding options and generally supported adoption of the Green Infrastructure Plan; and

WHEREAS, the Green Infrastructure Plan is required to be submitted to the San Francisco Regional Water Quality Control Board with the City of Hayward's Annual Stormwater Report by September 30, 2019.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward, that it hereby adopts the City of Hayward Green Infrastructure Plan.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2019

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



Green Infrastructure Plan

July 2019

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Acknowledgments

The City of Hayward acknowledges the contributing authors and reviewers of this Green Infrastructure (GI) Plan:

City of Hayward

Public Works & Utilities Department
Development Services Department

Consultants to City of Hayward

Geosyntec Consultants
Horizon Water and Environment

Other Agencies

- Alameda Countywide Clean Water Program (ACCWP) developed the ArcGIS Online (AGOL) tool and GI mechanism used for prioritizing, mapping, tracking, and reporting GI projects; as well as GI guidelines, example typical designs, and related information.
- San Mateo Countywide Water Pollution Prevention Program shared information regarding funding mechanisms and provided several images used in the GI guidelines. The Bay Area Stormwater Management Agencies Association developed sizing guidelines for GI facilities located in roadway right of way that are constrained from meeting standard hydraulic sizing criteria.

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Appendices

Appendix A. Map and List of Prioritized Projects

Appendix B. General Guidelines for GI Projects

- Attachment B-1: Hydraulic Sizing Criteria
- Attachment B-2: Worksheet for Calculating the Combination Flow and Volume Method
- Attachment B-3: Mean Annual Precipitation Map
- Attachment B-4: Standard Specifications and Typical Details
- Attachment B-5: Capital Improvement Projects Sign-off Form
- Attachment B-6: Guidance for Sizing Green Infrastructure Facilities in Street Projects

Appendix C. Workplan to Incorporate Green Infrastructure Requirements in City of Hayward’s Bicycle and Pedestrian Master Plan Update

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List of Acronyms

Acronym	Definition
ABAG	Association of Bay Area Governments
ACCWP	Alameda Countywide Clean Water Program
AGOL	ArcGIS Online
BAHM	Bay Area Hydrology Model
BART	Bay Area Rapid Transit District
BASMAA	Bay Area Stormwater Management Agencies Association
CASQA	California Stormwater Quality Association
CIP	Capital Improvement Program
DMA	drainage management area
GI	green infrastructure
GIS	geographic information system
HARD	Hayward Area Recreation & Parks District
HM	hydromodification management
LID	low impact development
MAP	mean annual precipitation
MRP	Municipal Regional Stormwater Permit
MTC	Bay Area Metropolitan Transportation Commission
PCBs	polychlorinated biphenyls
ROW	right-of-way
RWQCB	Regional Water Quality Control Board
SMCWPPP	San Mateo Countywide Water Pollution Prevention Program
SWRP	Stormwater Resource Plan
TMDL	total maximum daily load

1. Introduction

1.1 Statement of Purpose

The purpose of the Green Infrastructure Plan is to guide the identification, implementation, tracking, and reporting of green infrastructure projects within the City of Hayward (City), in accordance with the Municipal Regional Stormwater Permit (MRP), Order No. R2-2015-0049, adopted by the San Francisco Bay Regional Water Quality Control Board on November 15, 2015. “Green infrastructure” (GI) refers to a sustainable system that slows runoff by dispersing it to vegetated areas, harvests and uses runoff, promotes infiltration and evapotranspiration, and uses bioretention and other low impact development practices to clean stormwater runoff.

1.2 MRP Requirements

This GI Plan has been developed to comply with GI Plan requirements in Provision C.3.j of the MRP, which states in part:

The Plan is intended to serve as an implementation guide and reporting tool during this and subsequent Permit terms to provide reasonable assurance that urban runoff Total maximum daily load (TMDL) wasteload allocations (e.g., for the San Francisco Bay mercury and polychlorinated biphenyls (PCBs) TMDLs) will be met, and to set goals for reducing, over the long term, the adverse water quality impacts of urbanization and urban runoff on receiving waters. For this Permit term, the Plan is being required, in part, as an alternative to expanding the definition of Regulated Projects prescribed in Provision C.3.b to include all new and redevelopment projects that create or replace 5,000 square feet or more of impervious surface areas and road projects that just replace existing impervious surface area. It also provides a mechanism to establish and implement alternative or in-lieu compliance options for Regulated Projects and to account for and justify Special Projects in accordance with Provision C.3.e.

Over the long term, the Plan is intended to describe how the Permittees will shift their impervious surfaces and storm drain infrastructure from gray, or traditional storm drain infrastructure where runoff flows directly into the storm drain and then the receiving water, to green—that is, to a more-resilient, sustainable system that slows runoff by dispersing it to vegetated areas, harvests and uses runoff, promotes infiltration and evapotranspiration, and uses bioretention and other green infrastructure practices to clean stormwater runoff.

The Plan shall also identify means and methods to prioritize particular areas and projects within each Permittee’s jurisdiction, at appropriate geographic and time scales, for implementation of green infrastructure projects. Further, it shall include means and methods to track the area within each Permittee’s jurisdiction that is treated by green infrastructure controls and the amount of directly connected impervious area. As

appropriate, it shall incorporate plans required elsewhere within this Permit, and specifically plans required for the monitoring of and to ensure appropriate reductions in trash, PCBs, mercury, and other pollutants.

Table 1-1 below links each section of this plan to the applicable MRP provision.

Table 1-1: GI Plan Sections and Applicable MRP Provisions

Section of GI Plan	Applicable MRP Provision
1. Introduction	C.3.j
2. Prioritizing and Mapping Planned and Potential Projects	C.3.j.i.(2) (a) – (c), & C.3.j.i.(2) (j)
2.1 Approach for Prioritizing and Mapping Projects	C.3.j.i.(2) (a)
2.2 Summary of Prioritized Projects	C.3.j.i.(2) (b)
2.3 Impervious Surface Retrofit Targets	C.3.j.i.(2) (c)
2.4 Early Implementation Projects	C.3.j.i.(2) (j)
3. Tracking and Mapping Completed Projects	C.3.j.i.(2) (d) & C.3.d.iv.(1)
4. Summary of General Guidelines for GI Projects	C.3.j.i.(2) (e), C.3.j.i.(2) (f), & C.3.j.i.(2) (g)
5. Relationship to Other Planning Documents	C.3.j.i.(2) (h) & (i)
6. Evaluation of Funding Options	C.3.j.i.(2) (k)
Appendix A. <i>Map and List of Prioritized Projects</i>	C.3.j.i.(2) (b)
Appendix B. <i>General Guidelines for GI Projects</i>	C.3.j.i.(2) (e), C.3.j.i.(2) (f), & C.3.j.i.(2) (g)
Appendix C. <i>Workplan to Incorporate GI Requirements in City of Hayward's Bicycle and Pedestrian Master Plan Update</i>	C.3.j.i.(2) (i)

2. Prioritizing and Mapping Planned and Potential Projects

Section 2 describes the use of a mechanism for prioritizing and mapping GI projects as required in Provision C.3.j.i.(2)(a), provides a summary description of prioritized GI projects and other outputs of the mechanism per Provision C.3.j.i.(2)(b), presents targets for areas of impervious surface to be retrofitted as required in Provision C.3.j.i.(2)(c), and discusses prioritized projects for early implementation.

2.1 Approach for Prioritizing and Mapping Projects (GI Mechanism)

This section describes the Alameda Countywide GI Mechanism (“GI Mechanism”) used to prioritize and map areas for planned and potential GI projects. The mechanism consists of the Alameda Countywide Multi-Benefit Metrics Prioritization Protocol (“prioritization protocol”) interface, with the Alameda County/Contra Costa Project Tracking and Load Reduction Accounting Tool ArcGIS Online web application (“AGOL tool”). To date, the mechanism has been used as the basis to prioritize and map public GI projects for implementation by 2020, by 2030, and by 2040 by the City of Hayward, as described below. It also includes capabilities to prioritize and map private projects, where appropriate.

As described below, the mechanism provides baseline criteria for prioritization, such as specific feasibility constraints, water quality drivers (load reductions of mercury and PCBs consistent with TMDLs), and opportunities to treat runoff from private parcels in street right-of-way (ROW). It also produces outputs, including geospatial data for prioritized projects, which can be mapped, and project lists. Project opportunity locations identified through utilization of the GI Mechanism were further screened and prioritized through additional City project opportunity classification and discussion, described in the following sections. The screened and prioritized GI Mechanism output was used to develop a map and list of planned GI projects, which can be incorporated into City of Hayward’s long-term planning and capital improvement processes. The City of Hayward planned GI projects are included in Appendix A, *Map and List of Prioritized Projects*.

Prioritization of Areas for Planned and Potential Projects

The Master List of Prioritized Projects included in Appendix A was developed using outputs of the GI Mechanism. The prioritization protocol that produced these outputs included a stepwise geographic information system (GIS) analysis documented in the Alameda Countywide Stormwater Resource Plan Screening and Prioritization using Multi-Benefit Metrics Technical Memorandum¹, along with additional classification and prioritization applied by the City of Hayward. The GI project prioritization steps are summarized below.

¹ Geosyntec. 2017. Alameda Countywide Stormwater Resource Plan Screening and Prioritization using Multi-Benefit Metrics Technical Memorandum. December 13.

Step 1. Identify planned projects – Planned future GI projects within Alameda County were identified and entered into a GIS layer, based on project information provided by local agencies within the county.

Step 2. Identify opportunity sites – Additional potential project locations were identified and catalogued by the Alameda Countywide Clean Water Program consultant Geosyntec using a GIS-based opportunity analysis. The project opportunity analysis followed the steps listed below:

- a. Identify publicly-owned parcels.
- b. Screen identified public parcels to include only those that are at least 0.1 acre in size and with an average slope of less than 10 percent. Parcels that met these criteria were screened for physical feasibility.
- c. Identify non-interstate highway public ROW within urban areas. Roadways considered included state and county highways and connecting roads and local, neighborhood, and rural roads.
- d. Identify land uses or adjacent land uses of the sites resulting from steps b and c.
- e. Screen sites identified in steps b and c to remove sites with the following physical constraints:
 - i. Regional facilities were not considered for sites that were greater than 500 feet from a storm drain due to limited feasibility in treating runoff from a larger drainage area;
 - ii. Parcel-based facilities were not considered for sites that were more than 50% undeveloped due to the limited potential for pollutant reduction of concern load reduction;
 - iii. Sites with more than 50% of their drainage area outside of the urbanized area, as these sites would not provide opportunity for significant pollutant of concern load reduction;
 - iv. Sites with more than 50% overlying landslide hazard zones to avoid the potential for increasing landslide risk.

Step 3. Classify planned projects and opportunity sites in preparation for metrics-based evaluation – A GIS analysis was performed to classify the planned projects identified in step 1 and the opportunity sites identified in step 2 according to four parameters listed below:

- a. GI project type – Each project received one of the following classifications: parcel-based, regional, or ROW/green street project.
- b. Infiltration feasibility - Each project location received one of the following classifications for infiltration: infeasible, partially feasible, or feasible.

- c. Facility type – Each project received one of the following classifications: GI², non-GI treatment control facility, water supply augmentation, flood control facility, hydromodification control, public use area or public education area, programmatic stormwater management opportunity.
- d. Drainage area information – A drainage area was identified for each project.

Step 4. Score projects using an automated metrics-based evaluation – A quantitative metrics-based multiple benefit evaluation was performed using an automated process. Projects or opportunity sites received a score of 0, 1, or 2 for each of the 14 metrics listed below. The automated scores were used to preliminarily rank the projects by watershed, jurisdiction, project type, and/or project stakeholder(s). Geosyntec provided a jurisdiction-specific list of planned projects and opportunity sites located in City of Hayward, including an automated score for each project. Spatial data for the projects included in the list were provided in both GIS shape file and Google Earth KMZ file formats.

- a. Parcel area (for regional and parcel-based projects only)
- b. Location slope
- c. Infiltration feasibility
- d. PCBs/mercury yield classification in project drainage area
- e. Regional facility
- f. Removes pollutant loads from stormwater
- g. Augments water supply
- h. Provides flood control benefits
- i. Re-establishes natural water drainage systems
- j. Develops, restores, or enhances habitat and open space
- k. Provides enhanced or created recreational and public use areas with potential opportunities for community involvement and education
- l. Trash capture co-benefit

Step 5. Rank the projects based on local considerations – City of Hayward reviewed the jurisdiction-specific list of planned projects and opportunity sites developed through step 4 as part of preparing the Master List of Prioritized Planned Projects (“Master List”) included in Appendix A, *Map and List of Prioritized Projects*. City of Hayward prepared the Master List, which provides a final ranking and prioritizing of planned and potential projects, based on the automated scores derived in step 4 and the additional considerations described in section 2.2 below.

² All opportunity sites identified in step 2 were classified as GI projects. Based on information provided by local agencies in step 1, other classifications were assigned, where appropriate, to planned projects. Projects that were not classified as GI have co-benefits that may include GI.

Mapping of Planned and Potential Projects

The final identified planned GI projects are shown and summarized in Appendix A, *Map and List of Prioritized Projects*.

2.2 Summary of Prioritized Projects (Outputs of the GI Mechanism)

This section provides summary information regarding the development of outputs of the GI Mechanism included in Appendix A, *Map and List of Prioritized Projects*, including:

- Project Prioritization Criteria
- Master List of Prioritized Planned Projects
- Map of Implemented Projects and Project Opportunities

Prioritization Criteria

The list of potential GI project opportunities resulting from Steps 1-4 of the GI Mechanism (described in Section 2.1) resulted in a total of greater than 5,500 identified locations. To obtain consensus and initiate the GI Mechanism output screening and prioritization, a kick-off meeting was held with various City departments to identify City GI priorities. During the kick-off meeting, the City identified the characteristics of locations with lower feasibility and/or pollutant removal potential, as well as the characteristics of locations that would be considered high priority for GI retrofit. Locations with lower feasibility and/or pollutant removal potential were removed from the Master List based on the following identified characteristics:

- Parcels **not** owned by the City of Hayward or the following identified potential City Partners: Hayward Unified School District, Alameda Contra Costa Transit District, County of Alameda, East Bay Regional Park District, Hayward Area Recreation & Parks District (HARD), and San Francisco Bay Area Rapid Transit (BART);
- Parcels primarily located in new urban, open space area, and suburban residential areas;
- Parcels that represented easements, rail lines, state and federally owned land, Alameda County Flood Control District land, and San Francisco Bay lands;
- Freeways; and
- Local roads not located in high priority GI retrofit areas.

The remaining locations were characterized based on their location relative to high priority GI retrofit areas. High priority areas were identified as locations coincident with or adjacent to:

- HARD owned and maintained Parks;
- City of Hayward Bike and Pedestrian Master Plan improvements;
- City of Hayward Downtown Specific Plan boundary;
- Shoreline Master Plan boundary;
- Capital Improvement Program (CIP) Pavement Rehabilitation Projects;
- Main Street Improvement Project boundary;
- Potential New and Re- Development; or
- Identified Low-Income Housing Projects.

The resulting categorized potential public GI retrofit project list and map (approximately 2,000 remaining potential locations) were discussed with various City departments during a “GI Project Prioritization Meeting.” Based on feedback from the meeting, locations were screened for additional known feasibility constraints, resulting in removal of parcels <1.0 acres and ROWs with speed limits of 25 miles per gallon.

The resulting revised list of 244 parcels and 1,087 ROW segments with potential for public GI retrofit were reviewed in further detail by City to identify specific project opportunity locations that could potentially be constructed by 2020, 2030, or 2040.

Master List of Prioritized Planned and Potential Projects

The Master List of Prioritized Planned Projects (“Master List”), included in in Appendix A, *Map and List of Prioritized Projects*, is an output of Step 5 of the prioritization protocol described in Section 2.1, Approach for Prioritizing and Mapping Projects (GI Mechanism), using the prioritization criteria summarized in this section.

Through a detailed screening of the potential GI retrofit locations, the City identified a total of 5 parcels and 52 ROW segments that could potentially be constructed by 2020, 2030, 2040, or 2040+, should detailed feasibility assessments be favorable and funding be secured. These locations were grouped into thirteen (13) combined projects that are included in this GI Plan.

These thirteen (13) planned public GI retrofit projects are included in the Master List, which presents the following information regarding each project:

- Project name (for Parcels) or street name and segment cross-streets (for ROW);
- Property owner;
- Assessor’s parcel number (for parcels);
- Number of SWRP-identified ROW segments (for ROW projects);
- Total drainage area;
- Total impervious drainage area;
- Overlapping master/specific plans or other prioritization classification; and
- Anticipated construction year, should feasibility be favorable and funding be secured.

Map of Completed, Planned and Potential Projects

The map included in Appendix A, Implemented Projects and Project Opportunities, shows the locations of the thirteen (13) prioritized planned public GI retrofit projects as well as private and public MRP Provision C.3 Regulated Projects and non-C.3 Regulated Projects that were completed between 2003 and 2019. This map may be updated, as needed, to provide necessary information relative to the identification of funding options and consideration for potential inclusion of GI retrofit projects in the City of Hayward Recommended Capital Improvement Program list.

2.3 Impervious Surface Retrofit Targets

City of Hayward has identified targets for the amount of impervious surface, from public and private projects within its jurisdiction (including redevelopment projects regulated under Provision C.3.b of the MRP), to be retrofitted by 2020, 2030, 2040, and beyond 2040. The targets are presented in Table 2-1. The time schedules shown in this table are consistent with the timeframes for assessing load reductions for mercury and PCBs specified in Provisions C.11 and C.12 of the MRP.

To forecast private development for 2019/2020, 2021 through 2030, and 2031 through 2040, the City of Hayward participated in a process coordinated through the Alameda Countywide Clean Water Program (ACCWP). This process utilized the outputs of UrbanSim, a model developed by the Urban Analytics Lab at the University of California under contract to the Bay Area Metropolitan Transportation Commission (MTC). UrbanSim is a modeling system developed to support the need for analyzing the potential effects of land use policies and infrastructure investments on the development and character of cities and regions. The Bay Area's application of UrbanSim was developed specifically to support the development of Plan Bay Area, the Bay Area's Sustainable Communities planning effort.

MTC forecasts growth in households and jobs and uses the UrbanSim model to identify development and redevelopment sites to satisfy future demand. Model inputs include parcel-specific zoning and real estate data; model outputs show increases in households or jobs attributable to specific parcels. The methods and results of the Bay Area UrbanSim model have been approved by both MTC and ABAG Committees for use in transportation projections and the regional Plan Bay Area development process.

Table 2-1: Target Amounts of Existing Impervious Surface to be Retrofitted by 2020, 2030 and 2040

Year	Treated Area – Private Development ¹ (Impervious Acres)	Treated Area – Public CIP and GI Retrofit Projects included in this Plan (Impervious Acres)	Total Area ² (Impervious Acres)
By 2020	394.1	4.9	399.0
2021 - 2030	36.5	22.1	58.6
2031 - 2040	24.3	20.7	45.0
2040+	N/A	4.2	<i>To be determined</i>

1. Area developed or planned to be developed through City GI project tracking (for 2020), or projected to be developed by 2020, 2030 and 2040, as generated with the Bay Area UrbanSim model used by the Metropolitan Transportation Commission.
2. Includes Private Development Projections and Public CIP and GI Retrofit Projects.

City of Hayward is currently participating in a regional effort to perform a Reasonable Assurance Analysis that demonstrates how GI will be implemented to achieve PCB and mercury load reductions. To the extent that the implementation of this GI Plan may support load reductions for

mercury and PCBs, as outputs from the Regional Assurance Analysis become available, City of Hayward may consider modifying the targets presented in Table 2-1. Due to uncertainties related to the funding of public GI projects and the reliability of projections for private development projects, City of Hayward will track the progress toward achieving the targets presented in Table 2-1, identify any challenges that arise in achieving these targets, and propose solutions, in coordination with other MRP Permittees.

2.4 Early Implementation Projects

The following prioritized project has been identified as part of early implementation, in accordance with MRP Provision C.3.j.ii:

Project name: New 21st Century Library and Community Learning Center

Location: 777 C Street, Hayward, CA, 94541

Brief description: New 21st Century Library and Community Learning Center will be one of the largest net-zero energy public buildings in the country located at 888 C Street, Hayward, and offer users of all ages an expansive collection of reading, audio and visual materials. The three-story, 58,000-square foot building has been designed with high standards in environmental sustainability. In addition to being 100-percent energy self-sufficient and carbon-free, it will conserve drinking water by capturing, filtering and storing rainwater for non-potable uses such as flushing toilets and irrigation.

Part of the green infrastructure of the new 21st Century Library includes a rainwater catchment system located at the plaza. Rainwater harvested from the municipal parking garage, library roof top, C Street hardscape and plaza surfaces which is approximately 1.85 acre of impervious drainage, will be pumped into a 200,000 gallon storage cistern located underground in the old library basement. Filtered and treated water is used for irrigation for the plaza landscape as well as pumped to non-potable fixtures in the new library. Construction of the library is nearly complete. The work plan for completing construction is as follows:

- Summer 2019: Final inspections and sign-offs on permits
- October 2019: Grand Opening

2.5 GI Implementation in Private Developments

The City has the authority to require GI be incorporated into public and private development projects on a case-by-case basis. This requirement will be determined during the discretionary review and approval of proposed development projects through negotiations with project proponents and documented in either Conditions of Approval or within a Development Agreement. The inclusion of GI in the New 21st Century Library and Community Learning Center is one example of how GI, in addition to compliance with requirements for Regulated Projects (as described in MRP Provision C.3.b), has been included in projects during the Preliminary Engineering process, which could translate similarly into a development review process. The City will continue to work cooperatively with ACCWP to consider creating a policy that would require private development projects of a certain size to provide GI facilities to treat stormwater runoff from adjacent public streets. The City will consider developing an in-lieu fee program, in which

private development projects on constrained sites could pay a fee to fund the development of public GI projects for offsite treatment of a portion of the amount of runoff requiring treatment – as allowed under Provision C.3.e.i (Alternative or in-Lieu Compliance) of the MRP.

3. Tracking and Mapping Completed GI Projects

The process for tracking and mapping completed GI projects, both public and private, and making the information publicly available, as required by Provision C.3.j.i.(2)(d), is described below. This process was developed by the Alameda Countywide Clean Water Program (ACCWP), which participated in regional coordination with the Bay Area Stormwater Management Agencies Association (BASMAA), to comply with the requirement in Provision C.3.j.iv.(1) that “Permittees shall, individually or collectively, develop and implement regionally-consistent methods to track and report implementation of GI measures including treated area and connected and disconnected impervious area on both public and private parcels within their jurisdictions.”

3.1 Project Tracking and Load Reduction Accounting Tool

As a member agency of the ACCWP, the City of Hayward uses an ArcGIS online (AGOL) web application-based tool, the C3 Project Tracking and Load Reduction Accounting Tool (“AGOL Tool”), which ACCWP developed in cooperation with the Contra Costa Clean Water Program to assist its member agencies in meeting the requirements described above. Detailed information and instructions on the tool can be found in the C.3 Project Tracking and Load Reduction Accounting Tool Guidance Document (ACCWP 2017a).

The general process for entering GI projects into the AGOL Tool involves logging in to the ArcGIS online web application, opening the tool, and entering data. There are two methods for entering data, but, in general both involve: locating the project area, drawing the project boundary, entering project attributes, drawing the stormwater treatment facility(ies), and entering facility attributes. Project attributes include fields such as jurisdiction, location description, type of project, project name, and additional optional fields that can be populated if the information is known. Facility attributes include hydraulic sizing criterion, project ID, facility type, treatment, and percent of project area treated by the facility.

The City of Hayward has incorporated the use of the AGOL Tool into its processes for reviewing, approving and reporting MRP Provision C.3 Regulated Projects and non-C.3 Regulated projects that include GI – encompassing both public and private projects. The tool includes a feature for generating tables of C.3 Regulated Projects and GI projects that include MRP-required project data for annual reporting purposes.

3.2 Making Information Publicly Available

As required by the MRP, the process for tracking and mapping completed projects (public and private) includes making the information generated by the tool publicly available. Information from the tool will be made publicly available as follows.

- On an annual basis, include in the Annual Report for the City of Hayward’s Stormwater Program information from the tool in the form of (1) a list of GI projects (public and

private) that are planned for implementation during the permit term as required in Provision C.3.j.ii, and (2) a list of Regulated Projects approved during the fiscal year reporting period as required in MRP Provision C.3.b.iv.

- Coordinate with ACCWP to develop a viewable version of the AGOL tool, which is anticipated to be embedded on ACCWP's public website and may also be accessible via the City of Hayward's website.

4. Summary of General Guidelines for GI Projects

General Guidelines are presented in Appendix B to guide the City of Hayward in designing projects that have a unified, complete design that implements the range of functions associated with GI projects, and in providing for appropriate coordination of projects and project elements. The General Guidelines include hydraulic sizing guidance, standard specifications, and typical designs for GI projects. Additional information about the General Guidelines is summarized below.

4.1 Implementing Projects with a Unified, Complete Design

The General Guidelines presented in Appendix B focus on designing and coordinating projects that implement a range of functions appropriate to the type of project. For example, the guidelines for designing street projects address a range of functions including pedestrian travel, use as public space for bicycle, transit, vehicle movement, and locations for urban forestry. The guidelines for coordination identify measures for implementation during construction to minimize conflicts that may impact GI.

4.2 Hydraulic Sizing Requirements

Provision C.3.j.i.(2)(g) of the MRP states that GI projects are required to meet the treatment and hydromodification management (HM) sizing requirements included in Provisions C.3.c and C.3.d of the MRP. However, an exception to this requirement is provided in Provision C.3.j.i.(2)(g) for street projects that are not Regulated Projects under Provision C.3.b ("non-Regulated Projects").

The General Guidelines in Appendix B provide hydraulic sizing guidance for GI projects, addressing the hydraulic sizing criteria in MRP Provisions C.3.c and C.3.d, as well as the alternate sizing approach for constrained street projects developed by the Bay Area Stormwater Management Agencies Association. These guidelines do not address Regulated Projects as defined in Provision C.3.b of the MRP.

Please note that some non-Regulated Projects are required to implement site design measures in accordance with Provision C.3.i of the MRP. Appendix L of the C.3 Technical Guidance explains how to determine whether Provision C.3.i applies to your project, and how to incorporate applicable site design measures, if required.

Table 4-1 presents a summary of which documents provide hydraulic sizing guidance, and other applicable guidance, for different types of projects.

Table 4-1: Where to Find Hydraulic Sizing Guidance and Other Guidance - by Project Type

Type of Project	Where to Find Guidance	
	Provision C.3.i or HM Guidance, if Applicable	Hydraulic Sizing Guidance
Non-Regulated Green Infrastructure Project (public or private project) that is NOT subject to Provision C.3.i ³	Not applicable	Appendix B – <i>General Guidelines for GI Projects</i>
Non-Regulated Green Infrastructure Project (public or private project) that IS subject to Provision C.3.i	ACCWP C.3 Technical Guidance (Appendix L, Site Design Requirements for Small Projects)	
Regulated Project that is NOT a Hydromodification Management (HM) Project ⁴	Not applicable	ACCWP C.3 Technical Guidance (Section 5.1, Hydraulic Sizing Criteria)
Regulated Project that IS an HM Project	ACCWP C.3 Technical Guidance (Chapter 7, Hydromodification Management Measures)	

4.3 Standard Specifications and Typical Designs

Appendix B of this GI Plan also includes typical design drawings and standard specifications for GI projects, which address various types of land-use, transportation, and site characteristics. GI projects may also utilize design guidance provided in Chapter 6 of the C.3 Technical Guidance manual (ACCWP 2017b) for other types of low impact development storm water treatment facilities, subject to municipal staff approval.

³ MRP Provision C.3.i applies to projects that create and/or replace at least 2,500 but less than 10,000 square feet of impervious surface; and Individual single-family home projects that create and/or replace 2,500 square feet or more of impervious surface.

⁴ An HM Project is a Regulated Project that creates and/or replaces one acre or more of impervious surface, will increase impervious surface over pre-project conditions, and is located in a susceptible area, as shown on the ACCWP default susceptibility map.

5. GI Requirements in Other Planning Documents

Over the last several years, the City of Hayward has updated planning documents that affect the alignment, configuration and design of impervious surfaces within its jurisdiction, including streets, parking lanes, parking lots, sidewalks, curb extensions, plazas, public open spaces, and drainage infrastructure. These documents are listed and summarized below.

- Hayward General Plan 2040: Natural Resources Element (2014)
- Hayward General Plan 2040: Public Facilities and Services Element (2014)
- Hayward Downtown Specific Plan (2019b)

5.1 Summary of Updated Planning Documents

The planning documents listed were updated to include requirements for the use of GI, low-impact development (LID), and other types of landscape-based stormwater facilities, as described in more detail below.

Hayward General Plan 2040: Natural Resources Element: In order to protect surface and groundwater resources from contaminants, this General Plan Element promotes stormwater management techniques that minimize surface water runoff and impervious ground surfaces in public and private developments, including the use of LID techniques to manage stormwater.

Hayward General Plan 2040: Public Facilities and Services Element: In order to accommodate runoff from existing and future development, prevent flooding, and improve environmental quality, this General Plan Element encourages GI design and LID techniques for stormwater facilities (i.e., using vegetation and soil to manage stormwater) to achieve multiple benefits (e.g., preserving and creating open space, improving runoff water quality).

Hayward Downtown Specific Plan: This plan highlights the requirements under Provision C.3 of the MRP, includes specific GI opportunity sites throughout the Plan Area and specific GI designs for the right-of-way, describes the City's policy to evaluate capital projects for incorporation of GI and treatment measures (including non-C.3 regulated projects), and generally recommends prioritizing stormwater treatment for vehicular surface areas in order to address runoff with high pollutant loads.

5.2 Anticipated Updates of Additional Planning Documents

The City of Hayward has identified an additional need to include GI requirements in the City's Bicycle and Pedestrian Master Plan update that is currently being developed and is anticipated to be completed in Fiscal Year 2019/20. More detailed information on the Bicycle and Pedestrian Master Plan update can be found in the *Workplan to Incorporate Green Infrastructure Requirements in City of Hayward's Bicycle and Pedestrian Master Plan Update*, included as Appendix C.

Currently, there are no scheduled updates of other planning documents that could potentially include GI requirements. In the future, as schedules, scopes of work, and budgets are developed for planning document updates, the City will consider incorporating additional GI requirements in the Hayward General Plan and Downtown Specific Plan, and other planning documents such as the Complete Streets Strategic Initiative.

6. Evaluation of Funding Options

The City of Hayward has evaluated the following funding options for implementing prioritized GI projects:

- Alternative Compliance funds such as in-lieu fees and credit trading programs;
- Grant monies, including resource-based grants and transportation grants;
- Realignment of existing services, including potential opportunities for wastewater, refuse collection, and/or water fees to fund aspects of stormwater compliance;
- New tax or other levies, including parcel taxes, business license taxes, vehicle license fees, sales taxes, utility users taxes, transient occupancy taxes, general obligation bonds, regulatory fees, development impact fees, and property-related fees (including the potential to adopt property-related fees without going to ballot as allowed by Senate Bill 231);
- Funds from the Clean Water State Revolving Loan Program;
- Special Financing Districts, including benefit assessments, community facilities districts, business improvement districts, and enhanced infrastructure financing districts;
- Partnerships, including those with multiple public agencies, Caltrans, private entities, and volunteers.

6.1 Evaluation Criteria

The funding options were evaluated using the following criteria:

- Ballot approval – Based on local experience, options requiring ballot approval may be considered if GI were included in an initiative to fund a program of other improvements for the community.
- Reliability – Implementing a GI program will require sources of ongoing funding.
- Cost to implement – In general, options with lower implementation costs would be preferred.
- Suitability – Depending on the types of projects included in the GI Plan, some types of funding may be suitable. For example, because the GI Plan is anticipated to include active transportation projects, some transportation funding sources may be suitable.
- Obstacles – As each potential funding source was considered, the potential for additional obstacles was reviewed.

6.2 Recommendations

As a result of the evaluation of funding options, the following funding options have been recommended for further study, based on the criteria described above:

- **Grants** – Both transportation and resource-based grants may be applicable for projects included in the GI Plan, including the State Water Resources Control Board's Proposition 1 Stormwater Grant Program, Caltrans' Active Transportation Program, and the One Bay Area Grant Program administered by the Alameda County Transportation Commission.

- **Volunteers** – The City is interested in exploring opportunities for volunteers to participate in GI implementation and maintenance, possibly through local industries, colleges, and/or schools; the Keep Hayward Clean & Green Task Force; and/or expanding the Adopt a Block program to include an Adopt a GI Project program.
- **Stormwater Fee** – Hayward has existing stormwater fee but it hasn't been increased in some time. The City Council could potentially consider increasing the fee to address GI as well as other stormwater needs.
- **Alternative Compliance** – As described in Section 2.5, Green Infrastructure in Private Developments, City staff will consider developing an in-lieu fee program for C.3 Regulated Projects that have constraints for implementing on-site stormwater treatment.
- **Multi-Agency Partnerships** – Hayward Unified School District would be a potential partner after the State Water Resources Control Board includes school districts in the statewide Phase II Stormwater Permit. Other potential partners are Chabot Community College and the Hayward Area Recreation District.
- **Caltrans Mitigation** – The City is partnering with Caltrans on trash mitigation and will explore expanding this partnership to include GI.
- **Transportation Partnerships** – There may be opportunities to partner with BART to implement GI projects within the City.
- **Landscape and Lighting Fee:** GI maintenance could potentially be funded by an increase in the Landscape and Lighting Fee. This would be part of a ballot measure and could cover maintenance of GI.
- **Regulatory Fees** – There may be potential to recover costs for GI administration through standard permit application fees.

7. References

Alameda Countywide Clean Water Program. 2017a. C3 Project Tracking and Load Reduction Accounting Tool Guidance Document.

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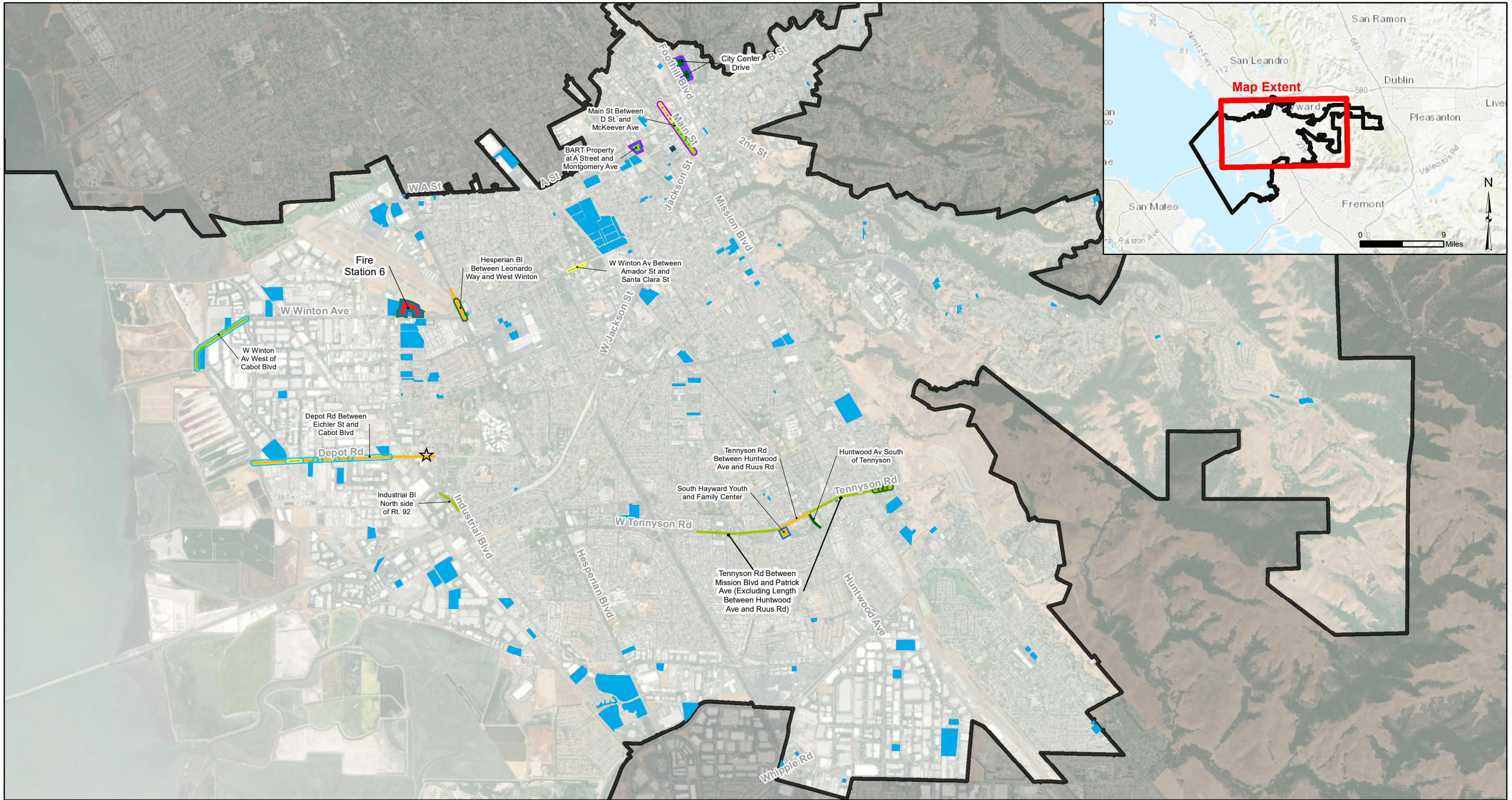
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Appendix A. Map and List of Prioritized Projects

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Legend

Actual New/Re-Development with GI, AGOL 2003-2019	Identified Public GI Retrofit Projects	City Master and Specific Plan Overlap	GI Project Type
Private (122)	2020 Identified Project (1)	Shoreline Master Plan	Regional Opportunity
Public (1)	2030 Identified Project (5)	Downtown Specific Plan	Adjacent to Proposed New or Redevelopment
<i>Note: Project count indicated next to anticipated construction year category.</i>	2040 Identified Project (5)	Bike/Ped Master Plan	Affordable Housing Project Location
	2040+Potentially Project (2)	Main St Improvement	

Hayward GI Plan
Implemented Projects and Project Opportunities
 City of Hayward, California

Figure 1

LA0513 July 2019

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City of Hayward GI Plan
Appendix A
Master List of Prioritized Planned Projects

Project Name	Project Type	Parcel Property Owner	Assessor's Parcel Number	Number of SWRP-Identified ROW Segments Included in Combined Project	Total Drainage Area (acres)	Total Impervious Drainage Area (acres)	Overlapping Master/Specific Plans or Other Prioritization Classification	Anticipated Construction Year
Fire Station 6	Parcel	City of Hayward	432 012400200 & 432 012400104	n/a	6.9	4.3	Bike/Ped Master Plan (within 50-ft)	2020
South Hayward Youth and Family Center	Parcel	City of Hayward	465 000100904	n/a	2.4	1.1		2030
Depot Rd Between Eichler St and Cabot Blvd	ROW	n/a	n/a	9	17.3	12.4	Shoreline Master Plan	2030
Hesperian Bl Between Leonardo Way and West Winton	ROW	n/a	n/a	3	3.4	2.2	Bike/Ped Master Plan	2030
Main St Between D St. and McKeever Ave	ROW	n/a	n/a	6	6.2	4.0	Downtown Specific Plan, Main St Improvement, Bike/Ped Master Plan	2030
Tennyson Rd Between Huntwood Ave and Ruus Rd	ROW	n/a	n/a	5	4.0	2.4		2030
BART Property at A Street and Montgomery Ave	Parcel	San Francisco Bay Area Rapid Transit	428 004605202	n/a	1.9	1.4	Downtown Specific Plan, Bike/Ped Master Plan (within 50-ft)	2040
Industrial Bl North side of Rt. 92	ROW	n/a	n/a	3	4.0	2.6		2040
Tennyson Rd Between Mission Blvd and Patrick Ave (Excluding Length Between Huntwood Ave and Ruus Rd)	ROW	n/a	n/a	23	18.2	11.2	Bike/Ped Master Plan	2040
W Winton Av Between Amador St and Santa Clara St	ROW	n/a	n/a	1	1.8	1.1		2040
W Winton Av West of Cabot Blvd	ROW	n/a	n/a	1	8.6	4.4	Shoreline Master Plan	2040
City Center Drive	Parcel	City of Hayward	415 025011300 & 415 025011102	n/a	4.4	3.1	Downtown Specific Plan, Bike/Ped Master Plan (within 50-ft)	2040+
Huntwood Av South of Tennyson	ROW	n/a	n/a	1	1.8	1.1		2040+

Appendix B. General Guidelines for GI Projects

These General Guidelines have been developed to guide the City of Hayward in designing a project that has a unified, complete design that implements the range of functions associated with green infrastructure (GI) projects, and in providing for appropriate coordination of projects and project elements. The guidelines apply to projects that incorporate GI into an existing roadway segment or a previously developed public parcel and are **not** Regulated Projects as defined in Provision C.3.b of the Municipal Regional Stormwater Permit (MRP). The guidelines are organized as follows.

Section B.1	Functions Associated with GI
Section B.2	Guidelines for GI Retrofits of Existing Streets
Section B.3	Guidelines for GI Retrofits of Public Parcels
Section B.4	Guidelines for Coordination of Projects
Attachment B-1	Hydraulic Sizing Requirements
Attachment B-2	Worksheet for Calculating the Combination Flow and Volume Method
Attachment B-3	Mean Annual Precipitation Map of Alameda County
Attachment B-4	Standard Specifications and Typical Designs
Attachment B-5	Model Sign-off Form for Capital Improvement Projects
Attachment B-6	Guidance for Sizing Green Infrastructure Facilities in Street Projects

B.1 Functions Associated with GI

The functions associated with GI retrofits of existing streets and GI retrofits of public parcels are identified below.

B.1.1 Functions Associated with GI Retrofits of Existing Streets

The following functions are associated with GI retrofits of existing streets:

- Street use for stormwater management, including treatment;
- Safe pedestrian travel;
- Use as public space for bicycle, transit, and vehicle movement/parking; and
- Use as locations for urban forestry.

B.1.2 Functions Associated with GI Retrofits of Public Parcels

Existing facilities on public parcels may be retrofitted with GI. Although there are potentially a wide range of public uses that could occur on various parcels, key issues are associated with the outdoor use of public parcels for landscaping and parking. The following functions are associated with GI retrofits of public parcels:

- Site use for stormwater management and landscaping
- Circulation and parking within the site

B.2 Guidelines for GI Retrofits of Existing Streets

Streets must perform the range of functions described in Section B.1.1. The following guidelines provide general guidelines for designing and constructing GI facilities within the right-of-way of existing streets, to address the full range of functions. Additional design guidance for GI facilities, which are also referred to as low impact development (LID) stormwater treatment facilities, is provided in Chapters 5 and 6 of the Alameda Countywide Clean Water Program's (ACCWP's) C.3 Technical Guidance, which may be downloaded at, www.cleanwaterprogram.org (click Businesses, then Development).

B.2.1 Guidelines Addressing Street Use for Stormwater Management

The GI guidelines to support street functionality for stormwater management are organized around the following objectives:

- Convey stormwater to GI facilities,
- Identify the appropriate GI typical designs for the project, and
- Convey stormwater away from transportation facilities.

Convey Stormwater to GI Facilities

GI retrofits of existing streets must be designed to convey stormwater runoff from the roadway surface to the proposed GI facilities. Key issues include working with the street profile, working with the existing drainage system, and considering conveyance facilities where needed.

Work with the Existing Street Profile

Modifying the profile of an existing street is costly. Therefore, the designs of GI street retrofits should generally maintain the existing street profile where feasible. The street profile affects how stormwater runoff flows off of a street, and is considered in the design of GI facilities. The most common street profile is crowned, although some streets may be reverse crowned, or may drain to one side, as illustrated in Figures B-1 through B-3. Occasionally, a street may have a flat profile, such as the example shown in Figure B-4 in which a street is designed to drain into pervious pavement. Unless pervious pavement is used for the full width of the street, GI facilities would be located downslope from the roadway surface. In a crowned street, which is most common throughout the City of Hayward, this may allow for GI facilities on both sides of the street (see also Figure B-5, which is from Hayward's Downtown Specific Plan). In a reverse crowned street, GI facilities may be considered in the median; and in a side-sloping street, GI facilities would be located on the downslope side.

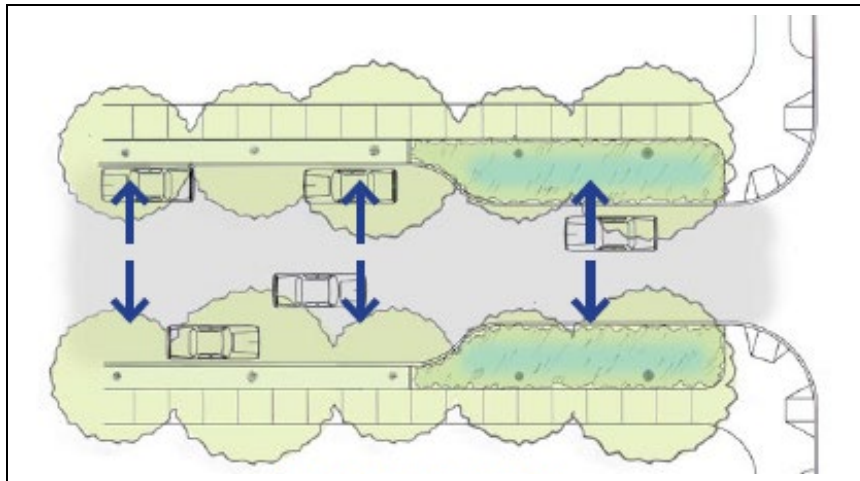


Figure B-1. Crowned Street Profile. A crowned street is designed so that the highest elevation is in the middle of the street, such that stormwater runoff drains to the sides of the street. GI facilities may be located on either side of the street.

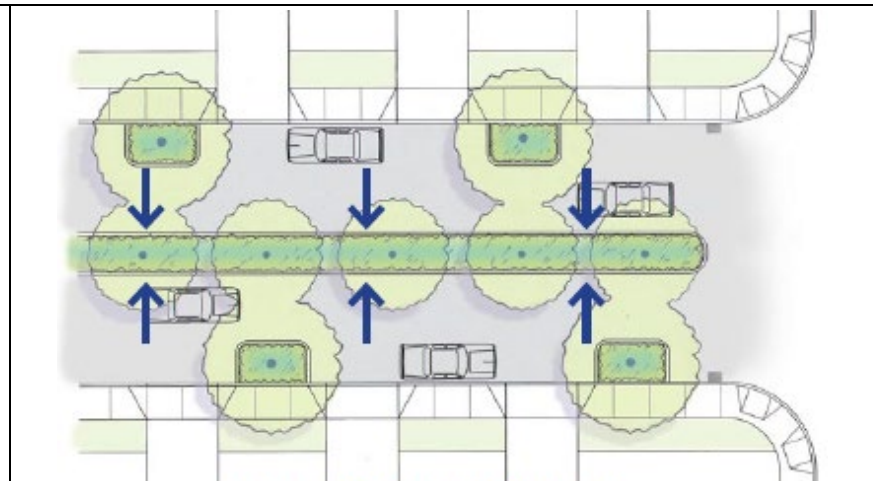


Figure B-2. Reverse Crowned Street Profile. A reversed crowned street is the opposite of a crowned street and directs runoff to the center line of the street. GI facilities may be considered in the median.



Figure B-3. Side Shed Street Profile. Side shed streets are designed to shed all water to one side of the street. GI facilities would be located on the downslope side.

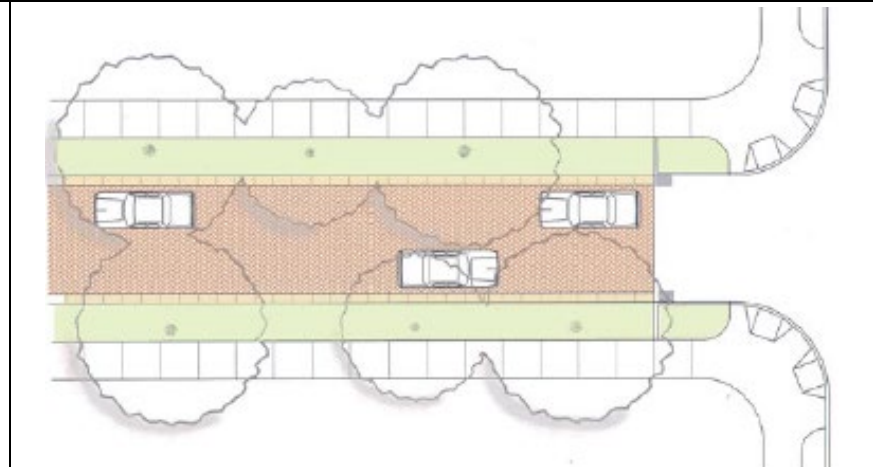


Figure B-4. Flat Street Profile. Flat streets are designed to drain through pervious paving. While these facilities do not have a marked slope, they may be graded slightly so that they drain to the sides or center of the street when there is too much water.

Source: San Mateo Countywide Water Pollution Prevention Program/Nevue Ngan

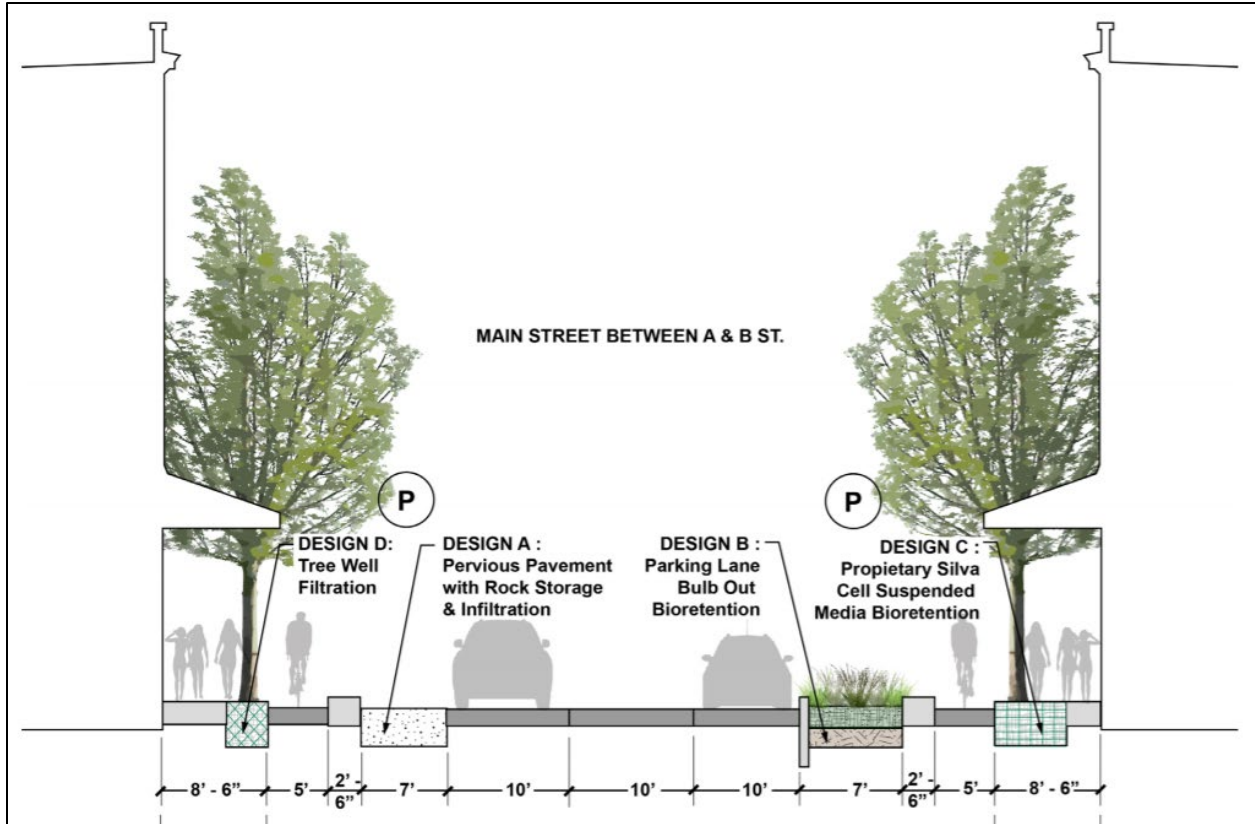


Figure B-5. Downtown Hayward Main Street Typical Section. The typical section for Main Street in Downtown Hayward is a 76-foot right-of-way with a mirrored section of 8.5-foot sidewalk, 5-foot bike lane, 2.5-foot passenger landing, 7-foot parking area and a 10-foot traveled lane. In addition, there is a middle 10-foot two-way turning lane. This section assumes a crowned roadway with the high point in the center of the turning lane.

Source: Hayward Downtown Specific Plan

Work with the Existing Drainage System

If an underdrain will be included in the GI facility design, a street retrofit site should have an existing storm drain line, to which the underdrain may be connected. If there is no existing storm drain line, subject to municipal approval, in lieu of an underdrain, sites with poorly draining soils may potentially be designed with an oversized reservoir layer of rock below the GI facility. The rock layer would be sized to hold the amount of runoff identified in Attachment B-1, Hydraulic Sizing Criteria. This approach was used in the City of Burlingame’s Donnelly Street green street project (Figure B-6), because there was no available storm drain line.

Figure B-6. Donnelly Street Green Street Project. The Donnelly Street Green Street Project includes a rain garden, pictured at right, which captures runoff from the adjacent commercial buildings and parking lot. The rain garden was designed with no underdrain and an enlarged subsurface layer of rock, which serves as a reservoir and allows runoff to slowly infiltrate to the underlying soil. The system was designed for onsite management of flows that exceed the 30-year storm. An overflow to the curb is provided for a 50- to 100-year event scenario.

Source: City of Burlingame



Consider Conveyance Facilities

In some cases, a street retrofit project may be located near an appropriate site for a larger stormwater facility than can be accommodated in the typical street right-of-way. For example, a street retrofit project may be designed to convey stormwater runoff to a bioretention facility that will be constructed on an adjacent park or greenway. This approach is illustrated by the City of El Cerrito's Ohlone Greenway Natural Area and Rain Garden project's incorporation of a rain garden (Figure B-7) that captures and treats stormwater runoff from an adjacent segment of Fairmont Boulevard. Various methods may be considered for conveying runoff to nearby GI facilities, including trench drains (Figure B-8) and vegetated swales or vegetated channels (Figure B-9).

Figure B-7. Ohlone Greenway Natural Area and Rain Garden. This rain garden captures and treats runoff from an adjacent segment of Fairmont Boulevard. In this instance, the rain garden location provided an opportunity to convey and treat stormwater outside the street right-of-way.

Source: PlaceWorks



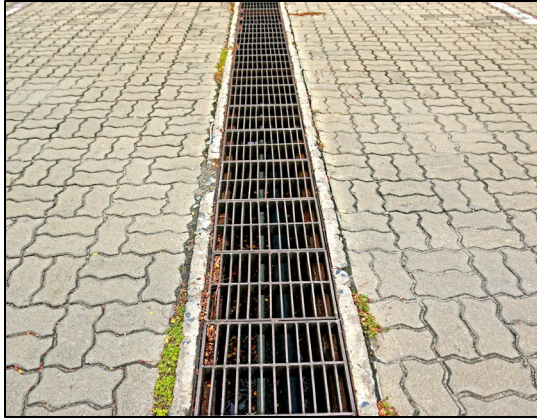


Figure B-8. Trench Drain. A trench drain can be used to convey runoff to GI facilities.



Figure B-9. Pervious Drainage Channel. Pervious, unlined drainage channels can be designed to convey runoff to GI facilities.

Identify the Appropriate Typical Design for Street Project Site

Refer to Attachment B-4 of this appendix to identify appropriate typical design drawings for the project. Typical designs have been developed for various conditions that may occur at a project site. GI projects may also utilize design guidance provided in Chapter 6 of the C.3 Technical Guidance manual for other types of low impact development storm water treatment facilities, subject to municipal staff approval.

Apply the Appropriate Hydraulic Sizing Criteria

Refer to Attachment B-1 for guidance on identifying and using the appropriate hydraulic sizing criteria for the proposed project.

Convey Stormwater away from Transportation Facilities

To manage the risk of flooding, adequate drainage facilities must be provided for all segments of roadway, in accordance with the City of Hayward's storm drainage design standards, including design criteria, standards, policies, and procedures for storm drainage improvements. All storm drainage facilities must be designed in accordance with the applicable standards and accepted engineering principles, as directed by the City of Hayward's Department of Public Works.

B.2.2 Guidelines Addressing Pedestrian Travel within Street Right of Way

To help reduce pollution from automobiles, the City of Hayward has a goal to improve and expand transportation choices, including the pedestrian mode of travel. As part of meeting this goal, the design of GI retrofits of existing streets should incorporate measures that seek to enhance the safety and attractiveness for pedestrians. The following measures may be considered:

- Within the Plan Area identified by the Downtown Specific Plan, include stormwater treatment measures within the public realm in currently planned traffic calming and vehicular routing right-of-way (ROW) improvements that will make the Downtown Plan Area more accessible for pedestrians and cyclists, while continuing to accommodate automobile use.
- Incorporate into project intersections curb extensions, also referred to as bulbouts, which reduce the street width at intersections and shorten the length of street crossings for pedestrians, while also providing space for GI facilities (see Figure B-10).
- Provide attractive landscaping designs that enhance the sense of place for pedestrians and may potentially include amenities such as shade trees and seating areas.
- Locate the GI facility between the sidewalk and vehicle travel lanes, in order to enhance pedestrian safety by providing protected sidewalks.



Figure B-10. Curb Extension. In addition to reducing the street width and shortening the length of street crossings for pedestrians, curb extensions, or “bulbouts,” such as this example in Albany, also provide space for GI facilities.

Source: bluegreenbldg.org

B.2.3 Guidelines Addressing Street Use for Bicycle, Transit, and Vehicle Movement/Parking

Complete streets balance the needs of pedestrian, bicycle, automobile, and public transit modes of travel. To meet the goal of improving and expanding transportation choices, described in Section B.2.2, in addition to pedestrian transportation, GI retrofits of existing streets must also be designed to accommodate bicycles, motor vehicles, and, where appropriate, public transit. The design and construction of each GI project should incorporate appropriate measures to enhance transportation safety and help improve the attractiveness of alternative modes of travel. The following measures may be considered:

Bicycle-Friendly Measures

- Include bicycle lanes in GI retrofits of existing streets.
- Provide a protected bicycle lane by locating a GI facility or other landscaped area, or a lane of parking, between a bicycle lane and lanes of motor vehicle travel.
- Include bicycle racks in GI street retrofit projects.

Public Transit-Friendly Measures

- Enhance the comfort of public transit users by providing shelter, shade, and greenscape at bus stops and other public transit stops.
- Integrate GI into transit facilities, such as boarding bulbs and islands, or rooftops of transit shelters.
- Provide bicycle racks at public transit stops.

Motor Vehicle-Friendly Measures

- Implement GI with geometric changes that reduce vehicle speed and/or improve visibility. This may include “road diet” projects that reduce the number of lanes of travel, or traffic calming projects that incorporate areas of landscaping, such as traffic islands, as visual cues to help slow down traffic.
- Provide visual cues to help slow down traffic and alert drivers to the presence of GI facilities, to help prevent motor vehicles from driving into a stormwater facility. Visual cues may include curbs and landscaping that is readily visible to drivers.
- Within the Plan Area identified by the Downtown Specific Plan, construct parking lanes with pervious pavement underlain with a pervious storage material to treat runoff from vehicular lanes.

B.2.4 Guidelines Addressing Urban Forestry in Public Right of Way

Increasing the planting of street trees in the City of Hayward is anticipated to benefit local water quality, air quality, energy efficiency, and property values. GI projects should incorporate measures to preserve existing street trees and promote the planting of new street trees. The following measures should be incorporated, as appropriate:

- Prioritize the preservation of existing mature trees.
- Replace any mature trees that are removed by the project.
- Maximize the planting of new street trees, consistent with the City's General Plan's Natural Resources Element, Goal NR-4.12: Urban Forestry, which encourages the planting of native and diverse tree species to reduce heat island effect, reduce energy consumption, and contribute to carbon mitigation.
- The planting of trees within a GI facility should follow applicable guidance, including the identification of appropriate species, provided in Appendix B of the ACCWP C.3 Technical Guidance, which may be downloaded at www.cleanwaterprogram.org (click Businesses, then Development).

B.3 Guidelines for GI Retrofits of Public Parcels

Public parcels must perform the range of functions described in Section B.1. The following guidelines provide general guidelines for GI retrofitting of public parcels, to address the full range of functions. Additional design guidance for GI facilities, which are also referred to as LID storm water treatment facilities, is provided in Chapters 5 and 6 of the ACCWP C.3 Technical Guidance, which may be downloaded at, www.cleanwaterprogram.org (click Businesses, then Development).

B.3.1 Guidelines to Address Parking Lot Use for Landscaping and Stormwater Management

Parking lots often contain excess parking spots and oversized parking spaces and drive aisles. GI retrofits of public parcels should consider options to reduce any unnecessary parking areas, in order to provide space for landscaping, stormwater management, and pedestrian walkways. The following measures may be considered:

Maximize Space for GI and other Landscaping

To allow more space for GI and other landscaping, the City may consider modifying or allowing exceptions to the City's parking lot standard. Parking should be designed to meet "average day" needs and utilize pervious overflow parking zones to meet peak parking needs.

Consider Specifying Pervious Paving

Pervious paving may be used in parking lot designs. Where pervious paving is underlain with pervious soil or pervious storage material sufficient to hold the Municipal Stormwater Regional Permit Provision C.3.d volume of rainfall runoff, it is not considered impervious and can function as a self-treating area. Please see Section 6.6 of the C.3 Technical Guidance for further design guidance for pervious pavement installations.

Convey Stormwater to GI Facilities

GI retrofits of existing sites must be designed to convey stormwater runoff from impervious surfaces (roofs and/or parking lots) to the proposed GI facilities. Key issues include working with the existing drainage system, and considering conveyance facilities where needed.

Work with the Existing Drainage System

If an underdrain will be included in the GI facility design, the site should have access to an existing storm drain line, to which the underdrain may be connected. If there is no existing storm drain line, subject to municipal approval, in lieu of an underdrain, sites with poorly draining soils may potentially be designed with an oversized reservoir layer of rock below the GI facility. The rock layer would be sized to hold the amount of runoff identified in Section 6, Hydraulic Sizing Requirements. This approach was used in the City of Burlingame's Donnelly Street green street project (Figure B-5), because there was no available storm drain line.

Consider Conveyance Facilities

Various methods may be considered for conveying runoff from impervious surfaces to GI facilities, including trench drains (Figure B-7) and vegetated swales or vegetated channels (Figure B-8). In parking lots that include speed bumps, consider using speed bumps to help direct stormwater runoff to GI facilities.

Identify the Appropriate Typical Design for the Project Site

Refer to Attachment B-4, included in this appendix, to identify appropriate typical design drawings for the project. Typical designs have been developed for various conditions that may occur at a project site. GI projects may also utilize design guidance provided in Chapter 6 of the C.3 Technical Guidance manual for other types of low impact development storm water treatment facilities, subject to municipal staff approval.

Apply the Hydraulic Sizing Criteria Identified in Provisions C.3.c and C.3.d

Refer to Attachment B-1 for guidance on using the appropriate hydraulic sizing criteria in MRP Provisions C.3.c and C.3.d as applicable to design GI projects that are not regulated by Provision C.3.b ("non-Regulated Projects).

Prioritize Tree Preservation and Planting

In order to benefit local water quality, air quality, energy efficiency, and property values, GI projects on public parcels should incorporate measures to preserve existing street trees and promote the planting of new trees. The following measures should be incorporated, as appropriate:

- Prioritize the preservation of existing mature trees.
- Replace any mature trees that are removed by the project.
- Preserve and protect trees, consistent with the City's General Plan's Natural Resources Element, Goal NR-1.7 Native Tree Protection, which encourages protection of mature, native tree species to the maximum extent practicable, to support the local eco-system, provide shade, create windbreaks, and enhance the aesthetics of new and existing development.
- Incorporate trees in landscaped areas within parking lots – which serves to shade vehicles and paved surfaces, improve air and water quality, intercept stormwater in the tree canopy, and take up stormwater through the root system.
- The planting of trees within a GI facility should follow guidance, including the identification of appropriate species, provided in Appendix B of the ACCWP C.3 Technical Guidance, which may be downloaded at www.cleanwaterprogram.org (click Businesses, then Development).

B.3.2 Guidelines to Address Parking Lot Use for Vehicular Parking

GI retrofits of public parcels should provide for adequate motor vehicle and bicycle parking for the proposed public use. The following measures may be considered:

- Include bicycle parking facilities.
- Provide pedestrian walkways within parking lots (Figure B-11 shows how a pedestrian walkway was included alongside a bioretention facility in Alameda County's Turner Court facility, located in Hayward). Consider including bridged walkways across GI facilities.
- Provide safe pedestrian access to and directional signage for adjacent public transit stops.
- Consider other improvements to enhance existing pedestrian circulation and safety.

Depending on the type of use, larger public parcel retrofits should consider providing bicycle storage, changing rooms, and preferred parking for carpooling



Figure B-11. Turner Court Bioretention Area. A walkway provides pedestrian access to Alameda County's Turner Court facility from the adjacent City street in the City of Hayward. The pedestrian walkway is adjacent to a bioretention area that treats stormwater runoff from the Turner Court facility's parking lot.

Source: Alameda County Public Works Agency

B.4 Guidelines for Coordination of Projects

Installing GI components at a project prior to the completion of that project, or having GI components in place during the construction of an adjacent project, has the potential to degrade the functioning of the GI facility. Street improvement or other infrastructure projects, the development of public parcels, and other public and private projects should therefore include coordination of construction schedules to minimize impacts to GI.

The following measures shall be implemented in all GI projects to protect investments in GI:

1. GI facilities shall not be used as temporary sediment basins during construction.
2. Erosion control plans shall include protections for GI; project-specific erosion controls are included in the Alameda Countywide Clean Water Program Stormwater Requirements Checklist. Erosion control plans are reviewed as part of the City of Hayward's grading permit process.
3. Installed GI facilities shall be protected from construction runoff and kept offline until the contributing drainage area is stabilized.

Contractors are encouraged to construct GI facilities at the end of a project, to help protect the facilities from construction-related impacts.

Attachment B-1: Hydraulic Sizing Criteria

This Attachment to the City of Hayward's Green Infrastructure (GI) Plan provides guidance on the following topics:

- Hydraulic sizing criteria in MRP Provisions C.3.c and C.3.d as applicable to GI projects that are not regulated by Provision C.3.b ("non-Regulated Projects)
- Alternate sizing approach for constrained street projects

B1.1 Hydraulic Sizing Criteria in MRP Provisions C.3.c and C.3.d

Provision C.3.c requires the use of low impact development (LID) stormwater controls. To meet the MRP definition of LID, bioretention facilities must have a surface area no smaller than what is required to accommodate a 5 inches/hour stormwater runoff surface loading rate, and infiltrate runoff through biotreatment soil media at a minimum of 5 inches per hour.

Provision C.3.d of the Municipal Regional Stormwater Permit (MRP) includes volume-based, flow-based, and the combination volume-and flow-based hydraulic sizing criteria. Bioretention areas may be sized using a simplified flow-based hydraulic sizing method, known as the "4 percent method," in which the surface area of the bioretention area is sized at 4 percent of the effective impervious surface area that is treated. However, by using a combination volume- and flow-based hydraulic sizing approach, it may be possible to provide a bioretention area that is less than 4 percent of the effective impervious surface area, which can help reduce costs. Step-by-step instructions for using the 4 percent method and the volume-based sizing criteria are provided in Section 5.1 of the C.3 Technical Guidance. Guidance for using the combination flow and volume criteria from Section 5.1 of the C.3 Technical Guidance document are copied below. The worksheet for using this method is provided in Attachment B-2.

The implementation of LID stormwater treatment facilities designed in accordance with Provisions C.3.c and C.3.d of the MRP will provide hydromodification management benefits by infiltrating and detaining stormwater runoff.

Step-by-Step Guidance for Combination Flow and Volume Method

To apply the combination flow and volume approach, use the following steps, which may be performed using the combination flow and volume sizing criteria Excel worksheet provided in Attachment B-2 of this appendix.

1. Mean Annual Precipitation

- Determine the mean annual precipitation (MAP) for the project site using the Mean Annual Precipitation Map of Alameda County (Attachment B-3). Use the Oakland Airport unit basin storage volume values from Table B1-1 (below) if the

project location's mean annual precipitation is 16.4 inches or greater and the San Jose values if it is less than 16.4 inches.

- In order to account for the difference between MAP of the project site and the two rainfall locations shown, calculate the **MAP adjustment factor** by dividing the project MAP by the MAP for the applicable rain gauge, as shown below: MAP adjustment factor = (project location mean annual precipitation

$$\text{Map adjustment factor} = \frac{(\text{project location mean annual precipitation})}{(18.35 \text{ or } 14.4, \text{ as appropriate})}$$

2. Effective Impervious Area for the Drainage Management Area

- Based on the topography of the site and configuration of buildings, divide the site into drainage management areas (DMAs), each of which will drain to a treatment measure. Implement the steps below for each DMA with a volume-based treatment measure.
- Minimize the amount of landscaping or pervious pavement that will contribute runoff to the treatment measures. Refer to Sections 4.1 and 4.2 of the C.3 Stormwater Technical Guidance to design areas of landscaping or pervious pavement as “self-treating areas” or “self-retaining areas,” so that they do not contribute runoff to the LID treatment measure and may be excluded from the DMAs for the treatment measures.
- For each DMA in which the area that will contribute runoff to the treatment measure includes pervious surfaces (landscaping or properly designed pervious paving), multiply the area of pervious surface by a factor of 0.1.
- For applicable DMAs, add the product obtained in the previous step to the area of impervious surface, to obtain the “**effective impervious area.**” (For DMAs that are 100% impervious, use the entire DMA area.)

3. Unit Basin Storage Volume

- The effective impervious area of a DMA has a runoff coefficient of 1.0. Refer to Table B1-1 to obtain the **unit basin storage volume** that corresponds to your rain gauge area. For example, using the Oakland Airport gauge, the unit basin storage volume would be 0.67 inches. Adjust the unit basin storage volume for the site by multiplying the unit basin storage volume value by the MAP adjustment factor calculated in Step 1.
- Calculate the **required capture volume** by multiplying the effective impervious area of the DMA calculated in Step 2 by the adjusted unit basin storage volume. Due to the mixed units that result, such as acre-inches, it is recommended that the resulting volume be converted to cubic feet for use during design. For example, say you determined the adjusted unit basin storage volume to be 0.5 inches, and the effective impervious area draining to the bioretention facility is 7,000 square feet. Then the required capture volume would be:

$$\text{Required capture volume} = 0.5 \text{ inches} \times \left(\frac{1 \text{ foot}}{12 \text{ inches}} \right) \times 7,000 \text{ feet}^2 = 292 \text{ cubic feet}$$

Table B1-1. Unit Basin Storage Volume (Inches) for 80 Percent Capture with 48-Hour Drawdown Time

Location	Mean Annual Precipitation (inches)	Unit Basin Storage Volume for Effective Impervious Area of Drainage Management Area
		Coefficient of 1.00
Oakland Airport	18.35	0.67
San Jose	14.4	0.56

Source: CASQA 2003,¹ cited in Table 6-2 of the C.3 Technical Guidance.

4. Depth of Infiltration Trench or Pervious Paving Base Layer

- Assume that the rain event that generates the required capture volume of runoff determined in Step 3 occurs at a constant rainfall intensity of 0.2 inches/hour from the start of the storm (i.e., assume a rectangular hydrograph). Calculate the **duration of the rain event** by dividing the unit basin storage volume by the intensity. In other words, determine the amount of time required for the unit basin storage volume to be achieved at a rate of 0.2 inches/hour. For example, if the unit basin storage volume is 0.5 inches, the rain event duration is 0.5 inches ÷ 0.2 inches/hour = 2.5 hours.

5. Preliminary Estimate of the Surface Area the Facility

- Make a **preliminary estimate of the surface area** of the bioretention facility by multiplying the DMA's impervious area (or effective impervious surface if applicable) by the 4 percent method sizing factor of 0.04. For example, a drainage area that includes 7,000 square feet of impervious surface × 0.04 = 280 square feet of bioretention treatment area.
- Assume a bioretention area that is about 25% smaller than the bioretention area calculated with the 4 percent method. Using the example above, 280 – (0.25 × 280) = 210 square feet.
- Calculate the volume of runoff that filters through the biotreatment soil** at a rate of 5 inches per hour (the design surface loading rate for bioretention facilities), for the duration of the rain event calculated in Step 4. For example, for a bioretention treatment area of 210 square feet, with an infiltration rate of 5 inches per hour for a duration of 2.5 hours, the volume of treated runoff = 210 square feet × 5 inches/hour × (1 foot/12 inches) × 2.5 hours = 219 cubic feet. (Note: when calculating ponding depth, the mulch layer is not included in the calculation.)

6. Initial Adjustment of Depth of Surface Ponding Area

- Calculate the portion of the required capture volume **remaining after treatment is accomplished by filtering** through the treatment soil. The result is the amount that must be stored in the ponding area above the reduced bioretention area assumed in Step 6. For example, the amount remaining to be stored comparing

¹ California Stormwater Quality Association, 2003, Stormwater Best Management Practice Handbook: New Development and Redevelopment, www.casqa.org/sites/default/files/BMPHandbooks/BMP_NewDevRedev_Complete.pdf

Step 3 and Step 5 is 292 cubic feet – 219 cubic feet = 73 cubic feet. If this volume is stored over a surface area of 210 square feet, the **average ponding depth** would be 73 cubic feet ÷ 210 square feet = 0.35 feet or 4.2 inches.

- Check to see if the **average ponding depth is between 6 and 12 inches**, which is the recommended allowance for ponding in a bioretention facility or flow-through planter.

7. Optimize the Size of the Treatment Measure

- If the ponding depth is greater than 12 inches, a larger surface area will be required. (In the above example, the optimal size of the bioretention area is 190 square feet with a ponding depth of 6 inches.) In order to build conservatism into this sizing method, the Countywide Program recommends that municipalities not approve the design of any bioretention areas or rain gardens that have a surface area that is less than 3 percent of the effective impervious area within the DMA.

Please note that Appendix C of the C.3 Stormwater Technical Guidance includes an example of sizing bioretention areas using the combination flow- and volume-based method.

B1.2 Alternate Sizing Approach for Constrained Street Projects

Provision C.3.j.i.(2)(g) of the MRP allows the jurisdictions subject to the MRP (MRP Permittees) to develop an alternate sizing approach for street projects that are not subject to Provision C.3.b.ii. (non-Regulated Projects) in which project constraints preclude fully meeting the C.3.d sizing requirements. This approach, developed by the Bay Area Stormwater Management Agencies Association (BASMAA), is described as follows.

The Guidance for Sizing Green Infrastructure Facilities in Street Projects, provided by BASMAA and included as Attachment B-6, states that bioretention facilities in street projects should be sized as large as feasible and meet the Provision C.3.d sizing criteria where possible. It further states that bioretention facilities in street projects smaller than what would be required to meet the Provision C.3.d criteria may be appropriate in some circumstances, and provides guidance that may be applied to those circumstances.

Attachment B-2: Worksheet for Calculating the Combination Flow and Volume Method

The worksheet for calculating the combination flow and volume method is provided on the following page.

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Worksheet for Calculating the Combination Flow and Volume Method

Instructions: After completing Section 1, make a copy of this Excel file for each Drainage Management Area within the project. Enter information specific to the project and DMA in the cells shaded in yellow. Cells shaded in light blue contain formulas and values that will be automatically calculated.

1.0 Project Information

- 1-1 Project Name:
- 1-2 City application ID:
- 1-3 Site Address or APN:
- 1-4 Tract or Parcel Map No:
- 1-5 Site Mean Annual Precip. (MAP)¹ **Inches**

The calculations presented here are based on the **combination flow and volume hydraulic sizing method** provided in the Clean Water Program Alameda County C.3 Technical Guidance, Version 4.0. The steps presented below are explained in Chapter 5, Section 5.1 of the guidance manual, applicable portions of which are included in this file, in the tab called "Guidance from Chapter 5".

Refer to the Mean Annual Precipitation Map in Appendix D of the C.3 Technical Guidance to determine the MAP, in inches, for the site. [Click here for map](#)

- 1-6 Applicable Rain Gauge²

Enter "Oakland Airport" if the site MAP is 16.4 inches or greater. Enter "San Jose" if the site MAP is less than 16.4 inches.

MAP adjustment factor is automatically calculated as:

(The "Site Mean Annual Precipitation (MAP)" is divided by the MAP for the applicable rain gauge, shown in Table 5.2, below.)

2.0 Calculate Percentage of Impervious Surface for Drainage Management Area (DMA)

- 2-1 Name of DMA:

For items 2-2 and 2-3, enter the areas in square feet for each type of surface within the DMA.

Type of Surface	Area of surface type within DMA (Sq. Ft)	Adjust Pervious Surface	Effective Impervious Area
2-2 Impervious surface	<input type="text"/>	1.0	<input type="text"/>
2-3 Pervious service	<input type="text"/>	0.1	<input type="text"/>
Total DMA Area (square feet) =			<input type="text"/>

- 2-4 **Total Effective Impervious Area (EIA)** **Square feet**

3.0 Calculate Unit Basin Storage Volume in Inches

Applicable Rain Gauge	Mean Annual Precipitation (in)	Unit Basin Storage Volume (in) for Applicable Runoff Coefficients
		Coefficient of 1.00
Oakland Airport	18.35	0.67
San Jose	14.4	0.56

- 3-1 **Unit basin storage volume from Table 5.2:** **Inches**

(The coefficient for this method is 1.00, due to the conversion of any landscaping to effective impervious area)

- 3-2 **Adjusted unit basin storage volume:** **Inches**

(The unit basin storage volume is adjusted by applying the MAP adjustment factor.)

- 3-3 **Required Capture Volume (in cubic feet):** **Cubic feet**

(The adjusted unit basin sizing volume [inches] is multiplied by the size of the DMA and converted to feet)

4.0 Calculate the Duration of the Rain Event

- 4-1 Rainfall intensity **0.2 Inches per hour**
- 4-2 Divide Item 3-2 by Item 4-1 **Hours of Rain Event Duration**

5.0 Preliminary Estimate of Surface Area of Treatment Measure

- 5-1 4% of DMA impervious surface **Square feet**
- 5-2 Area 25% smaller than item 5-1 **Square feet**
- 5-3 Volume of treated runoff for area in Item 5-2 **Cubic feet** (Item 5-2 * 5 inches per hour * 1/12 * Item 4-2)

6.0 Initial Adjustment of Depth of Surface Ponding Area

- 6-1 Subtract Item 5-3 from Item 3-3 **Cubic feet** (Amount of runoff to be stored in ponding area)
- 6-2 Divide Item 6-1 by Item 5-2 **Feet** (Depth of stored runoff in surface ponding area)
- 6-3 Convert Item 6-2 from ft to inches **Inches** (Depth of stored runoff in surface ponding area)
- 6-4 If ponding depth in Item 6-3 meets your target depth, skip to Item 8-1. If not, continue to Step 7-1.

7.0 Optimize Size of Treatment Measure

- 7-1 Enter an area larger or smaller than Item 5-2 **Sq.ft.** (enter larger area if you need less ponding depth; smaller for more depth.)
- 7-2 Volume of treated runoff for area in Item 7-1 **Cubic feet** (Item 7-1 * 5 inches per hour * 1/12 * Item 4-2)
- 7-3 Subtract Item 7-2 from Item 3-3 **Cubic feet** (Amount of runoff to be stored in ponding area)
- 7-4 Divide Item 7-3 by Item 7-1 **Feet** (Depth of stored runoff in surface ponding area)
- 7-5 Convert Item 7-4 from feet to inches **Inches** (Depth of stored runoff in surface ponding area)
- 7-6 If the ponding depth in Item 7-5 meets target, stop here. If not, repeat Steps 7-1 through 7-5 until you obtain target depth

8.0 Surface Area of Treatment Measure for DMA

- 8-1 Final surface area of treatment* **Square feet** (Either Item 5-2 or final amount in Item 7-1)

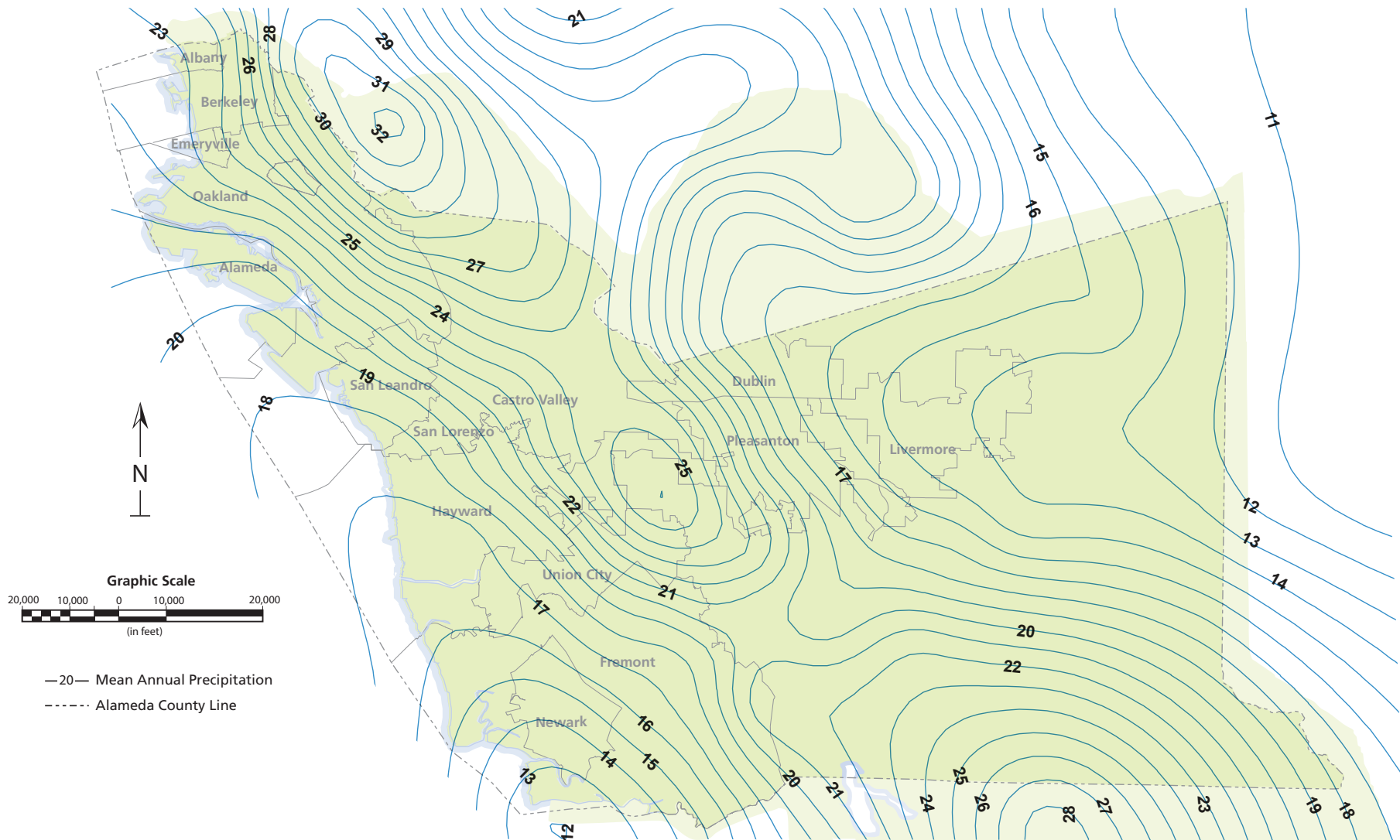
*Note: Check with the local jurisdiction as to its policy regarding the minimum biotreatment surface area allowed.

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Attachment B-3: Mean Annual Precipitation Map

The Mean Annual Precipitation Map for Alameda County is provided on the following page.

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This map is Attachment 6 of the Alameda County Hydrology & Hydraulics Manual and may be downloaded as a GIS file from the Alameda County Flood Control District website.

(District 2011)



Mean Annual Precipitation

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Attachment B-4: Standard Specifications and Typical Details

Standard specifications and typical details for green infrastructure (GI) projects are provided on the following pages, as indicated in Table B4-1.

Table B4-1: GI Example Typical Details/Standard Specifications

Sheet No.	Title of Drawing/Standard Specifications	Site Characteristics		
		Land Use	Street Classification	Other
GI-2A	Bioretention Area: Plan View with Street Parking	Commercial, industrial, or residential	Arterial, collector, or local streets	Parking lane
GI-2B	Bioretention Area: Bulbout Plan View	Commercial, industrial, or residential	Arterial, collector, or local streets	Intersection with sidewalks
GI-2C	Bioretention Area: Street Median	Commercial, industrial, or residential	Arterial, collector, or local streets	Median
GI-3A	Bioretention Area: Sloped Sides Cross Section	Commercial, industrial, or residential	Arterial, collector, or local streets	Sidewalk
GI-3B	Bioretention Area: Vertical Side Wall Cross Section	Commercial, industrial, or residential	Arterial, collector, or local streets	Parking lane and sidewalk
GI-4	Bioretention Components: Outlet Detail	Commercial, industrial, or residential	Arterial, collector, or local streets	--
GI-5	Bioretention Components: Edge Treatment Detail	Commercial, industrial, or residential	Arterial, collector, or local streets	No parking
GI-6A	Bioretention Components: Gutter Curb Cut Inlet Detail	Commercial, industrial, or residential	Arterial, collector, or local streets	--
GI-6B	Bioretention Components: Trench Drain Curb Cut Inlet Detail	Commercial, industrial, or residential	Arterial, collector, or local streets	Parking lane and sidewalk
GI-6C	Bioretention Components: Curb Cut At Bulbout Inlet Detail	Commercial, industrial, or residential	Arterial, collector, or local streets	Intersection with Sidewalks

Sheet No.	Title of Drawing/Standard Specifications	Site Characteristics		
		Land Use	Street Classification	Other
GI-7	Bioretention Components: Check Dam Detail	Commercial, industrial, or residential	Arterial, collector, or local streets	Slope requiring check dams
GI-8	Bioretention Area: With Bike Lane Plan View	Commercial, industrial, or residential	Arterial, collector, or local streets	Bike lane
--	Bioretention Soil Mix Specifications	All	All	--

Source: ACCWP, 2019²

² Alameda Countywide Clean Water Program, 2019, Example Typical Green Infrastructure Details.

PURPOSE:

PROVISION C.3 OF THE MUNICIPAL REGIONAL STORMWATER NPDES PERMIT (MRP) REQUIRES TREATMENT OF IMPERVIOUS SURFACES USING GREEN INFRASTRUCTURE FOR BOTH PUBLIC AND PRIVATE DEVELOPMENT PROJECTS. BIORETENTION AREAS ARE EXPECTED TO BE THE MOST COMMON GREEN INFRASTRUCTURE APPLICATION IN PUBLIC RIGHT-OF-WAY (ROW). THE PURPOSE OF THE BIORETENTION AREA IS TO IMPROVE WATER QUALITY BY FILTRATION THROUGH THE BIOTREATMENT SOIL AND TO CONTROL RUNOFF PEAK FLOW RATES AND VOLUMES THROUGH STORAGE AND INFILTRATION.

NOTES & GUIDELINES:

1. THE ENGINEER SHALL ADAPT PLAN AND SECTION DRAWINGS TO ADDRESS SITE-SPECIFIC CONDITIONS.
2. BIORETENTION AREA SHALL BE SIZED TO MEET THE REQUIREMENTS OF MRP PROVISION C.3 SIZING.
3. 48 HOUR MAXIMUM FACILITY DRAWDOWN TIME (TIME FOR MAXIMUM SURFACE PONDING TO DRAIN THROUGH THE BIOTREATMENT SOIL AFTER THE END OF A STORM). REFER TO C.3 TECHNICAL GUIDANCE MANUAL (ACCWP) FOR DRAINAGE CONSIDERATIONS.
4. A STORAGE LAYER OF CALTRANS STANDARD CLASS II PERMEABLE MATERIAL IS REQUIRED UNDER THE BIOTREATMENT SOIL. REFER TO C.3 TECHNICAL GUIDANCE MANUAL (ACCWP) FOR SPECIFICATIONS.
5. CHECK DAMS SHALL BE USED TO TERRACE FACILITIES TO PROVIDE SUFFICIENT PONDING FOR SLOPED INSTALLATIONS. ENGINEER SHALL SPECIFY CHECK DAM HEIGHT AND SPACING. REFER TO DETAIL **GI-7** FOR GUIDANCE ON CHECK DAM DESIGN.
6. DEPENDING ON THE DEPTH OF THE BIORETENTION AREA, ADDITIONAL STRUCTURAL CONSIDERATIONS MAY BE REQUIRED TO ADDRESS HORIZONTAL LOADING. REFER TO DETAIL **GI-5** FOR GUIDANCE ON EDGE TREATMENTS.
7. WHEN FACILITY CONSTRUCTION IMPACTS EXISTING SIDEWALK, ALL SAW CUTS SHALL ADHERE TO LOCAL JURISDICTION STANDARDS. SAW CUTS SHALL BE ALONG SCORE LINES OR ALONG CONSTRUCTION JOINTS, AS DETERMINED BY THE CITY ENGINEER, AND ANY DISTURBED SIDEWALK FLAGS SHALL BE REPLACED IN THEIR ENTIRETY.
8. BIORETENTION AREAS IN PUBLIC RIGHT OF WAY SHALL BE DESIGNED WITH AN EMERGENCY OVERFLOW. IN THE EVENT THE BIORETENTION AREA OVERFLOW DRAIN IS OBSTRUCTED OR CLOGGED, THE INUNDATION AREA SHALL BE CONTAINED WITHIN THE STREET AND SHALL NOT BE WITHIN ADJACENT PRIVATE PROPERTIES.
9. BIORETENTION AREA VEGETATION SHALL BE SPECIFIED BY LANDSCAPE DESIGN PROFESSIONAL. SEE C.3 TECHNICAL GUIDANCE MANUAL (ACCWP) FOR PLANT LIST AND VEGETATION GUIDANCE.
10. THE ENGINEER SHALL EVALUATE THE NEED FOR EROSION PROTECTION AT ALL INLET LOCATIONS. ALL COBBLES USED FOR ENERGY DISSIPATION SHALL BE GROUTED. ENGINEER TO CONSIDER MAINTENANCE REQUIREMENTS TO FACILITATE EASY SEDIMENT REMOVAL AND ADEQUATE VECTOR CONTROL.
11. THE PROJECT PLANS SHALL SHOW ALL EXISTING UTILITIES AND INDICATE POTENTIAL UTILITY CROSSINGS OR CONFLICTS.
12. CHECK WITH LOCAL JURISDICTION FOR UTILITY CROSSING PROVISIONS.
13. MINIMUM UTILITY SETBACKS AND PROTECTION MEASURES SHALL CONFORM TO CURRENT LOCAL JURISDICTION STANDARDS AND OTHER UTILITY PROVIDER REQUIREMENTS.
14. VERTICAL SIDEWALLS EXTENDING INTO EXISTING STORM DRAIN PIPE TRENCH BACKFILL SHALL BE DESIGNED WITH A CONCRETE BACKFILL ACCEPTABLE TO THE CITY ENGINEER.
15. OVERFLOW RISER MUST BE FORMED SUCH THAT IT IS A MINIMUM OF 6" ABOVE THE BOTTOM OF THE SYSTEM INLET, OR AS DESIGNED. PLACE STRUCTURE ADJACENT TO PEDESTRIAN EDGE TO ALLOW FOR MONITORING ACCESS.
16. DETAILS WERE ADAPTED FROM SFPUC GREEN INFRASTRUCTURE TYPICAL DETAILS AND SPECIFICATIONS.
17. DETAILS WERE DEVELOPED BY GEOSYNTEC CONSULTANTS.

ENGINEER CHECKLIST (SHALL SPECIFY, AS APPLICABLE):

- BIORETENTION AREA WIDTH AND LENGTH
- DEPTH OF PONDING
- AMOUNT OF FREEBOARD PROVIDED
- DEPTH OF BIOTREATMENT SOIL (18" MIN)
- UNDERDRAIN SPECIFICATIONS AND LOCATION (IF FACILITY IS LINED PLACE UNDERDRAIN AT BOTTOM OF FACILITY)
- BIORETENTION SURFACE ELEVATION (TOP OF BIOTREATMENT SOIL) AT UPSLOPE AND DOWNSLOPE ENDS OF FACILITY
- CONTROL POINTS AT EVERY BIORETENTION WALL CORNER AND POINT OF TANGENCY
- DIMENSIONS AND DISTANCE TO EVERY INLET, OUTLET, CHECK DAM, SIDEWALK NOTCH, ETC.
- ELEVATIONS OF EVERY INLET, OVERFLOW RISER, STRUCTURE RIM AND INVERT CHECK DAM, BIORETENTION AREA WALL CORNER, AND SIDEWALK NOTCH
- TYPE AND DESIGN OF BIORETENTION AREA COMPONENTS (E.G., EDGE TREATMENTS, INLETS/GUTTER MODIFICATIONS, UTILITY CROSSINGS, LINER, AND PLANTING DETAILS)
- DEPTH AND TYPE OF MULCH (NON-FLOATING; ORGANICALLY-DERIVED; NOT BARK OR GORILLA HAIR; 3" MIN)

RELATED TECHNICAL GUIDANCE	SOURCE
BIORETENTION: - BIOTREATMENT SOIL MIX - CALTRANS CLASS II PERM LAYER STORAGE - PERFORATED UNDERDRAIN - NON-FLOATING MULCH	C.3 TECHNICAL GUIDANCE MANUAL (ACCWP)

NOT FOR CONSTRUCTION

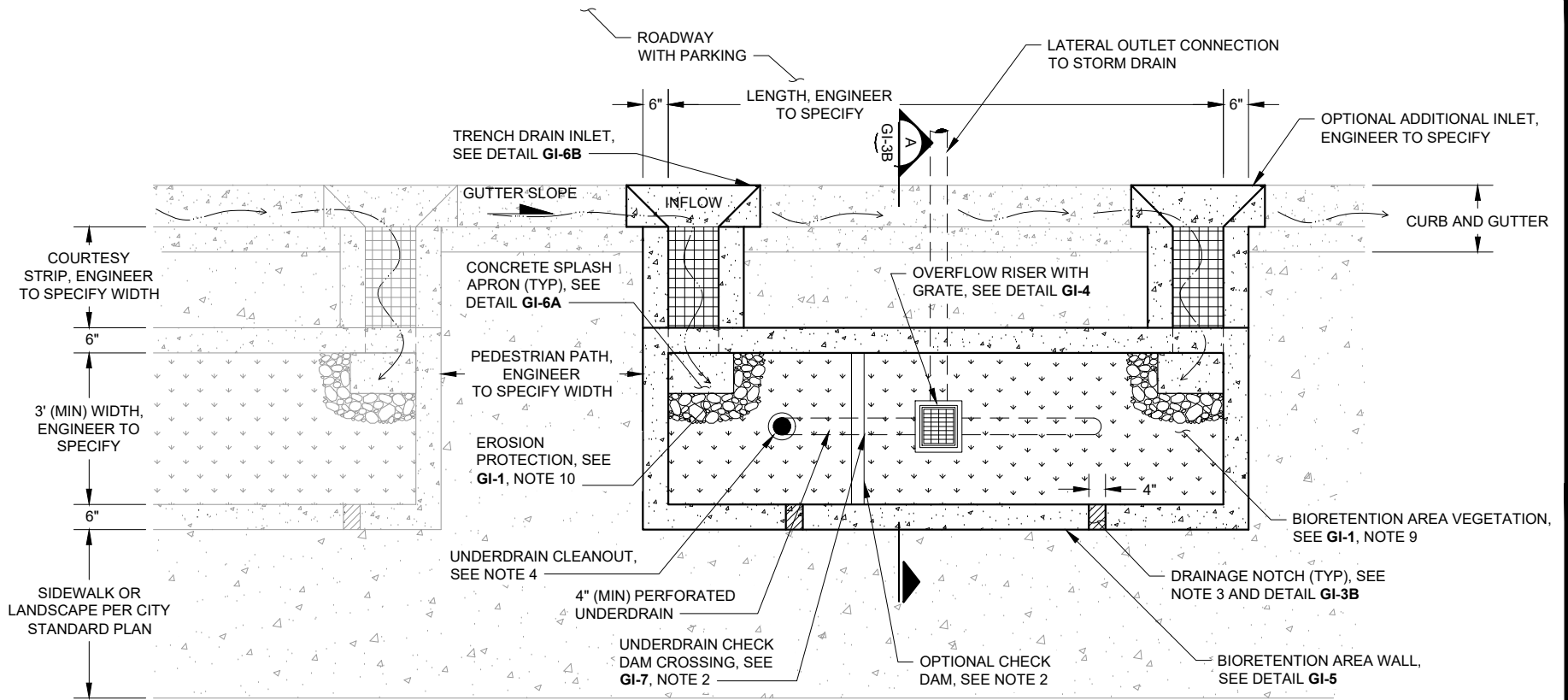
BIORETENTION AREA: NOTES



**GREEN INFRASTRUCTURE
EXAMPLE DETAILS**
ALAMEDA COUNTYWIDE CLEAN
WATER PROGRAM

SCALE: NOT TO SCALE
 DATE: MAY 11, 2018 REVISED: JUNE 11, 2019
 DRAWN BY: K. K. REVISED BY: E. F.
 CHECKED BY: A. R.

GI-1



NOTES:

1. REFER TO GI-1 NOTES FOR GUIDELINES AND CHECKLIST.
2. CHECK DAMS SHALL BE SPACED TO PROVIDE PONDING PER SITE SPECIFIC DESIGN (SEE DETAIL GI-7).
3. LAY OUT DRAINAGE NOTCHES AS APPLICABLE TO PREVENT PONDING BEHIND BIORETENTION AREA WALL WITH 5' MAXIMUM SPACING BETWEEN NOTCHES.
4. PROVIDE ONE UNDERDRAIN CLEANOUT PER BIORETENTION AREA (MIN). CLEANOUT REQUIRED AT UPSTREAM END AND PIPE ANGLE POINTS EXCEEDING 45 DEGREES. LONGITUDINAL SLOPE OF PIPE SHALL BE 0.5% (MIN).

NOT FOR CONSTRUCTION

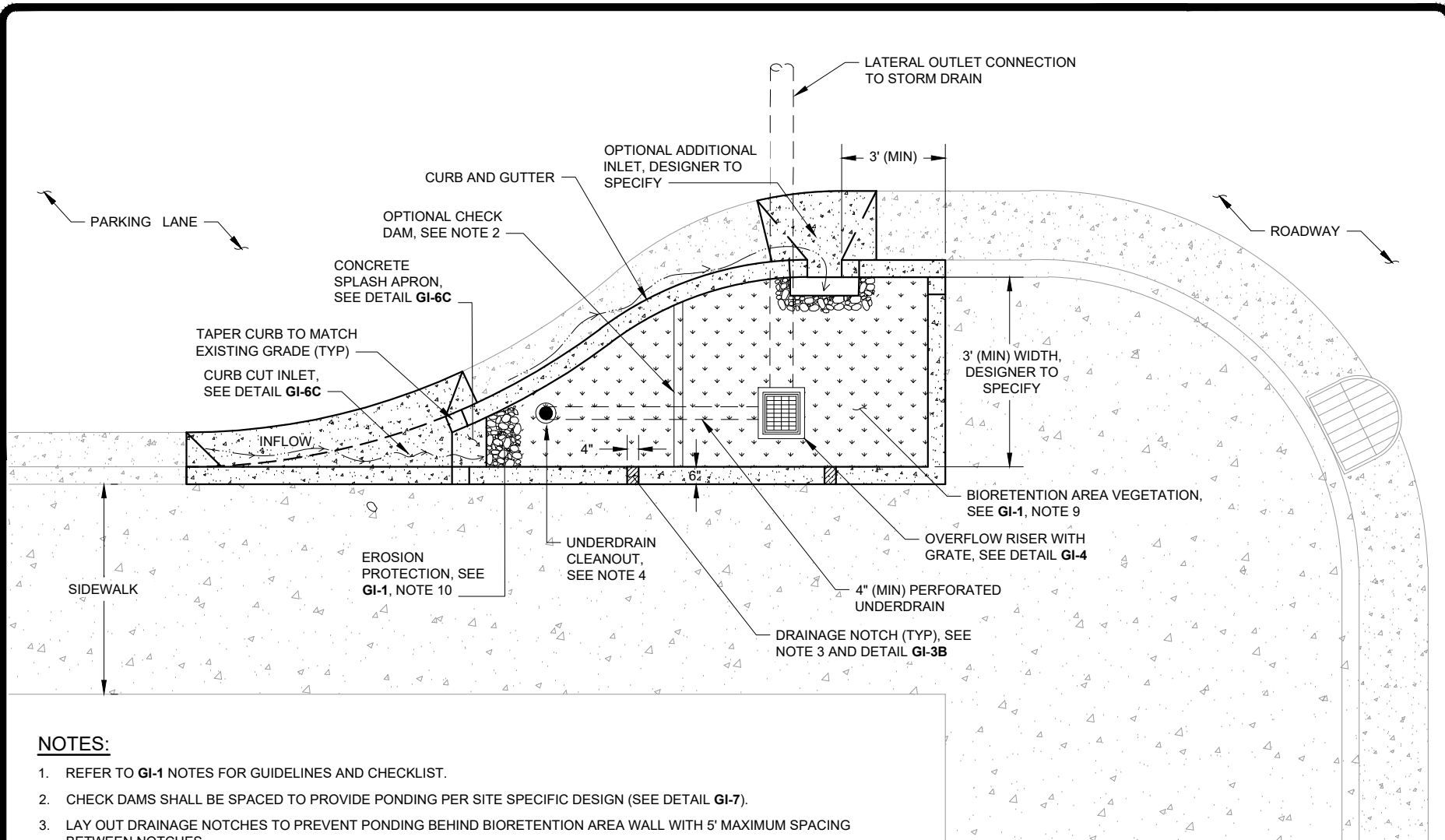
BIORETENTION AREA: PLAN VIEW WITH STREET PARKING



GREEN INFRASTRUCTURE
EXAMPLE DETAILS
ALAMEDA COUNTYWIDE CLEAN
WATER PROGRAM

SCALE: NOT TO SCALE
DATE: MAY 11, 2018 REVISED: JUNE 11, 2019
DRAWN BY: K. K REVISED BY: E. F.
CHECKED BY: A. R.

GI-2A



NOTES:

1. REFER TO GI-1 NOTES FOR GUIDELINES AND CHECKLIST.
2. CHECK DAMS SHALL BE SPACED TO PROVIDE PONDING PER SITE SPECIFIC DESIGN (SEE DETAIL GI-7).
3. LAY OUT DRAINAGE NOTCHES TO PREVENT PONDING BEHIND BIORETENTION AREA WALL WITH 5' MAXIMUM SPACING BETWEEN NOTCHES.
4. PROVIDE ONE UNDERDRAIN CLEANOUT PER BIORETENTION AREA (MIN). CLEANOUT REQUIRED AT UPSTREAM END AND PIPE ANGLE POINTS EXCEEDING 45 DEGREES. LONGITUDINAL SLOPE OF PIPE SHALL BE 0.5% (MIN).

NOT FOR CONSTRUCTION

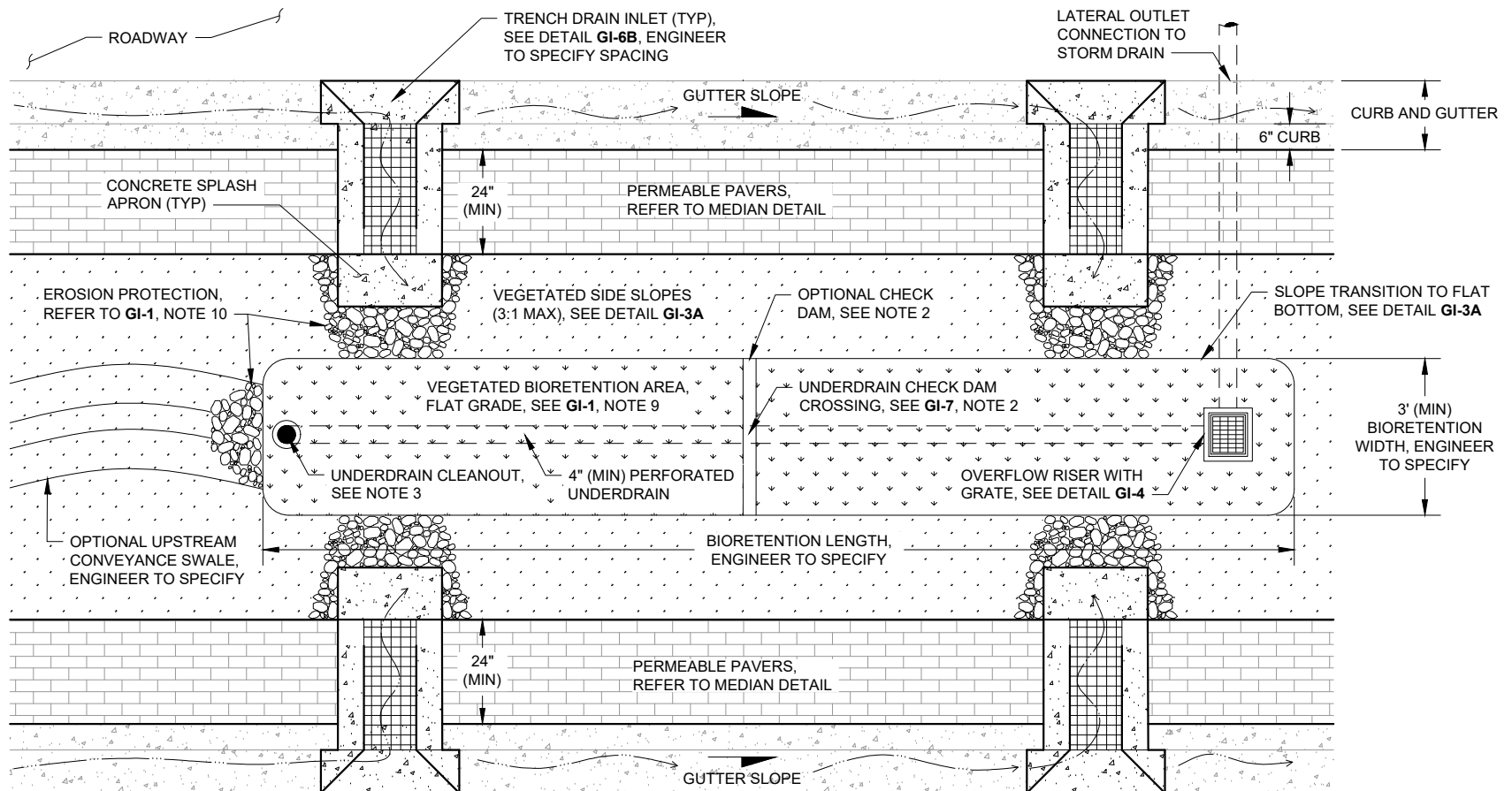
BIORETENTION AREA: BULBOUT PLAN VIEW



**GREEN INFRASTRUCTURE
EXAMPLE DETAILS**
ALAMEDA COUNTYWIDE CLEAN
WATER PROGRAM

SCALE: NOT TO SCALE	
DATE: MAY 11, 2018	REVISED: JUNE 11, 2019
DRAWN BY: K. K.	REVISED BY: E. F.
CHECKED BY: A. R.	

GI-2B



NOTES:

1. REFER TO **GI-1** NOTES FOR GUIDELINES AND CHECKLIST.
2. CHECK DAMS SHALL BE SPACED TO PROVIDE PONDING PER SITE SPECIFIC DESIGN (SEE DETAIL **GI-7**).
3. PROVIDE ONE UNDERDRAIN CLEANOUT PER BIORETENTION AREA (MIN). CLEANOUT REQUIRED AT UPSTREAM END AND PIPE ANGLE POINTS EXCEEDING 45 DEGREES. LONGITUDINAL SLOPE OF PIPE SHALL BE 0.5% (MIN).
4. DESIGNERS TO REFERENCE AASHTO ROADSIDE SAFETY DESIGN REQUIREMENTS AND CONSIDER USE OF MEDIAN BIORETENTION AREAS IN RELATION TO STREET CLASSIFICATION AND STREET SPEEDS.
5. A STORAGE VOLUME SAFETY FACTOR OF 1.5 SHALL BE INCLUDED IN THE DESIGN OF MEDIAN BIORETENTION AREAS TO PREVENT FLOODING.
6. SLOPED SIDES (**GI-3A**) DEPICTED IN PLAN VIEW ABOVE, REFER TO **GI-3B** IF VERTICAL SIDE WALLS ARE USED.

NOT FOR CONSTRUCTION



**GREEN INFRASTRUCTURE
EXAMPLE DETAILS**
ALAMEDA COUNTYWIDE CLEAN
WATER PROGRAM

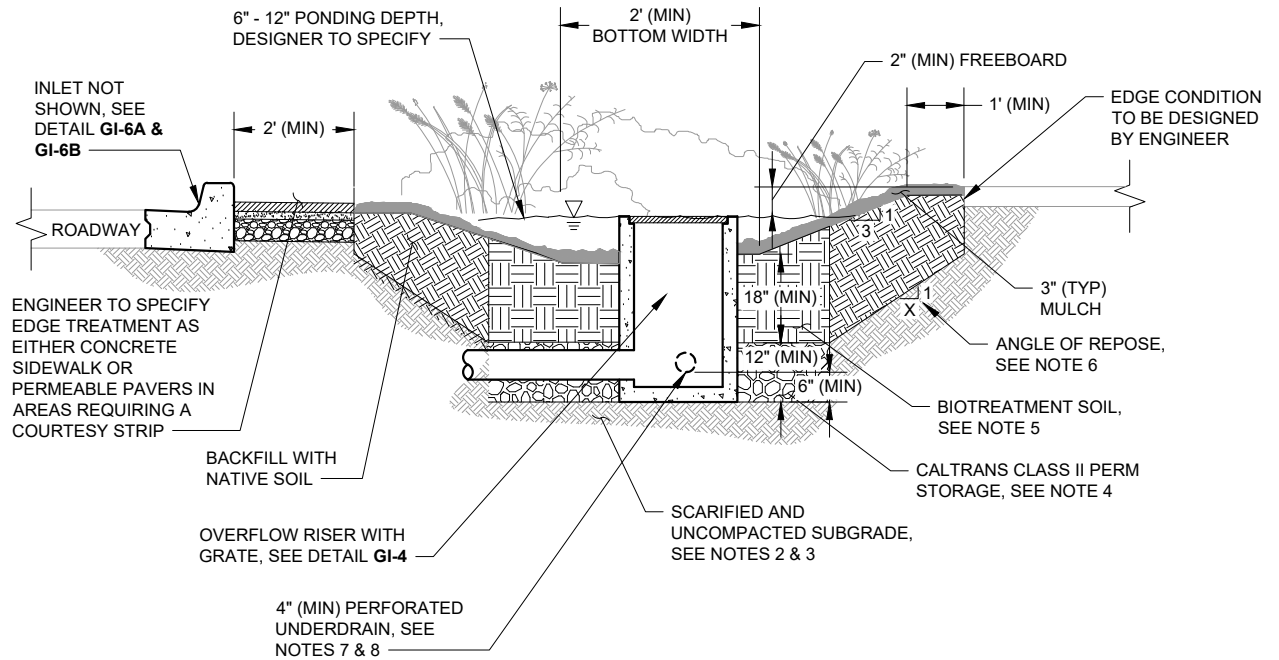
BIORETENTION AREA: STREET MEDIAN

SCALE: NOT TO SCALE
DATE: MAY 11, 2018 REVISED: JUNE 11, 2019
DRAWN BY: K. K. REVISED BY: E. F.
CHECKED BY: A. R.

GI-2C

NOTES:

1. REFER TO **GI-1** NOTES FOR GUIDELINES AND CHECKLIST.
2. AVOID UNNECESSARY COMPACTION OF EXISTING SUBGRADE BELOW AREA.
3. SCARIFY SUBGRADE TO A DEPTH OF 3" (MIN) IMMEDIATELY PRIOR TO PLACEMENT OF CALTRANS CLASS 2 PERMEABLE MATERIAL STORAGE LAYER AND BIOTREATMENT SOIL MATERIALS.
4. AGGREGATE STORAGE LAYER COMPRISED OF 12" MIN CALTRANS CLASS 2 PERMEABLE MATERIAL.
5. REFER TO C.3 TECHNICAL GUIDANCE MANUAL (ACCWP) FOR BIOTREATMENT SOIL MIX SPECIFICATIONS. INSTALL BIOTREATMENT SOIL AT 85% COMPACTION FOLLOWING BASMAA INSTALLATION GUIDANCE.
6. ANGLE OF REPOSE VARIES PER GEOTECHNICAL ENGINEER RECOMMENDATIONS.
7. UNDERDRAIN AND CLEAN OUT PIPE (1 MIN PER FACILITY) REQUIRED, REFER TO C.3 TECHNICAL GUIDANCE MANUAL (ACCWP) FOR DESIGN CONSIDERATIONS. UNDERDRAINS SHOULD BE ELEVATED 6" (MIN) WITHIN THE CALTRANS CLASS 2 PERMEABLE MATERIAL STORAGE LAYER TO PROMOTE INFILTRATION. IN FACILITIES WITH AN IMPERMEABLE LINER, THE UNDERDRAIN SHOULD BE PLACED AT THE BOTTOM OF THE CALTRANS CLASS 2 PERMEABLE MATERIAL STORAGE LAYER. PERFORATED/SLOT DRAINS SHOULD BE DOWNWARD FACING TO FACILITATE BETTER STORAGE IN THE GRAVEL LAYER.
8. THE UNDERDRAIN IN ALL FACILITIES LOCATED IN THE PUBLIC RIGHT-OF-WAY SHALL BE VIDEO RECORDED AND PROVIDED TO THE CITY FOR REVIEW PRIOR TO PROJECT ACCEPTANCE.
9. REFER TO LOCAL JURISDICTION STANDARDS FOR CURB AND SIDEWALK DETAILS.



NOT FOR CONSTRUCTION

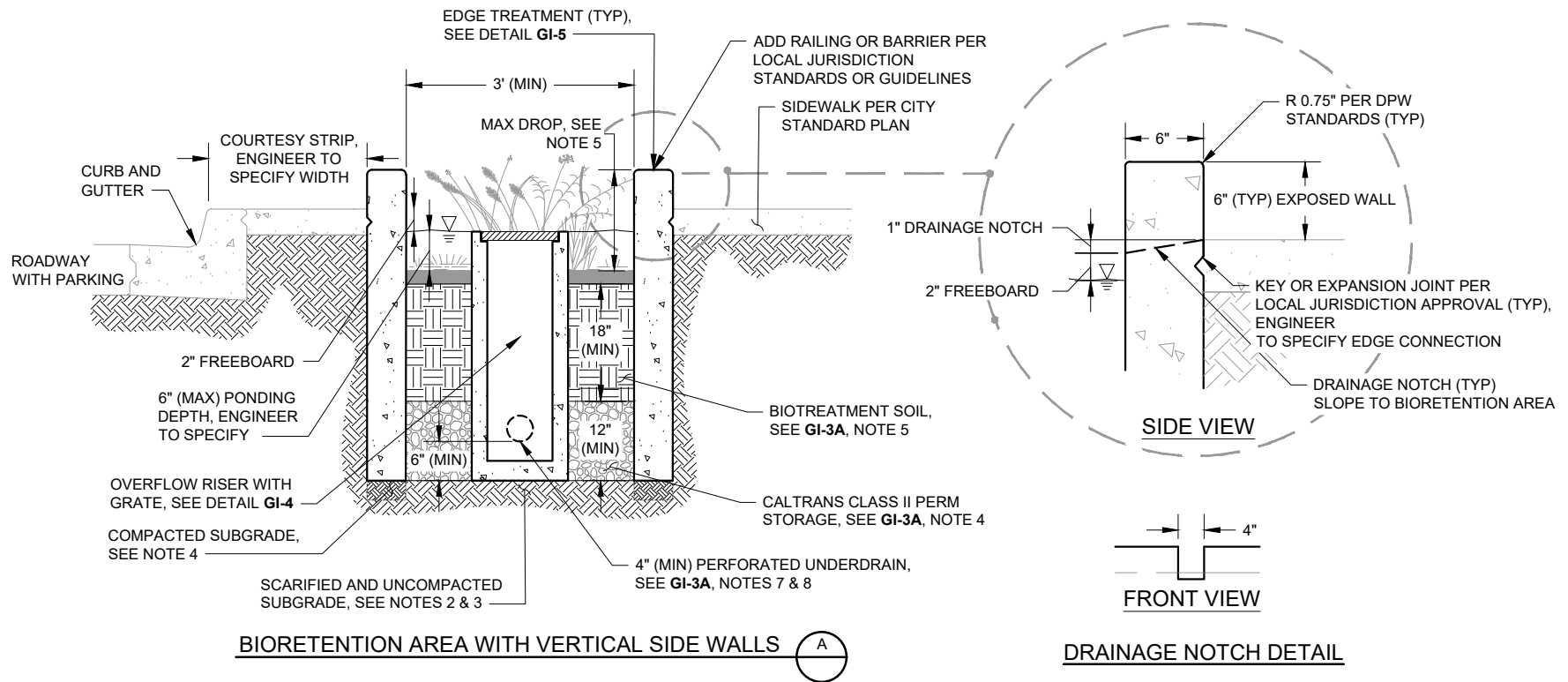
BIORETENTION AREA: SLOPED SIDES CROSS SECTION



**GREEN INFRASTRUCTURE
EXAMPLE DETAILS**
ALAMEDA COUNTYWIDE CLEAN
WATER PROGRAM

SCALE: NOT TO SCALE
DATE: MAY 11, 2018 REVISED: JUNE 11, 2019
DRAWN BY: K. K. REVISED BY: E. F.
CHECKED BY: A. R.

GI-3A



NOTES:

1. REFER TO GI-1 NOTES FOR GUIDELINES AND CHECKLIST.
2. AVOID UNNECESSARY COMPACTION OF EXISTING SUBGRADE BELOW BIORETENTION AREA.
3. SCARIFY SUBGRADE TO A DEPTH OF 3" (MIN) IMMEDIATELY PRIOR TO PLACEMENT OF AGGREGATE STORAGE AND BIOTREATMENT SOIL MATERIAL.
4. FOR STRUCTURAL SUPPORT, SUBGRADE UNDER WALLS ONLY COMPACTED PER ENGINEER SPECIFICATIONS.
5. MAXIMUM DROP, PER LOCAL BUILDING CODE, FROM TOP OF CURB TO TOP OF BIOTREATMENT SOIL SHALL INCLUDE CONSIDERATIONS FOR BIOTREATMENT SOIL SETTLEMENT. THE DROP IS THE SUM OF PONDING DEPTH (6" TYP), FREEBOARD (2" TYP), AND CURB HEIGHT (6" TYP).
6. REFER TO LOCAL JURISDICTION STANDARDS FOR CURB AND SIDEWALK DETAILS.

NOT FOR CONSTRUCTION

BIORETENTION AREA: VERTICAL SIDE WALL CROSS SECTION



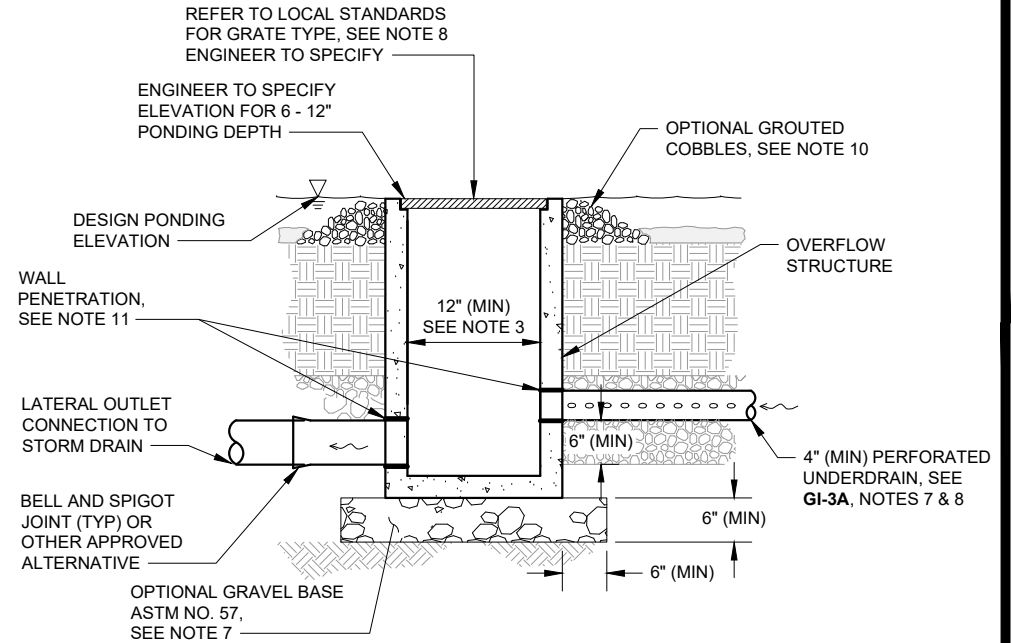
GREEN INFRASTRUCTURE
EXAMPLE DETAILS
ALAMEDA COUNTYWIDE CLEAN
WATER PROGRAM

SCALE: NOT TO SCALE	
DATE: MAY 11, 2018	REVISED: JUNE 11, 2019
DRAWN BY: K. K.	REVISED BY: E. F.
CHECKED BY: A. R.	

GI-3B

NOTES:

1. REFER TO **GI-1** NOTES FOR GUIDELINES AND CHECKLIST.
2. ALL MATERIAL AND WORKMANSHIP FOR OVERFLOW STRUCTURES SHALL CONFORM TO LOCAL JURISDICTION STANDARDS.
3. DESIGN OVERFLOW WEIR AND OUTLET PIPE TO CONVEY 10-YR, 24-HR STORM FLOW OR DESIGN INLET TO DIVERT FLOWS LARGER THAN THE DESIGN STORM DIRECTLY TO THE STORM DRAIN. LOCATE ALL OVERFLOW PIPES AT AN ELEVATION HIGHER THAN THE STORM SEWER HYDRAULIC GRADE LINE TO PREVENT BACKFLOW INTO THE BIORETENTION FACILITY.
4. STORM DRAIN OUTLET PIPES SHALL BE SIZED TO MEET HYDRAULIC REQUIREMENTS WITH APPROPRIATE COVER DEPTH AND PIPE MATERIAL.
5. PERFORATED UNDERDRAINS WITH CLEANOUT PIPES ARE REQUIRED. PERFORATED/SLOT DRAINS SHOULD BE DOWNWARD FACING TO FACILITATE BETTER STORAGE IN THE GRAVEL LAYER.
6. MAINTENANCE ACCESS IS REQUIRED FOR ALL OUTLET STRUCTURES AND CLEANOUT FACILITIES. 12" (MIN) CLEARANCE WITHIN OVERFLOW STRUCTURE SHALL BE PROVIDED FOR MAINTENANCE ACCESS.
7. ENGINEER SHALL REFER TO LOCAL JURISDICTION STANDARDS AND/OR ASSESS NEED FOR GRAVEL BASE. ENGINEER SHALL EVALUATE BUOYANCY OF STRUCTURES FOR SITE SPECIFIC APPLICATION AND SPECIFY THICKENED OR EXTENDED BASE / ANTI-FLOATATION COLLAR, AS NECESSARY.
8. SIZE OF GRATE SHALL MATCH SIZE OF RISER SPECIFIED IN PLANS, SHALL BE REMOVABLE TO PROVIDE MAINTENANCE ACCESS, AND SHALL BE BOLTED IN PLACE OR OUTFITTED WITH APPROVED TAMPER-RESISTANT LOCKING MECHANISM. MAXIMUM GRATE OPENING SHALL BE 2".
9. IF INTERIOR DEPTH OF OVERFLOW STRUCTURE EXCEEDS 5', A PERMANENT BOLTED LADDER AND MINIMUM CLEAR SPACE OF 30" BY 30" SHALL BE PROVIDED FOR MAINTENANCE ACCESS.
10. MINIMUM DIAMETER OF OPTIONAL GROUTED COBBLES SHALL BE LARGER THAN MAXIMUM GRATE OPENING.
11. GROUT ALL PENETRATIONS, CRACKS, SEAMS, AND JOINTS WITH CLASS "C" MORTAR.



NOT FOR CONSTRUCTION

BIORETENTION COMPONENTS: OUTLET DETAIL



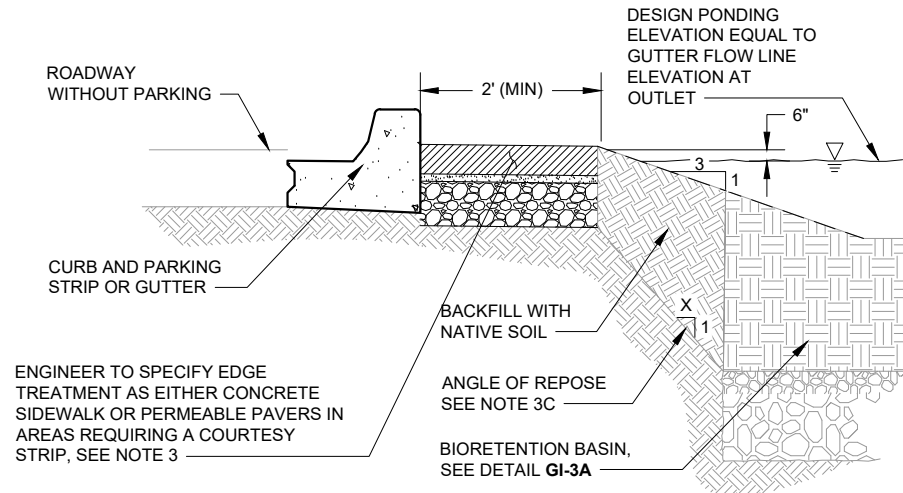
GREEN INFRASTRUCTURE
EXAMPLE DETAILS
ALAMEDA COUNTYWIDE CLEAN
WATER PROGRAM

SCALE: NOT TO SCALE
DATE: MAY 11, 2018 REVISED: JUNE 11, 2019
DRAWN BY: K. K. REVISED BY: E. F.
CHECKED BY: A. R.

GI-4

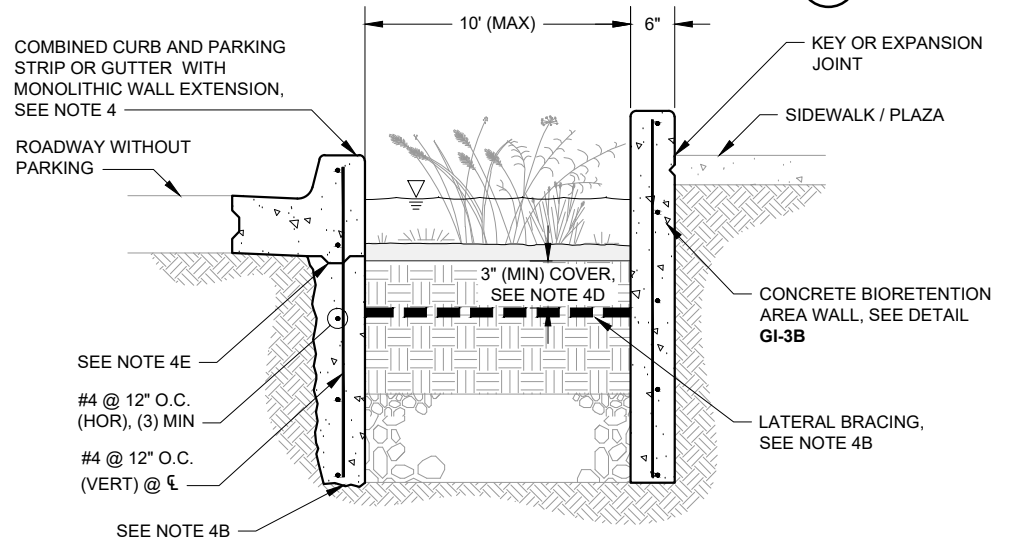
NOTES:

1. REFER TO GI-1 NOTES FOR GUIDELINES AND CHECKLIST.
2. THE ENGINEER SHALL ADAPT EDGE TREATMENT DESIGN TO ADDRESS SITE SPECIFIC CONSTRAINTS TO EFFECTIVELY STABILIZE ADJACENT PAVEMENT AND MINIMIZE LATERAL MOVEMENT OF WATER.
3. STANDARD CURB EDGE (WHEN SPACE AVAILABLE):
 - A. REFER TO LOCAL JURISDICTION STANDARDS FOR CURB AND SIDEWALK DETAILS.
 - B. ANGLE OF REPOSE VARIES PER GEOTECHNICAL ENGINEERS RECOMMENDATIONS.
4. VERTICAL SIDE WALLS (WHEN SPACE LIMITED):
 - A. ALL BIORETENTION AREA WALLS SHALL EXTEND TO BOTTOM OF AGGREGATE STORAGE LAYER OR DEEPER. MINIMUM DEPTHS SHALL BE DESIGNED TO PREVENT LATERAL SEEPAGE INTO THE ADJACENT PAVEMENT SECTION.
 - B. FOOTING AND/OR LATERAL BRACING SHALL BE DESIGNED BY THE ENGINEER TO WITHSTAND ANTICIPATED LOADING ASSUMING NO REACTIVE FORCES FROM THE UNCOMPACTED BIOTREATMENT SOIL.
 - C. BIORETENTION AREA WALLS EXTENDING MORE THAN 36" BELOW ADJACENT LOAD-BEARING SURFACE, OR WHEN LOCATED ADJACENT TO PAVERS, SHALL HAVE FOOTING OR LATERAL BRACING. FOOTING OR LATERAL BRACING MAY BE EXCLUDED ONLY IF THE ENGINEER DEMONSTRATES THAT THE PROPOSED WALL DESIGN MEETS LOADING REQUIREMENTS. WALL SHALL NOT ENCRANCH INTO TREATMENT AREA.
 - D. CONTRACTOR TO PROVIDE 3" MINIMUM COVER OVER ALL LATERAL BRACING FOR PLANT ESTABLISHMENT.
 - E. ALL CONSTRUCTION COLD JOINTS SHALL INCORPORATE EPOXY, DOWEL/TIE BAR, KEYWAY, OR WATER STOP.



STANDARD CURB EDGE AT BIORETENTION BASIN

1



EXTENDED BIORETENTION AREA WALL WITH LATERAL BRACING

2

NOT FOR CONSTRUCTION

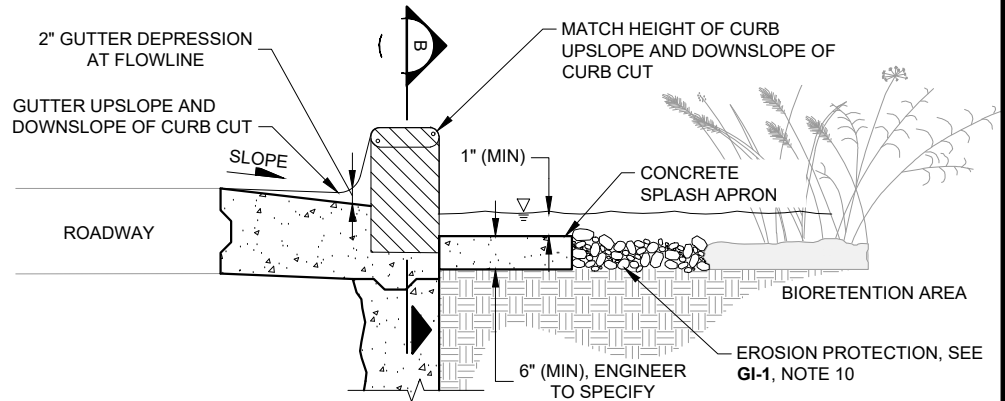
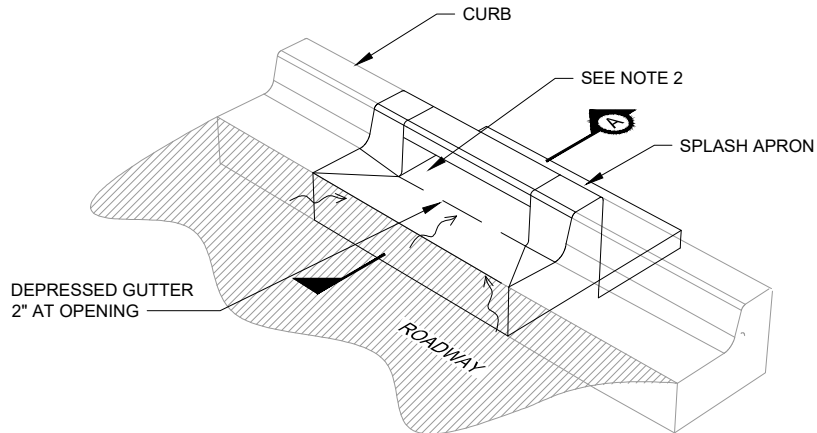
BIORETENTION COMPONENTS: EDGE TREATMENT DETAIL



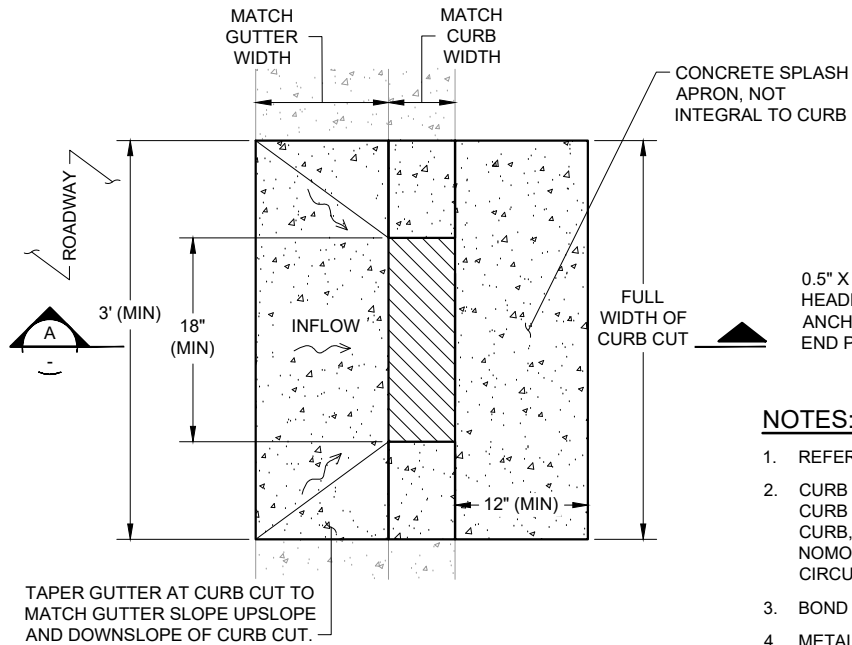
GREEN INFRASTRUCTURE
EXAMPLE DETAILS
ALAMEDA COUNTYWIDE CLEAN
WATER PROGRAM

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DATE: MAY 11, 2018	REVISED: JUNE 11, 2019
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CHECKED BY: A. R.	

GI-5



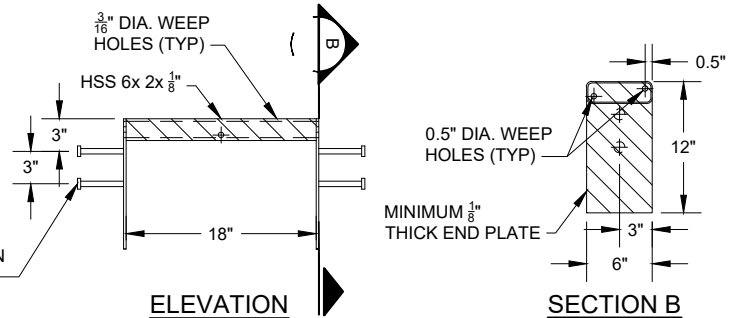
ISOMETRIC



PLAN

SECTION A

METAL INLET ASSEMBLY



ELEVATION

SECTION B

NOTES:

1. REFER TO GI-1 NOTES FOR GUIDELINES AND CHECKLIST.
2. CURB CUT INLETS SHALL BE ADEQUATELY SIZED, SPACED, AND SLOPED TO MEET HYDRAULIC REQUIREMENTS. THE CURB CUT OPENING WIDTH SHALL BE SIZED BASED ON THE CATCHMENT AREA, LONGITUDINAL SLOPE ALONG THE CURB, AND THE CROSS SLOPE OF THE GUTTER OR ADJACENT PAVEMENT AT THE INLET. SEE SIZING EQUATIONS AND NOMOGRAPHS FOR CURB OPENING INLETS IN THE U.S. DEPARTMENT OF TRANSPORTATION HYDRAULIC ENGINEERING CIRCULAR NO. 27.
3. BOND NEW CURB AND GUTTER TO EXISTING CURB AND GUTTER WITH EPOXY AND DOWEL CONNECTION.
4. METAL INLET ASSEMBLY SHALL BE HOT-DIP GALVANIZED IN ACCORDANCE WITH ASTM A-123.

NOT FOR CONSTRUCTION

BIORETENTION COMPONENTS: GUTTER CURB CUT INLET DETAIL



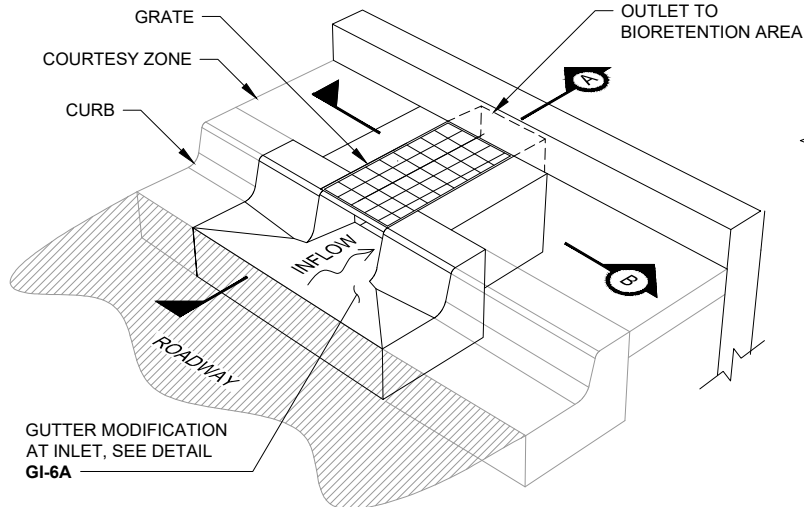
GREEN INFRASTRUCTURE
EXAMPLE DETAILS
ALAMEDA COUNTYWIDE CLEAN
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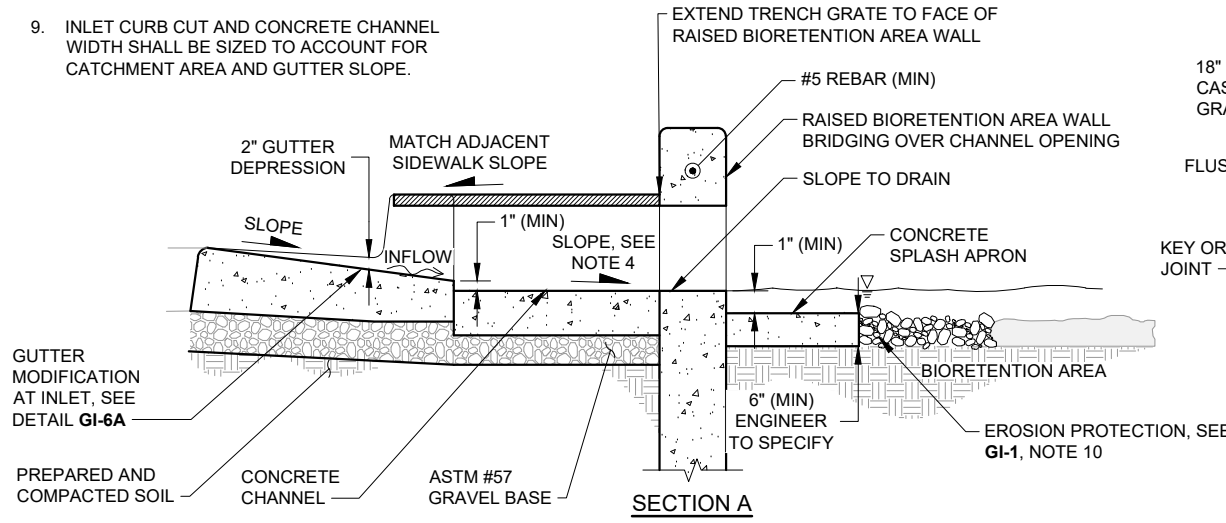
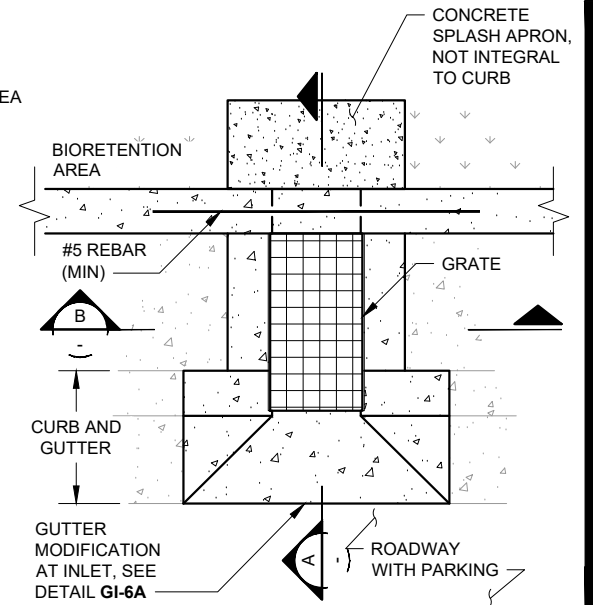
GI-6A
Page 65 of 118

NOTES:

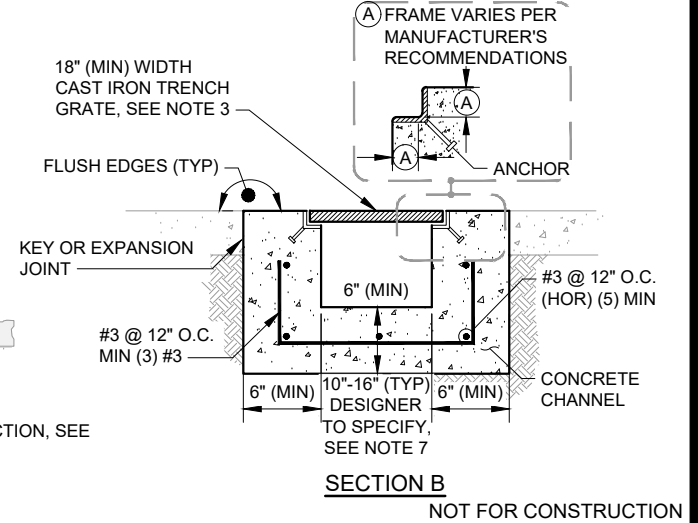
1. REFER TO GI-1 NOTES FOR GUIDELINES AND CHECKLIST.
2. ALL MATERIAL AND WORKMANSHIP FOR TRENCH DRAIN ASSEMBLY SHALL CONFORM TO LOCAL JURISDICTION STANDARDS.
3. TRENCH DRAIN INLETS SHALL BE ADEQUATELY SIZED, SPACED, AND SLOPED TO MEET HYDRAULIC REQUIREMENTS. SEE NOTE 2 DETAIL GI-6A FOR REFERENCE.
4. SLOPE TO PROVIDE AT LEAST 1" DROP OVER LENGTH OF CHANNEL OR A MINIMUM OF 2%, WHICHEVER IS LARGER.
5. ALL TRENCH GRATES SHALL BE REMOVABLE, RATED PER THE ANTICIPATED LOADING, AND BOLTED IN PLACE OR OUTFITTED WITH APPROVED TAMPER-RESISTANT LOCKING MECHANISM, FLUSH OR RECESSED IN GRATE.
6. BOND NEW CURB AND GUTTER TO EXISTING CURB AND GUTTER WITH EPOXY AND DOWEL CONNECTION.
7. HORIZONTAL CONTROL JOINTS SHALL BE PROVIDED EVERY 10' (LINEAR), OR PER MANUFACTURER'S RECOMMENDATIONS.
8. APPLY EPOXY BONDING AGENT AT ALL TRENCH DRAIN CONSTRUCTION COLD JOINTS.
9. INLET CURB CUT AND CONCRETE CHANNEL WIDTH SHALL BE SIZED TO ACCOUNT FOR CATCHMENT AREA AND GUTTER SLOPE.



ISOMETRIC



SECTION A



SECTION B

NOT FOR CONSTRUCTION

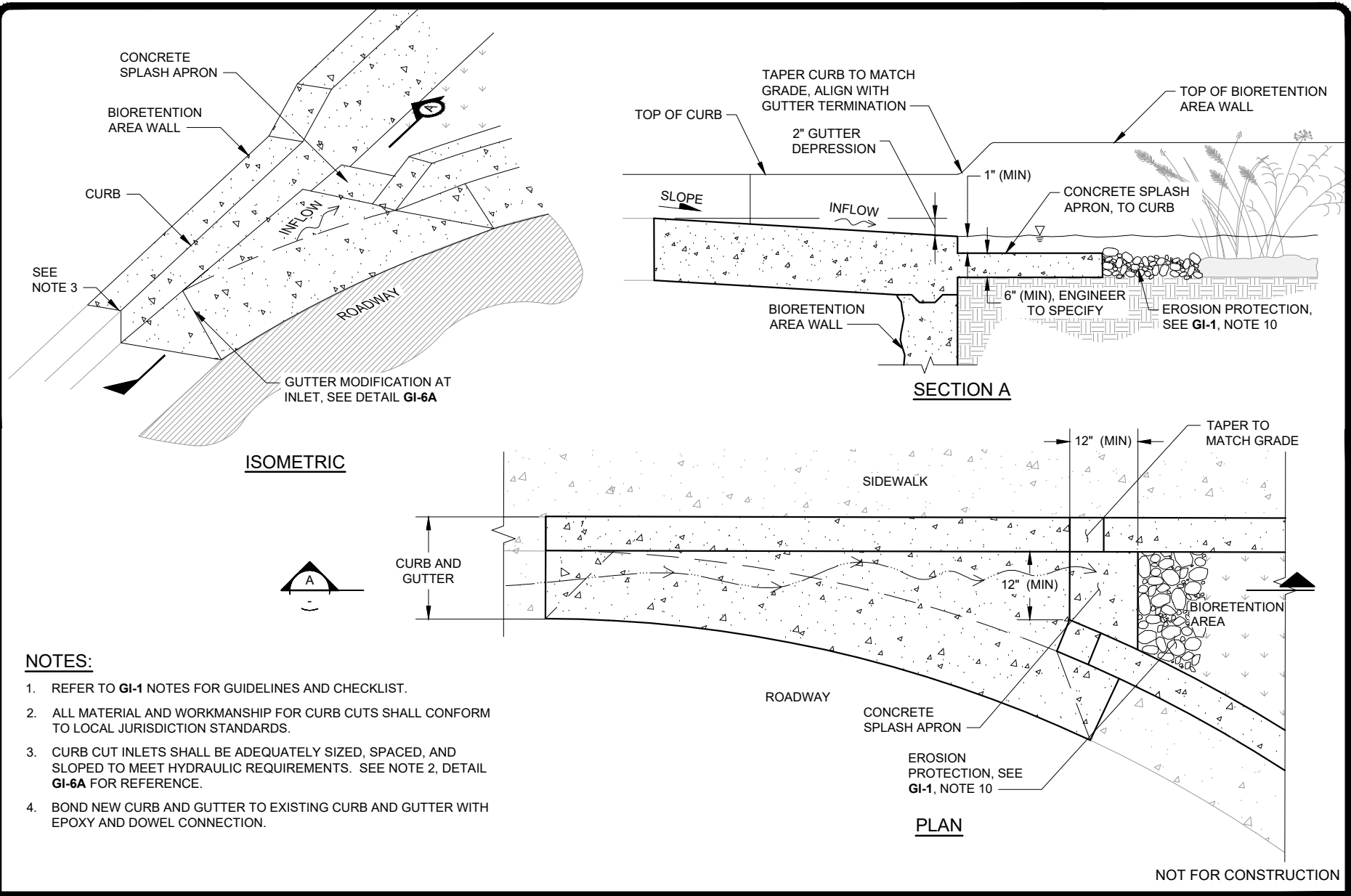
BIORETENTION COMPONENTS: TRENCH DRAIN CURB CUT INLET DETAIL



GREEN INFRASTRUCTURE
EXAMPLE DETAILS
ALAMEDA COUNTYWIDE CLEAN
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DRAWN BY: K. K. REVISED BY: E.F.
CHECKED BY: A. R.

GI-6B
Page 66 of 118



NOTES:

1. REFER TO GI-1 NOTES FOR GUIDELINES AND CHECKLIST.
2. ALL MATERIAL AND WORKMANSHIP FOR CURB CUTS SHALL CONFORM TO LOCAL JURISDICTION STANDARDS.
3. CURB CUT INLETS SHALL BE ADEQUATELY SIZED, SPACED, AND SLOPED TO MEET HYDRAULIC REQUIREMENTS. SEE NOTE 2, DETAIL GI-6A FOR REFERENCE.
4. BOND NEW CURB AND GUTTER TO EXISTING CURB AND GUTTER WITH EPOXY AND DOWEL CONNECTION.

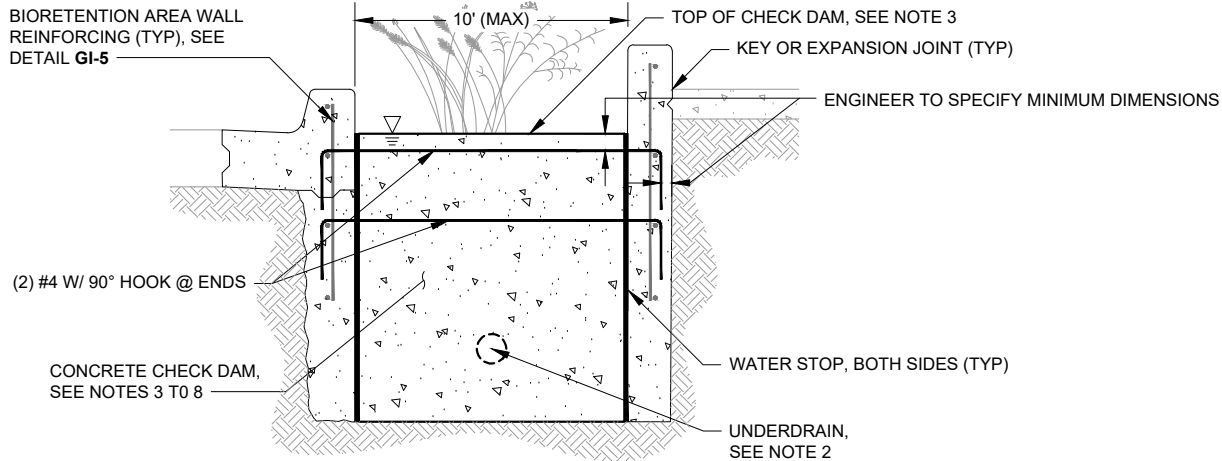
BIORETENTION COMPONENTS: CURB CUT AT BULBOUT INLET DETAIL



GREEN INFRASTRUCTURE
 EXAMPLE DETAILS
 ALAMEDA COUNTYWIDE CLEAN
 WATER PROGRAM

SCALE: NOT TO SCALE	
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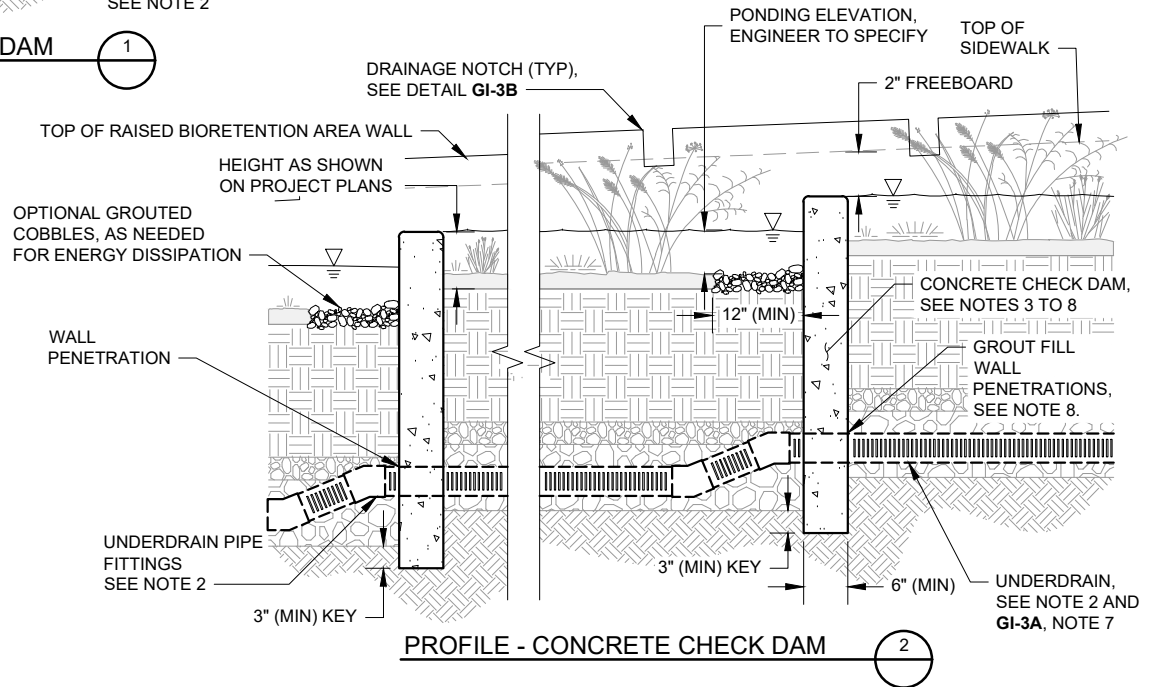
GI-6C
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SECTION - CONCRETE CHECK DAM (1)

NOTES:

1. REFER TO GI-1 NOTES FOR GUIDELINES AND CHECKLIST.
2. UNDERDRAIN TO PASS THROUGH CHECK DAM IN NON-PERFORATED PIPE. PIPE FITTINGS SHALL BE USED TO ACCOMMODATE CHANGES IN GRADE, AS NEEDED.
3. HEIGHT AND SPACING OF CHECK DAMS SHALL BE ESTABLISHED BASED ON THE PONDING DEPTH REQUIRED TO MEET PROJECT HYDROLOGIC PERFORMANCE GOALS AND THE MAXIMUM DESIRED DROP FROM THE SURROUNDING GRADE TO THE FACILITY BOTTOM.
4. ALL MATERIAL AND WORKMANSHIP FOR CHECK DAM ASSEMBLY SHALL CONFORM TO LOCAL JURISDICTION STANDARD SPECIFICATIONS.
5. CONCRETE CHECK DAM SHALL BE CONTINUOUS (NO JOINTS) AND REINFORCED WITH #4 BAR, PLACED AT 18" ON CENTER, EACH WAY.
6. CONCRETE CHECK DAM SHALL BE DESIGNED BY THE ENGINEER AND MEET STRUCTURAL REQUIREMENTS FOR LATERAL BRACING WHEN USED AS LATERAL BRACING.
7. TOP OF CHECK DAM TO BE LEVEL WITH CREST ELEVATION MATCHING PONDING ELEVATION UNLESS NOTCH SIZED TO CONVEY DESIGN FLOWS PROVIDED.
8. GROUT ALL PENETRATIONS, CRACKS, SEAMS, AND JOINTS WITH CLASS "C" MORTAR.



PROFILE - CONCRETE CHECK DAM (2)

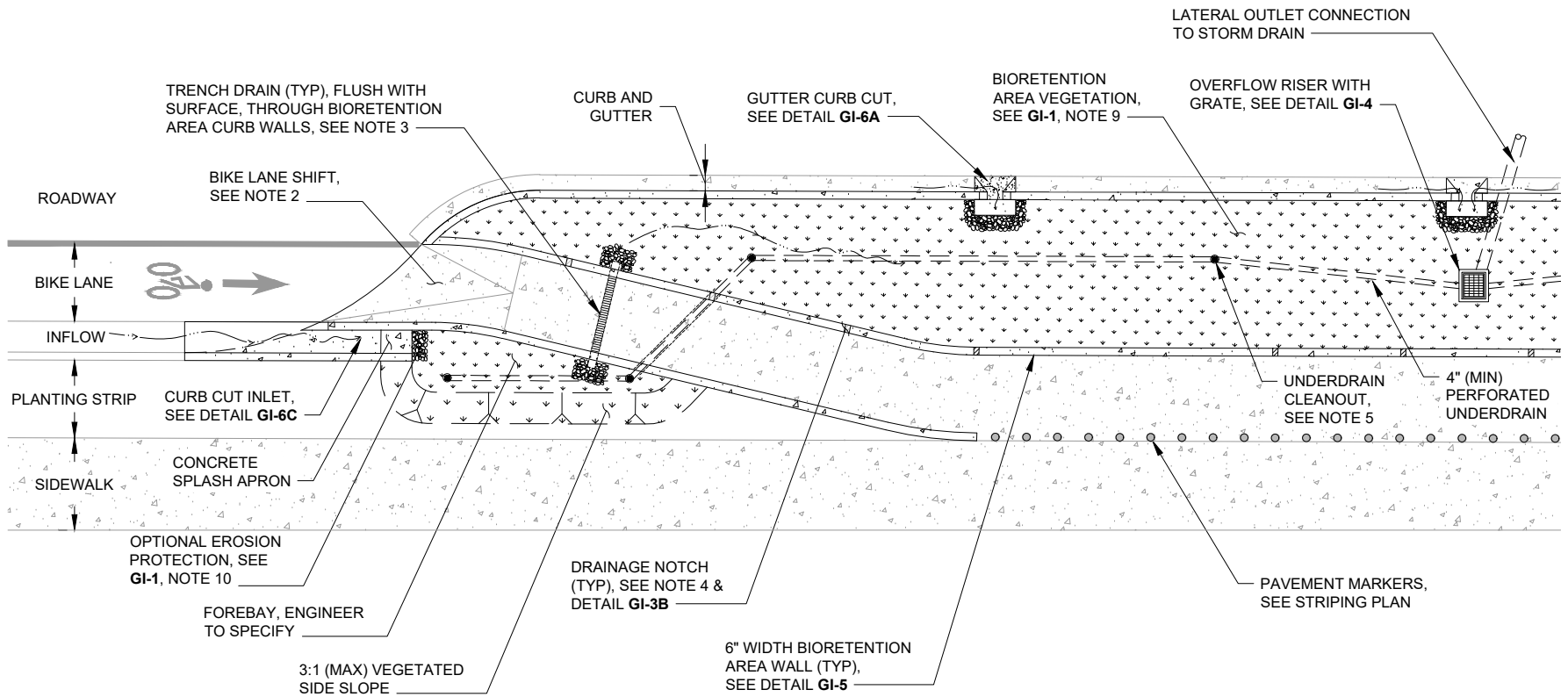
NOT FOR CONSTRUCTION

BIORETENTION COMPONENTS: CHECK DAM DETAIL

GREEN INFRASTRUCTURE
EXAMPLE DETAILS
ALAMEDA COUNTYWIDE CLEAN
WATER PROGRAM

SCALE: NOT TO SCALE
DATE: MAY 11, 2018 REVISED: JUNE 11, 2019
DRAWN BY: K. K. REVISED BY: E. F.
CHECKED BY: A. R.

GI-7



NOTES:

1. REFER TO **GI-1** NOTES FOR GUIDELINES AND CHECKLIST.
2. RAMP BIKE LANE UP ONTO BULBOUT AND SHIFT LANE OVER. MAXIMUM 1:5 HORIZONTAL TRANSITION RATE. TRANSITION GEOMETRY SHALL CONFORM TO LOCAL JURISDICTION STANDARDS.
3. HYDRAULIC CONNECTION OF SEPARATED BIORETENTION AREAS PROVIDED BY TRENCH DRAINS. ENGINEER TO SPECIFY, FOLLOWING FLOW AND STRUCTURAL REQUIREMENTS.
4. LAY OUT DRAINAGE NOTCHES AS APPLICABLE TO PREVENT PONDING BEHIND BIORETENTION AREA WALL WITH 5' MAXIMUM SPACING BETWEEN NOTCHES.
5. PROVIDE ONE UNDERDRAIN CLEANOUT PER BIORETENTION AREA (MIN). CLEANOUT REQUIRED AT UPSTREAM END AND PIPE ANGLE POINTS EXCEEDING 45 DEGREES. LONGITUDINAL SLOPE OF PIPE SHALL BE 0.5% (MIN). PIPE SLEEVES REQUIRED FOR UNDERDRAINS TRANSITIONING BETWEEN BIORETENTION AREAS.
6. DRAWING **GI-XX** MODIFIED FROM THE BASMAA URBAN GREENING BAY AREA TYPICAL **GI** DETAILS FIGURE C-1.4.

NOT FOR CONSTRUCTION

BIORETENTION AREA: WITH BIKE LANE PLAN VIEW



**GREEN INFRASTRUCTURE
EXAMPLE DETAILS**
ALAMEDA COUNTYWIDE CLEAN
WATER PROGRAM

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CHECKED BY: A. R.

GI-8

Specification of soils for Biotreatment or Bioretention Facilities

Soils for biotreatment or bioretention areas shall meet two objectives:

- Be sufficiently permeable to infiltrate runoff at a minimum rate of 5" per hour during the life of the facility, and
- Have sufficient moisture retention to support healthy vegetation.

Achieving both objectives with an engineered soil mix requires careful specification of soil gradations and a substantial component of organic material (typically compost).

Local soil products suppliers have expressed interest in developing 'brand-name' mixes that meet these specifications. At their sole discretion, municipal construction inspectors may choose to accept test results and certification for a 'brand-name' mix from a soil supplier.

Tests must be conducted within 120 days prior to the delivery date of the bioretention soil to the project site.

Batch-specific test results and certification shall be required for projects installing more than 100 cubic yards of bioretention soil.

SOIL SPECIFICATIONS

Bioretention soils shall meet the following criteria. "Applicant" refers to the entity proposing the soil mixture for approval by a Permittee.

1. General Requirements – Bioretention soil shall:
 - a. Achieve a long-term, in-place infiltration rate of at least 5 inches per hour.
 - b. Support vigorous plant growth.
 - c. Consist of the following mixture of fine sand and compost, measured on a volume basis:
 - 60%-70% Sand
 - 30%-40% Compost
2. Submittal Requirements – The applicant shall submit to the Permittee for approval:
 - a. A minimum one-gallon size sample of mixed bioretention soil.
 - b. Certification from the soil supplier or an accredited laboratory that the Bioretention Soil meets the requirements of this guideline specification.
 - c. Grain size analysis results of the fine sand component performed in accordance with ASTM D 422, Standard Test Method for Particle Size Analysis of Soils or Caltrans Test Method (CTM) C202.
 - d. Quality analysis results for compost performed in accordance with Seal of Testing Assurance (STA) standards, as specified in 4.
 - e. Organic content test results of mixed Bioretention Soil. Organic content test shall be performed in accordance with by Testing Methods for the Examination of Compost and Composting (TMECC) 05.07A, "Loss-On-Ignition Organic Matter Method".
 - f. Grain size analysis results of compost component performed in accordance with ASTM D 422, Standard Test Method for Particle Size Analysis of Soils.
 - g. A description of the equipment and methods used to mix the sand and compost to produce Bioretention Soil.

- h. Provide the name of the testing laboratory(s) and the following information:
 - (1) Contact person(s)
 - (2) Address(s)
 - (3) Phone contact(s)
 - (4) E-mail address(s)
 - (5) Qualifications of laboratory(s), and personnel including date of current certification by USCC, ASTM, Caltrans, or approved equal

3. Sand for Bioretention Soil

- a. Sand shall be free of wood, waste, coating such as clay, stone dust, carbonate, etc., or any other deleterious material. All aggregate passing the No. 200 sieve size shall be nonplastic.
- b. Sand for Bioretention Soils shall be analyzed by an accredited lab using #200, #100, #40 or #50, #30, #16, #8, #4, and 3/8 inch sieves (ASTM D 422, CTM 202 or as approved by municipality), and meet the following gradation:

Sieve Size	Percent Passing (by weight)	
	<i>Min</i>	<i>Max</i>
3/8 inch	100	100
No. 4	90	100
No. 8	70	100
No. 16	40	95
No. 30	15	70
No. 40 or No.50	5	55
No. 100	0	15
No. 200	0	5

Note: all sands complying with ASTM C33 for fine aggregate comply with the above gradation requirements.

4. Composted Material

Compost shall be a well decomposed, stable, weed free organic matter source derived from waste materials including yard debris, wood wastes or other organic materials not including manure or biosolids meeting the standards developed by the US Composting Council (USCC). The product shall be certified through the USCC Seal of Testing Assurance (STA) Program (a compost testing and information disclosure program).

- a. Compost Quality Analysis by Laboratory – Before delivery of the soil, the supplier shall submit a copy of lab analysis performed by a laboratory that is enrolled in the US Composting Council’s Compost Analysis Proficiency (CAP) program and using approved Test Methods for the Examination of Composting and Compost (TMECC). The lab report shall verify:
 - (1) Organic Matter Content: 35% - 75% by dry wt.
 - (2) Carbon and Nitrogen Ratio: C:N < 25:1 and C:N >15:1
 - (3) Maturity/Stability: Any one of the following is required to indicate stability:
 - (i) Oxygen Test < 1.3 O₂ /unit TS /hr
 - (ii) Specific oxy. Test < 1.5 O₂ / unit BVS /hr
 - (iii) Respiration test < 8 mg CO₂-C /g OM / day
 - (iv) Dewar test < 20 Temp. rise (°C) e.
 - (v) Solvita® > 5 Index value
 - (4) Toxicity: Any one of the following measures is sufficient to indicate non-toxicity.
 - (i) NH₄⁺ : NO₃⁻-N < 3
 - (ii) Ammonium < 500 ppm, dry basis
 - (iii) Seed Germination > 80 % of control
 - (iv) Plant Trials > 80% of control
 - (v) Solvita® = 5 Index value
 - (5) Nutrient Content: provide analysis detailing nutrient content including N-P-K, Ca, Na, Mg, S, and B.
 - (i) Total Nitrogen content 0.9% or above preferred.
 - (ii) Boron: Total shall be <80 ppm;
 - (6) Salinity: Must be reported; < 6.0 mmhos/cm
 - (7) pH shall be between 6.2 and 8.2 May vary with plant species.
- b. Compost Quality Analysis by Compost Supplier – Before delivery of the compost to the soil supplier the Compost Supplier shall verify the following:
 - (1) Feedstock materials shall be specified and include one or more of the following: landscaping/yard trimmings, grass clippings, food scraps, and agricultural crop residues.
 - (2) Maturity/Stability: shall have a dark brown color and a soil-like odor. Compost exhibiting a sour or putrid smell or containing recognizable grass or leaves, or is hot (120F) upon delivery or rewetting is not acceptable.
 - (3) Weed seed/pathogen destruction: provide proof of process to further reduce pathogens (PFRP). For example, turned windrows must reach min. 55C for 15 days with at least 5 turnings during that period.
- c. Compost for Bioretention Soil Texture – Compost for bioretention soils shall be analyzed by an accredited lab using #200, 1/4 inch, 1/2 inch, and 1 inch sieves (ASTM D 422 or as approved by municipality), and meet the following gradation:

Sieve Size	Percent Passing (by weight)	
	Min	Max

1 inch	99	100
1/2 inch	90	100
1/4 inch	40	90
No. 200	1	10

- d. Bulk density shall be between 500 and 1100 dry lbs/cubic yard
- e. Moisture content shall be between 30% - 55% of dry solids.
- f. Inerts – compost shall be relatively free of inert ingredients, including glass, plastic and paper, < 1 % by weight or volume.
- g. Select Pathogens – Salmonella <3 MPN/4grams of TS, or Coliform Bacteria <10000 MPN/gram.
- h. Trace Contaminants Metals (Lead, Mercury, Etc.) – Product must meet US EPA, 40 CFR 503 regulations.
- i. Compost Testing – The compost supplier will test all compost products within 120 calendar days prior to application. Samples will be taken using the STA sample collection protocol. (The sample collection protocol can be obtained from the U.S. Composting Council, 4250 Veterans Memorial Highway, Suite 275, Holbrook, NY 11741 Phone: 631-737-4931, www.compostingcouncil.org). The sample shall be sent to an independent STA Program approved lab. The compost supplier will pay for the test.

VERIFICATION OF ALTERNATIVE BIORETENTION SOIL MIXES

Bioretention soils not meeting the above criteria shall be evaluated on a case by case basis. Alternative bioretention soil shall meet the following specification: “Soils for bioretention facilities shall be sufficiently permeable to infiltrate runoff at a minimum rate of 5 inches per hour during the life of the facility, and provide sufficient retention of moisture and nutrients to support healthy vegetation.”

The following steps shall be followed by municipalities to verify that alternative soil mixes meet the specification:

- 1. General Requirements – Bioretention soil shall achieve a long-term, in-place infiltration rate of at least 5 inches per hour. Bioretention soil shall also support vigorous plant growth. The applicant refers to the entity proposing the soil mixture for approval.
 - a. Submittals – The applicant must submit to the municipality for approval:
 - (1) A minimum one-gallon size sample of mixed bioretention soil.
 - (2) Certification from the soil supplier or an accredited laboratory that the Bioretention Soil meets the requirements of this guideline specification.

- (3) Certification from an accredited geotechnical testing laboratory that the Bioretention Soil has an infiltration rate between 5 and 12 inches per hour as tested according to Section 1.b.(2)(ii).
- (4) Organic content test results of mixed Bioretention Soil. Organic content test shall be performed in accordance with by Testing Methods for the Examination of Compost and Composting (TMECC) 05.07A, “Loss-On-Ignition Organic Matter Method”.
- (5) Grain size analysis results of mixed bioretention soil performed in accordance with ASTM D 422, Standard Test Method for Particle Size Analysis of Soils.
- (6) A description of the equipment and methods used to mix the sand and compost to produce Bioretention Soil.
- (7) The name of the testing laboratory(s) and the following information:
 - (i) Contact person(s)
 - (ii) Address(s)
 - (iii) Phone contact(s)
 - (iv) E-mail address(s)
 - (v) Qualifications of laboratory(s), and personnel including date of current certification by STA, ASTM, or approved equal.

b. Bioretention Soil

- (1) Bioretention Soil Texture: Bioretention Soils shall be analyzed by an accredited lab using #200, and 1/2” inch sieves (ASTM D 422 or as approved by municipality), and meet the following gradation:

Sieve Size	Percent Passing (by weight)	
	<i>Min</i>	<i>Max</i>
1/2 inch	97	100
No. 200	2	5

- (2) Bioretention Soil Permeability testing: Bioretention Soils shall be analyzed by an accredited geotechnical lab for the following tests:
 - (i) Moisture – density relationships (compaction tests) shall be conducted on bioretention soil. Bioretention soil for the permeability test shall be compacted to 85 to 90 percent of the maximum dry density (ASTM D1557).
 - (ii) Constant head permeability testing in accordance with ASTM D2434 shall be conducted on a minimum of two samples with a 6-inch mold and vacuum saturation.

MULCH FOR BIORETENTION FACILITIES

Three inches of mulch is recommended for the purpose of retaining moisture, preventing erosion and minimizing weed growth. Projects subject to the State’s Model Water Efficiency Landscaping Ordinance (or comparable local ordinance) will be required to provide at least three inches of mulch. Aged mulch, also called compost mulch, reduces the ability of weeds to establish, keeps soil moist, and replenishes soil nutrients. Aged mulch can be obtained through soil suppliers or directly from commercial recycling yards. It is recommended to apply 1" to 2" of composted mulch, once a year, preferably in June following weeding.

Attachment B-5: Capital Improvement Projects Sign-off Form

The Clean Water Program's Capital Improvement Projects Sign-off Form is provided on the following page. This form is used by the agency to document whether a Regulated Project (as defined in Provision C.3.b) has complied with Provision C.3 requirements, and whether a non-Regulated Project has been evaluated for green infrastructure (GI) potential.

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How to Use the

C.3 Stormwater Compliance Sign-off Form for Capital Improvement Program (CIP) Projects

Introduction

The attached checklist is for Alameda Countywide Clean Water Program (Clean Water Program) member agencies to document that capital improvement program (CIP) projects either are exempt or have complied with the requirements for C.3 Regulated Projects, as defined in Provision C.3.b of the Municipal Regional Stormwater Permit (MRP), issued by the San Francisco Bay Regional Water Quality Control Board on November 19, 2015.

Step-by-Step Instructions

1. Fill out the project information at the top of the form (Project Name, Address, etc.)
2. Review the project description and the square footage of impervious surfaces that will be created and/or replaced by the project to determine whether the project may meet any of the conditions identified in the form, under the heading, "Project is NOT a C.3 Regulated Project and the Review of GI Potential Is Documented." If the project meets any of those conditions, check the appropriate box (or boxes).
 - ▶ If one or more boxes are checked, the project is NOT a C.3 Regulated Project. Continue to Step 3.
 - ▶ If no boxes are checked, the project IS a C.3 Regulated Project. Skip to Step 4.
3. Refer to the Clean Water Program's Worksheet for Identifying GI Potential in Municipal CIP Projects¹ (or your agency's equivalent worksheet or form) to evaluate the project for the potential to include green infrastructure (GI). In the C.3 Stormwater Compliance Sign-off Form for CIP Projects, under the subheading, "Green Infrastructure Potential Review," check the box to indicate the name of the worksheet or form that was used for this review, and indicate the date on which the worksheet or form was completed.
 - ▶ Skip to Step 5.
4. Refer to the project's stormwater control plan, construction documents, and/or other project documentation, such as a completed Stormwater Requirements Checklist², to determine whether the requirements for C.3 Regulated Projects have been met. If all requirements have been met, including the hydromodification management (HM) requirements in Provision C.3.g (if applicable) and the documentation of operation and maintenance responsibility as required by Provision C.3.h.ii.(1), check the box to indicate the name of the applicable document(s), and write the date of the document(s).
 - ▶ Continue to Step 5.
5. Sign and date the completed C.3 Stormwater Compliance Sign-off Form for CIP Projects.

¹ The worksheet is available on the New Development Subcommittee's members only website at: <https://cleanwaterprogram.org/index.php/committees/new-development-committee.html>.

² The checklist is available on the Clean Water Program's public website at: <https://cleanwaterprogram.org/>. Click on "Resources," then "Development," and scroll down to "Stormwater Requirements Checklist."



C.3 Stormwater Compliance Sign-off Form for Capital Improvement Program (CIP) Projects

This form references Provision C.3 of the Municipal Regional Stormwater Permit (MRP), issued by the San Francisco Bay Regional Water Quality Control Board on November 19, 2015.

Project Name: _____

Project Address: _____ APN: _____

Contact Person: _____

Contact Phone: _____ Contact Email: _____

Project is NOT a C.3 “Regulated Project” and the Review of “GI Potential” Is Documented.

C.3 “Regulated Project” Review

The project is NOT a C.3 “Regulated Project” based on the Regulated Project definitions in Provision C.3.b as indicated below. Please check the applicable box(es):

- Project would create and/or replace less than 5,000 square feet of impervious area.
- Project would create and/or replace less than 10,000 square feet of impervious area **AND** project does not include auto service/maintenance facilities, restaurants, uncovered parking areas (stand-alone or as part of a larger project), or structures with rooftop parking.
- Project is a Road Project **AND** project would construct less than 10,000 square feet of new contiguous impervious area when the following are excluded from the calculation:³
 - o Sidewalks built as part of new streets or roads that direct stormwater runoff to adjacent vegetated areas.
 - o Bicycle lanes built as part of new streets or roads that are not hydraulically connected to the new streets or roads and that direct stormwater runoff to adjacent impervious areas.
 - o Impervious trails that are:
 - A. less than 10 feet wide and more than 50 feet away from the top of a creek bank.
- OR
- B. designed to direct stormwater runoff to adjacent vegetated areas or other non-erodible permeable areas (preferably away from creeks or towards the outboard side of levees).
 - o Sidewalks, bicycle lanes, or trails constructed with permeable surfaces (pervious concrete, porous asphalt, unit pavers, or granular materials).
 - o Caltrans highway projects and associated facilities.
- Project consists of interior remodel.
- Project consists of routine maintenance and repairs (e.g., roof replacement, replacement of exterior wall surface, and/or pavement resurfacing) within the existing footprint.

³ *When calculating the impervious area of a Road Project, include all roadway surfaces related to creation of additional traffic lanes (including, for example, passing lanes and turning pockets). Shoulders and widened portion of existing lanes may be excluded from the calculation.*

“Green Infrastructure (GI) Potential” Review

Capital improvement program (CIP) projects that are NOT C.3 Regulated Projects must be reviewed to determine whether they have green infrastructure (GI) potential, as required in Provision C.3.j.ii.(2). When conducting these reviews, agencies should follow the Bay Area Municipal Stormwater Management Agencies Association’s (BASMAA) Guidance for Identifying GI Potential in Municipal CIP Projects. One way to follow this guidance is to use the Clean Water Program’s Worksheet for Identifying GI Potential in Municipal CIP Projects. These documents can be downloaded from www.cleanwaterprogram.com (click “Resources,” then “Development”). Please attach documentation to demonstrate that the project was reviewed for GI potential.

The non-C.3 Regulated Project has been reviewed for GI potential as shown in the following document(s):

- Worksheet for Identifying GI Potential in Municipal CIP Projects, dated: _____
- Other documentation (describe): _____

Project IS a C.3 “Regulated Project” — Compliance Documented.

The C.3 Regulated Project has met all requirements for C.3 Regulated Projects as shown in the following documents:

- Stormwater Control Plan, dated: _____
- Construction Documents, dated: _____
- Other documentation (describe): _____

Signature

Date

Name

Title

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Attachment B-6: Guidance for Sizing Green Infrastructure Facilities in Street Projects

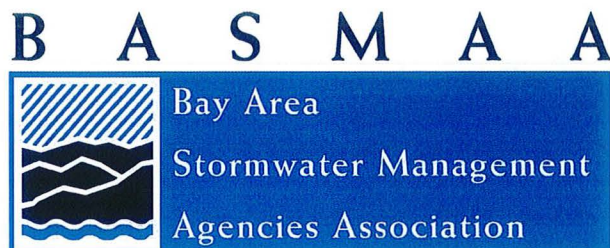
The Guidance for Sizing Green Infrastructure Facilities in Street Projects, provided by the Bay Area Stormwater Management Agencies Association (BASMAA), is included on the following page of paper copies of this green infrastructure (GI) Plan. The electronic version of this GI Plan includes the Guidance for Sizing Green Infrastructure Facilities in Street Projects as a stand-alone electronic file; an attachment to the BASMAA guidance is included as an additional stand-alone electronic file.

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***Guidance for Sizing Green Infrastructure
Facilities in Street Projects***

with companion analysis:

***Green Infrastructure Facility Sizing for
Non-Regulated Street Projects***



Prepared by
Dan Cloak Environmental Consulting
EOA, Inc.

June 2019

Introduction and Regulatory Background

Provision C.3.j. in the reissued Municipal Regional Stormwater Permit¹ (MRP) requires each Permittee to “complete and implement a Green Infrastructure (GI) Plan for the inclusion of low impact development drainage design into storm drain infrastructure on public and private lands, including streets, roads, storm drains, parking lots, building roofs, and other storm drain infrastructure elements.”

Provision C.3.j.i.(g) further mandates that these plans include:

Requirements that projects be designed to meet the treatment and hydromodification sizing requirements in Provisions C.3.c. and C.3.d. For street projects not subject to Provision C.3.b.ii. (i.e., non-Regulated Projects) Permittees may collectively propose a single approach with their Green Infrastructure Plans for how to proceed should project constraints preclude fully meeting the C.3.d. sizing requirements. The single approach can include different options to address specific issues or scenarios. That is, the approach shall identify the specific constraints that would preclude meeting the sizing requirements and the design approach(es) to take in that situation. The approach should also consider whether a broad effort to incorporate hydromodification controls into green infrastructure, even where not otherwise required, could significantly improve creek health and whether such implementation may be appropriate, plus all other information as appropriate (e.g., how to account for load reduction for the PCBs or mercury TMDLs).

This document represents the “single approach” collectively proposed by the Permittees for how to proceed when constraints on GI projects affect facility sizing in street projects. For other types of projects, information on hydraulic sizing is provided in the technical guidance manuals for Provision C.3 developed by each countywide stormwater program.

Hydraulic Sizing Requirements

MRP Provision C.3.d contains criteria for sizing stormwater treatment facilities. Facilities may be sized on the basis of flow, volume, or a combination of flow and volume. With adoption of the 2009 MRP, a third option for sizing stormwater treatment facilities was added to Provision C.3.d. This option states that “treatment systems that use a combination of flow and volume capacity shall be sized to treat at least 80 percent of the total runoff over the life of the project, using local rainfall data.”

This option can also be used to develop sizing factors for facilities with a standard cross-section (i.e., where the volume available to detain runoff is proportional to facility surface area). To calculate sizing factors, inflows, storage, infiltration to groundwater, underdrain discharge, and overflows are tracked for each time-step during a long-term simulation. The continuous simulation is repeated, with variations in the treatment surface area, to determine the minimum area required for the facility to capture and treat 80% of the inflow during the simulation.

¹ Order R2-2015-0049

Such an analysis was conducted for BASMAA by Dubin Environmental Consulting and is described in the attached Technical Report. The analysis shows that bioretention facilities with the current-standard cross-section can capture and treat the Provision C.3.d amount of runoff when sized to 1.5% - 3% of tributary equivalent impervious area, depending on location.

Hydromodification Management

A principal objective of LID is to mimic natural hydrology in the post-development condition. This is accomplished by retaining and infiltrating runoff flows during small to medium events. Flows from larger events are detained and slowed.

MRP Provision C.3.g. includes requirements and criteria for implementing hydromodification management (HM). These HM requirements apply to Regulated Projects that create or replace an acre or more of impervious area, increase the amount of impervious area over the pre-project condition, and flow to creeks that are at risk of erosion. As such, the HM requirements do not apply to street projects that retrofit drainage systems that receive runoff from existing roofs and paving.

However, Provision C.3.j.i.(g) states that the Permittees' approach to sizing GI facilities "...should also consider whether a broad effort to incorporate hydromodification controls into green infrastructure, even where not otherwise required, could significantly improve creek health and whether such implementation may be appropriate..."

Various criteria for HM design have been used in California and throughout the U.S. These criteria have been based on one or more of the following principles:

- Maintaining watershed processes
- Maintaining a site-specific water balance
- Maintaining the value of the curve number used in the NRCS method of computing peak runoff
- Controlling increases in peak flows from a specified storm size
- Controlling increases in the duration of flows at each intensity within a specified range (flow duration control)
- Controlling the likelihood of downstream erosion in streams (erosion potential, or Ep)

Generally, for any HM criterion used, facilities with more storage and a larger infiltrative area will be more effective in meeting the criterion than facilities with less storage and a smaller infiltrative area.

In the statewide municipal stormwater NPDES permit for small MS4s, Provision E.12.f. includes the following HM standard applicable to Bay Area small MS4s: "Post-project runoff shall not exceed estimated pre-project flow rate for the 2-year, 24-hour storm..."

Dubin (2014) conducted modeling to evaluate whether this standard would be met in the San Francisco Phase II counties (Marin, Sonoma, Napa, and Solano) by a bioretention facility meeting the minimum requirements in that permit's Provision

E.12.f. Dubin's analysis found that a facility sized to 4% of tributary equivalent impervious area, and having a 6-inch deep reservoir with 2 inches of freeboard, 18 inches of treatment soil, and a 12-inch-deep "dead storage" gravel layer below the underdrain, would meet this standard, even in the wettest portions of the Bay Area.

Additional Considerations for Bioretention Sizing

In summary, bioretention facilities for street projects sized to 1.5% - 3% of tributary equivalent impervious area (depending on their location in the Bay Area) can meet the criteria in Provision C.3.d., according to the modeling study documented in the attached Technical Memo.

There are many reasons to design and build facilities larger than the Provision C.3.d. minimum. Building larger facilities helps ensure the facilities perform to the minimum hydraulic capacity intended, despite minor flaws in design, construction, and maintenance, providing an engineering safety factor for the project. Further, larger-sized facilities may more effectively address objectives to maximize the removal of pollutants (particularly pollutants in dissolved form), to operate as full trash capture devices, and to manage hydromodification effects.

However, municipalities often face considerable challenges in retrofitting existing streetscapes with GI facilities. Constraints and design challenges typically encountered in the public right-of-way include:

- The presence of existing underground utilities (known and unknown during the design phase);
- The presence of existing above-ground fixtures such as street lights, fire hydrants, utility boxes, etc.;
- The presence of existing mature trees and root systems;
- The elevation of or lack of existing storm drains in the area to which to connect underdrains or overflow structures;
- Challenges of defining and controlling any catchment areas on adjacent private parcels that drain to the roadway surface;
- Low soil permeability and strength, and the need to protect the adjacent roadway structure;
- Competition with other assets & uses for limited right-of-way area; and
- Presence of archeologic/cultural deposits.

Use of the sizing factors in the attached Technical Memo will provide municipalities flexibility in design of bioretention facilities for street projects where constraints are present.

Recommendations for Sizing Approaches for Green Infrastructure Retrofit Facilities in Street Projects

1. Bioretention facilities in street projects should be sized as large as feasible and meet the C.3.d criteria where possible. Constraints in the public right-of-way may affect the size of these facilities and warrant the use of smaller sizing factors.

Bioretention facilities in street projects may use the sizing curves in the attached memorandum to meet the C.3.d criteria. Local municipal staff involved with other assets in the public right of way should be consulted to provide further guidance to design teams as early in the process as possible.

2. Bioretention facilities in street projects smaller than what would be required to meet the Provision C.3.d criteria may be appropriate in some circumstances. As an example, it might be appropriate to construct a bioretention facility where a small proportion of runoff is diverted from a larger runoff stream. Where feasible, such facilities can be designed as “off-line” facilities, where the bypassed runoff is not treated or is treated in a different facility further downstream. In these cases, the proportion of total runoff captured and treated should be estimated using the results of the attached memorandum. In cases where “in-line” bioretention systems cannot meet the C.3.d criteria, the facilities should incorporate erosion control as needed to protect the facility from high flows. See Figures 1 and 2 below for illustration of the in-line and off-line concepts.
3. Pollutant reduction achieved by GI facilities in street projects will be estimated in accordance with the Interim Accounting Methodologyⁱ or the applicable Reasonable Assurance Analysisⁱⁱ.



Figure 1: Off-line system in El Cerrito where low flow is diverted to the sidewalk planter and high flows continue down the gutter.



Figure 2: In-line system in Berkeley/Albany where low and high flows enter the system and overflows exit through a drain within the system.

ⁱ The Interim Accounting Methodology for TMDL Loads Reduced Report (BASMAA 2017) describes the methodology that is being used to demonstrate progress towards achieving the PCB and mercury load reductions required during the term of MRP 2.0. The methodology is based on the conversion of land use from a higher to a lower PCB or mercury loading rate during the redevelopment of a parcel. See:

[www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/stormwater/Municipal/POC/Final%20Interim%20Accounting%20Methodology%20Report%20v.1.1%20\(Revised%20March%202017\).pdf](http://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/stormwater/Municipal/POC/Final%20Interim%20Accounting%20Methodology%20Report%20v.1.1%20(Revised%20March%202017).pdf)

ⁱⁱ A Reasonable Assurance Analysis (RAA) is a methodology used to demonstrate that implementation of pollutant control measures (such as GI facilities) over a specified time period will meet required pollutant load reductions associated with a TMDL. The Bay Area Reasonable Assurance Analysis Guidance Document (BASMAA 2017) establishes a regional framework and provides guidance for conducting PCBs and mercury RAAs in the San Francisco Bay Area. See: <http://basmaa.org/Announcements/bay-area-reasonable-assurance-analysis-guidance-document>

**BAY AREA
STORMWATER MANAGEMENT AGENCIES
ASSOCIATION**

**GREEN INFRASTRUCTURE
FACILITY SIZING FOR NON-REGULATED STREET
PROJECTS**

**Prepared by:
Dubin Environmental
December 13, 2017**



1. Introduction

The San Francisco Bay Regional Water Quality Control Board’s reissued Phase I Municipal Regional Stormwater Permit (Order No. R2-2015-0049, issued 11/19/2015 and referred to as “MRP 2.0”) includes a requirement that Permittees complete and implement green infrastructure plans to promote the increased use of green infrastructure in urban areas. These plans will guide the integration of green stormwater facilities into streets, parking lots, parks, building rooftops and similar places where there is an opportunity to retrofit traditional gray infrastructure systems and increase the removal of pollutants and improve water quality.

Provision C.3.j states:

Over the long term, the (Green Infrastructure) Plan is intended to describe how the Permittees will shift their impervious surfaces and storm drain infrastructure from gray, or traditional storm drain infrastructure where runoff flows directly into the storm drain and then the receiving water, to green—that is, to a more-resilient, sustainable system that slows runoff by dispersing it to vegetated areas, harvests and uses runoff, promotes infiltration and evapotranspiration, and uses bioretention and other green infrastructure practices to clean stormwater runoff.

Provision C.3.j.i.(2)(g) requires that projects be designed to meet the treatment and hydromodification sizing requirements in Provisions C.3.c. and C.3.d. However, the provision further states that for street projects that are not Regulated Projects:

...Permittees may collectively propose a single approach with their Green Infrastructure Plans for how to proceed should project constraints preclude fully meeting the C.3.d sizing requirements. The single approach can include different options to address specific issues or scenarios. That is, the approach shall identify the specific constraints that would preclude meeting the sizing requirements and the design approach(es) to take in that situation.

To address this provision and further define the C.3.d sizing requirements for green infrastructure projects, the Bay Area Stormwater Management Agencies Association (BASMAA) contracted with Dubin Environmental to conduct continuous simulation hydrologic modeling to evaluate relationships of facility size (e.g., area, depth, flow rate) to facility performance. The BASMAA Development Committee, and BASMAA member agencies, intend to use these relationships to develop and justify an approach, to be created by the Development Committee, for implementing green street projects when there are constraints on facility size.

This report describes the modeling analysis that was performed to better understand the relationship between bioretention configuration and annual runoff treatment across the different BASMAA stormwater agencies and their climate zones. Long-term continuous modeling was used to compute stormwater runoff, simulate bioretention hydraulics, and estimate the annual percentage of stormwater that is treated. The analysis was performed for 10 different rain gauges that together represent the full range of climate conditions across the BASMAA member agency area. The analysis also considered different bioretention configurations and treatment goals. BASMAA member agencies can use these results to help establish policies and design guidelines to include in their green infrastructure plans.

2. Project Approach

The performance of bioretention facilities was modeled using HSPF (Hydrologic Simulation Program Fortran), which is a physically based, hydrologic model that is maintained and distributed by the US EPA.

HSPF has been used since the 1970s to conduct hydrologic analyses and size stormwater and flood control facilities. For this project, an HSPF model was developed to simulate runoff from a fully paved, 1-acre reference site and route this flow through a bioretention facility. This section describes the rain gauge selection and the HSPF modeling approach. Section 3 describes the modeling results.

2.1 Rainfall and Evapotranspiration Data

There are more than two dozen rain gauges with long-term, hourly data located within the BASMAA area. A list of candidate gauges was prepared from the National Center for Environmental Information (NCEI; formerly the National Climate Data Center or NCDC) network and then evaluated for inclusion. The evaluation focused on gauge data that could be downloaded directly from EPA's National Stormwater Calculator, because these datasets have been reviewed and missing records filled with data from available nearby stations (similar to the data included with the EPA BASINS software). The list of candidate gauges was narrowed to 19 locations with 35+ years of data that are geographically distributed through the BASMAA area. The rain gauges were organized into tables that show a) mean annual precipitation (MAP) and b) 6-month, 1-year, and 2-year accumulations for 1-year and 24-hour durations. The different storm depth statistics were used to identify any outliers among the rain gauge data that could indicate problems that would hinder the effort to create regressions among the model results. The rain gauge locations were also plotted in ArcGIS.

The recommended sites were presented to the BASMAA project work group who provided helpful input about their preferences and experiences with different rain gauges. Based on this input, six stations were selected for inclusion in the modeling analysis. After developing the HSPF input and output routines, the number of gauges was increased to 10 by including higher rainfall locations to allow development of regression relationships that span the rainfall characteristics at any likely project location. Table 1 lists the candidate rain gauges included in the modeling analysis. For all gauges, a common 37 year period was used to eliminate the influence of drought and wet periods that occurred when some gauges were operational but not others. Figure 1 shows the mean annual rainfall and Figure 2 shows their locations. The 1-year and 24-hour storm durations are included in Appendix A.

TABLE 1. SELECTED RAIN GAUGES FOR GREEN INFRASTRUCTURE MODELING

Z	Name	County/Agency	Years of Record	Mean Annual Rain (in)
049001	Tracy Pumping Plant	Contra Costa	37	12.7
047821	San Jose	Santa Clara	37	15.2
045378	Martinez Water Plant	Contra Costa	37	19.6
047769	SF Airport	San Francisco	37	20.4
047772	SF Downtown	San Francisco	37	21.9
046336	Oakland Museum	Alameda	37	22.8
042934	Fairfield	Fairfield-Suisun	37	24.1
043714	Half Moon Bay	San Mateo	37	28.6
047807	San Gregorio	San Mateo	37	30.0
044500	Kentfield	Marin	37	48.1

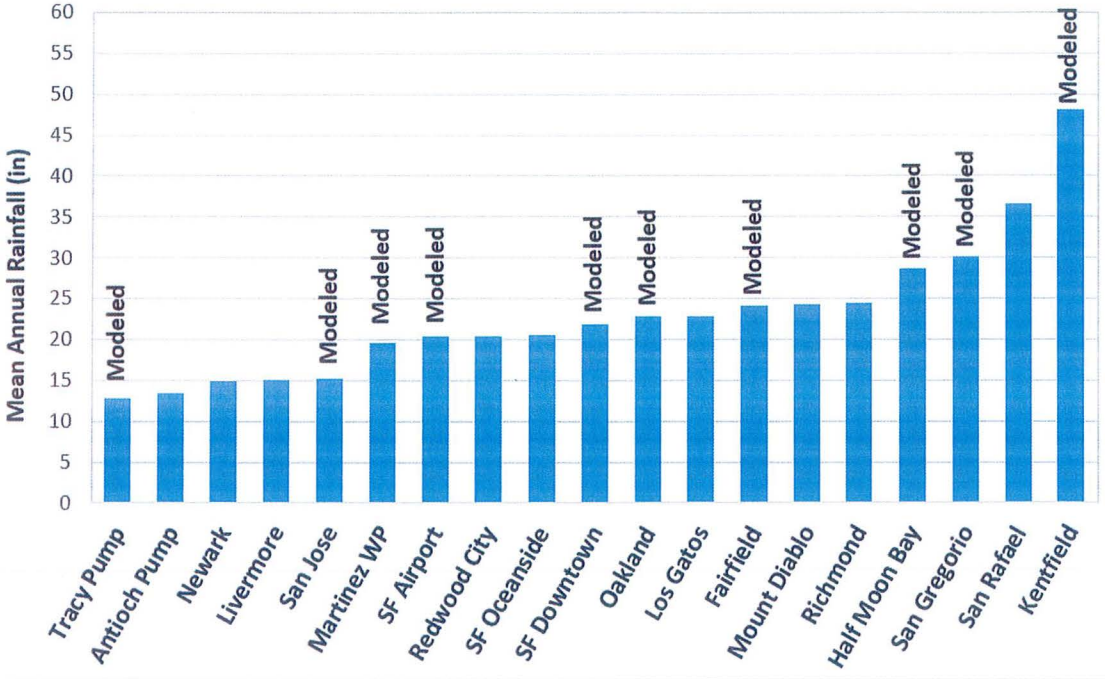


Figure 1. Candidate and selected rainfall sites with mean annual rainfall

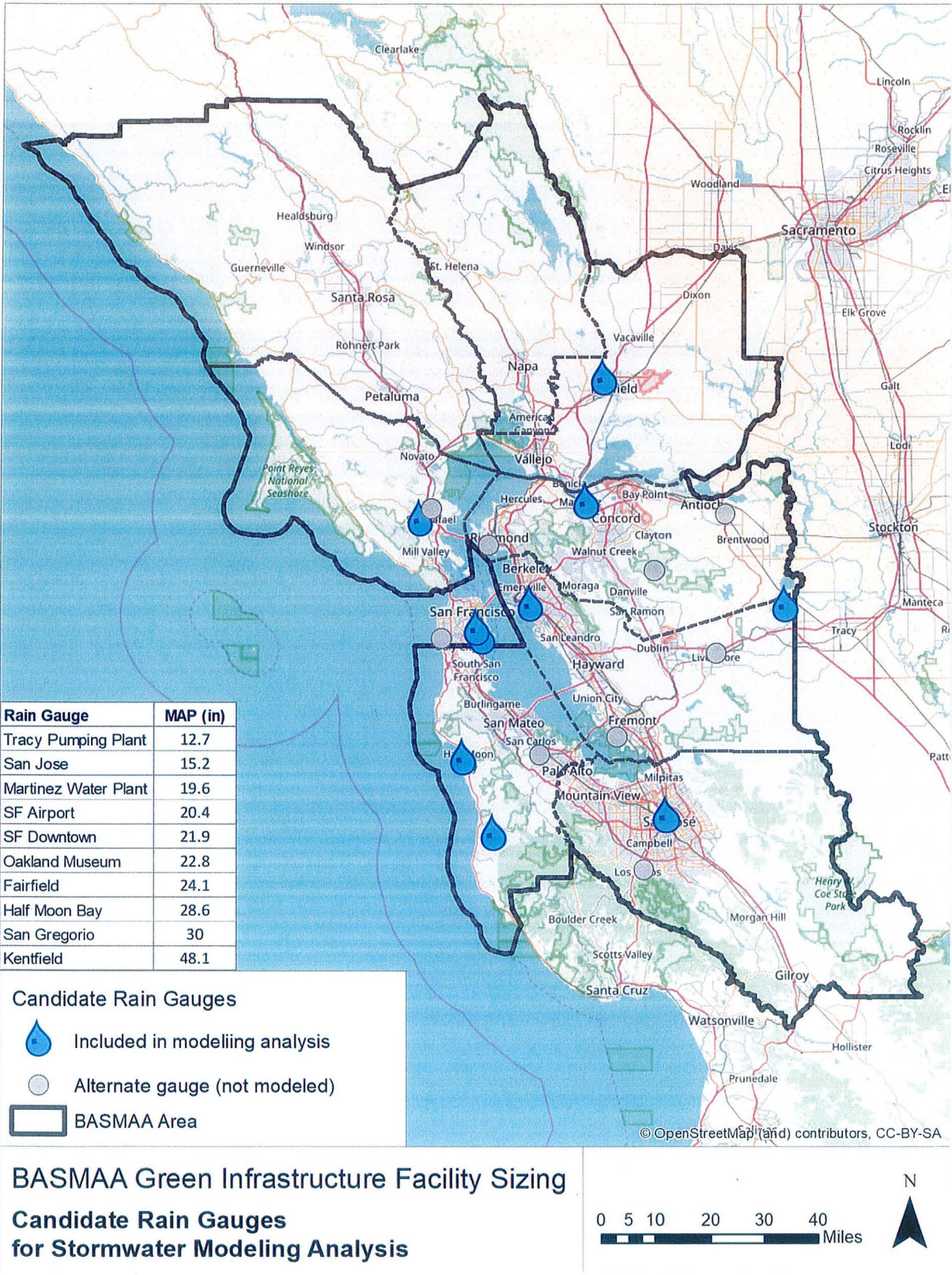


Figure 2. Location of rain gauges used in the modeling analysis

2.2 HSPF Model Setup

An HSPF model was developed to simulate runoff from a fully paved, 1-acre reference area and route this flow through a bioretention facility. The model outputs were then evaluated to determine the fraction of incoming stormwater receiving water quality treatment (defined as the fraction filtered through the bioretention media, evaporated or transpired). The HSPF model was developed with Excel/VBA-based code that enabled us to easily modify the rain gauge, bioretention area, and surface reservoir depth to determine how these watershed and configuration parameters affect the fraction of stormwater being treated.

The model parameters and approach to simulating bioretention hydraulics are discussed in detail below:

- Stormwater runoff flows across the reference 1-acre paved area and enters the bioretention facility. This water is initially detained in a shallow surface reservoir and then infiltrates to the bioretention media.
- Stormwater infiltrates through the bioretention media into an underlying gravel layer. The saturated soil permeability was set to 5 inches per hour (based on the media specification). For unsaturated soils, the relationship between soil moisture and permeability was based on monitoring data collected at three installations in Pittsburg (Contra Costa, 2013). The data showed very little infiltration occurs until the soil reaches about two-thirds saturation, and then infiltration increases roughly linearly until reaching 5 inches per hour at 90 percent saturation. Evapotranspiration also occurs in this layer.
- Stormwater within the gravel layer can move freely and infiltrate to surrounding soils, based on their capacity. If runoff enters the gravel layer more rapidly than it infiltrates, the saturation level in the gravel layer will rise until it reaches the elevation of a perforated pipe underdrain. When this occurs, water will flow through the underdrain to a downstream discharge point (typically the municipal storm drainage system).
- The surface reservoir is also equipped with an overflow structure that will become active if runoff enters the surface reservoir more rapidly than it infiltrates through the bioretention media and the surface reservoir fills to its maximum depth. Water discharged via the overflow relief structure does not receive treatment.

The bioretention configuration was based on the water quality treatment design criteria listed in the MRP 2.0 and accepted design practice in the Bay Area. Table 2 lists the dimensions of the bioretention layers as modeled in HPSF.

TABLE 2. BIORETENTION CHARACTERISTICS IN HSPF MODEL

Component	Characteristics
Surface reservoir	<ul style="list-style-type: none"> • Area = bioretention area (varies from 0.5% to 5% of upstream impervious area) • Depth = 6 or 12 inches with overflow relief set 2 inches from top of reservoir
Bioretention soil media	<ul style="list-style-type: none"> • Area = bioretention area • Depth = 18 inches • Saturated permeability = 5 inches per hour • Unsaturated permeability = variable, based on Contra Costa's 2013 monitoring data
Storage (gravel) layer	<ul style="list-style-type: none"> • Area = bioretention area • Depth = 12 inches • Permeability of surrounding soils = 0.024 inches per hour
Underdrain	<ul style="list-style-type: none"> • Located at top of gravel layer • Assumed 4-in diameter pipe

2.3 Model QA/QC Process

The HSPF input files and initial model results were carefully examined during the QA/QC process. Model errors and warnings were systematically eliminated and then the results were compared with the results generated from three independent calculation methods:

1. An Excel-based bioretention hydraulics calculator
2. A Matlab-based bioretention algorithm that was used for bioretention modeling in the Central Coast region
3. An EPA SWMM model using the LID module to represent bioretention hydraulics

The comparison was performed for the San Jose and Fairfield gauges with a bioretention sizing factor of 0.02 (i.e., bioretention surface area equal to 2 percent of the upstream impervious area). The estimated annual runoff treatment percentages agreed to within 3 percent, which confirmed the HSPF model was performing as intended.

3. Modeling Scenarios and Results

The HSPF modeling analysis was used to develop bioretention sizing criteria and support policy decisions. Working collaboratively with the BASMAA Development Committee, the modeling analysis addressed the following issues, which are presented in this section:

1. Bioretention area necessary to treat 80 percent of annual stormwater runoff
2. Relationships for estimating annual stormwater treatment percentage across a range of bioretention sizes and mean annual precipitation depths
3. Relationships for estimating annual stormwater treatment percentage for bioretention facilities without an underdrain
4. Bioretention treatment percentage for facilities with no infiltration to surrounding soils
5. Bioretention treatment percentage for facilities with lower bioretention media permeability

The results are summarized graphically here. The full set of results and underlying data were provided separately to the BASMAA Development Committee on 7/28/2017 and are available from BASMAA upon request.

3.1 Bioretention Sizing for Treatment of 80 Percent of Annual Runoff

The performance of bioretention facilities was modeled for 10 different rain gauges and bioretention footprint areas, ranging from 0.5 to 5.0 percent of the upstream tributary area, using the approach described in Section 2. Bioretention configurations with 6-inch and 12-inch deep surface reservoirs were modeled. For each of the model runs, the runoff treatment percentage was computed, and the results were plotted. Figure 3 shows an example for the San Jose gauge. Appendix B shows results for the other rain gauges.

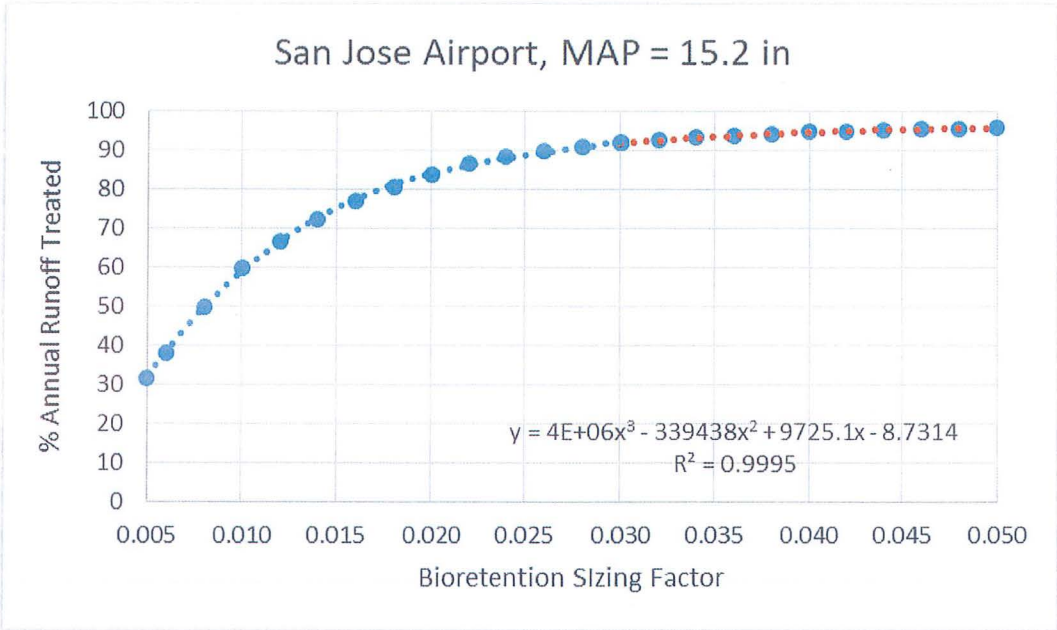


Figure 3. Percent of annual runoff treated for range of bioretention facility sizes using San Jose rain gauge

Using a polynomial regression equation, the model results for each rain gauge/surface reservoir depth scenario were interpolated to estimate the bioretention sizing factor needed to provide 80 percent annual runoff treatment, which is the treatment criterion for regulated water quality projects in the MRP 2.0. The results across the 10 rain gauges showed a clear linear relationship between mean annual rainfall and the bioretention footprint needed for 80 percent annual runoff treatment. Figure 4 and Figure 5 show the results for the 6-inch and 12-inch surface reservoir configurations, respectively.

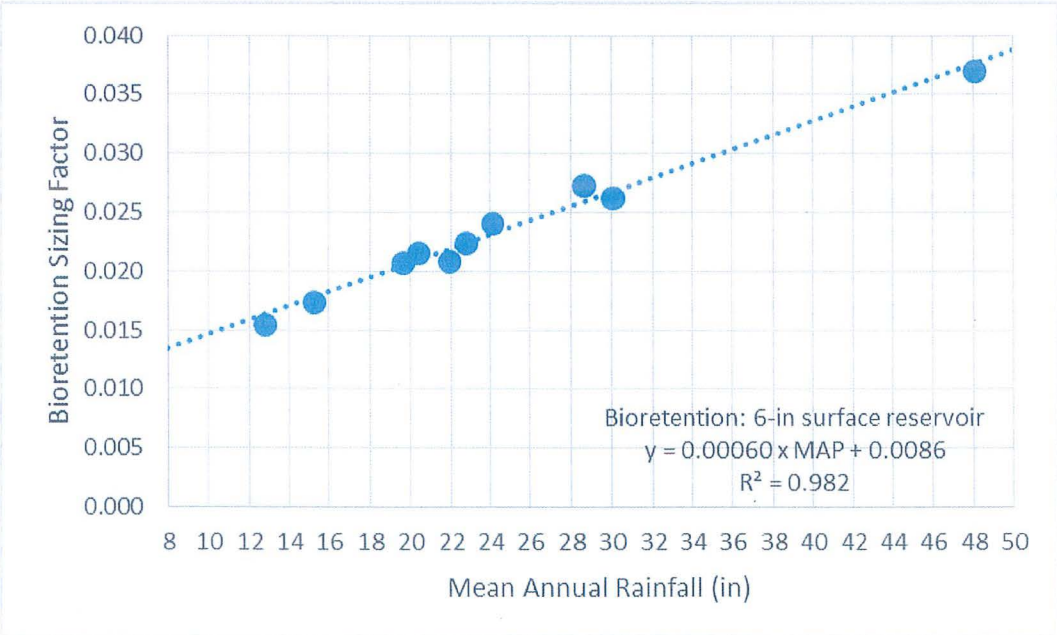


Figure 4. Bioretention size needed to provide treatment of 80 percent of annual runoff; 6-in surface reservoir

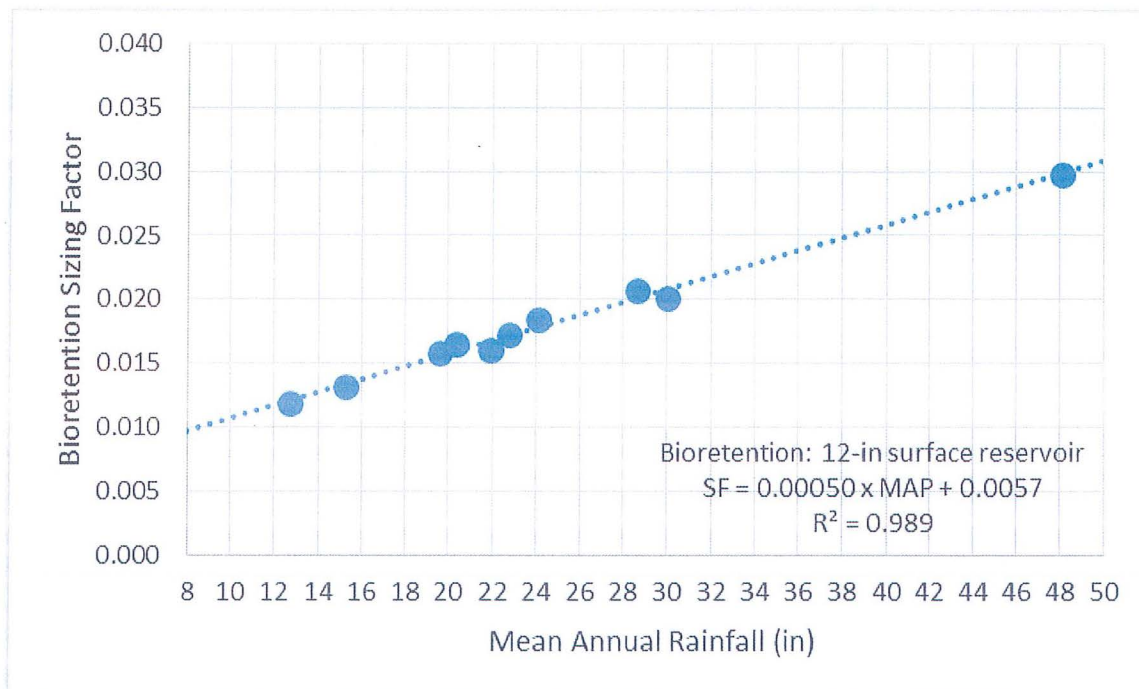


Figure 5. Bioretention size needed to provide treatment of 80 percent of annual runoff; 12-in surface reservoir

The results shown above could be used by BASMAA agencies to set minimum bioretention sizing criteria for projects that must provide treatment of 80 percent of annual runoff. The following equations could be included in BASMAA guidance for green infrastructure manuals.

For bioretention with 6-in surface reservoir configuration:

$$SizingFactor = 0.00060 \times MAP(in) + 0.0086$$

For bioretention with 12-in surface reservoir configuration:

$$SizingFactor = 0.00050 \times MAP(in) + 0.0057$$

3.2 Relationship Among Bioretention Sizing, Annual Precipitation, and Percent of Annual Runoff Treated

The modeling results generated in the previous section were then further evaluated to develop more general relationships among a) bioretention sizing factor, b) mean annual rainfall, and c) annual runoff treatment percentages. The following steps were used for the 6-inch and 12-inch reservoir depth configurations:

1. A polynomial regression was fit to the annual runoff treatment results for each of the 10 rain gauges (see example in Figure 3 above) and surface reservoir depths of 6 and 12 inches.
2. For each rain gauge/surface reservoir depth combination, the regression equation was used to estimate the sizing factors needed to provide 50, 60, 70, 80, 90, and 95 percent annual runoff treatment. This step generated 10 pairs of mean annual rainfall/bioretention sizing factor data for each rain gauge/surface reservoir depth combination (120 pairs in total). Excel's solver function was used for these calculations.

3. For each runoff treatment percentage level (50 percent, 60 percent, etc.), the mean annual rainfall (x-axis) and computed sizing factor (y-axis) were plotted and a linear regression was fit to the data in a manner similar to Figure 4 and Figure 5 above.
4. The linear regressions created for each runoff treatment level (50 percent, 60 percent, etc.) and surface reservoir depth were then plotted together to create a nomograph. Figure 6 and Figure 7 show nomographs for the 6-inch and 12-inch reservoir depths, respectively.

These nomographs are simple but powerful tools that municipal planners can use to estimate the annual treatment percentage for any bioretention facility within the BASMAA member agency area that uses the standard bioretention configuration (i.e., 6-in or 12-in reservoir, 18-in soil media, 12-in gravel layer, underdrain at top of gravel layer). The nomographs should be read as follows:

Step 1: Find the mean annual rainfall for the project location along the horizontal axis

Step 2: Move vertically up the chart to the bioretention sizing factor for the project/installation (note: this step assumes the tributary impervious area and bioretention area have already been planned)

Step 3: Visually interpolate between the closest two “treatment lines” to estimate the percent of annual runoff treated for this location/project.

These nomographs and instructions could be included in BASMAA guidance for green infrastructure manuals and used to a) evaluate the water quality benefits of proposed projects or b) evaluate the treatment provided by existing facilities with the layer depths described above.

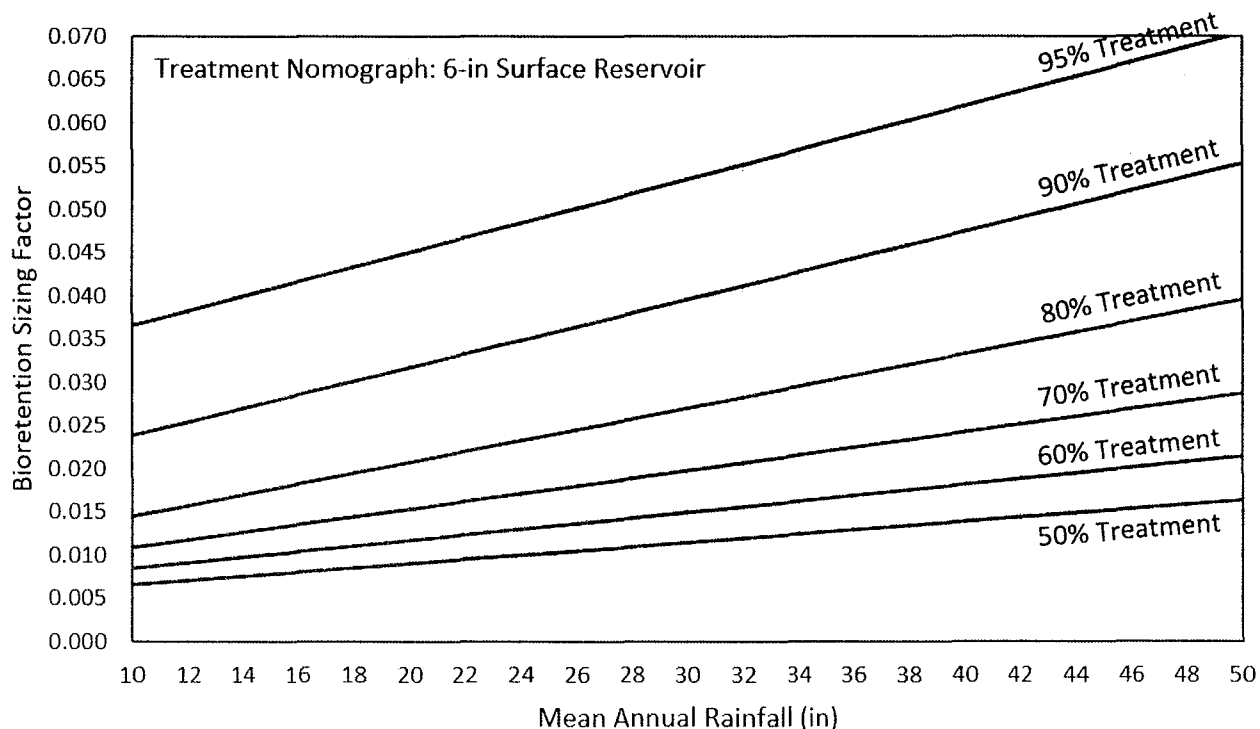


Figure 6. Percent of annual runoff treatment nomograph for bioretention facility with 6-in surface reservoir

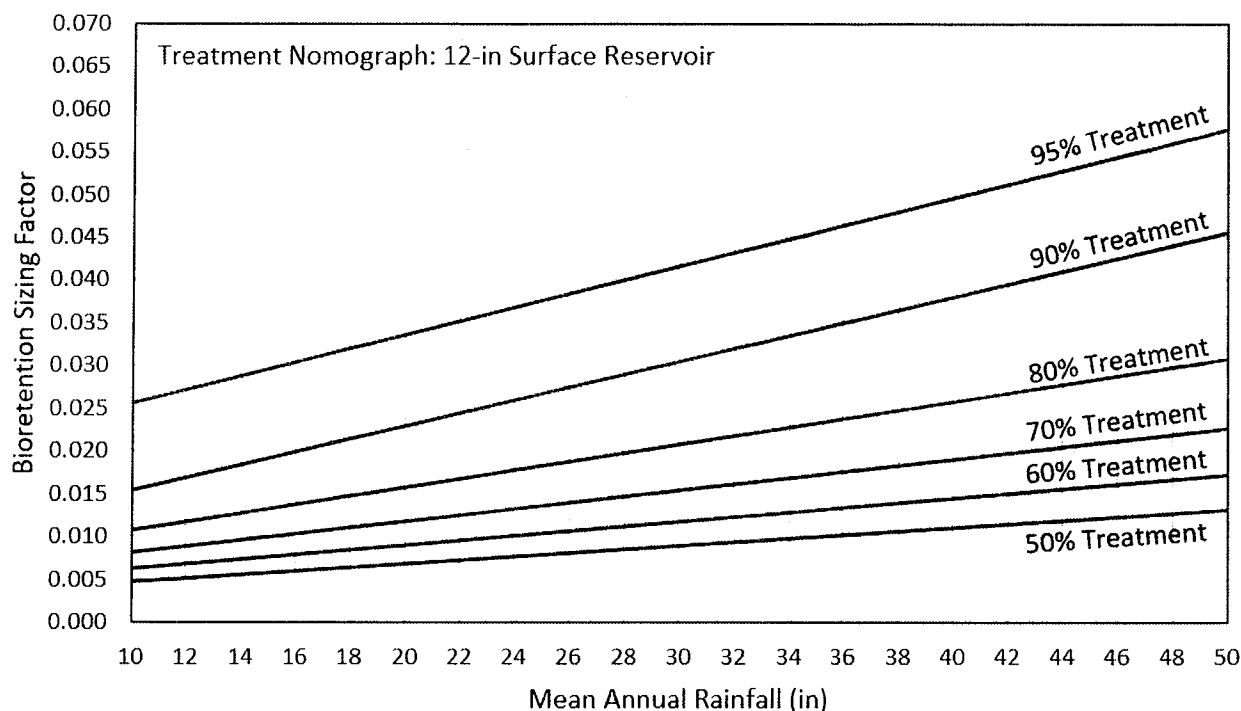


Figure 7. Percent of annual runoff treatment nomograph for bioretention facility with 12-in surface reservoir

3.3 Percent of Annual Runoff Treated by Bioretention Facilities with No Underdrain

Bioretention facilities are occasionally designed with no underdrain, including bioretention facilities in the following conditions:

- High permeability of surrounding (native) soils
- Isolated projects with no downstream drainage system for the underdrain connection
- Small projects that would not justify the additional design and construction costs associated with underdrains and cleanouts
- Projects that were designed and built prior to the development of the current standards

The HSPF model setup was modified to eliminate the underdrain outflows and allow the permeability of the surrounding soils to vary. The annual runoff treatment percentage was computed for a) three rain gauges representing drier, average and wetter than average conditions, b) six rates of permeability of surrounding soils, and c) two bioretention surface reservoir depths (Table 3).

TABLE 3. BIORETENTION WITH NO UNDERDRAIN SCENARIOS

Component	Characteristics
Rain gauges	<ul style="list-style-type: none"> • San Jose (MAP = 15.2 in) • San Francisco Airport (MAP = 20.4 in) • Fairfield (MAP = 24.1 in)
Permeability of surrounding (native) soils	<ul style="list-style-type: none"> • 0.2, 0.5, 1.0, 2.0, 3.0, 4.0 inches per hour • Underdrain results also plotted

TABLE 3. BIORETENTION WITH NO UNDERDRAIN SCENARIOS

Component	Characteristics
Surface reservoir depths	<ul style="list-style-type: none"> Depth = 6 inches Depth = 12 inches
Bioretention sizing factors	<ul style="list-style-type: none"> Area = 0.5% to 5.0% of upstream impervious acre

Figure 8, Figure 9 and Figure 10 show the modeled annual runoff treatment results for the three rain gauges and a surface reservoir depth of 6 inches. Results for the 12-inch surface reservoir are shown in Appendix C. For rates of permeability of 4 inches per hour, there is little drop off in performance. The annual runoff treatment percentage declines gradually between rates of permeability of 2 to 4 inches per hour and then declines more rapidly for rates of permeability of 1 inch per hour or less. The reduction in performance is more pronounced in wetter areas (as seen in the Fairfield results). These results could be incorporated into the BASMAA guidance for green infrastructure manuals to assess the general performance of existing facilities that were installed with no underdrain.

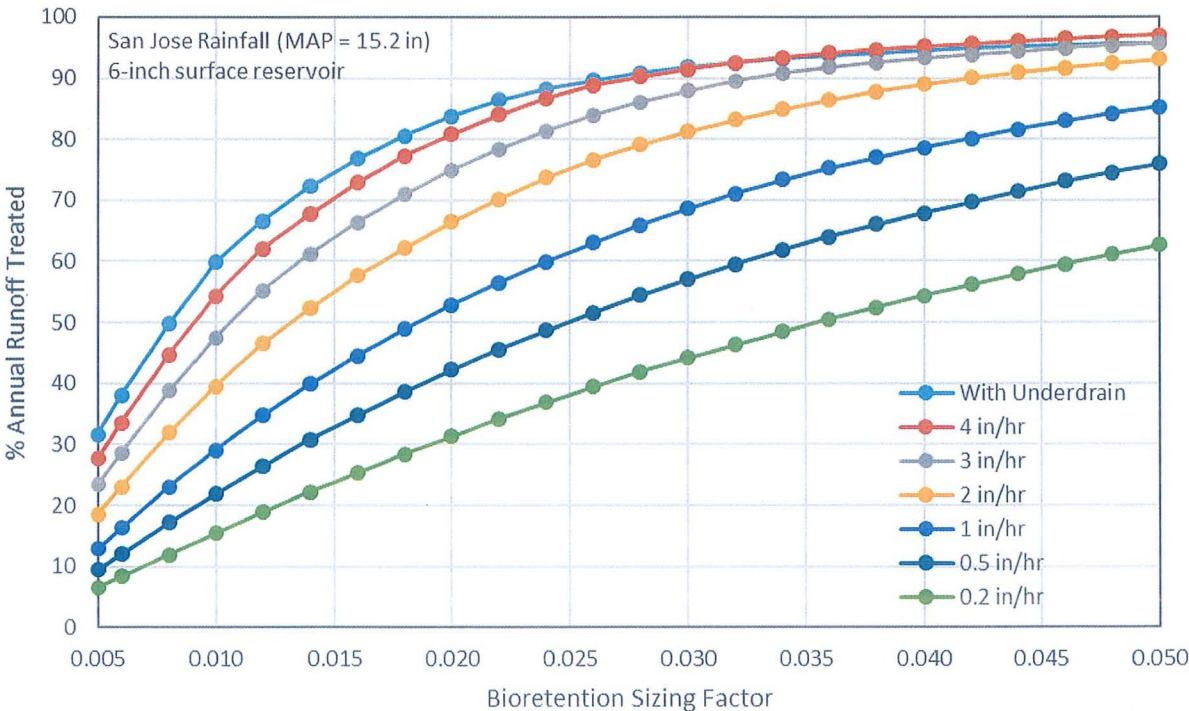


Figure 8. Treatment results for bioretention with no underdrain, San Jose gauge (MAP = 15.2 in), for varying rates of permeability of surrounding soils

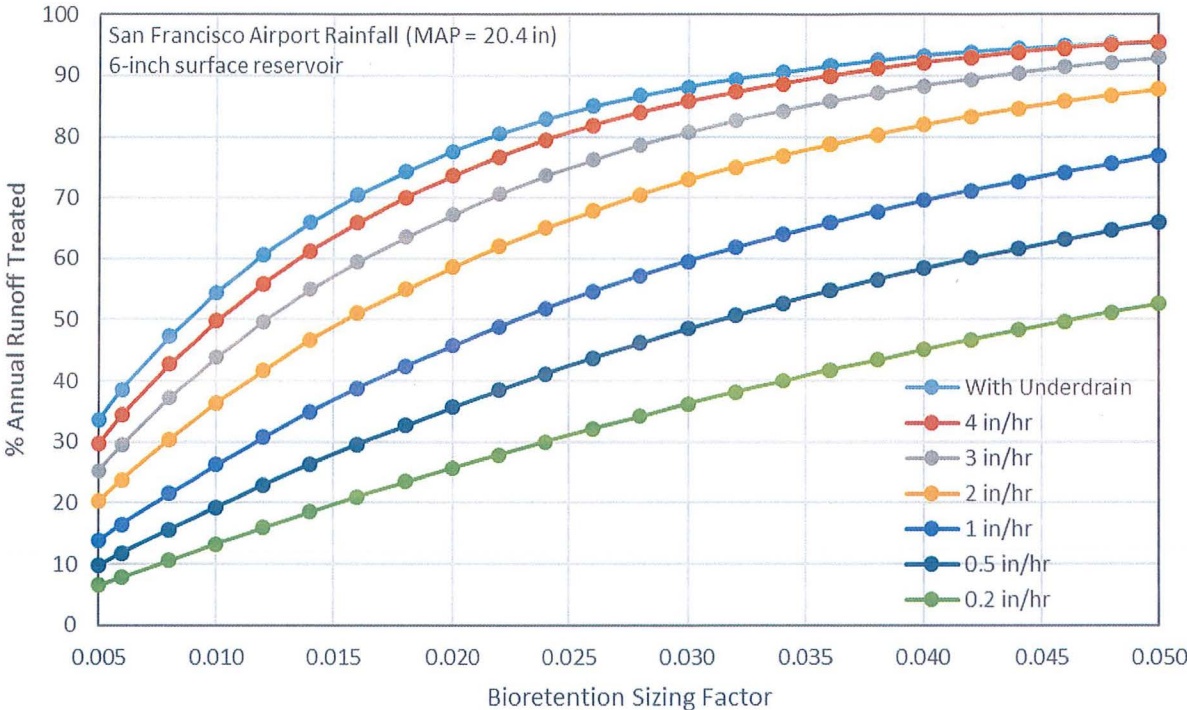


Figure 9. Treatment results for bioretention with no underdrain, San Francisco Airport gauge (MAP = 20.4 in), for varying rates of permeability of surrounding soils

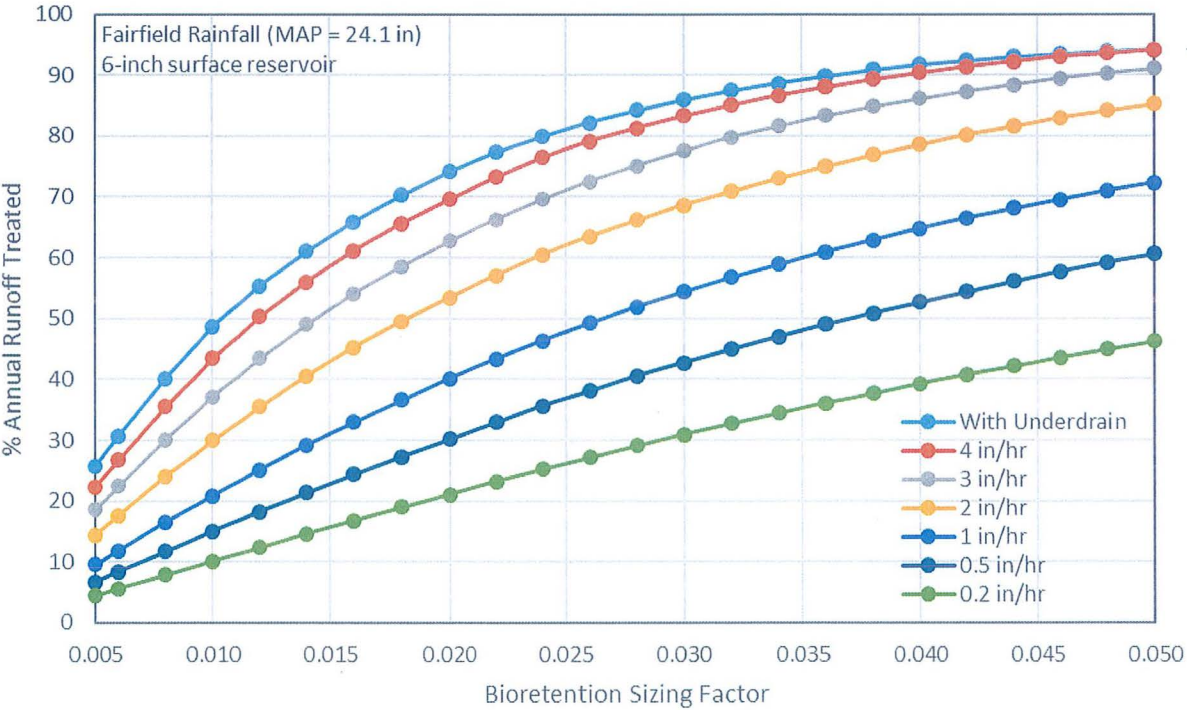


Figure 10. Treatment results for bioretention with no underdrain, Fairfield gauge (MAP = 24.1 in), for varying rates of permeability of surrounding soils

3.4 Percent of Annual Runoff Treated for Bioretention Facilities with No Infiltration to Surrounding Soils

The previous simulations described in Sections 3.1 and 3.2 were conducted for bioretention facilities located in NRCS hydrologic soil group D soils, which are low permeability soils, such as clays. These model simulations used a conservative permeability of 0.024 inches per hour from the bioretention gravel layer to surrounding soils. It was assumed the permeability of surrounding soils would have a negligible effect on the results because the hydraulic capacity of the underdrain is much higher than the permeability of D soils and that when the bioretention media becomes saturated, stormwater would exit mostly via the underdrain. If this assumption is correct, a lined bioretention facility or flow-through planter with no infiltration into surrounding soils should have similar performance.

This assumption was tested directly by running a limited number of simulations with the permeability of the surrounding soils set to a value of zero (i.e., an impervious layer directly below the bioretention facility). The annual treatment percentages were then compared to the previous modeling results (with D soil permeability set to 0.024 inches per hour). These simulations were performed for the Fairfield rain gauge and a bioretention facility with a 6-inch surface reservoir for sizing factors ranging from 0.005 to 0.050.

Figure 11 shows the two sets of model results. For the impermeable bottom scenario, the annual treatment percentage was on average 0.8 percent less the scenarios with a D soil permeability of 0.024 inches per hour (minimum difference = 0.4 percent; maximum difference = 1.5 percent). Therefore, the sizing curves and nomographs in Figure 4 through Figure 7 can be used for lined facilities with no infiltration.

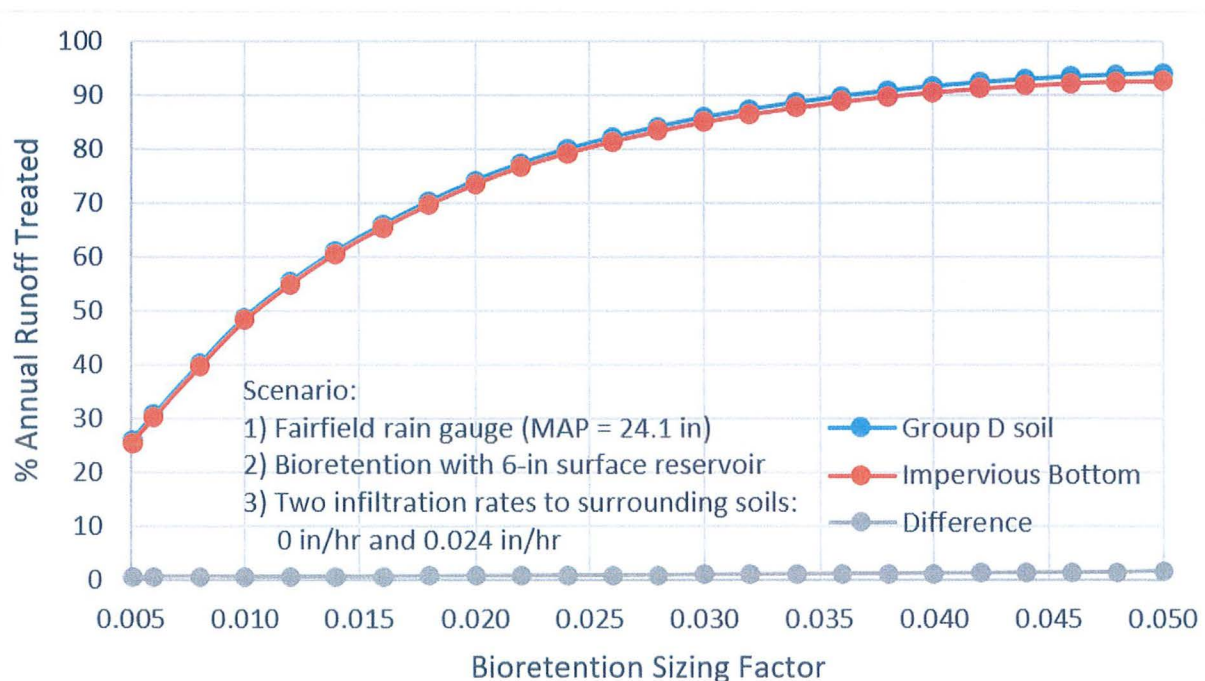


Figure 11. Comparison of model results for Group D soils and impermeable bottom scenarios

3.5 Percent of Annual Runoff Treated for Bioretention Facilities with Lower Media Permeability

The final modeling analysis examined the effect of modifying the bioretention media properties to reduce its saturated permeability from 5 inches per hour to 2 or 3 inches per hour. A lower permeability media would expand the list of available plantings and provide additional flexibility for landscape designers. However, the lower permeability would also reduce the bioretention's capacity for treating runoff during intense storms.

Due to budgetary constraints, this modeling analysis was limited to two scenarios: San Jose rain gauge, 6-inch surface reservoir depth, sizing factors ranging from 0.005 to 0.05, and saturated bioretention media permeability of 2 and 3 inches per hour. Figure 12 shows the percentage of annual runoff treated across the range of bioretention sizing factors and permeability rates. All of the scenarios include an underdrain, so the media permeability is the facility characteristic that controls the treatment percentage (i.e., the rate limiting step). The reduction in treatment percentage could be significant, particularly for smaller facilities. For example, the percent of annual runoff treated for a bioretention facility with a sizing factor of 0.02 would be reduced from 84 percent to 74 or 65 percent (for media permeability rates of 3 and 2 inches per hour, respectively).

Another way to consider the effect of lower media permeability is to estimate *how much larger a facility would need to be* to treat 80 percent of annual runoff. For the San Jose gauge, a sizing factor of 0.017 is needed with the standard bioretention media specification. If the media permeability were reduced to 3 or 2 inches per hour, the sizing factor needed to treat 80 percent of annual runoff would be 0.024 or 0.030, respectively, which represents a 37 to 75 percent increase in the facility footprint.

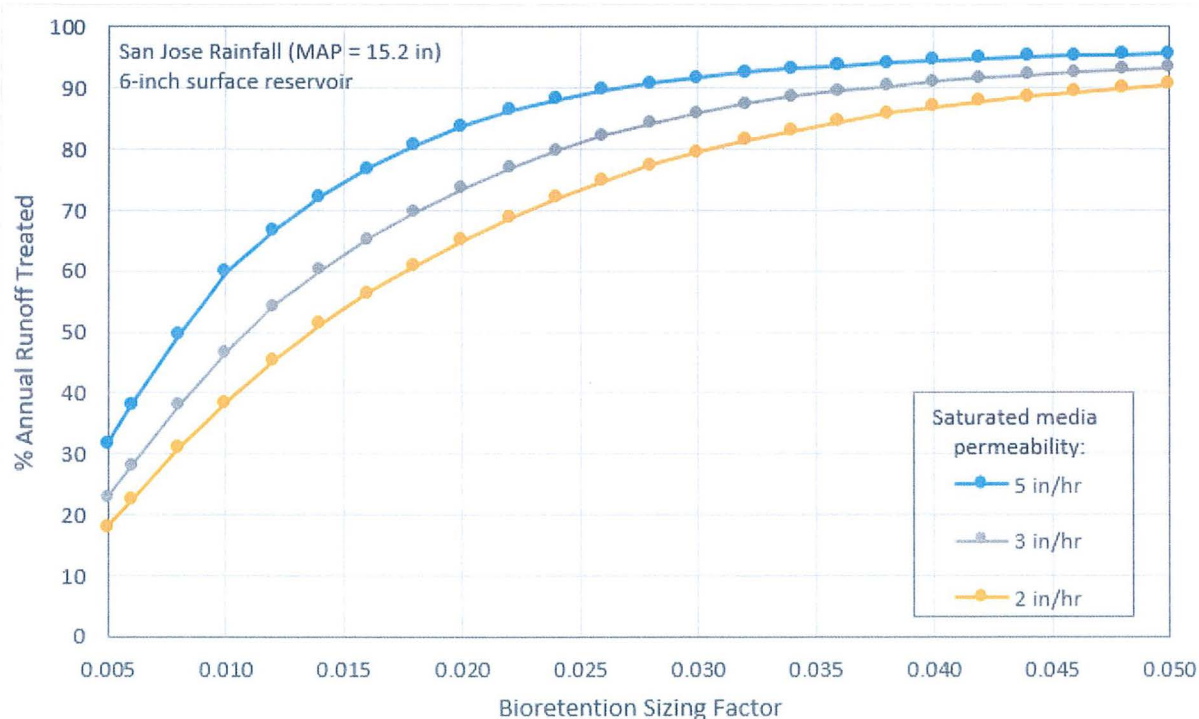


Figure 12. Treatment results for bioretention with variable media permeability, San Jose gauge (MAP = 15.2 in)

As a final note, the media permeability modeling was limited to two scenarios (one rain gauge, one facility configuration, two permeability rates). However, these results could be extended by noting that they are

generally similar to the “no underdrain” results shown in Section 3.3 (e.g., comparing the results for a media permeability of 2 inches per hour to a 2-inch per hour permeability of surrounding soil). When comparing the two sets of results, the percent of annual runoff treated for the lower media permeability is a little lower (0.5 to 2.5 percent) than the corresponding “no underdrain” scenario and the shape of the curve in Figure 12 is similar to the Figure 8 in Section 3.3.

4. Summary and Conclusions

Bioretention facilities are a useful and flexible approach for improving stormwater quality in urban areas. This project developed a set of useful tools that will help municipal staff plan green infrastructure projects in constrained public rights-of-way and assess the effectiveness of existing facilities.

1. Bioretention Sizing Criteria for 80 Percent Annual Runoff Treatment

The modeling analysis in Section 3.1 showed that bioretention facility performance is closely related to mean annual rainfall. For most locations, the bioretention area necessary to treat 80 percent of annual stormwater ranges from 1.5 to 2.5 percent of the connected upstream impervious area. The precise bioretention area necessary for any project within the BASMAA area (under the guidelines to be developed by BASMAA) can be calculated using the regression equations in Section 3.1.

2. General Sizing Relationships that Apply Throughout the BASMAA Area

The modeling analysis in Section 3.2 developed nomographs that estimate the annual stormwater treatment percentage across a range of bioretention facility sizes and mean annual rainfall depths. These nomographs can be used to estimate the annual treatment percentages for retrofit projects with space constraints and will enable municipal staff to compare bioretention with other treatment technologies. These nomographs can also be used to assess the effectiveness of existing facilities.

3. Performance of Bioretention Facilities with No Underdrain and Varying Rates of Permeability of Surrounding Soils

The modeling analysis in Section 3.3 demonstrated the relationship between stormwater treatment percentage and level of permeability of surrounding soils for bioretention facilities without an underdrain. Graphics were developed for rain gauges in wetter and drier areas. The results of this analysis can help assess existing installations and also inform designers about the benefits and tradeoffs of constructing bioretention with no underdrain.

4. Performance of Bioretention Facilities with No Infiltration

The modeling analysis in Sections 3.1 and 3.2 included the conservative assumption that bioretention facilities were installed in NRCS Group D soils with a very low permeability. The modeling analysis in Section 3.4 compared these results to bioretention facilities with no infiltration to surrounding soils (e.g., facilities with a liner or concrete bottom). The results were very similar, which confirms that the sizing guidance developed in Sections 3.1 and 3.2 can apply to flow-through planters or similar facilities that do not infiltrate to surrounding soils.

5. Sizing Criteria for Facilities with Lower Permeability Soil Media

The modeling analysis in Section 3.5 demonstrated the relationship between percent of annual runoff treated and bioretention soil media permeability. Reducing media permeability would allow for a wider range of bioretention plantings but would also result in a reduction in the percent of annual runoff treated for the same size drainage area. The reduction would be particularly notable for bioretention facilities with smaller sizing factors. The results of the bioretention media permeability analysis were similar to the no underdrain scenarios in Section 3.3. The Section 3.3 results could be used to estimate how reducing media permeability would influence treatment percentages across a wider range of scenarios.

In general, the bioretention surface area sizing criteria for treating 80% of the annual runoff derived from the modeling analyses described herein are significantly lower than the sizing factors that municipalities in the Bay Area have been requiring regulated projects to meet for compliance with permit requirements for some time. As stated in the Introduction (Section 1), the BASMAA Development Committee and BASMAA member agencies intend to use these sizing relationships to develop and justify a “single approach” for implementing non-regulated green street projects when there are constraints on facility size. A work group of the Development Committee was formed to develop policies and guidelines for implementing the new sizing criteria and addressing other related issues. These include defining the conditions, constraints, and types of projects for which the reduced sizing factors can be used; the method for applying the sizing factors; guidelines for when dimensions of other components such as media depths can be adjusted; how the design of other types of green infrastructure measures may be modified; the effectiveness of smaller or modified green infrastructure facilities in terms of pollutant load reduction; and other considerations.

5. References

- Contra Costa Clean Water Program (CCCWP). 2006. Hydrograph Modification Management Plan. April 16, 2006.
- Contra Costa Clean Water Program (CCCWP). 2013. IMP Monitoring Report, IMP Model Calibration and Validation Report. September 20, 2013.

Appendix A: Storm Depths for 1-Hour and 24-Hour Durations

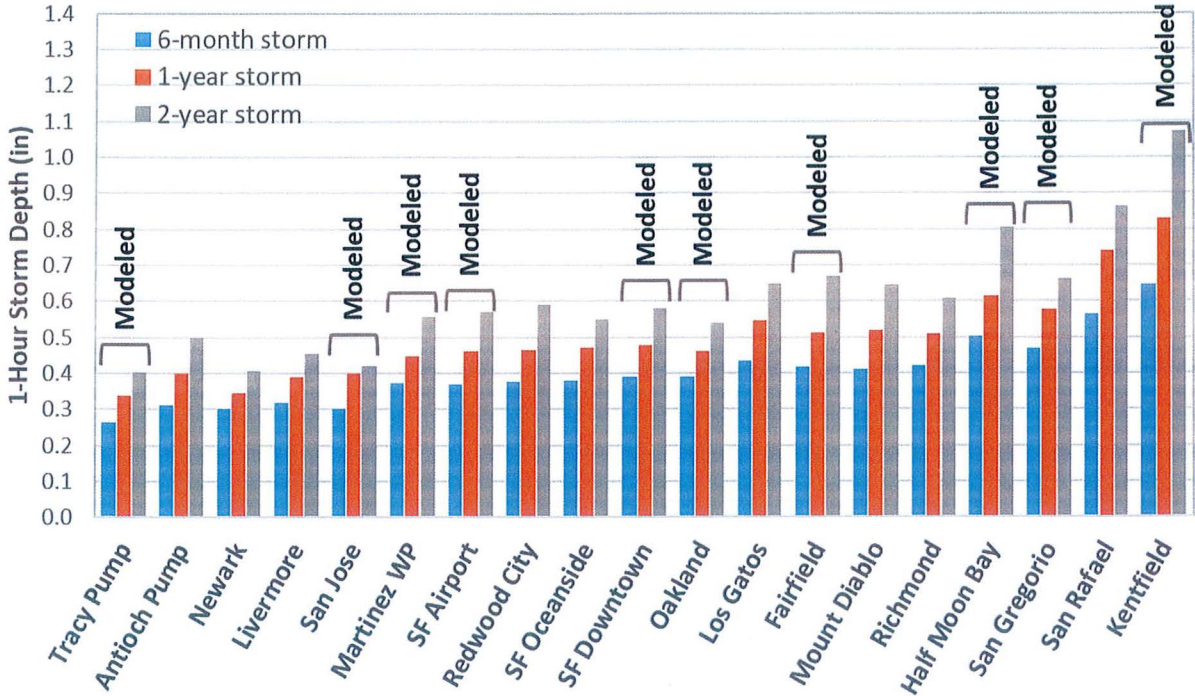


Figure 13. Storm depths for 1-hour duration

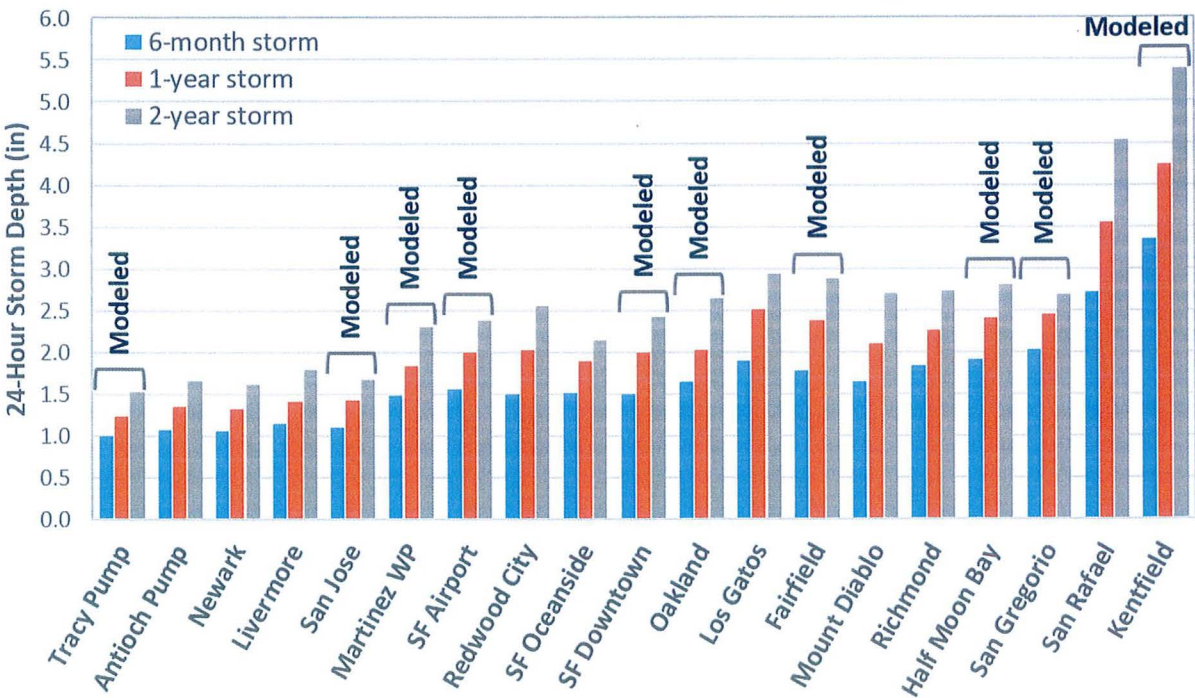


Figure 14. Storm depths for 24-hour duration

Appendix B: Treatment Percentage Results Graphics for All Rain Gauges

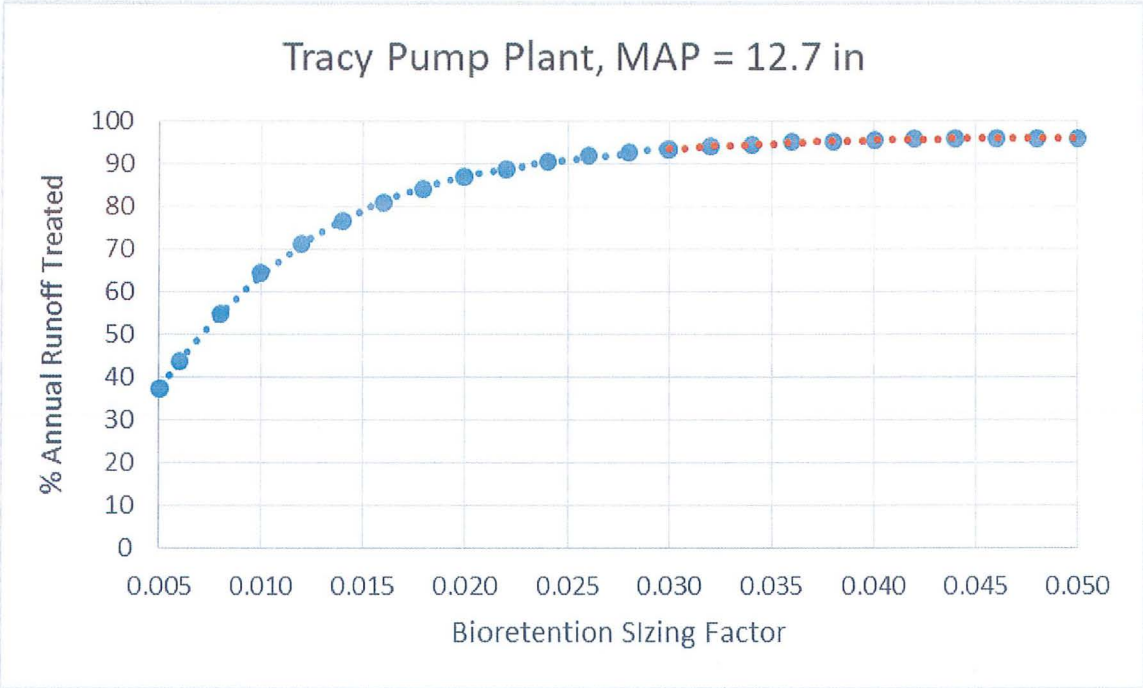


Figure 15. Annual treatment percentage for the Tracy Pump Plant rain gauge

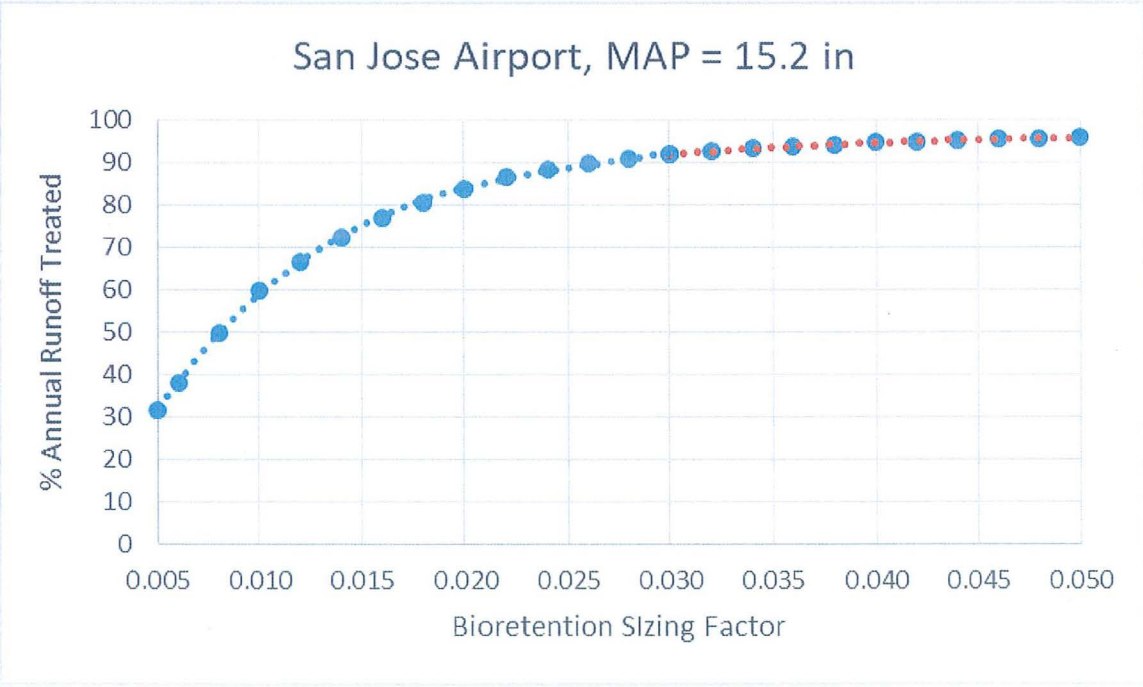


Figure 16. Annual treatment percentage for the San Jose rain gauge

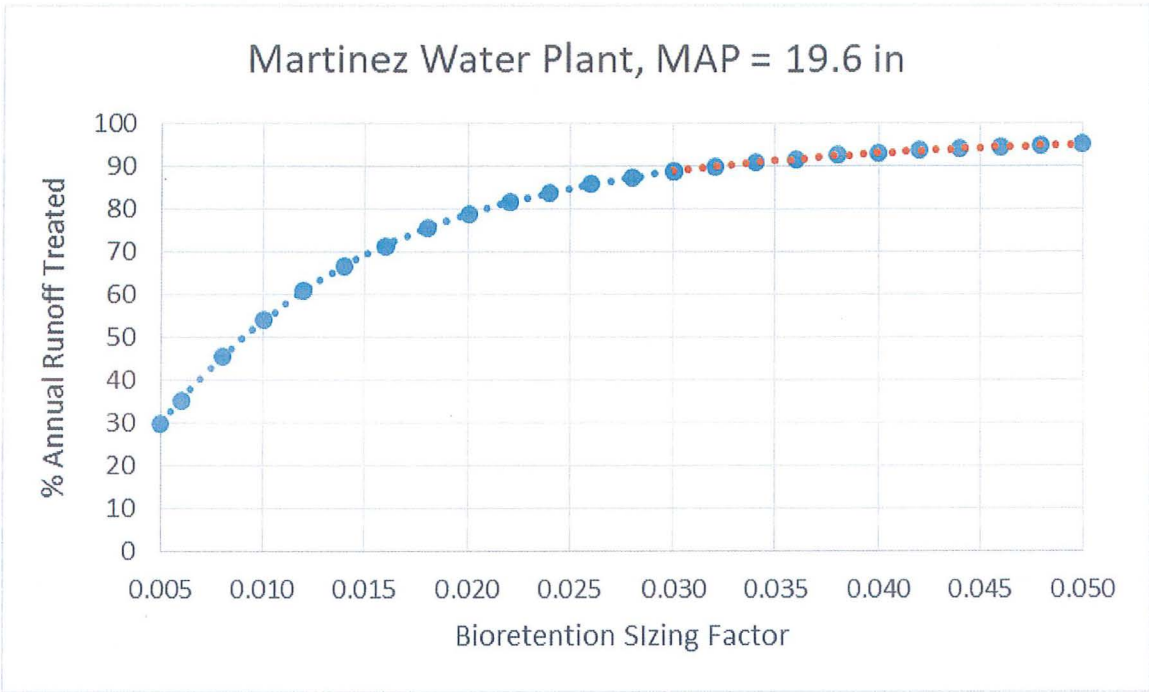


Figure 17. Annual treatment percentage for the Martinez Water Plant rain gauge

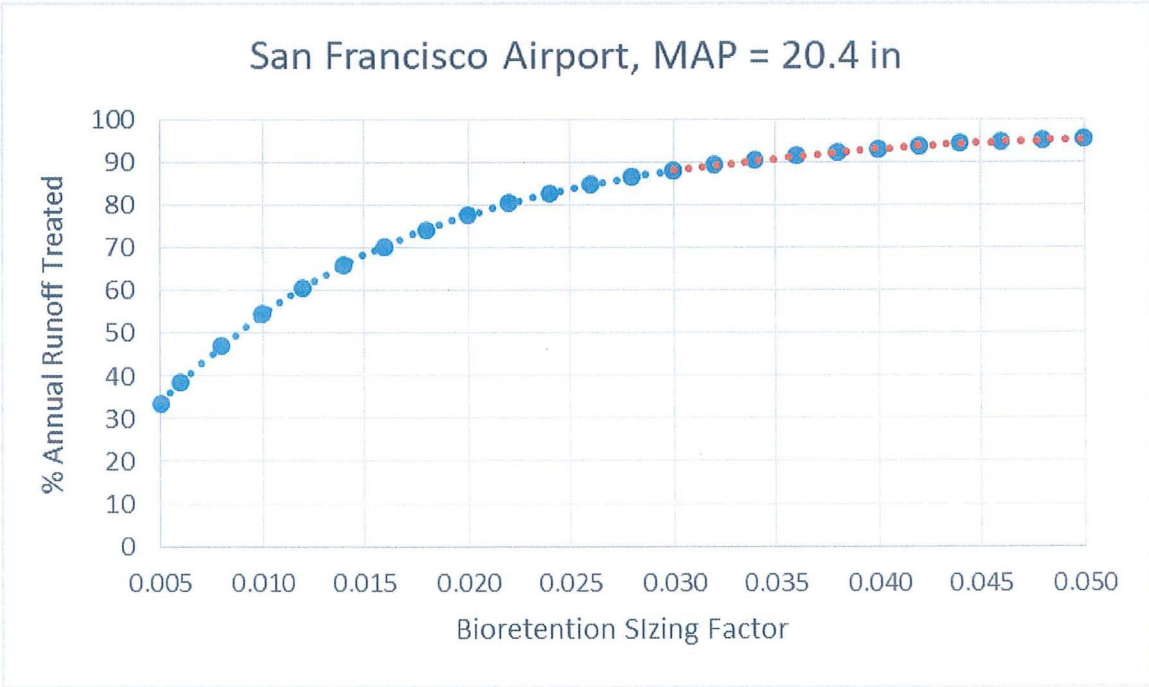


Figure 18. Annual treatment percentage for the San Francisco Airport rain gauge

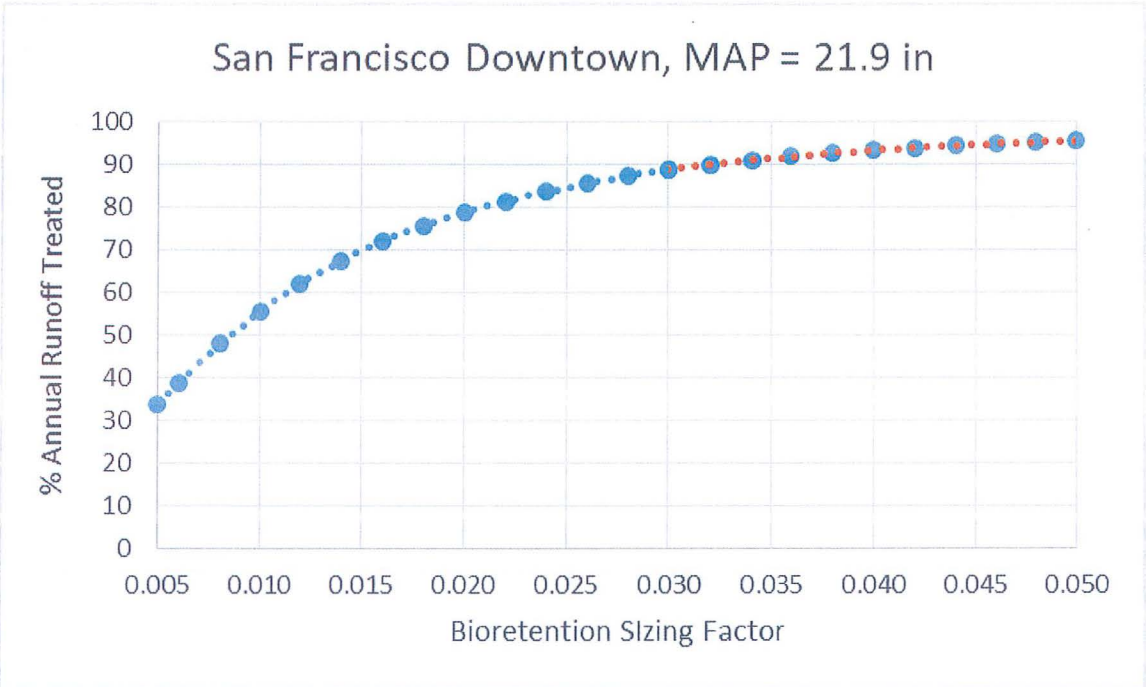


Figure 19. Annual treatment percentage for the San Francisco Downtown rain gauge

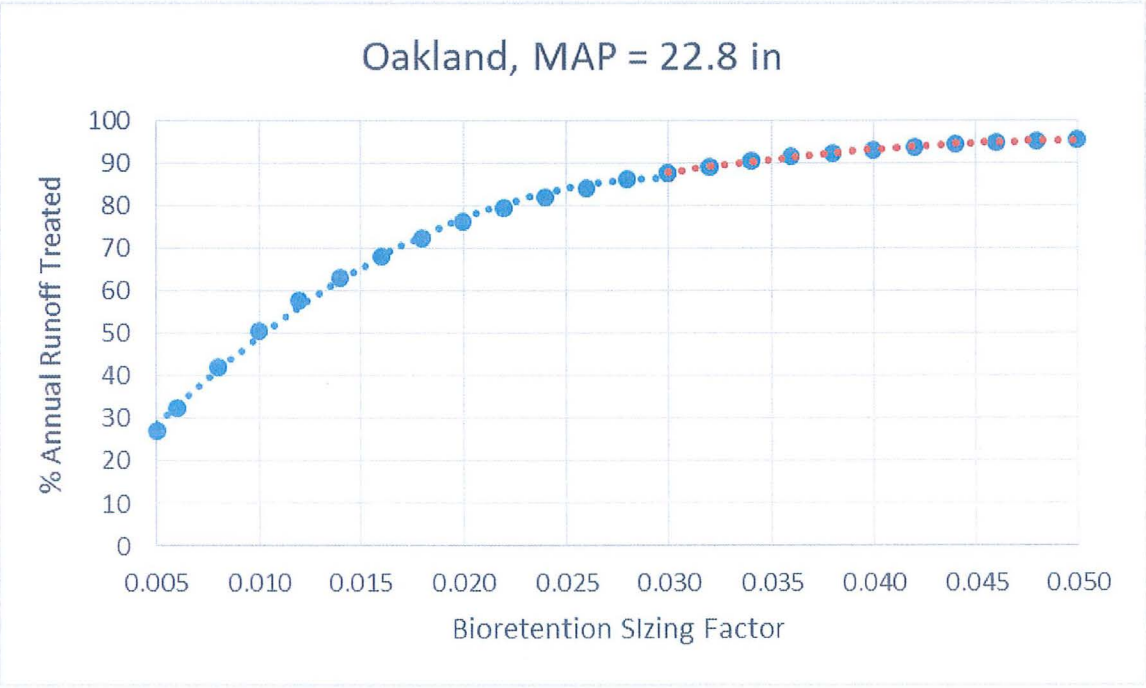


Figure 20. Annual treatment percentage for the Oakland rain gauge

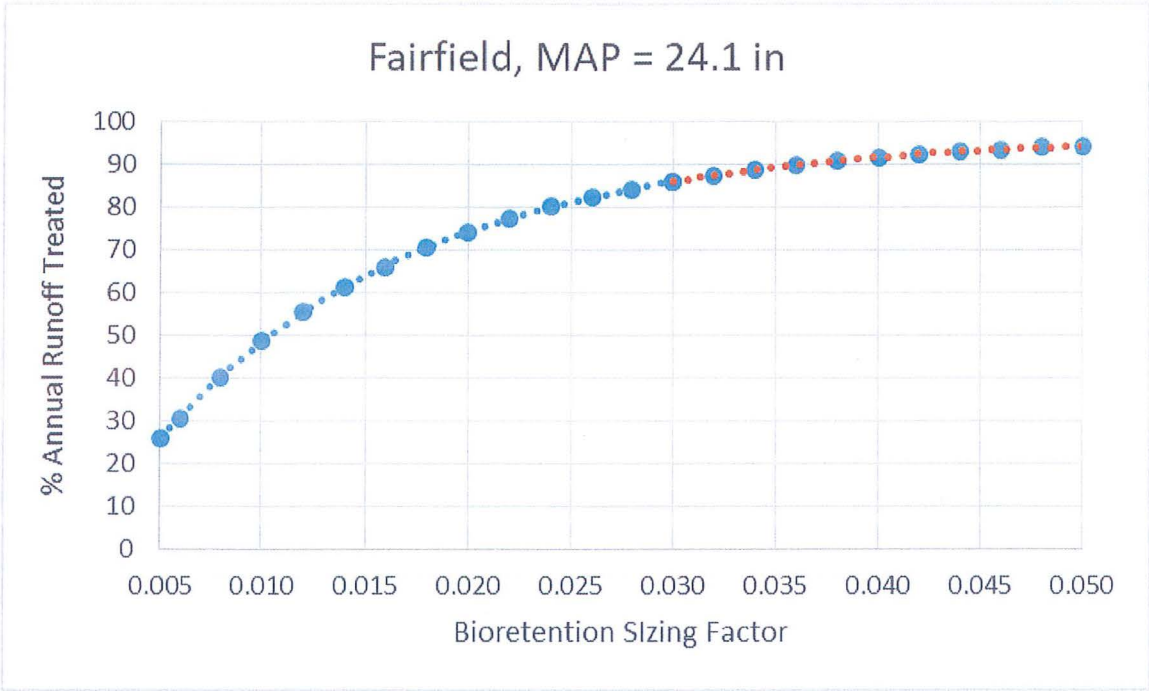


Figure 21. Annual treatment percentage for the Fairfield rain gauge

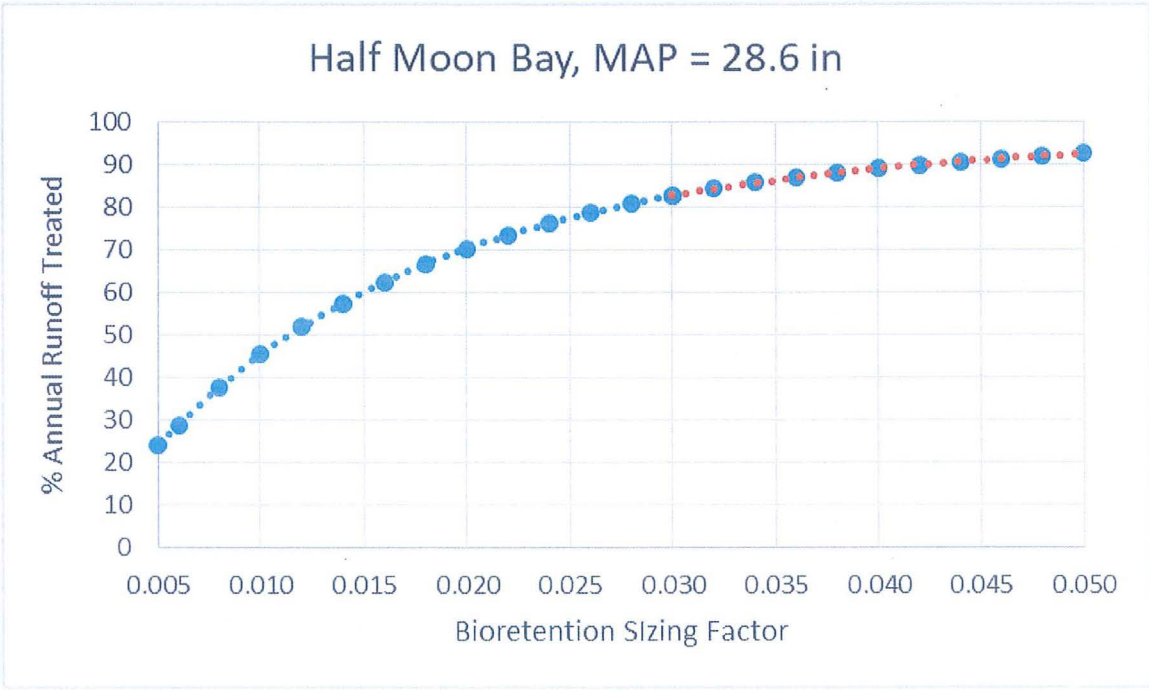


Figure 22. Annual treatment percentage for the Half Moon Bay rain gauge

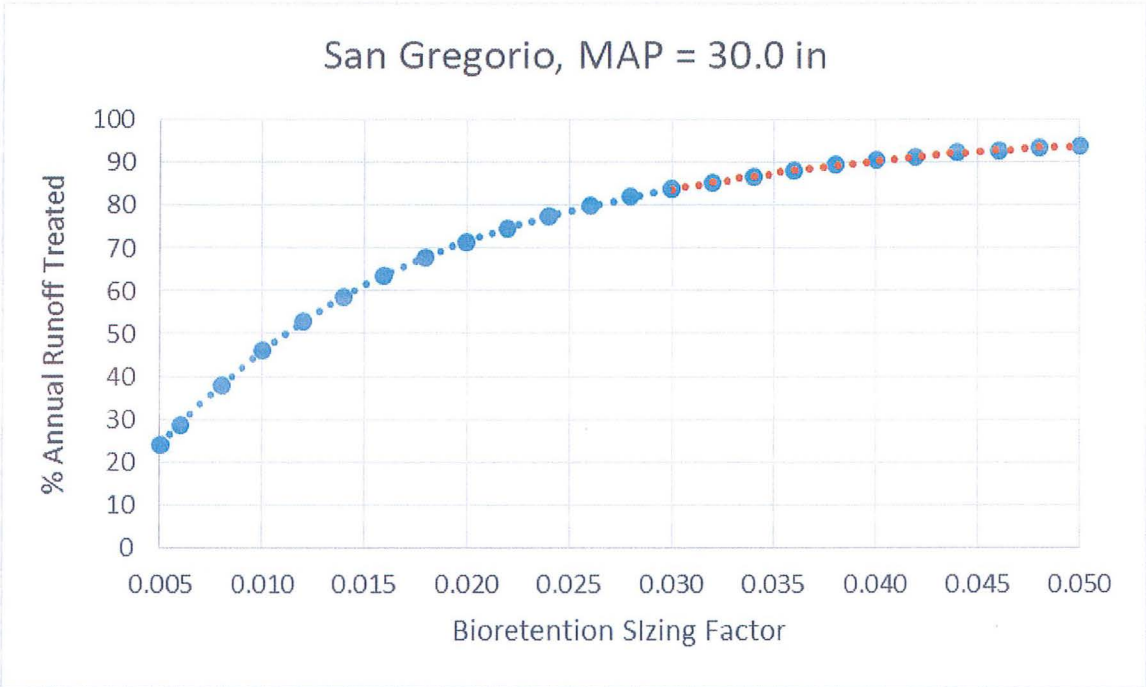


Figure 23. Annual treatment percentage for the San Gregorio rain gauge

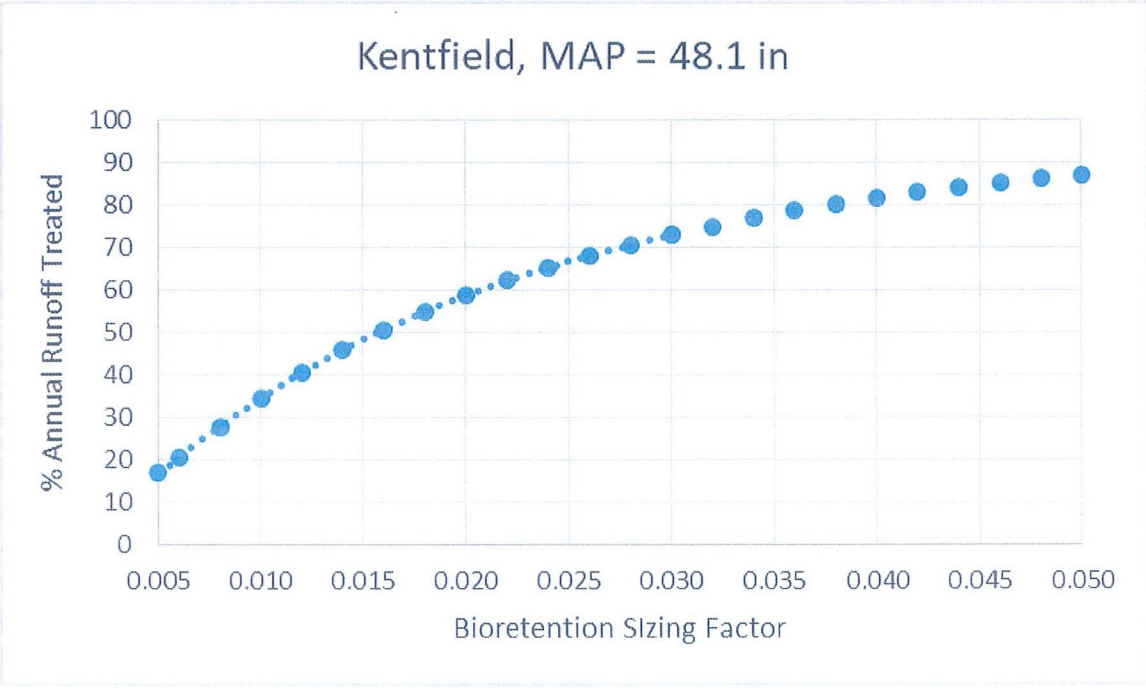


Figure 24. Annual treatment percentage for the Kentfield rain gauge

Appendix C: Bioretention with No Underdrain, 12-inch Surface Reservoir Results

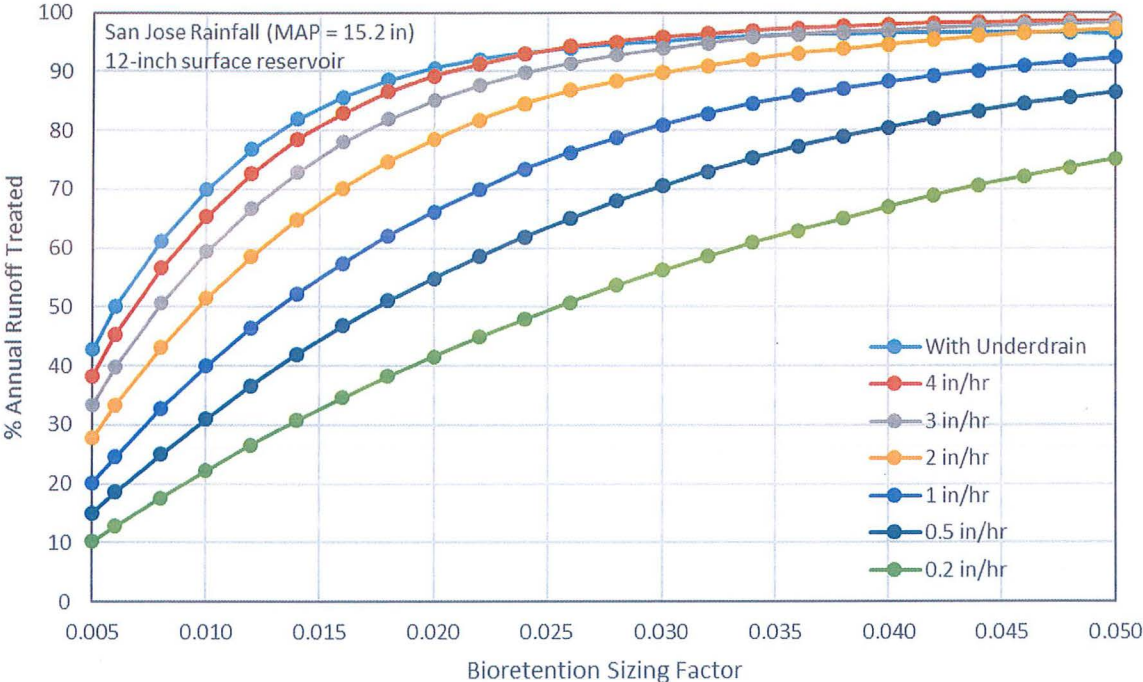


Figure 25. Treatment results for bioretention with no underdrain, San Jose gauge (MAP = 15.2 in)

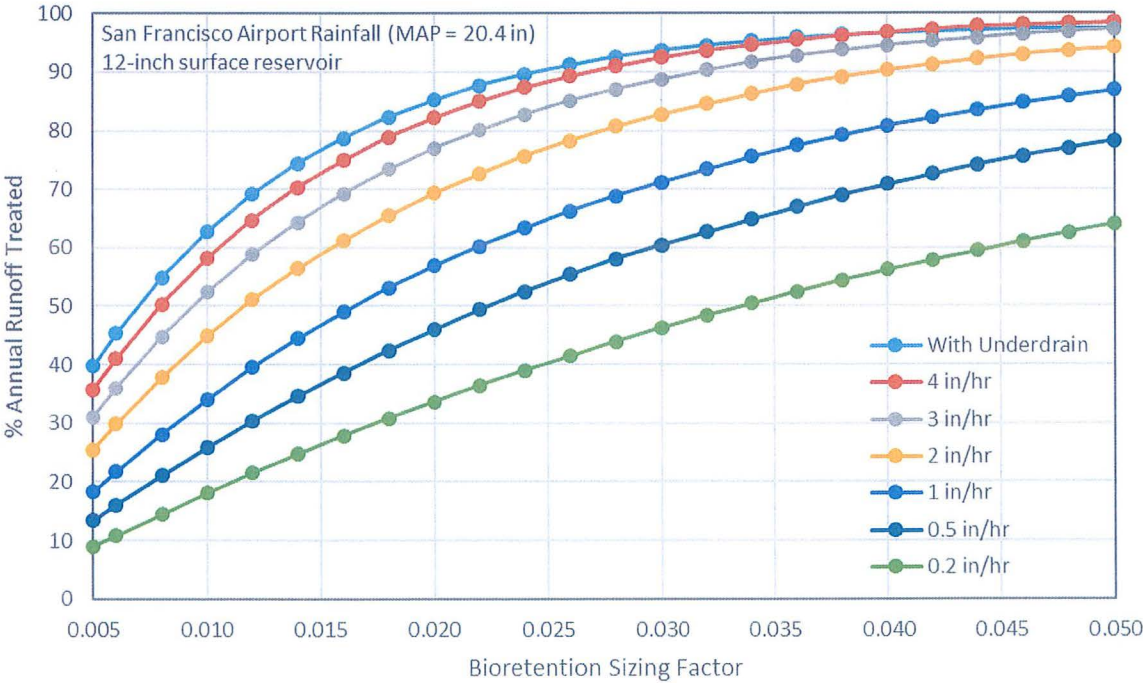


Figure 26. Treatment results for bioretention with no underdrain, San Jose gauge (MAP = 15.2 in)

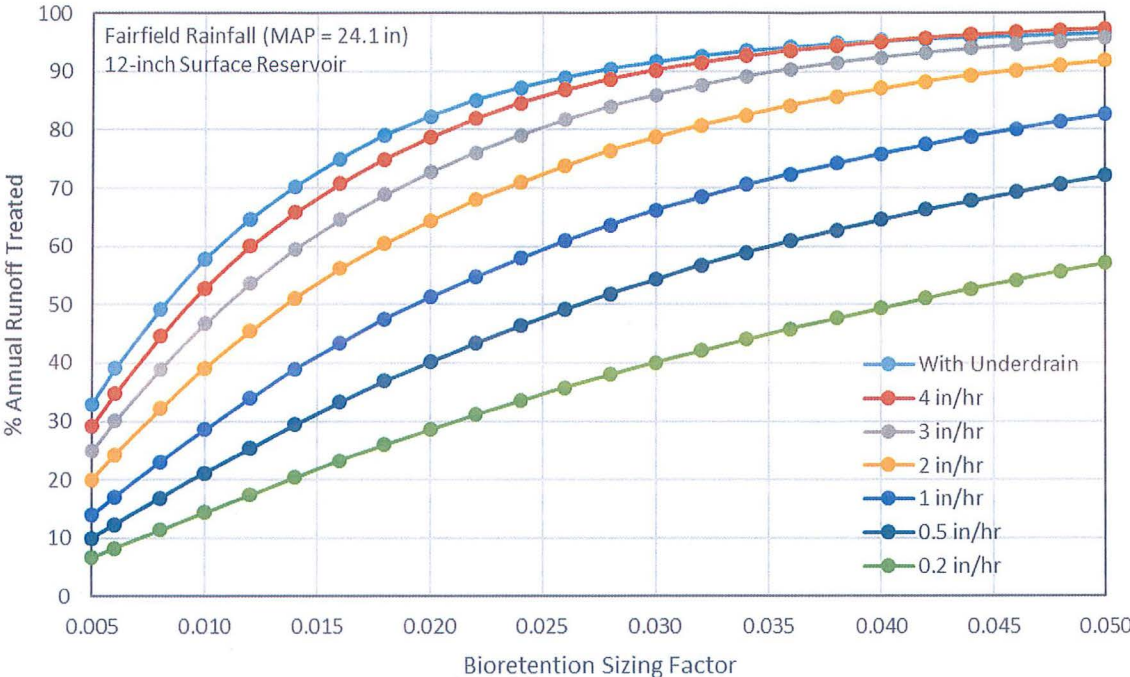


Figure 27. Treatment results for bioretention with no underdrain, San Jose gauge (MAP = 15.2 in)

Appendix C. Workplan to Incorporate Green Infrastructure Requirements in City of Hayward’s Bicycle and Pedestrian Master Plan Update

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APPENDIX C

Workplan to Incorporate Green Infrastructure Requirements in the City of Hayward Bicycle & Pedestrian Master Plan Update

1. Statement of Purpose

The purpose of this workplan is to identify how the City of Hayward (City) will ensure that green infrastructure (GI) and low impact development (LID) measures are appropriately included in the City's Bicycle & Pedestrian Master Plan update, which may affect the future alignment, configuration, and design of impervious surfaces within its jurisdiction. The planning process and schedule for this update is discussed below.

2. Planning Process

As described on the City's website,¹ the planning process for the City's Bicycle & Pedestrian Master Plan update began in May 2018 and will continue through October 2019, as summarized below.

Phase 1: Establish Foundation

In Phase I, the City solicited input from residents, businesses, and other stakeholders about existing barriers to walking and biking, and where the City should identify new project recommendations.

Phase II: Initial Recommendations

In Phase II, the City compiled community input to create draft project and programmatic recommendations for the community to review prior to inclusion in the final plan document.

Phase III: Prioritization & Final Recommendations

The City is currently in the process of creating a final list of bicycle and pedestrian projects, and will use community input and findings from Phases I and II to prioritize projects for implementation and future grant applications. During this phase, City staff anticipates incorporating GI requirements and recommendations in the Bicycle & Pedestrian Master Plan update.

Phase IV: Draft & Final Plan

During the summer of 2019 the City is scheduled to complete a Draft Bicycle & Pedestrian Master Plan update and release it for public review. City Council adoption of the Final Plan is anticipated

¹ Information on the Bicycle & Pedestrian Master Plan update is available at www.hayward-ca.gov/content/bike-and-pedestrian-master-plan-update.

in the fall of 2019. The final approval of the Bicycle & Pedestrian Master Plan update is anticipated to include documentation of stakeholder coordination and outreach.

3. Schedule

Updates to the Bicycle and Pedestrian Master Plan are anticipated to be completed in Fiscal Year 2019/20. The following schedule indicates the timeframes in which Phases I and II were completed, and when Phases III and IV are scheduled to be implemented.

Phase I: Establish Foundation (May – August 2018) *complete*

Phase II: Initial Recommendations (September 2018 - March 2019) *complete*

Phase III: Prioritization & Final Recommendations (April 2019 - June 2019) *in process*

Phase IV: Draft & Final Plan (July - October 2019) *future phase*



CITY OF HAYWARD

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

File #: CONS 19-479

DATE: July 16, 2019

TO: Mayor and City Council

FROM: Director of Development Services

SUBJECT

Adopt a Resolution Approving an Amendment to the FY2020 Operating Budget for the Development Services Department for Contracted Security Services at the Property Located at Maple Avenue and Main Street

RECOMMENDATION

That Council adopts a resolution (Attachment II) approving an amendment to the FY2020 budget for the Development Services Department, increasing the Consultant Services appropriation from \$20,000 to \$182,000 for contract services to provide security at the property located at the corner of Maple Avenue and Main Street.

SUMMARY

Staff is requesting an additional appropriation of \$162,000 to cover the cost of security services for a nuisance property located at the corner of Maple Avenue and Main Street through December 31, 2019. The City will pursue reimbursement from the developer to repay the General Fund for this service.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution



DATE: July 16, 2019

TO: Mayor and City Council

FROM: Director of Development Services

SUBJECT: Authorization to Amend the FY2020 Operating Budget for the Development Services Department for Contracted Security Services at the Property Located at Maple Avenue and Main Street

RECOMMENDATION

That Council adopts a resolution (Attachment II) approving an amendment to the FY2020 budget for the Development Services Department, increasing the Consultant Services appropriation from \$20,000 to \$182,000 for contract services to provide security at the property located at the corner of Maple Avenue and Main Street.

SUMMARY

Staff is requesting an additional appropriation of \$162,000 to cover the cost of security services for a nuisance property located at the corner of Maple Avenue and Main Street through December 31, 2019. The City will pursue reimbursement from the developer to repay the General Fund for this service.

BACKGROUND

On February 7, 2017, Council adopted Resolution #17-013 approving the Maple & Main mixed-use project development designed to complement downtown Hayward. The project is comprised of a five-story residential building, wrapping around a 462-space six-level parking garage structure and two courtyards. The project includes 240 residential units consisting of 15 studios, 82 one-bedroom units, 123 two-bedroom units, and 20 three-bedroom units with an average unit size of 990 square feet. The project proposes 20% of the units as affordable to Very Low- and Low-Income tenants. The applicant also proposes up to 5,571 square foot of new retail space on Main Street, along with a 1,560 square foot leasing office/lobby, and retention of most of the existing multi-story medical office building at the corner of Maple Court and McKeever Avenue. In addition, the proponent proposes a professional on-site management company, Alliance Residential Company, that manages several properties in the Bay Area, including those with unbundled parking. Alliance will address site maintenance and security, leasing, affordable housing agreement implementation, on-site parking management, and enforcement, etc.

The site primarily consists of three abandoned structures located on three adjacent parcels located at:

- 22491 Maple Court
- 22477 Maple Court
- 22330 Main Street

On July 12, 2018, multiple complaints were received from surrounding businesses and residents. The Code Enforcement Division, along with representatives from Fire, Building, and Police, conducted a joint inspection of the properties along with owner representative, Blake Peters of Bay Area Property Developers.

Nuisance conditions identified on the grounds and in buildings located at the properties included, but were not limited to the following:

- Presence of standing sewer water;
- Unsafe building, electrical, and plumbing conditions;
- Broken and damaged windows and building ingress points;
- Trash and debris; and
- Un-Permitted occupancy and use of building for residential purposes.

On July 18, 2018, due to identified health and safety concerns, all buildings were deemed unsafe and the property owners were issued a Notice of Violation identifying egregious conditions with orders to correct violations as well as submit a detailed security plan for review and approval by the City for implementation by the property owner.

On January 16, 2019, due to ongoing non-response by the property owner to implement an approved security plan or abate nuisance conditions at the property, the City proceeded to establish contracted security services with National Security Industries, to maintain public safety around the property in an effort to reduce its nuisance impact on nearby commercial and residential properties.

DISCUSSION

On April 9, 2019, Council adopted resolution #19-070 authorizing an amendment to the FY 2019 Operating Budget by an additional \$112,000 to cover the cost of security at the property located at Maple Avenue and Main Street through June 30, 2019. Staff is requesting an additional \$162,000 increase to the Code Enforcement Contract Services budget, increasing the total FY 2020 appropriation to \$182,000, to cover the cost of security through the end of the calendar year.

In July, Code Enforcement will recommend that Council include the properties as part of the resolution confirming the Report and Assessment for Community Preservation Fees Past Due to become special assessments against the properties if past due invoices are not paid by August 1, 2019. These special assessments will appear on the property owner's November 2019 tax bill.

The primary function of special assessments is to allow the City to collect past due fees via annual tax bills. Authority for this process is granted under the Community Preservation and Improvement Ordinance, Residential Rental Inspection Ordinance, and Government Code Section 38773.1.

FISCAL IMPACT

The FY 2020 operating budget does not include sufficient funds to cover the costs associated with increased contract security services at the property located at Maple Avenue and Main Street. The total fiscal impact exceeds the amount budgeted and requires an additional appropriation in the amount of \$162,000 from the General Fund. The additional appropriation will cover the cost of security to ensure the health and safety of the public surrounding the properties. Potentially, this impact may be offset by the property owner through special assessment or other collection processes. All special assessment costs are collected along with lien amounts on individual tax bills. The City of Hayward annually receives two special assessment allocations from the County, one in December and one in April.

STRATEGIC INITIATIVES

This agenda item supports the Complete Communities Strategic Initiative. The purpose of the Complete Communities Strategic Initiative is to create and support structures, services, and amenities to provide inclusive and equitable access with the goal of becoming a thriving and promising place to live, work, and play. This item supports the following goal and objectives:

Goal 1: Improve quality of life for residents, business owners, and community member in all Hayward neighborhoods.

Objective 1: Increase neighborhood safety and cohesion

SUSTAINABILITY FEATURES

The recommended action for this report will not directly result in physical development, the purchase of a product or service, or new policy or legislation related to sustainability.

PUBLIC CONTACT

No public contact has occurred in association with this action.

NEXT STEPS

Should Council approve this action, staff will prepare paperwork to process the additional appropriation of funds.

Prepared by: Jade Kim, Management Analyst II

Recommended by: Laura Simpson, Director of Development Services

Approved by:

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

Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 19-

Introduced by Council Member _____

RESOLUTION AMENDING THE FY 2020 OPERATING BUDGET FOR THE DEVELOPMENT SERVICE DEPARTMENT, CODE ENFORCEMENT DIVISION FOR CONTRACTED SECURITY SERVICES AT THE PROPERTY LOCATED AT MAPLE AVENUE AND MAIN STREET

WHEREAS, on February 7, 2017, Council adopted Resolution #17-013 approving the Maple & Main mixed-use project development; and

WHEREAS, the site primarily consists of three abandoned structures located on three adjacent parcels located at:

- 22491 Maple Court
- 22477 Maple Court
- 22330 Main Street; and

WHEREAS, on July 12, 2018 multiple complaints were received from surrounding businesses and residents regarding the nuisance conditions of the properties; and

WHEREAS, on July 18, 2018 City staff identified health and safety concerns and all buildings were deemed unsafe; and

WHEREAS, a Notice of Violation identifying egregious conditions was issued to the property owner; and

WHEREAS, on January 16, 2019, due to the ongoing non-response by the property owner to implement an approved security plan or abate the nuisance conditions, the City proceeded to execute a contract with National Security Industries to maintain public safety around the property; and

WHEREAS, the estimated monthly cost of security is \$28,000; and

WHEREAS, on April 9, 2019, Council adopted Resolution #19-070 authorizing and amendment to the FY 2019 Operating Budget to increase the Contract Services appropriation for Code Enforcement to \$162,000; and

WHEREAS, the properties will be listed on the Report and Assessment for Community Preservation Fees Past Due report authorizing a special assessment if fees are not paid by August 1, 2019.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward, hereby authorizes an amendment to resolution 19-103, the budget resolution for the City of Hayward Operating Budget for Fiscal Year 2020, relating to the approval and appropriation of \$162,000 to the General Fund to cover the cost of contract services.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2019

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 19-507

DATE: July 16, 2019

TO: Mayor and City Council

FROM: Interim Chief of Police

SUBJECT

Approve a Resolution Authorizing the City Manager to Negotiate and Execute Two Annual MOUs with the Hayward Unified School District for School Resource Officers and School-Based Counseling Services and Accept and Appropriate Related Funds.

RECOMMENDATION

That Council approves a resolution (Attachment II) authorizing the City Manager to: (1) Negotiate and execute two separate annual MOUs between the City and the Hayward Unified School District for School Resource Officers and School-Based Counseling Services and (2) accept and appropriate a total of \$570,454.

SUMMARY

The Youth and Family Services Bureau (YFSB) of the Hayward Police Department has two annual Memoranda of Understanding with the Hayward Unified School District (HUSD) to provide School Resource Officers and School-Based Counseling Services. The District pays the City \$570,454 (\$450,454 for School Resource Officers and \$120,000 for School-Based Counselors) in exchange for these services. Staff requests Council approval to authorize the City Manager to negotiate and execute the two annual MOUs with the District and appropriate related funds.

ATTACHMENTS

Attachment I Staff Report
Attachment II Resolution



DATE: July 16, 2019

TO: Mayor and City Council

FROM: Interim Chief of Police

SUBJECT: Approve a Resolution Authorizing the City Manager to Negotiate and Execute Two Annual MOUs with the Hayward Unified School District for School Resource Officers and School-Based Counseling Services and Accept and Appropriate Related Funds.

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SUMMARY

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BACKGROUND

The Youth and Family Services Bureau (YFSB) of the Hayward Police Department annually executes two MOUs with the Hayward Unified School District (HUSD). The first MOU is for the provision of School Resource Officer Services and the second MOU is for the provision of School-Based Counseling Services.

For more than a decade, School Resource Officers (SROs) have provided a uniformed presence on school campuses, performing basic law enforcement services, as well as an array of supportive and crime prevention focused activities including the dissemination of information on police services and the criminal justice system, gang intervention and prevention (including teaching Gang Resistance Education Awareness Training (GREAT) classes), truancy abatement activities, cyberbullying and internet safety workshops, and tobacco, alcohol and drug abuse prevention.

In the next fiscal year, there will be six School Resource Officers assigned to the middle and high schools of HUSD. The District pays the City for the full cost of two of these positions; this year's cost is \$450,454.

In 2016, the State of California changed the way public schools are funded resulting in an increase in funding for the Hayward Unified School District. Through town hall meetings with students and families, HUSD determined more school-based counseling services was the greatest need in the schools. To meet this need, they initiated an agreement with the City for a 1.0FTE YFSB Family Counselor to provide school-based counseling services on 4 sites in the District. Services began in January 2016 and are maintained through the execution of an annual MOU between the City and the District. In exchange for these services, the District pays the City \$120,000 annually.

DISCUSSION

The Youth and Family Service Bureau's comprehensive programming for youth allows for the full spectrum of options to be employed when dealing with youth criminal activity and prevention. The provision of School Resource Officers and School-Based Counseling Services is an important component of YFSB's overarching strategy to intervene early and keep youth out of the juvenile justice system as often as feasible. Moreover, school safety is critical for the overall success of the City. Providing for students' immediate safety and security, as well as contributing to their emotional well-being, supports student success and achievement and results in the overall betterment of Hayward schools. The execution of this agreement and the acceptance of the associated funding will allow the Youth and Family Services Bureau of the Hayward Police Department to continue to play a crucial role in keeping youth out of the juvenile justice system and contributing to the overall safety and well-being of Hayward families.

ECONOMIC IMPACT

As stated under DISCUSSION, above, improving community safety and keeping youth out of the juvenile justice system by supporting them to lead productive and healthy lives will only strengthen our local economy and will improve every aspect of it.

FISCAL IMPACT

These positions are included in the City's FY 2020 Adopted Operating Budget. Council's authorization of these MOUs will not result in the addition of new positions. The funds received from HUSD will offset \$570,454 of General Fund costs.

STRATEGIC INITIATIVES

This agenda item supports the Complete Communities Strategic Initiative. The purpose of the Complete Communities initiative is to create and support structures, services and amenities to provide inclusive and equitable access with the goal of becoming a thriving

and promising place to live, work and play for all. This item supports the following goal and objectives:

Goal 1: Improve quality of life for residents, business owners, and community members in all Hayward neighborhoods.

Objective 1: Increase neighborhood safety and cohesion.

Objective 4: Create resilient and sustainable neighborhoods.

NEXT STEPS

If the Council authorizes this action, staff will (1) work to execute the agreements with the Hayward Unified School District to provide School Resource Officers and School-Based Counseling services for FY2019-20 and (2) accept and appropriate related funds.

Prepared by: Emily Young, Youth and Family Services Bureau Administrator

Recommended by: Bryan Matthews, Interim Chief of Police

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 19-

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE TWO ANNUAL MOUS WITH THE HAYWARD UNIFIED SCHOOL DISTRICT FOR SCHOOL RESOURCE OFFICER AND SCHOOL-BASED COUNSELING SERVICES AND ACCEPT AND APPROPRIATE RELATED FUNDS

WHEREAS, safety and security on and around school campuses is an essential element for a positive educational environment; and,

WHEREAS, the safety and well-being of students is a concern shared by both the CITY and the DISTRICT, and a coordinated effort is deemed the most effective means to provide for campus safety and support the behavioral health needs of students; and,

WHEREAS, the presence of uniformed police officers on school campuses, allows for an array of police services to be provided to both students and staff; and,

WHEREAS, the presence of Youth and Family Service Bureau counselors on school campuses, allows for support services to be provided to students, families and staff;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized and directed to negotiate and execute MOUs with the Hayward Unified School District for services provided by the Hayward Police Department's Youth and Family Services Bureau School Resource Officer and Counseling Units. This authorization is for the acceptance and appropriation of revenue in the amount of \$570,454.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2019

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

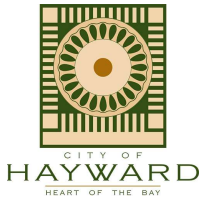
ABSTAIN: COUNCIL MEMBERS:

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 19-526

DATE: July 16, 2019

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT

Adopt a Resolution Authorizing the City Manager to Execute a Utility Service Agreement for Water Service for Twenty-five Single-family Residential Lots Along Five Canyons Parkway within Unincorporated Alameda County and File an Application with Alameda County Local Agency Formation Commission for Approval of an Out-of-Service Area Agreement

RECOMMENDATION

That Council adopts a resolution (Attachment II) authorizing the City Manager to execute a utility service agreement and file an application with the Alameda County Local Agency Formation Commission (LAFCo) for approval of an out-of-service area agreement.

SUMMARY

In 1993, City Council approved a Utility Service Agreement (USA) to serve the Alameda County approved 31 single-family home Oak Terrace Development (Tract 6869), located along Five Canyons Parkway within unincorporated Alameda County (see attached area map). During the County tentative map approval process, the development was reduced from 31 to 25 single-family residential lots and the development name changed to Terrace View. USA 06-02, authorized by Council Resolution 93-015, between the City and Terrace View developer was executed in 2008 and subsequently expired in 2010. Therefore, Council approval of a new resolution is needed to authorize execution of a new USA for the Terrace View Development.

Staff has negotiated a new USA (Attachment IV) with the current applicant, City Ventures, LLC (Applicant), for service to the Terrace View Development, which recognizes and mitigates the impacts of providing water service to this property. Approval of the resolution would authorize the City Manager to execute the USA and file an application with the Alameda County Local Agency Formation Commission (LAFCo) for approval of an out-of-service area agreement. Upon LAFCo approval of the out-of-service area agreement, the Applicant would be able to move forward with applying for permits to connect to the Hayward Water System and apply for necessary building permits with Alameda County.

ATTACHMENTS

File #: CONS 19-526

Attachment I	Staff Report
Attachment II	Resolution
Attachment III	Area Map
Attachment IV	Utility Services Agreement



DATE: July 16, 2019

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Adopt a Resolution Authorizing the City Manager to Execute a Utility Service Agreement for Water Service for Twenty-five Single-family Residential Lots Along Five Canyons Parkway within Unincorporated Alameda County and File an Application with Alameda County Local Agency Formation Commission for Approval of an Out-of-Service Area Agreement

RECOMMENDATION

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SUMMARY

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BACKGROUND

The City of Hayward Water System provides water service to residents and businesses in Hayward. In addition, long standing City policy allows for properties outside of the City limits

to connect to the Hayward Water System, subject to approval of the Local Agency Formation Commission (LAFCo) and execution of a Utility Service Agreement (USA).

Terrace View is a 25-lot single-family residential development located within the Five Canyons area. Formerly known as Oak Terrace, this development is located within East Bay Municipal Utility District's (EBMUD) ultimate service area, and originally included 31 single-family lots. When the Environmental Impact Report was prepared in 1992 for development of the property, EBMUD determined that it was unable to provide water service to this location due to the high cost of serving a relatively few properties and recommended that the developer pursue an agreement for water service with the City of Hayward.

In January 1993, the Council approved Resolution 93-015 that authorized the execution of a USA for the Oak Terrace Development. The Tentative Map, Tract 6869 was approved by Alameda County in 2004 and the Final Map was recorded in October 2006. The development was reduced from 31 to 25 single-family residential lots and the development name had changed to Terrace View. USA 06-02, authorized by City Resolution 93-015, between Hayward and the Terrace View developer was executed on May 2, 2008 and subsequently expired in 2010 due to nonpayment and lack of progress.

The City's preference continues to be that the Terrace View Development be served by EBMUD. However, EBMUD's position not to serve this development remains unchanged, and in 2014, EBMUD again notified the developer that water service to Terrace View is not available or feasible from EBMUD, and recommended pursuing water service from the City.

In April 2018, discussions were initiated between the City and the current applicant, City Ventures, LLC (City Ventures), regarding a new USA to provide water service to the Terrace View development.

Since the original USA expired, there have been changes in water supply availability and new conditions that have impacted the City's ability to provide water service for this development. These new conditions include:

- Conservation laws enacted in 2018 as a result of the State experiencing one of the worst droughts in recorded history. These new laws establish stringent improvements in water conservation and drought planning to adapt to climate change and water supply shortages.
- Environmental requirements being placed on the City's wholesale water supplier, the San Francisco Public Utilities Commission, to reduce diversions of water supplies from the Tuolumne River, which directly impacts the reliability of the City's water supply.
- Recent State-wide wildfires, which have highlighted the risk of wildfires along wildland urban interfaces.

DISCUSSION

In consideration of the new conditions described above, staff and City Ventures have negotiated a USA (attached) that recognizes the benefits to the developer of connecting to the Hayward Water System and the City's need to address and mitigate the water supply issues and other factors associated with serving Terrace View. Among the proposed conditions are:

- Payment of water service connection fees (also known as facilities fees) to defray a portion of the cost for existing and future water system infrastructure. Connection fees for domestic water service would be commensurate with the cost of connecting to the EBMUD water system. Staff negotiated this term to recognize the benefit to the developer of being permitted to connect to the City's water system.
- Payment of \$460,000 to mitigate water supply impacts. These funds would be utilized towards a water supply project, such as recycled water, groundwater development or similar.
- Payment of \$350,000 to mitigate fire protection impacts. These funds would be allocated to the purchase of a water tender or other fire protection enhancements.
- Installation of plumbing fixtures and landscaping requirements that comply with the highest water efficiency standards.
- In recognition of the fact that these properties are located outside of the City of Hayward and the City has no existing requirement to provide water service to this development, the Agreement acknowledges that, in the event of a water supply shortage resulting in "excess use" charges, Terrace View properties would be assigned a zero water allotment. This means that all consumption would be considered "excess" and potentially subject to higher charges. This provision is consistent with the policy adopted by the City Council in Resolution 92-298. The assignment of a zero-water allotment only affects water charges, and not the quantity of water delivered to homes outside the City's corporate limits during a water shortage.

Staff believes that the proposed USA is reasonable, fair, and consistent with the City's past practice of accommodating development outside of the City limits without negatively impacting Hayward water customers.

ECONOMIC IMPACT

There would be no impact on City water customers. The slightly higher water rates for water service to properties outside the City would mitigate any additional costs for providing the service. The addition of these homes, which are located near the City boundary, will benefit local business due to increased patronage.

FISCAL IMPACT

A payment of \$350,000 will be made to the General Fund for the purchase of a water tender for firefighting purposes or other firefighting enhancements. There are no adverse General

Fund impacts. All other fees and charges related to this action will be allocated to the Water System Operating and Water System Improvement Funds.

STRATEGIC INITIATIVES

This agenda item does not directly relate to one of the Council's three Strategic Initiatives.

SUSTAINABILITY FEATURES

The proposed USA recognizes and mitigates the City's water supply impacts of providing water service to the property. It also requires the homes within this development to comply with the highest water efficiency standards for plumbing fixtures and outdoor water use in effect in the City of Hayward at the time of issuance of building permits.

PUBLIC CONTACT

A public hearing is not required for the filing of a USA and no public contact was initiated.

NEXT STEPS

Should the Council approve USA 19-01 and authorize the filing of an out-of-service area application with LAFCo, staff would execute the USA and continue to work with the Applicant to prepare and submit an application to LAFCo. The USA would be presented at LAFCo's next available public hearing after it is filed. Upon receiving LAFCo's approval, the Applicant would be able to proceed with applying for the required permits for water service from the City to the Terrace View Development.

Prepared by: Jan Lee, Water Resources Manager
Allen Baquilar, Senior Civil Engineer

Recommended by: Alex Ameri, Director of Public Works
Laura Simpson, Director of Development Services

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 19-_____

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A UTILITY SERVICE AGREEMENT TO PROVIDE WATER SERVICE FOR TWENTY-FIVE SINGLE-FAMILY RESIDENTIAL LOTS WITHIN TRACT 6869, LOCATED ALONG FIVE CANYONS PARKWAY WITHIN UNINCORPORATED ALAMEDA COUNTY

WHEREAS, the Alameda County Community Development Agency approved Tentative Map Tract 6869 on May 3, 2004 for the proposed subdivision of property located along Five Canyons Parkway, within unincorporated Alameda County, to create 25 lots for detached single-family residential homes; and

WHEREAS, the Final Map Tract 6869 was filed and recorded with the Alameda County Recorder's Office on October 9, 2006; and

WHEREAS, the property is located within the East Bay Municipal Utility District's (EBMUD) Ultimate Service Boundary and EBMUD has determined that it is unable to deliver water to this location; and

WHEREAS, City policy allows for properties outside of the City limits to connect to the Hayward Water System, subject to execution of a Utility Service Agreement and approval of an out-of-service area agreement by the Local Agency Formation Commission (LAFCo); and

WHEREAS, the City has negotiated the terms and conditions of a Utility Service Agreement that mitigates the City's water supply impacts of providing water service to the property; and

WHEREAS, approval of a Utility Service Agreement is consistent with the City's past practice of allowing properties outside of the City limits to connect to the Hayward Water System so long as Hayward residents and businesses are not negatively impacted; and

WHEREAS, approval of a Utility Service Agreement and related connections are not subject to environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized to execute Utility Service Agreement 19-01 to provide water service for 25 single-family residential lots within Tract 6869, located along Five Canyons Parkway within Unincorporated Alameda County.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of Hayward that staff is hereby directed to submit an application to the Local Area Formation Commission for approval of Utility Service Agreement 19-01.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2019

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



Area Map

Tract 6869

25720 Five Canyons Parkway

FEET 400 800



RECORDING REQUESTED BY
CITY OF HAYWARD
AND WHEN RECORDED MAIL TO:

┌ **City Clerk** ─┐
┌ **City of Hayward** ─┐
┌ **777 "B" Street** ─┐
┌ **Hayward CA 94541-5007** ─┐

SPACE ABOVE THIS LINE FOR RECORDER'S USE

The undersigned grantor hereby declares: This instrument is exempt from Recording Fees (Govt. Code §27383) and from Documentary Transfer Tax (Rev. and Taxation Code §11922).

WATER SERVICE AGREEMENT

UTILITY SERVICE AGREEMENT 19-01

APN# - 85A-6000-004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, 023, 024, 025, 026, 027 and 028

Lot 1 through 25 as designated on the Final Map of Tract 6869 (Oak Terrace), filed October 9, 2006 in Book 293 of Maps, Page 44 through 50, Official records for the County of Alameda

THIS AGREEMENT, dated for convenience this _____ day of _____, 2019, by and between RBC Real Estate Finance Inc., property owners, the nature of interest in fee, hereinafter designated as "Applicant", and the CITY OF HAYWARD, a municipal corporation, located in the County of Alameda, State of California, hereinafter designated "City".

AGREEMENT

WHEREAS, Applicant is the owner of a certain property in the Castro Valley Five Canyons Area, located outside the boundaries of the City of Hayward, in the County of Alameda, State of California, and more particularly described in Exhibit "A" attached hereto and made a part hereof; and

WHEREAS, the Alameda County Community Development Agency approved Tentative Map Tract 6869 on May 3, 2004 entitling the proposed subdivision of the property and construction of 25 detached single-family residential homes; and

WHEREAS, the Final Map Tract 6869 was filed and recorded with the Alameda County Recorder's Office on October 9, 2006, which created 25 lots for the future single-family residential home development; and

WHEREAS, the property is located within the East Bay Municipal Utility District's (EBMUD) Ultimate Service Boundary, but EBMUD has notified the Applicant that water service to the development is not available or feasible from EBMUD; and

WHEREAS, the City can, by virtue of the City's existing water infrastructure and an existing 8-inch diameter water main in Five Canyons Parkway, provide water service to the property; and

WHEREAS, Condition No. 41 of the Vesting Tentative Map Tract 6869, adopted on May 3, 2004, requires a letter or other form of verification from the City of Hayward stating that it has agreed to provide water to each lot in the land subdivision; and

WHEREAS, the parties have negotiated terms and conditions to allow Applicant to receive water service from the City by connecting to the City's existing 8-inch diameter water main in Five Canyons Parkway.

NOW THEREFORE, in consideration of the premises, terms, and conditions of this Agreement, the parties hereto do mutually agree as follows:

1. City agrees to authorize water service from the City of Hayward Municipal Water System, upon formal approval by the Alameda County Local Agency Formation Commission (LAFCO).
2. Applicant shall pay to the City a non-refundable Water System Facilities Fee (also known as a "Connection Fee") for each domestic water meter equivalent to the East Bay Municipal Utility District (EBMUD) System Capacity Charge (SCC) for Region 2 in effect at the time of application for water service. The City shall have the option to require installation of separate irrigation water service meters for each home, with no additional Connection Fees required to be paid by the Applicant.
3. Connection to the City's water system is subject to the provisions of applicable ordinances of the City of Hayward related to the field installation fee schedules in effect at the time of application for water service.
4. Applicant shall pay to the City the nonrefundable amount of four hundred and sixty thousand dollars (\$460,000) to mitigate the City's water supply impacts of providing water service to the property. These funds shall be paid in full at the time of application for water service for the first lot. The funds shall be allocated, in the City's sole discretion, to projects that conserve or augment the City's drinking water supplies.
5. Applicant shall pay to the City the nonrefundable amount of three hundred and fifty thousand dollars (\$350,000) towards enhanced fire protection. These funds shall be

paid in full at the time of application for water service for the first lot. The funds shall be allocated towards purchase of a water tender (tanker) or other fire protection enhancements, at the City's sole discretion, to augment the City's firefighting capabilities.

6. In the event that the City Council imposes "excess use" charges due to a water supply shortage, all homes subject to this Agreement will receive a zero water allotment in accordance with the City Council Resolution 92-298. All consumption by these homes shall be considered "excess use" and may be subject to higher charges, in addition to regular meter service and water usage charges. The assignment of a zero water allotment will not affect the quantity of water that will be delivered to the homes within this development during a water shortage, which will be determined based on the City's water shortage policies applied to similarly sized homes within the City's corporate limits.
7. All homes within this development shall comply with the highest water efficiency standards for plumbing fixtures and outdoor water use in effect in the City of Hayward code at the time of issuance of building permits.
8. Applicant hereby agrees that this development shall be subject to the requirements in the City of Hayward's Bay-Friendly Water-Efficient Landscape Ordinance.
9. Applicant hereby consents to the property being annexed to the City of Hayward if annexation is requested by the City.
10. If Applicant withdraws or attempts to withdraw consent to annex the property, City may, at its option, terminate this agreement and all privileges granted hereunder, whereupon this agreement shall be null and void.
11. All covenants herein contained shall pertain to and run with the land hereinabove described, and this Agreement shall apply to, bind, and inure to the Applicant's successors in interest of the party hereto.
12. This Agreement shall be null and void after 2 years from and after the date of execution of this agreement by the City if Improvement Plans for Final Map Tract 6869 have not yet been issued.

IN WITNESS WHEREOF, Applicant, duly authorized to act, has caused these presents to be executed and the City of Hayward by and through its City Manager duly authorized to so act by virtue of Resolution No. _____, has caused these presents to be executed the day and year first above written.

APPLICANT
RBC REAL ESTATE FINANCE INC.,

A Delaware corporation

BY: _____
James Team, Jr.
President

CITY OF HAYWARD,
a municipal corporation

RECOMMENDED:

APPROVED:

BY: _____
Alex Ameri, Director of Public Works

BY: _____
Kelly McAdoo, City Manager

APPROVED AS TO FORM:

ATTEST:

BY: _____
Michael Lawson, City Attorney

BY: _____
Miriam Lens, City Clerk

EXHIBIT "A"

Legal Description

Real property in the unincorporated area of the County of Alameda, State of California, described as follows:

PARCEL 1:

LOTS 1 THROUGH 25 AS SHOWN ON THE MAP OF TRACT 6869, FILED OCTOBER 9, 2006 IN MAP BOOK 293, PAGE 44-50, OFFICIAL RECORDS OF ALAMEDA COUNTY.

PARCEL 2:

PARCEL "A" (HILLTOP ROAD) (PRIVATE), AS SHOWN ON THE MAP OF TRACT 6869, FILED OCTOBER 9, 2006 IN MAP BOOK 293, PAGE 44-50, OFFICIAL RECORDS OF ALAMEDA COUNTY.

APNs: 085A-6000-004 through 085A-6000-028 (Lots 1 through 25) and 085A-6000-003 (Parcel A)



CITY OF HAYWARD

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

File #: CONS 19-533

DATE: July 16, 2019

TO: Mayor and City Council

FROM: Deputy City Manager

SUBJECT

Adopt a Resolution to Appropriate \$108,881 and Authorize the City Manager to Execute Professional Services Agreement with CivicMakers to Provide Strategic Planning Services and Create a Three to Five-Year Strategic Plan

RECOMMENDATION

That the City Council adopts a resolution (Attachment II) to authorize the City Manager to execute a professional services agreement with CivicMakers to provide strategic planning services and create a three to five-year strategic plan, and to appropriate \$108,881 to provide these services.

SUMMARY

The City of Hayward is embarking on a strategic planning process to set the Council's vision and priorities and develop a Citywide Strategic Plan for the next three to five-years. The final Citywide Strategic Plan will provide the framework for the City to proceed in the coming years and set clear expectations of staff given finite resources and staff capacity.

In June of 2017, City Council adopted the Strategic Initiatives Two-Year Action Plans for Complete Streets, Complete Communities, and the Tennyson Corridor for FY 2018 and FY 2019. In addition to numerous accomplishments made as part of the strategic initiatives, staff and Council have learned many valuable lessons to inform the next planning process. As the two-year Strategic Initiatives timeline has come to an end, the City is at an opportune time to assess community needs, staff capacity, and organizational health to direct the City's vision and priorities for the coming years.

Staff has engaged a consultant to assist in the development of a three to five-year strategic plan to address Council's goals in alignment with staff responsibilities and capacity; and to address the community's continually evolving priorities in an innovative and responsive way. The strategic planning process is two-phased: the initial phase was to facilitate a Council retreat to begin the priority and goal setting process, which occurred May 11, 2019; phase two will include developing a vision and priorities, as well as a three to five-year strategic plan.

The final product will be a Citywide Strategic Plan that includes the high-level priorities that make up the City's three- to five-year vision, the specific programs and projects that fit within and across priority areas, as well as annual objectives and departmental workplans. The Citywide Strategic Plan will align with the current prioritization work being performed citywide to provide a realistic picture of staff's current capacity, as well as be integrated with the City's annual budget process. The resulting Citywide Strategic Plan will guide the City's workplans, as well as financial and staff resources over the next three to five years.

ATTACHMENTS

- | | |
|----------------|---|
| Attachment I | Staff Report |
| Attachment II | Resolution |
| Attachment III | Phase 1 Summary Notes |
| Attachment IV | Strategic Initiatives Two Year Action Plans |
| Attachment V | Phase 2 Scope of Work |



DATE: July 16, 2019

TO: Mayor and City Council

FROM: Deputy City Manger

SUBJECT: Adopt a Resolution to Appropriate \$108,881 and Authorize the City Manager to Execute Professional Services Agreement with CivicMakers to Provide Strategic Planning Services and Create a Three to Five Year Strategic Plan

RECOMMENDATION

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Staff has engaged a consultant to assist in the development of a three to five-year strategic plan to address Council's goals in alignment with staff responsibilities and capacity; and to address the community's continually evolving priorities in an innovative and responsive way. The strategic planning process is two-phased: the initial phase was to facilitate a Council retreat to begin the priority and goal setting process, which occurred May 11, 2019; phase two will include developing a vision and priorities, as well as a three to five-year strategic plan.

The final product will be a Citywide Strategic Plan that includes the high-level priorities that make up the City's three- to five-year vision, the specific programs and projects that fit within and across priority areas, as well as annual objectives and departmental workplans. The Citywide Strategic Plan will align with the current prioritization work being performed citywide to provide a realistic picture of staff's current capacity, as well as be integrated with the City's annual budget process. The resulting Citywide Strategic Plan will guide the City's workplans, as well as financial and staff resources over the next three to five years.

BACKGROUND

In June of 2017, City Council adopted the Strategic Initiatives Two-Year Action Plans for Complete Streets, Complete Communities, and the Tennyson Corridor for FY 2018 and FY 2019.¹ The Action Plans were developed to provide the details of each strategic initiative's goals, objectives, and performance measures. The Strategic Initiatives and their accompanying Action Plans were developed to help the Council, the community, and staff identify clear actions towards the accomplishment of the Council's priorities. During the past two years, staff have presented updates to Council on the status of the work plans. Council received updates on the following dates:

- January 30, 2018: Update on the Council Strategic Initiatives Two-Year Action Plans: Complete Streets, Complete Communities, and Tennyson Corridor²
- July 10, 2018: Six-month Status Update on the Implementation of the Three Council Strategic Initiatives: Complete Communities, Complete Streets, and the Tennyson Corridor³
- September 11, 2018: Update on the Implementation of the Three Council Strategic Initiatives Two-Year Action Plans: Complete Streets, Complete Communities, and Tennyson Corridor⁴
- May 11, 2019: City Council Priority Setting Retreat⁵

Additional information on the Strategic Initiatives can be found online at the linked Council presentations listed in the footnotes of this report.

As FY 2019 and the Strategic Initiatives Two-Year Action Plans come to an end, staff has engaged a consultant to assist in a two-phase strategic planning process. Phase one of the

¹ Adoption of Strategic Initiatives Two-Year Action Plans: Complete Streets, Complete Communities, and Tennyson Corridor: <https://hayward.legistar.com/LegislationDetail.aspx?ID=3084750&GUID=9F1F7633-072E-4D44-A161-E953CAD3542E&Options=&Search=>

² Update on the Council Strategic Initiatives Two-Year Action Plans: Complete Streets, Complete Communities, and Tennyson Corridor: <https://hayward.legistar.com/LegislationDetail.aspx?ID=3320947&GUID=19BCF852-6FE7-4402-86C2-3775E389B6D5&Options=&Search=>

³ Six-month Status Update on the Implementation of the Three Council Strategic Initiatives: Complete Communities, Complete Streets, and the Tennyson Corridor: <https://hayward.legistar.com/LegislationDetail.aspx?ID=3547618&GUID=21FFFA2D-CC7F-48CB-B754-2FD7A000E190&Options=&Search=>

⁴ Update on the Implementation of the Three Council Strategic Initiatives Two-Year Action Plans: Complete Streets, Complete Communities, and Tennyson Corridor: <https://hayward.legistar.com/LegislationDetail.aspx?ID=3652243&GUID=55B53F3E-F872-4235-8D28-A67EEA471A76>

⁵ City Council Priority Setting Retreat: <https://hayward.legistar.com/LegislationDetail.aspx?ID=3952400&GUID=BBAA3F00-2D13-45C0-AF1D-98D75DC97DC2&Options=&Search=>

process was completed as part of the Council priority setting retreat held on May 11, 2019. Phase two of the strategic planning process includes preparation of a three- to five-year Citywide Strategic Plan. At this time, staff is seeking Council approval of the professional services agreement with CivicMakers to prepare the Citywide Strategic Plan. The Citywide Strategic Plan will provide the framework for the City to address the community's continually evolving priorities in an innovative and responsive way, while setting clear expectations of staff given finite resources and staff capacity.

In March 2019, the City issued a Request for Proposals (RFP) for professional services for the two-phase strategic planning process. An interdepartmental team of staff unanimously selected CivicMakers to conduct the initial phase of the strategic planning process, which was to facilitate the May 11th priority and goal setting workshop with the Council and to identify the Council's priorities for the next three to five years. Phase two will include developing a vision statement and priorities, as well as the City's three to five-year Citywide Strategic Plan. The final product will be a strategic plan that includes the high-level priorities that make up the City's three- to five-year vision, the specific programs and projects that fit within and across priority areas, as well as annual objectives and departmental workplans. In the City's most recent employee engagement survey, less than half of all employees (40%) felt they have a clear understanding of the City's strategic priorities and goals. It is crucial for the City to develop a clear vision and target priority areas to prioritize staff and financial resources given the City's limited organizational capacity.

During the May 11th Council retreat to discuss goal setting and priorities, staff and Council reviewed key accomplishments and lessons learned from FY 2018 through FY 2019 and began the initial process of the City's strategic planning process for the next three to five years. The May 11th meeting was split into two parts: the first half of the day was led by staff and focused on reviewing strategic accomplishments, lessons learned, and reviewing key themes and trends from employee and resident surveys. The second half of the day was a facilitated discussion led by CivicMakers to begin the strategic planning process. A summary of notes from May 11th can be found in Attachment III - Phase 1 Summary Notes. These findings will be used to inform the second phase of the strategic planning process.

Accomplishments and Lessons Learned

During the May 11th work session, staff provided a comprehensive update on the progress made on the Strategic Initiatives during FY 2018 and FY 2019. Staff presented on key accomplishments of each of the Action Plans, including highlights such as:

- Investing \$450,000 in new median landscaping along the Tennyson Corridor
- Initiating the Bike and Pedestrian Master Plan to support Complete Streets
- Awarding \$28.6 million to three affordable housing projects, which will include 259 units to support Complete Communities

Attachment IV provides the complete Action Plans for each of the Strategic Initiatives with the current status of each action.

In addition to reviewing the progress made on the Strategic Initiatives, staff shared progress and accomplishments from the past two years outside of the Strategic Initiatives, including

organizational growth initiatives and special projects. Staff also shared lessons learned during the past two years, including findings from the Employee Engagement Survey, department prioritization sprints, the Resident Satisfaction Survey, and the Community Needs Assessment. Materials from this meeting can be found online at the May 11, 2019 City Council meeting, “City Council Priority Setting Retreat (Report from City Manager McAdoo).”⁶

Future Planning: Visioning and Priority Areas

In preparation for the May 11th meeting, CivicMakers issued a survey to Council to gather information around vision and strategic priorities for the next three to five years. With this data, CivicMakers facilitated three exercises with Council to create a shared working model of an ideal, yet still realistic vision of the City in three to five years, and to create a draft list of priority areas and supporting projects needed to accomplish this vision. The findings and feedback provided from the Council retreat will serve as the basis for the phase two development of the three- to five-year Citywide Strategic Plan.

DISCUSSION

Staff recommends that Council adopts a resolution authorizing the City Manager to execute a professional services agreement with CivicMakers to provide strategic planning services in an amount not to exceed \$108,881 for implementation of the phase two preparation of the three- to five-year Citywide Strategic Plan. Staff recommends this based on the following:

- **Comprehensive, cost-reasonable, and responsive proposal:** Eight proposals were submitted in response to the March 2019 RFP for Strategic Planning services. CivicMakers submitted a comprehensive and cost-reasonable proposal that was responsive to the needs of the City and when compared with the other submitted proposals.
- **Familiarity with Council:** Having facilitated the Phase 1 retreat, CivicMakers has familiarity with Council and their vision for Hayward, as well as Council’s desired strategic priorities.

Phase two will include the following tasks:

- **Vision and Priorities:** CivicMakers will facilitate a Council work session to confirm the vision and priorities set at the May 11th retreat. These elements will direct the projects and programs to be completed in the next three to five years.
- **Staff and Community Engagement:** CivicMakers will leverage existing input from staff and the community as well as cultivate new opportunities for engagement in the strategic planning process. Once the vision and priorities have been developed using findings from previous employee and community engagement, staff and the community will have an opportunity to review and respond to these overarching

⁶ City Council Priority Setting Retreat (Report from City Manager McAdoo):
<https://hayward.legistar.com/MeetingDetail.aspx?ID=692101&GUID=12A5FB89-FB45-46B9-810A-3E9E07313AED&Options=info&Search=>

principles.

- **Workplan development:** Once the vision and priorities are set, workplans will be developed in partnership with City leadership and staff. The workplans will include programs and projects that staff will focus on in the coming years, as well as setting annual objectives. The plan will be aligned with staff capacity and will utilize findings from the prioritization sprints. Staff and Council will be given opportunities to review and respond to the detailed workplans.

The Phase 2 scope of work is attached for reference (Attachment V - Phase 2 Scope of Work and Budget).

FISCAL IMPACT

The cost of phase two will not exceed \$108,881. CivicMakers estimates that the actual cost will be \$91,480, with a contingency of \$17,401. The FY 2020 operating budget does not include sufficient funds to cover the costs associated with this professional service agreement. The total fiscal impact exceeds the amount budgeted and requires an appropriation in the amount of \$108,881 to the General Fund. In response to the City's RFP, CivicMakers was not only the recommended consultant based on their high-quality of their qualifications and interview, but also the least expensive. Additionally, CivicMakers performed well at the May 11 Council priority setting retreat and demonstrated their value in helping to guide the City in its strategic planning process so that City can be efficient and deliberate about deploying its resources in the years to come.

NEXT STEPS

If Council approves this recommendation, staff will execute an agreement with CivicMakers to facilitate the preparation of the phase two Citywide Strategic Plan.

PHASE 2	
TASK	TIMEFRAME
Vision and priority workshop with Council and Department Heads	September
Staff and community engagement on vision and priorities	September - October
Workplan development, including staff engagement	October - January
Finalize workplan, integrate with FY 2021 budget development	January - February

The strategic plan will be complete prior to the FY 2021 budget process in order to identify potential budgetary needs and priorities.

Prepared by: Jessica Lobedan, Management Analyst II

Recommended by: Jennifer Ott, Deputy City Manger

Approved by:

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

Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 19-_____

Introduced by Council Member _____

RESOLUTION TO APPROPRIATE \$108,881 FROM THE GENERAL FUND AND TO AUTHORIZE CITY MANGER TO EXECUTE PROFESSIONAL SERVICES AGREEMENT WITH CIVICMAKERS TO PROVIDE STRATEGIC PLANNING SERVICES AND CREATE A THREE TO FIVE YEAR STRATEGIC PLAN

WHEREAS, the City of Hayward has researched the capabilities of CivicMakers to provide strategic planning professional services and create a three to five-year strategic plan; and

WHEREAS, executing an agreement with CivicMakers is necessary to create a three to five-year strategic plan;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward, hereby authorizes the amendment to resolution 19-103, the budget resolution for the City of Hayward Operating Budget for Fiscal Year 2020, relating to the appropriation of \$108,881 from the General Fund for the strategic planning process and creation of a three to five-year strategic plan.

BE IT FURTHER RESOLVED that the City Council of the City of Hayward that the City Manager is hereby authorized and directed to negotiate and execute an agreement for services with CivicMakers in an amount not to exceed \$108,881.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2019

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

Summary Report

Hayward City Council

Strategic Priorities Retreat

City Hall - Conference Room 2A
May 11, 2019 @ 9am - 3:30pm

June 7, 2019



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Executive Summary

Morning: Looking back and considering the present

During the first part of the day, staff shared data and reflections on past accomplishments, lessons learned, and outstanding work yet to-be-complete. Council commented on staff's presentation.

The following themes emerged from their comments. The numbers following each bullet point represents the number of times the item recurred during council commentary.

- Accomplishments (what did staff miss in their presentation?):
 - Partnership & Collaboration (4)
 - Housing & Homelessness (3)
 - Fiscal responsibility (2)
- Outstanding Initiatives (what did staff miss in their presentation?):
 - Children & youth (2)
 - Housing is still a big issue (2)
- Top issues/challenges facing Hayward today:
 - Schools (4)
 - Affordable housing / Anti-displacement / all types of housing (4)
 - Transportation (2)
 - Safety (2)
- How to improve Strategic Initiatives Process:
 - Reorganize and better define priorities - e.g., affordable housing, complete streets (3)
 - Clarify how “safe, clean, green and thriving” relate to strategic priorities and staff's daily work (2)

Afternoon: Looking to the future

For the second part of the day, the City's strategic consultant CivicMakers presented findings from a Council survey regarding the future of Hayward and facilitated a series of interactive activities to understand Council's vision for the City in 3 - 5 years.

- Describe your vision of Hayward in 3 -5 years:
 - Happy Families
 - Inclusive
 - Active transportation
 - Active Public Spaces
 - Clean streets
 - Attractive Public Realm
 - New development and less blight
 - Safe in public

- Less crime
- Collaborative
- Trees and landscaping
- Education and Prosperity

- Priority Categories:

Lamnín	Marquez	Zermeño	Mendall	Halliday	Salinas	Wahab
1. Balance	1. Protect, preserve, and produce Affordable Housing	1. Financial, educational, personal and youth Health	1. Combat Climate Change	1. Expand, improve and increase Affordability of Housing for All	1. Support and value Youth	1. Balance (equal city) - including housing, economic development, etc..
2. Traffic & Parking	2. Economic Development (job pipeline, attract good employers)	2. Housing	2. Inclusive Affordable Housing	2. Protect Environment	2. Opportunities for Lifelong Learning	2. Safe
3. Retention & Empowerment (staff, residents, etc...)	3. Infrastructure /climate change (sustainable CIP)	3. Infrastructure	3. Improved Transportation System	3. Support for Youth	3. Business-friendly Community	3. Innovative (infrastructure, tech use, etc...)
4. Complete Communities	4. Organizational Health / Community Wellbeing	4. Connectivity (coordination of council, staff and community)	4. Fiscal Sustainability	4. Shift from Auto-based to Active Transportation	4. Safe City	4. Prosperous (jobs, education, etc..)

- Strategic Priorities (*numbers indicate recurrence*):
 - Affordable Housing + Housing for All (9)
 - Define & Implement Complete Communities Vision (5)
 - Catalyze Local Businesses & Create Jobs (5)
 - Climate Resilience (5)
 - Education / Jobs Pipeline (4)
 - Innovative & strategic organizational culture (4)
 - Vibrant & Safe Public Spaces (4)
 - Optimize and Fund Roads & Parking (4)
 - Open the Library (3)
 - Services for the Unhoused (3)
 - Collaboration & Partnerships (3)
 - Active Transportation infrastructure (3)
 - Waste Reduction + Water Recycling (3)

- Electric fleet + Renewable energy (3)
- Invest in Children & Youth (3)
- Fiscal Responsibility (3)
- Grow City Staff (2)

Detailed report follows....

Meeting Overview

Agenda

Time	Item
9:00 – 9:15	Welcome & Introductions
Looking Back	
9:15 – 10:15	Strategic Accomplishments & Outstanding Items <i>Council discussion: Did we miss any accomplishments? What key efforts are still outstanding and of priority to Council with respect to the Strategic Initiatives?</i> <i>Reference Materials</i> <ul style="list-style-type: none">• General Plan• General Plan Annual Report Guiding Principles: Safe, Clean, Green, and Thrive <ul style="list-style-type: none">• Strategic Initiatives• Complete Streets• Complete Communities• Tennyson Corridor• Fiscal Year 2020 Proposed Budget• Fiscal Years 2020 – 2029 Recommended Capital Improvement Budget
10:15 – 10:45	Lessons Learned <i>Council discussion: Did the Strategic Initiative Process meet your expectations? What has been working and what has been challenging with respect to the Strategic Initiatives and other special projects?</i>
10:45 – 10:55	Break
What We Know Now	
10:55 – 11:20	Internal Challenges & Opportunities: Findings from Employee Engagement Survey and Initial Departmental Prioritization Sprints <i>Council discussion: What are your initial thoughts on how to better connect Council priorities with employee workload?</i>
11:20 – 12:00	External Changes & Trends <i>Reference Materials</i> <ul style="list-style-type: none">• Resident Satisfaction Survey• Community Needs Assessment <i>Council discussion: What are the top issues and challenges faced by Hayward today?</i>
12:00 – 12:30	Lunch

Looking to the Future

12:30 – 1:30 Visioning

Council discussion: What's your vision for the City over the next three to five years?

1:30 – 3:00 Prioritization

*Council discussion: What are three or four key priority areas/strategic categories that, if taken in the next three to five years, will radically improve the quality of life in Hayward? What are **specific and supporting projects** that the City should be focusing on?*

3:00 – 3:30 Closing & Next Steps

Council discussion: Reflections on proposed next steps.

Purpose

- Acknowledge and understand accomplishments and lessons learned
- Review and provide comments on key themes from recent surveys and work prioritization sprints
- Develop a strategic vision for Hayward and a framework for future priority setting

Participants

- **City Council:** Mayor Barbara Halliday, Councilmember Francisco Zermeño, Councilmember Al Mendall, Councilmember Sara Lamnin, Councilmember Elisa Márquez, Councilmember Mark Salinas, Councilmember Aisha Wahab
- **City Staff:** City Manager Kelly McAdoo, Assistant City Manager Maria Hurtado, Deputy City Manager Jennifer Ott, City Clerk Miriam Lens, City Attorney Michael Lawson, Chief of Police Mark Koller, Fire Chief Garrett Contreras, Dustin Claussen, Laura Simpson, Todd Rullman, Jayanti Addleman, Nina Collins, Chuck Finnie, Adam Kostrzak, Alex Ameri, Captain Bryan Matthews, Monica Davis, Mary Thomas, Jessica Lobedan
- **CivicMakers (consultants):** Jim Rettew (VP Strategy), Cristelle Blackford (Chief Engagement Officer)

Reflection on Past Accomplishments

Prompt: *What additional key accomplishments and lessons learned do you want to highlight?*

- Collaboration (4)
 - Interdepartmental collaboration
 - Community collaboration
 - Partnerships (e.g. chabot, cal state, HARD, HUSD)
 - Regional collaboration (mayor's conference, league of cities)
- Housing (3)
 - Homeless and housing commission
 - How we are approaching homelessness
 - Inclusionary housing
- Fiscal responsibility (2)
 - Budget discipline
 - Fiscal stability
- Infrastructure committee
- Cannabis initiative (enforcement)
- Agile depts
- Transparency
- Sanctuary city
- Awareness of city functions
- Neighborhood amenities - grocery stores, police etc..
- CALEA (Commission on Accreditation for Law Enforcement Agencies) re-certification
- Renewal of promise neighborhoods grant
- Reflection on what was difficult and how we can learn from our struggles
- Staff doing outreach to neighborhoods (eg., disseminating info, student engagement, etc..)

Prompt: *What key efforts are still outstanding and priority for the Council with respect to the Strategic Initiatives?*

- Housing (2)
 - Get ahead of housing issues
 - Housing could/should have been a stand-alone initiative
- Children & Youth (2)
 - Keep an eye on kids
 - Include students in everything we do
- Regional issues
- Expand benefits of Tennyson across the City
- Regional partnerships to address regional issues

- Community input early on to confirm understanding of issues and involve those impacted in solutions
- Change the culture of the city (itemize how it changes what and what we should do going forward)
- Stick to our plans!
- (Re)define “complete communities”

Reflection on Current Issues

Prompt: *What are the top issues in Hayward today?*

Challenges (council)

- Housing (4)
 - Affordable housing (+1)
 - Anti-displacement
 - Housing
- Schools (+3)
- Community outreach and engagement (2)
 - Be relevant to community needs
 - Talk to resident... What, when, how why we do what we do
- Transportation (+1)
- Safety/lighting (+1)
- Climate change and sea level rise (+1)
- Transportation (+1)
- Safety/lighting (+1)
- Resources
- Multi-lingual materials
- Growth (more employees?)
- Service coordination
- Traffic/parking
- Community Appearance
- Recycling and waste reduction
- Financial stability

Challenges (staff)

- Infrastructure needs (city and community) (+1)
- Anti-displacement
- Reserve space for emerging issues
- Growth → match with resources
- Community education and outreach regarding city services (culturally appropriate)
- Efficiency and service improvements (collaboration and process improvements)
- Affordable housing and job creation

- Education
- Healthy foods
- Retention of staff
- Implement downtown specific plan and multi-modal plan
- Census

Reflection on Strategic Initiative Process

Prompt: *Did the Strategic Initiative Process meet your expectations? What has been working and what has been challenging with respect to the Strategic Initiatives and other special projects?*

Plus (<i>what went well</i>):	Delta (<i>what could be improved</i>):
<p>Council:</p> <ul style="list-style-type: none"> • Internal collaboration/coordination • Clear and achievable tasks & specific actions with good follow-through • Good job implementing complete streets • Increasing in-lieu housing fees • Infrastructure committee • Small business Loans • Leadership development within staff 	<p>Council:</p> <ul style="list-style-type: none"> • Not enough money, not fast enough • How do we measure completion? • Lack of consistency about complete communities • Affordable housing should have been a bigger focus • Need to refine complete communities - what do we really mean by this? • Tennyson - How do we create a more unified vision; how do we make these kinds of projects part of city's culture (not so one-off)
<p>Staff:</p> <ul style="list-style-type: none"> • Interdepartmental collaboration • Small business Loans • Tennyson Corridor • Complete streets • Having opportunities to report progress to council 	<p>Staff:</p> <ul style="list-style-type: none"> • Complete streets and communities could have been incorporated into all the work • Use Access Hayward for some of the referrals that come up in the community • Lack of clear direction and oversight/leadership • Strategic priorities shifted focus away from other work • Redundant/duplicity • Not enough staff resources

Reflection on Connecting Council Priorities to Staff Workloads

What are your initial thoughts on how to better connect Council priorities with employee workload?

- Narrow focus to 3 - 5 years
- Define and organize priorities (+1)
- Safe, clean, green and thriving = value system (+1)
- Strategic initiatives -> shorter timeline
- How do safe/clean/green/thriving and strategic initiatives relate?
- Don't separate daily work from strategy
- Simplify
- Internal goals / external goals
- Educate staff on complete streets
- "Slow our Roll"
- Rethink neighborhood partnership meeting
- Employees - what is missing? (+1)

Vision for Hayward in 3 - 5 Years

Prompt: *What's the Picture in Your Head? Picture the ideal version of the City in three to five years after you've been wildly successful at achieving your dreams.*

- Happy Families
 - The sound of families and kids
 - Children playing
 - Friendly
 - I hear kids laughing at our Park Plaza
- Inclusive
 - Welcome and inclusive
 - Belonging in a neighborhood
- Active transportation
 - I hear positive comments from content residents as I visit City Hall Plaza and hear less honking and more bike bells
 - I see smooth, complete streets
 - Fewer cars
 - Full busses and trains
 - Fewer cars and more bikes
- Active Public Spaces
 - Music from local cafes
 - People laughing and talking outside
 - Active public spaces

- Full and vibrant storefronts
- Businesses offering attractive goods and services
- Vibrant
- I feel happy because I see people walking about, eating in our restaurants, playing in our parks
- Clean streets
 - Clean streets, beautiful trees and no litter on the streets
 - Clean, well-paved streets
- Attractive Public Realm
 - Public art
 - Public art and trees
 - Attractive well-kept buildings in neighborhood hubs
- New development and less blight
 - New developments of all types
 - No blight or vacant properties or empty storefronts
- Safe in public
 - Safe walking down the street
 - Safe any time we are in public
 - Safe
 - Safe on foot
- Less crime
 - 20% decrease in domestic disputes
 - 20% decrease in property and quality of life call for service/crimes
- Collaborative
 - At ease during a council meeting
 - Accomplished by the work done for our community
 - I'm feeling excited to interact with constituents
 - A diverse community of residents and employees working together
- Trees and landscaping
 - Trees and attractive landscaping
 - Lots of trees and landscaping
 - Birds chirping and the sound of the wind through the trees
 - A clean tree-filled city with no empty storefronts
- Education and Prosperity
 - Families are telling me they have highly educated families, wonderfully employed, and living in healthy neighborhoods
 - I see more graduates from Chabot and Cal State Hayward with pride in their faces
 - I see a balanced city: wealth, education, opportunity, attention and a voice for everyone

Priority Categories

Prompt: *Thinking of the categories that originated from the vision, the ones from the survey, and 'Safe, Green, Clean, and Thriving', pick your top four categories to focus on for the next three to five years.*

Lamnin	Marquez	Zermeño	Mendall	Halliday	Salinas	Wahab
1. Balance	1. Protect, preserve, and produce Affordable Housing	1. Financial, educational, personal and youth Health	1. Combat Climate Change	1. Expand, improve and increase Affordability of Housing for All	1. Support and value Youth	1. Balance (equal city) - including housing, economic development, etc..
2. Traffic & Parking	2. Economic Development (job pipeline, attract good employers)	2. Housing	2. Inclusive Affordable Housing	2. Protect Environment	2. Opportunities for Lifelong Learning	2. Safe
3. Retention & Empowerment (staff, residents, etc...)	3. Infrastructure /climate change (sustainable CIP)	3. Infrastructure	3. Improved Transportation System	3. Support for Youth	3. Business-friendly Community	3. Innovative (infrastructure, tech use, etc...)
4. Complete Communities	4. Organizational Health / Community Wellbeing	4. Connectivity (coordination of council, staff and community)	4. Fiscal Sustainability	4. Shift from Auto-based to Active Transportation	4. Safe City	4. Prosperous (jobs, education, etc..)

Strategic Initiatives

Prompt: Looking at all the initiatives from the Council survey, community survey, and any other considerations, pick your top eight. Write down one per post-it note and insert below the appropriate Priority Category (your own or someone else's).

NOTE: Each bullet point represents one post-it, as they were placed by Council during the retreat.

Strategic Initiatives organized by Council Person

Lamnin
1. Balance <ul style="list-style-type: none"> Implement/fully realize our new and existing initiatives, including 1) downtown specific plan, 2) library, 3) police advisory committee, 4) recycled water, 5) recruiting, 6) climate actions (SL)
2. Traffic & Parking <ul style="list-style-type: none"> Arterial transport (SL) Understand parking issue so that responsive carrot & stick policies can be created (SL)
3. Retention & Empowerment (staff, residents, etc...) <ul style="list-style-type: none"> Educated, empowered, employed residents (SL) Broad assortment of housing with specific focus on starter home market (own and rent) (SL)
4. Complete Communities <ul style="list-style-type: none"> Clearly articulate what a complete community includes so that we can enforce

Marquez
1. Protect, preserve, and produce Affordable Housing <ul style="list-style-type: none"> Provide affordable housing & revamp Rent Stabilization Ordinance (EM) Produce more housing for all income levels (MS)
2. Economic Development (job pipeline, attract good employers) <ul style="list-style-type: none"> Job-pipeline and business incubator (EM)
3. Infrastructure/climate change (sustainable CIP) <ul style="list-style-type: none"> Innovative and strategic planning (SL) Infrastructure (roads, station #6, Library, lighting) (EM)
4. Organizational Health / Community Wellbeing <ul style="list-style-type: none"> Address housing, services and resources for unhoused individuals (EM) Census 2020 (EM) Neighborhood Centric (EM) Provide more community functions - free, family-friendly events (EM)

Zermeño

1. Financial, educational, personal and youth Health
 - City Chamber, HUSC, Chabot, Cal State, Catholic Schools, Charter Schools, Partnerships (FZ)
 - Youth activities (FZ)
2. Housing
 - Housing for all (FZ)
 - Understand and remove obstacles to housing and other development (SL)
3. Infrastructure
 - Electric vehicles (FZ)
 - More bicycle paths (FZ)
 - Adequate personnel (FZ)
4. Connectivity (coordination of council, staff and community)
 - Collaboration with all in City limits (FZ)

Mendall

1. Compat Climate Change
 - 100% renewable energy (AM)
 - 100% all-electric vehicle fleet (AM)
 - Build the recycled water system (AM)
2. Inclusive Affordable Housing
 - Broad assortment of housing (AM)
 - Codify the complete communities vision in our building codes (AM)
3. Improved Transportation System
 - Repair roads and transportation infrastructure (solve the transportation funding challenge) (AM)
4. Fiscal Sustainability
 - Redevelop blighted properties (caltrans, city center, main street) (AM)
 - Improve fiscal sustainability (balance long-term city budget and fully fund OPEB) (AM)
 - Fiscal sustainability (TOT, Caltrans) (EM)
 - Improve fiscal sustainability (MS)

Halliday

1. Expand, improve and increase Affordability of Housing for All
 - Create more shelter and improve services to transition people from unhoused to sheltered (BH)
 - Develop program to track and address excessive rent increases (BH)

2. Protect Environment

- Continue energy and water reduction efforts (facilities, landscaping, fleet) (BH)
- Develop and implement strategies to address sea level rise (BH)

3. Support for Youth

- Expand youth programs during summer and school vacation (BH)
- Attract more youth and family friendly businesses and other opportunities (BH)

4. Shift from Auto-based to Active Transportation

- Finish and implement bike and ped plan (BH)
- Work with BART and AC Transit and other transportation providers to make transit use easier and more convenient (BH)

Salinas

1. Support and value Youth

- School/college to career pipelines (MS)

2. Opportunities for Lifelong Learning

- Open library (MS)

3. Business-friendly Community

- Finish Tennyson Corridor (MS)
- Increase Business Opportunities (MS)
- Healthier retail relevant to neighborhoods (MS)

4. Safe City

- Expand programs for youth and families when school isn't in session (MS)

Wahab

1. Balance (equal city) - including housing, economic development, etc..

- Housing at all income levels and different types (AW)

2. Safe

- Better Data/Response using Statistics (AW)
- Mental Health & De-escalation (AW)
- Climate crisis (collaborate regionally to address track in/around the Bay) (AW)

3. Innovative (infrastructure, tech use, etc..)

- Reduce workload, mundane tasks and increase innovation through technology (AW)
- Prepare for disaster, growth, future (AW)

4. Prosperous (jobs, education, etc..)

- Education city / Keep jobs in Hayward / Business incubator (AW)

Strategic Initiatives Organized by Theme

- Affordable Housing + Housing for All (9)
 - Broad assortment of housing with specific focus on starter home market (own and rent)
 - Provide affordable housing & revamp Rent Stabilization Ordinance
 - Produce more housing for all income levels
 - Address housing
 - Housing for all
 - Understand and remove obstacles to housing and other development
 - Broad assortment of housing
 - Develop program to track and address excessive rent increases
 - Housing at all income levels and different types
- Define & Implement Complete Communities Vision (5)
 - Clearly articulate what a complete community includes so that we can enforce
 - Codify the complete communities vision in our building codes
 - Finish Tennyson Corridor
 - Healthier retail relevant to neighborhoods
 - Neighborhood Centric
- Catalyze Local Businesses & Create Jobs (5)
 - Business incubator
 - Increase Business Opportunities
 - Keep jobs in Hayward
 - Attract more youth and family friendly businesses and other opportunities
 - Business incubator
- Climate Resilience (5)
 - Roll out climate actions
 - Develop and implement strategies to address sea level rise
 - Climate crisis (collaborate regionally to address track in/around the Bay)
 - Prepare for disaster, growth, future
 - Station #6
- Education / Jobs Pipeline (4)
 - Education city
 - Educated, empowered, employed residents
 - School/college to career pipelines
 - Job-pipeline
- Innovative & strategic organizational culture (4)
 - Innovative and strategic planning
 - Better Data/Response using Statistics
 - Census 2020
 - Reduce workload, mundane tasks and increase innovation through technology
- Vibrant & Safe Public Spaces (4)
 - Implement downtown specific plan
 - Lighting
 - Provide more community functions - free, family-friendly events

- Redevelop blighted properties (caltrans, city center, main street)
- Optimize and Fund Roads & Parking (4)
 - Arterial transport
 - Understand parking issue so that responsive carrot & stick policies can be created
 - Roads
 - Repair roads and transportation infrastructure (solve the transportation funding challenge)
- Open the Library (3)
 - Build Library
 - Open library
 - Library
- Services for the Unhoused (3)
 - Mental Health & De-escalation
 - Create more shelter and improve services to transition people from unhoused to sheltered
 - Services and resources for unhoused individuals
- Collaboration & Partnerships (3)
 - Partnerships - City Chamber, HUSC, Chabot, Cal State, Catholic Schools, Charter Schools
 - Collaboration with all in City limits
 - Roll out police advisory committee
- Active Transportation infrastructure (3)
 - More bicycle paths
 - Finish and implement bike and ped plan
 - Work with BART and AC Transit and other transportation providers to make transit use easier and more convenient
- Waste Reduction + Water Recycling (3)
 - Continue energy and water reduction efforts (facilities, landscaping, fleet)
 - Implement recycled water
 - Build the recycled water system
- Electric fleet + Renewable energy (3)
 - 100% renewable energy
 - 100% all-electric vehicle fleet
 - Electric vehicles
- Invest in Children & Youth (3)
 - Youth activities
 - Expand youth programs during summer and school vacation
 - Expand programs for youth and families when school isn't in session
- Fiscal Responsibility (3)
 - Improve fiscal sustainability (balance long-term city budget and fully fund OPEB)
 - Fiscal sustainability (TOT, Caltrans)
 - Improve fiscal sustainability
- Grow City Staff (2)

- Recruiting
- Adequate personnel

Bike Rack¹ of Initiatives:

- Improve fiscal outlook
- Tackle dumping litter and graffiti (AM)
- Address homelessness (AM)
- Neighborhood speeding (AM)
- Literless
- Urban forest
- Shoreline planning (AM)
- Building electrification (Eliminate natural gas in new developments) (AM)

Bike Rack (general):

- Want time to go into the details of how we go about these priorities
- Let's do a staff/council work session on things we want to stop doing

Community Engagement Discussion

Prompt: *Should the community be engaged in the development of Strategic Plan for the City of Hayward?*

- no
- yes, at a high level
- vet draft with community; keep it focused, not a huge and involved process
- hold community partnership meetings and/or survey to get input on draft document (or just high level buckets) - we are an elected body and the more we get community input the more credibility we have
- am open to community input, but am concerned this would be
- currently approaching 65,000 emails in Haystack (email list?) - share back what we heard from survey, here is what council and staff think, what do you think? keep it short. Then do 4 community meetings (1. at library, 1. at cabot, 1. at Jimenez community center, and 1 at elementary school to reach all main neighborhoods. But really don't want to see a taskforce and don't want to delay the process further. keep the survey short (only a handful of questions), not 20 questions.
- we did a satisfaction survey, we know how community members feel, we tend to delay things, so I feel most comfortable sharing what we came up with and then asking

¹ Like a metaphorical "Parking Lot" - A place to put topics to take up again at a later time.

community how they would rank it. Make it quick and simple, and within 30 days of when we figure out our plan.

- There should be some opportunity for feedback (when we have draft document we could get some input, invite comments). We represent the community and this should be based on what we've heard from the public and satisfaction survey. Let's do a little more than a typical agenda item. Maybe a community work session.
- One of our goals was to hold a council meeting outside of Council chambers, which we did last September, and it was one of our best attended
- SUMMARY: some limited community engagement; not huge in scope.

Next steps:

- Finalize scope and timeline and bring it back to Council
- Timeline should be 6 - 9 months to inform budget for the coming year

Reflection on Today's Retreat (Council)

- Consider what is viable, desirable and attainable
- Fiscal viability supports everything else
- Safe, clean, green and thriving are values (+1)
- Clean should be changed to "attractive" (+1)
- We are generally in agreement (reaffirmed by this process) / Surprised by how much alignment there is (+1)
- We differ on HOW to achieve our shared vision
- Create diverse opportunities for kids in our City / Kids could be a top value
- Surprised at the disconnect of staff and council priorities
- Super valuable to hear from staff

Plus: <ul style="list-style-type: none">• Survey questions were good and it was good to think about those things before today.• Appreciate having all the department heads here / Loved having the executive team present - want more opportunities to work with them (+ 2)	Delta: <ul style="list-style-type: none">• Survey was difficult to use (should have been released in a different way). Took way longer than 20 minutes.• Spent an hour on the survey. Wanted a way to print the survey responses.
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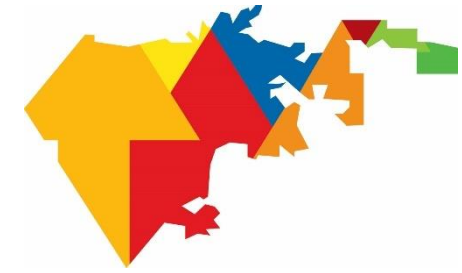
<ul style="list-style-type: none"> • BBQ was good (+ 1) • Thank you to staff for being here! • Appreciated the planning & printouts of the data • Made a lot of progress toward getting organized around our big goals 	<ul style="list-style-type: none"> • Want to hear more from department heads (+ 1) • Would have liked to have all of our answers to the survey available on hand • More opportunities for small group discussion (+ 1) • Wanted more time to address how we are going to tackle big goals → more focus on specifics
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Final Comments/Questions (Staff)

- How will staff's ideas be integrated?
- Thank you! This executive team is so collaborative and works together, and council has always been the same way. Have always felt very supported by this council, which is extremely important for Police Dept.

COMPLETE STREETS STRATEGIC INITIATIVE

TWO-YEAR ACTION PLAN (FY 2018 & 2019)



Purpose: To build streets that are safe, comfortable, and convenient for travel for everyone, regardless of age or ability, including motorists, pedestrians, bicyclists, and public transportation riders.




GOAL	OBJECTIVE	ACTION/TASK	LEAD STAFF	Policy Reference	DUE DATE	STATUS	COMMENT
1. Prioritize safety for all modes of travel.	1.a. Reduce number of fatal and non-fatal traffic accidents in the City through engineering evaluation of major intersections and corridors	1.a.i Citywide Multi-Modal Improvement Study	Sr. Transportation Engineer	General Plan Goal Mobility (M)-3; Complete Streets; GP Goal M-4, Local Circulation	June 2020		Ongoing. This project has been re-scoped and re-named as the Citywide Multi-Modal Improvement Study. It will address existing and future needs, calculate a nexus between future development and infrastructure costs and recommend a mechanism to fund those costs such as a Transportation Improvement Fee (TIF) <i>Existing Conditions Analysis</i> will be presented to Council Infrastructure Committee in 2019.
	1.b. Reduce speeding and aggressive driving behavior through 4 E's i.e. Education, Enforcement, Empowerment and Engineering	1.b.i Complete Neighbored Traffic Calming Study	Transportation Manager	GP Goal M-3, Complete Streets; GP Goal M-4, Local Circulation	July 2018		Complete. Council Work Session was in April 2018.
		1.b.ii Incorporate design standards and best practices in complete streets roadway design and update standard details	Sr. Transportation Engineer/Sr. Civil Engineer	GP Goal M-3, Complete Streets	December 2020		Ongoing. Preparation of RFP in December 2019 will include project scoping and determination of schedule and cost. Initiate after completion of Task 2.a.iv.
	1.c Ensure that roadway construction and retrofit programs and projects include complete streets elements.	1.c.i Tennyson Road Complete Streets Feasibility Study.	Sr. Transportation Engineer	GP Goal M-3, Complete Streets; GP Goal M-4, Local Circulation	December 2018		Aligns with the Tennyson Corridor Strategic Initiative. Develop a concept plan for Tennyson Road and apply for local, regional, and federal grant.

GOAL	OBJECTIVE	ACTION/ TASK	LEAD STAFF	Policy Reference	DUE DATE	STATUS	COMMENT
		<p>1.c.ii Hayward Blvd Traffic Calming and Safety Project.</p>	<p>Transportation Manager</p>	<p>GP Goal M-3, Complete Streets; GP Goal M-4, Local Circulation</p>	<p>January 2020</p>		<p>Ongoing. A consultant team has been selected to conduct the analysis. The proposed project timeline is 8 to 9 months. Projected completion is February 2020.</p>
<p>2. Provide complete streets that balance the diverse needs of users of the public right-of-way.</p>	<p>2.a Increase walking, biking, transit usage, carpooling and other sustainable modes of transportation by designing and retrofitting streets to accommodate all modes.</p>	<p>2.a.i Continue implementation of existing repair and rehabilitation programs:</p> <ul style="list-style-type: none"> • Sidewalk Repair Program • Pavement Rehab Program • Wheelchair Ramp Program 	<p>Sr. Civil Engineer</p>	<p>GP Goal M-5, Pedestrian Facilities</p>	<p>Ongoing</p>		<p>Ongoing. Number of complete street elements are added, improved, or repaired under these programs including sidewalks, curb ramps, bike lanes and crosswalks. Staff have been collecting data to determine appropriate changes and funding for downtown accessibility improvements. An RFP for design will be issued in January 2020.</p>
		<p>2.a.ii Implement Main Street Complete Street Project</p>	<p>Sr. Civil Engineer</p>	<p>GP Goal M-3, Complete Streets; GP Goal M-4, Local Circulation</p>	<p>June 2021</p>		<p>Ongoing. Staff have begun engaging with the public to introduce the conceptual plans that have been developed and select street section(s) to begin design work. The initial phase of public outreach has been completed. The environmental phase is currently underway. Final design should be underway later this year with construction occurring in 2021.</p>
		<p>2.a.iii Mission Blvd Phase 2&3 Corridor Improvements</p>	<p>Sr. Civil Engineer</p>	<p>GP Goal M-3, Complete Streets; GP Goal M-4, Local Circulation</p>	<p>June 2020</p>		<p>Ongoing. Project delayed for PG&E's undergrounding design work. Phase 2 construction contract awarded January 2019. Project will add bike lanes, curb ramps, median landscaping, and streetlights.</p>

GOAL	OBJECTIVE	ACTION/ TASK	LEAD STAFF	Policy Reference	DUE DATE	STATUS	COMMENT
							Sidewalk, crosswalk, bus stops will be added or enhanced.
		<p>2.a.iv Develop Modal Priorities for Arterial and Major Collector Streets. Use work done as part of Central County Complete Street Project as a base and refine and update per community and Council feedback and priorities.</p>	<p>Sr. Transportation Engineer</p>	<p>GP Goal Health and Quality of Life (HQL)-2, Active Living; GP Goal M-1, Multimodal Systems; GP Goal M-3, Complete Streets; GP Goal M-5, Pedestrian Facilities; GP Goal M-6, Bikeways; GP Goal M-7, Public Transit</p>	<p>December 2018</p>		<p>Complete.</p>
		<p>2.a.v Develop a Bicycle and Pedestrian Master Plan and Safe Routes to School Plan</p>	<p>Transportation Manager</p>	<p>GP Goal Natural Resources (NR)-2, Air Quality and Greenhouse Gas Reduction; GP HQL-2, Active Living; GP Goal HQL-11, Trails and Open Space; GP Goal M-3, Complete Streets; GP Goal M-5, Pedestrian Facilities; GP Goal M-6, Bikeways;</p>	<p>January 2020</p>		<p>Ongoing.</p> <p>Will create a pedestrian masterplan and update the bicycle masterplan.</p> <p>Council authorized consultant contract on December 5, 2017.</p> <p>Staff is reviewing draft project and policy recommendations and the priority list to provide comments. Final recommendations will be presented to the CIC in January 2020.</p>

GOAL	OBJECTIVE	ACTION/ TASK	LEAD STAFF	Policy Reference	DUE DATE	STATUS	COMMENT
				GP Goal M-7, Public Transit			
		2.a.vi Complete Shuttle Feasibility Study and implement a first mile/last mile connector service to serve areas underserved by existing transit services.	Sr. Transportation Engineer	GP Goal M-7, Public Transit; GP Goal M-8, Transportation Demand Management	December 2017		Complete. Presented to Council on 9/19/17. AC Transit will augment service starting in 2018. Re-evaluate need for shuttle in two years.
		2.a.vii Downtown Specific Plan.	Sr. Planner; Transportation Manager	GP Goal Land Use (LU) Goal 1 Growth and Sustainable Development; GP Goal M-3, Complete Streets; GP Goal M-5, Pedestrian Facilities; GP Goal M-6, Bikeways; GP Goal M-7, Public Transit	April 2019		Complete. Aligns with the Complete Communities Strategic Initiative. DTSP contains a robust complete streets component.
		2.a.viii Continue staff training to ensure that all new development and redevelopment projects incorporate complete streets elements.	PW & DS Departments	GP Goal M-3, Complete Streets	Ongoing		Ongoing. This is an ongoing task to refine processes and train staff internally.

GOAL	OBJECTIVE	ACTION/ TASK	LEAD STAFF	Policy Reference	DUE DATE	STATUS	COMMENT
<p>3. Maintain sufficient funding to provide for existing and future transportation facility and service needs, including the operation and maintenance of the transportation system.</p>	<p>3.a Establish a sustainable funding mechanism and dedicated funding source to build complete streets network</p>	<p>3.a.i Determine feasibility of Traffic Impact Fee as a permanent revenue source for development/retrofit of complete streets.</p>	<p>Sr. Transportation Engineer & Transportation Manager</p>	<p>GP Goal M-12, Funding</p>	<p>June 2019</p>	<p></p>	<p>On hold. Need to complete the City-wide Multimodal Study before moving forward with this task.</p>
		<p>3.a.ii Identify priority corridors throughout the City and develop projects consistent with City’s long-term vision and goal. Such projects have a higher likelihood of being funded through grants.</p>	<p>Sr. Transportation Engineer</p>	<p>GP Goal M-12, Funding</p>	<p>Ongoing</p>	<p></p>	<p>Ongoing. This will be done as part of developing modal priority in the Citywide Multimodal Plan & Citywide Intersection Improvement Study. Similar projects include Task 1.4.a, Tennyson Road Complete Streets Feasibility Plan.</p>
		<p>3.a.iii Pursue regional, state and federal grant opportunities related to complete streets implementation.</p>	<p>Sr. Transportation Engineer</p>	<p>GP Goal M-12, Funding</p>	<p>Ongoing</p>	<p></p>	<p>Ongoing. Staff apply for grants every year. Proposed Traffic Impact Fees could be set aside that could provide matching funds for grants.</p>
		<p>3.a.iv Evaluate how complete streets projects can be incorporated into the CIP on a prioritized basis.</p>	<p>Transportation Manager & Public Work – Management Analyst</p>	<p>GP Goal M-12, Funding</p>	<p>Ongoing</p>	<p></p>	<p>Ongoing. All roadway projects will incorporate elements of Complete Streets Policy</p>
	<p>3.b Establish a maintenance plan for complete streets projects</p>	<p>3.b.i Develop and implement best practices related to ongoing maintenance of facilities.</p>	<p>Streets Maintenance Manager</p>	<p>Goal Public Facilities and Services (PFS)-1, General Public Facilities and Services</p>	<p>June 2020</p>	<p></p>	<p>Ongoing. This is an ongoing task related to facilities maintenance.</p>

-  On Schedule and Within Budget
-  Behind Schedule or exceeding Budget
-  Stopped – No Progress

COMPLETE STREETS STRATEGIC INITIATIVE PERFORMANCE MEASURES

Goal 1

1. Reduction in average speed at specific locations measured annually
2. Completion of Tennyson Road Feasibility Study
3. Completion of Hayward Blvd Traffic Calming and Safety Concept Plan
4. Completion of a Complete Streets Inventory Baseline

Goal 2 (All measures report on the number of complete streets improvements)

1. Miles of new or replaced sidewalk
2. Miles of new bike lanes
3. Number of new or enhanced crosswalks
4. Number of new curb ramps
5. Number of new or upgraded streetlights
6. Miles of repaired or repaved roadways

Goal 3

1. Percentage of funding provided by grants



Purpose: To develop an attractive, cohesive, thriving Tennyson Corridor through thoughtful engagement of residents, businesses and community partnerships.

GOAL	OBJECTIVE	ACTION/ TASK	LEAD STAFF	POLICY REFERENCE	DUE DATE	STATUS	COMMENT
1. Work with the community to create a community vision plan for the Tennyson Corridor and catalyst sites to serve as a foundation for long-term planning and policies	1.a. Work to understand community needs and desires for the Corridor	1.a.1. Conduct empathy interviews with key stakeholders and a diverse set of community members to prepare for visioning sessions <ul style="list-style-type: none"> • Create initial list of stakeholders and set up one-on-one meetings • Launch empathy interviews to identify long range goals and objectives for the corridor • Create on-line survey to solicit feedback 	Planning Division, CMO, Lean Innovation Team	CS-1.1 CS-1.7 CS-5.2 LU-1.4 LU-4 LU-4.1 LU-4.2 CS-5.2 HQL-5.1	Jun 2018		Through an outreach grant from the Davenport Institute, the City partnered with Chabot College to interview over 325 community members and 75 stakeholder organizations. Staff has also launched a website and online survey, which can be found at: www.Hayward-ca.gov/TennysonThrives
		1.a.2. Host community visioning sessions <ul style="list-style-type: none"> • Design visioning process based on insight from empathy interviews • Host multiple visioning exercises/charrette-type activities with stakeholders at central meeting locations along the Corridor 	Planning Division, CMO, Lean Innovation Team		Dec 2018		The FY19 budget included funding to continue supporting the partnership with the Chabot College Student Initiative Center. Chabot students hosted at least fifteen vision sessions that allowed community members to express preferences for desired activities and uses in South Hayward.
		1.a.3. Ensure active stakeholder involvement in the creation of the Tennyson Road Complete Streets Feasibility Study <ul style="list-style-type: none"> • Set a goal for community involvement • Connect any relevant staff or consultants with stakeholders and coordinate appropriate outreach methods 	Sr. Transportation Engineer	M-3.2 M-3.3 M-3.10	Dec 2018		The Tennyson Road Complete Streets Feasibility Study is postponed until there are sufficient staffing levels to manage the project. The anticipated start date is in fall 2019.
	1.b. Identify funding options for future Tennyson Corridor planning, improvements, and infrastructure	1.b.1. City will collaborate with HARD on the utilization of F1 funding in the Tennyson Corridor	Planning Division	HQL-10.17 HQL-11.6 HQL-12.4	Dec 2017		Completed in past update Ongoing
		1.b.2. Research and make recommendations regarding the implementation of an Enhanced Infrastructure Financing District	CMO Analyst, E&T Analyst	M-12 M-12.3 M-12.4	Jun 2018		Staff has conducted preliminary research. Further research and recommendations are postponed until there is additional staff capacity.
		1.b.3. Research and make recommendations regarding assessment of Traffic Impact Fees for new development projects	Associate Transportation Engineer/Senior Planner	M-12 M-12.3 M-12.4	Jun 2018		Due to staffing shortages and competing priorities, this task has been delayed until FY20.

GOAL	OBJECTIVE	ACTION/TASK	LEAD STAFF	POLICY REFERENCE	DUE DATE	STATUS	COMMENT
		1.b.4. Research planning grants to conduct a “Specific Plan Light” planning process for the Tennyson Corridor <ul style="list-style-type: none"> Work with regional partners to identify future planning grants Identify local funding match for new Plan 	Deputy Director of Development Services/Planning Division	M-8.7 M-12 M-12.1 M-12.2 M-12.3 M-12.4	Jun 2019		Staff has focused planning efforts on the South Hayward Youth and Family Catalyst site and surrounding blocks. A report will be brought to Council in July of 2019.
	1.c. Lead the development and construction of a new South Hayward Family Center (SHFC) in coordination with community stakeholders	1.c.1 Coordinate and participate in taskforce meetings comprised of community partners	Director of Library & Community Services	HQL 12.1-12.6, 12.8	Dec 2017		Completed in past update
		1.c.2 Coordinate and participate in governance group meetings comprised of community partners	Director of Library & Community Services	HQL 12.1 HQL-12.6 HQL-12.8	Dec 2017		Completed in past update
		1.c.3 Support the governance group to select facility operator(s) from among RFP respondents	Director of Library & Community Services	HQL 12.1 HQL-12.6 HQL-12.8	Dec 2017		Completed in past update
		1.c.4 Support the governance group the architectural design selection and procurement methods	Director of Library & Community Services	HQL 12.1 HQL-12.6 HQL-12.8	Dec 2017		Completed in past update
		1.c.5 Support the governance group in their capital funding development of the SHFC	Director of Library & Community Services	HQL 12.1 HQL-12.6 HQL-12.8	Dec 2017		Completed in past update
		1.c.6 Construction phase	Director of Library & Community Services	HQL 12.1 HQL-12.6 HQL-12.8	June 2018		Preliminary design work has begun. The revised construction phase timeline is January 2021-July 2022
		1.c.7 Project Close-Out	Director of Library & Community Services	HQL 12.1 HQL-12.6 HQL-12.8	Dec 2020		The revised construction phase timeline is January 2021-July 2022
1. Increase Pedestrian and Bicycle Safety	2.a. Enhance protected bike and pedestrian ways	2.a.1. Support and expand collaboration with Caltrans and Union Pacific to update crossings to increase safety <ul style="list-style-type: none"> Create a list of desired safety features Schedule regular check-ins with City Staff, Caltrans and Amtrak regarding high conflict crossings Collaborate with partners to ensure that cyclist and pedestrian safety is represented in ways such as including bike lanes 	Transportation Manager	M-1.1 M-1.6 M-2.3 M-2.4 M-3.1 M-3.10 M-5.6 M-5.7 M-7.2, M-7.6	Dec 2017		The Alameda County Transportation Commission (ACTC) completed a series of recommendations to help mitigate the pedestrian fatalities that have occurred in the corridor.
		2.a.2. Identify and pilot possible pedestrian and bike path improvements in coordination with development of the Complete Streets Feasibility Plan <ul style="list-style-type: none"> Pop-up bike lanes Adopt-A-Crosswalk Program Bike rack installations 	Transportation Division, Streets Manager, Environmental Services Manager, UES Management Analyst	M-1.1, M-9.1 M-1.2, M-1.6 M-3, M-3.1 M-3.2, M-3.3 M-3.10, M-3.12 M-5, M5.1 M-5.2, M-5.6 M-6.2, M-6.3	Jun 2018		This task has been folded into the on-going Bike-Ped Masterplan Update, which has a Technical Advisory Group that includes Bike East Bay. Staff spent several dozen hours in 2018 assessing the costs and constraints associated with popup bike lanes and continues to evaluate where and when such an event would be most impactful with the least amount of risk. In addition, staff partnered over the past six months to assist the planners of the Bike Rodeo on June 30 th , 2018 from 11am to 3pm at Mt. Eden Park.

GOAL	OBJECTIVE	ACTION/ TASK	LEAD STAFF	POLICY REFERENCE	DUE DATE	STATUS	COMMENT
		2.a.3. Add green paint on bike paths in conflict areas <ul style="list-style-type: none"> Utilize existing data to determine the sections of bike path with the greatest need Schedule upgrades to identified bike paths 	Streets Manager	M-6.2 M-6.3 M-3	Jun 2018		Completed in past update: Green paint has been installed in the bike lanes on Tennyson from Mission to Hesperian at all conflict areas. Conflict areas are where bikes may need to interact with cars, such as the beginning and end of an intersection.
	2.b. Increase bicycle safety education	2.b.1 Partner with Bike East Bay to provide classes and safety equipment <ul style="list-style-type: none"> Collaborate with Bike East Bay's "Eden Area" representative to expand their presence to currently scheduled City events such as the Summer Reading Fair, Words for Lunch Collaborate with local wholesalers and BEB to develop a bike light giveaway and installation program 	Environmental Services Manager	M-1.8 M-6.6	June 2018		See the comments for 2.a.2
	2.c. Collaborate with community members to improve public safety	2.c.1. Grow participation in the Hayward EYES program <ul style="list-style-type: none"> Community outreach to private property owners to increase education and participation in the program 	Crime Prevention Specialist	CS-2.1 CS 11.1	Sept 2018		HPD is continuously working on expanding their program participation
		2.c.2. Expand the Coffee with a Cop and other engagement models to support community based public safety programs <ul style="list-style-type: none"> Identify new locations for Coffee with Cops with higher community turn out Hold additional Coffee with a Cop if warranted Research holding a National Night Out Event Support and improve resident use of Next Door Explore and pilot new opportunities for positive interactions between public safety and the community 	Crime Prevention Specialist, L&CS Management Analyst	CS 1.1 CS 1.2	Sept 2018		HPD is continuously working on expanding their program participation
		2.c.3. Work with BART police to expand on-site patrols at the South Hayward BART station and adjacent streets <ul style="list-style-type: none"> Schedule regular check-ins with BART PD Support and improve existing relationships with BART PD and HPD/COH Maintenance Dept Identify and funding/MOU/or other resources necessary to increase patrolling by BART PD 	HPD Staff Sergeant	CS 2.10	Jun 2018		HPD is in continuous contact with BART police. There are no current plans to exempt on-site patrols at the South Hayward station.
		2.c.4. Explore the need for increased HPD bike patrol along Tennyson <ul style="list-style-type: none"> Analysis of outcomes of currently existing bike patrol officers (crime stats pre-post officer posting) Analysis of gaps in service to the Tennyson Corridor that could be solved using additional patrol officers 	Crime Analysis Unit	CS-2.2 CS-2.1 CS-2.3	Jun 2019		This action has been postponed indefinitely

GOAL	OBJECTIVE	ACTION/TASK	LEAD STAFF	POLICY REFERENCE	DUE DATE	STATUS	COMMENT
		<ul style="list-style-type: none"> Explore funding mechanisms for additional bike patrol or community policing officers in Tennyson Corridor 					
	2.d. Improve safety through increased lighting	2.d.1. Create Lighting Incentive Program <ul style="list-style-type: none"> Research incentive programs in other jurisdictions for private property owners to upgrade lighting Identify rebates and funding opportunities for the lighting program (PG&E, East Bay Community Energy, etc) Identify 3 pilot locations for test lighting incentive program 	Economic Development Specialist, UES Management Analyst	CS-1.10 LU-4.4	Dec 2018		This incentive program is postponed indefinitely until there are sufficient staffing levels to design and test the concept.
		2.d.2. Install additional light poles in South Hayward BART JPA area to improve visibility on pedestrian walkways near public transit	South Hayward BART JPA		Dec 2017		Completed at past update
3. Improve Community Appearance	3.a. Enhance landscaping	3.a.1. Update existing landscaping along the Corridor <ul style="list-style-type: none"> Shift focus of FY 18 landscaping to Tennyson Corridor Install two weather-based irrigation controllers on Corridor for irrigation needs in Fall of 2019 	Landscape Maintenance Manager	LU-4.11	Jun 2018		Staff has completed updates to the landscape surrounding the South Hayward BART Station. Staff has been upgrading medians on the eastern end of the Corridor. Staff will continue to upgrade medians throughout FY19.
		3.a.2. Partner with Stopwaste and KHCG to apply for grant money to host at least one Pavement-to-Garden event <ul style="list-style-type: none"> Identify stakeholder partners for pilot site Design and implement pilot site Based on lessons learned, design pavement-to-garden program to prepare for grant applications Map possible future sites along Tennyson 	UES Management Analyst	PFS-5.4 LU-4.11	Jun 2019		Staff received a Disadvantaged Communities Outreach grant from the Department of Water Resources. Staff worked with CYES and Chabot to conduct outreach to determine needs. The grant application for implementation is on hold until staff resources are available.
	3.b. Decrease dumping and litter	3.b.1. Use data and evidence driven approaches to address illegal dumping <ul style="list-style-type: none"> Complete analysis of illegal dumping and bulky pickup maps using GIS Conduct empathy interviews with multi-family housing stakeholders Test program design changes, including possible rewards, in collaboration with landlords, tenants, and Waste Management Bring recommended changes to Council 	Maintenance Services, Code Enforcement, CMO Management Analyst, Solid Waste Manager	PFS-7.2 ED-5.4	Jun 2018		Staff has created data governance goals and a data inventory in partnership with Bloomberg Philanthropies' What Works Cities Initiative. Based on this work, staff has prioritized the evaluation of the Access Hayward structure.
		3.b.2 Expand the Downtown Streets Team program to the Tennyson Corridor	L&CS Management Analyst	ED-5.4	Dec 2017		The Downtown Streets team pilot continues to run along the Tennyson Corridor. Since January, DST has been cleaning Tennyson Rd every Wednesday-Friday from 8am-12pm. DST currently has 31




GOAL	OBJECTIVE	ACTION/TASK	LEAD STAFF	POLICY REFERENCE	DUE DATE	STATUS	COMMENT
		<ul style="list-style-type: none"> Negotiate a pilot expansion of the Downtown Streets to the Tennyson Corridor Annual reporting on accomplishments related to: assistance provided to participants, litter picked up, housing assistance to participants 					Team Members. 10 individuals have reached beyond 90-day employment and 17 people have gone from homeless to housed. The DST team will provide an annual report at the end of the calendar year.
		3.b.3. Partner with KHCG to hold targeted cleanup events as needed	Maintenance Services Director	NR-18 NR-6.8	Dec 2017		At least ten cleanups occurred in South Hayward during the two-year implementation period
		3.b.4. Run Litterati competition in partnership with Tennyson schools <ul style="list-style-type: none"> Continue to build on the partnership with Tennyson High School to grow this annual competition to pick-up trash and increase anti-littering education Expand to neighborhood middle schools 	UES Management Analyst	ED-5.4 NR-18 NR-6.8	Jun 2018		The City held the 2018 Litterati contest in April. Staff is continuing to explore ways to increase participation in future years.
		3.b.5. Audit of pedestrian trash cans <ul style="list-style-type: none"> Update the public trash can map along Tennyson Coordinate with WMAC and AC Transit to ensure adequate trash service Identify "hot spots" using data and update trash can locations as needed 	Solid Waste Manager, UES Management Analyst	PFS-7.8 M-5.5 NR-6.8	Jun 2018		The Solid Waste Division maintains an ongoing map inventory of the City's public trash cans, which are serviced by Waste Management. The map included photos of existing conditions, including hot spots, and recommendations for moving or adding cans.
	3.c. Decrease blight	3.c.1. Support Code Enforcement to identify gaps in code compliance along the Corridor and work with property owners to abate violations <ul style="list-style-type: none"> Assist Code Enforcement to develop a corridor improvement program event Develop educational outreach (letters, mailers, media) before beginning enforcement efforts Develop a research method to identify existing landscape & sign requirements for businesses that may be out of compliance 	Code Enforcement Division	HQL-5.6	June 2018 and June 2019		Given current Code Enforcement priorities and staffing capacity, additional work along the Tennyson Corridor that is above-and-beyond daily operations has been placed on hold and will be reconsidered in 2020.
		3.c.2. Target the Housing Rehabilitation Program to homes along the Corridor <ul style="list-style-type: none"> Identify current housing conditions via housing stock study Hold educational meetings for members of the community and COH Codes Enforcement Staff regarding the program Targeted marketing and HEART team work in the Tennyson Corridor 	Community Services Manager	H-1.1 through H-1.5 H-6.3	Jun 2018 and 2019		The Housing Rehabilitation Program will be partnering with outside agencies to administer the program in FY 19. The housing stock study and targeted marketing components are postponed during this transition. Informational meetings for Code Enforcement will take place Fall FY 19.

GOAL	OBJECTIVE	ACTION/TASK	LEAD STAFF	POLICY REFERENCE	DUE DATE	STATUS	COMMENT
		<ul style="list-style-type: none"> Development of multi-lingual informational materials and applications regarding the Housing Rehab Program 					
		3.c.3. Develop a façade improvement program for businesses <ul style="list-style-type: none"> Design incentives to existing and new service/retail businesses to approve building appearances Develop outreach campaign to Corridor business and property owners for improvements rebates Develop application process for Corridor property owners and business tenants 	Economic Development Specialist	SR1.D SR1.C ED-5.4	Jun 2018		Staff has conducted extensive outreach to all businesses on Tennyson Road to inform them of the City's façade improvement program. Thus far, 16 businesses have been approved for the program, at \$10,000 each.
4. Foster a Cohesive Sense of Place	4.a. Identify possible locations and a cohesive theme for public art along the corridor	4.a.1. Public Art & Innovation Master Plan <ul style="list-style-type: none"> Interviews with residents and businesses regarding the mural program Identify potential locations for murals Develop a mural plan which creates a cohesive aesthetic along the Corridor Work with local artists on the implementation of the Corridor mural plan Assist HUSD in curating and identifying appropriate students to participate in mural arts program 	Deputy Director of Development Services	ED-5.3 ED-5.4 HQL 5.1	Jun 2019		The City's mural program participated in the community resource fair at Weekes Park on May 12, 2018 to allow the community to view and vote on designs for public art.
	4.b. Increase city sponsored events and projects in the Tennyson Community	4.b.1. Facilitate a Cesar Chavez Day event <ul style="list-style-type: none"> Identify appropriate timeline for event Identify stakeholder and local business partners Collaborate with Hayward Chamber to develop an event timeline Identify sponsor organization 	Economic Development Specialist	EDSP – BM3	Jun 2018		Due to lack of staff, no event was held.
		4.b.2. Support and develop sustainable neighborhood based funding for small projects <ul style="list-style-type: none"> Assist residents in applying for Neighborhood Improvement Program microgrants Support community-based fundraising events 	Assistant to the City Manager, Community Services Division	GP HQL -5.5 HQL 5.1	Jun 2018		The FY19 budget included additional NIP funding to support small neighborhood projects in South Hayward. The Chabot College Student initiative Center used some of that funding to pilot "Smoothie Saturdays" in partnership with families in the Palma Ceia neighborhood.
		4.b.3. Explore possibility of a second Hayward farmer's market location along the Tennyson Corridor <ul style="list-style-type: none"> Utilize HEART teams to determine need and potential locations for a Farmer's Market Collaborate with partner organizations to host Farmers Market Assist in the acquiring any necessary permitting for partner groups 	Economic Development Specialist	GP HQL – 5.2 HQL -5.1 HQP 3.4	Jun 2018		Economic Development staff has had conversation with the Agricultural Institute of Marin about a potential second market in South Hayward. AIM is reviewing the feasibility.
		4.c.1 Conduct empathy work and pilot experiments to determine community interest in and feasibility of	Communications and Media Relations	GP HQL -5.5	Dec 2017		Completed in last update

GOAL	OBJECTIVE	ACTION/TASK	LEAD STAFF	POLICY REFERENCE	DUE DATE	STATUS	COMMENT
	4c. Explore using branding and signage to identify the corridor	neighborhood branding, gateway markers, and/or wayfinding signage <ul style="list-style-type: none"> Reach out to business owners, residents, and other community members to learn about their needs Identify possible appropriate branding and signage opportunities Pilot promising projects and get feedback Bring recommendations to community members and Council for final input and to collaboratively identify funding sources 	Division, Economic Development Division				
		4.c.2 Work to rename a street (possibly Leidig Ct) to Cesar Chavez Street <ul style="list-style-type: none"> Empathy work and community meetings with residents and business owners in the area Staff report to Council on potential name change If approved, Development Services would apply for change of name and support additional outreach 	PWET Surveyor	GP HQL 5.1	Jun 2019		Do to a lack of staff, this task has been put on hold indefinitely.
	4.d. Explore innovative placemaking opportunities along the corridor	4.d.1. Identify and pilot placemaking projects in coordination with visioning efforts outlined in Objective 1.a. <ul style="list-style-type: none"> Conduct empathy work and visioning exercises to understand community needs and desires Explore partnerships to tap into innovative placemaking ideas and solutions (e.g., Urban Land Institute Technical Assistance Panels) Conduct pilots/lean experiments Identify appropriate placemaking projects and work with community members to secure funding for permanent installation 	Planning Division	LU-4.4 LU-4.11 M-5.5	Jun 2019		The Chabot Student Initiative Center has identified and tested dozens of possible placemaking ideas. In addition, they have piloted several of these ideas and will continue their work in FY19.
5. Increase Community Resiliency	5.a. Increase awareness of and access to City Services	5.a.1. Pilot "Mobile City Hall" at schools <ul style="list-style-type: none"> Reconvene the lean innovation team Conduct experiments and additional empathy work to test assumptions and refine solution Design the outreach program based on lessons learned Make recommendations, request resources and launch program 	Mobile City Hall Lean Innovation Team	GP HQL 9.1 – 9.3 PFS 1 PFS 2.1	Jun 2018		This pilot program is postponed indefinitely until there are sufficient staffing levels to implement.
	5.b. Increase the number of residents with medical and dental service access	5.b.1. Firehouse clinic expanding to include dental services	Fire Chief	CS-1.14 CS-1.15 CS-4.1 HQL 4.4 HQL 4.1 HQL1.2	Jun 2018		The dental chairs in in the process of being installed and the service should begin by late summer/early fall

GOAL	OBJECTIVE	ACTION/TASK	LEAD STAFF	POLICY REFERENCE	DUE DATE	STATUS	COMMENT
		5.b.2. Expand advertisement of Firehouse Clinic and education of resources for residents	Fire PIO/ Communications & Media Relations Division	CS-1.14 CS-1.15 CS-4.1 HQL 4.4 HQL 4.1 HQL1.2	Jun 2018		Complete. Staff has completed the webpage that links to the PBS Documentary and has created bilingual marketing materials.
	5.c. Increase resident emergency preparedness	5.c.1. Increase opportunities to become CERT/NERT certified <ul style="list-style-type: none"> Increase CERT trainings held in Spanish language Establish a Neighborhood Emergency Response Team (NERT) program in which community-based CERT certified individuals will train their neighbors Determine the need/feasibility of CERT trainings in additional languages 	CERT Coordinator	CS-5.4	Jun 2018		Staff has completed the development of the new Neighborhood Emergency Response Team (NERT) program, which will be rolled out in FY19 when the program budget becomes available. Staff has created a program webpage, map, and flyer and has begun recruitment.
		5.c.2. Support and expand outreach regarding CodeRED notification system and Nixle <ul style="list-style-type: none"> Informational campaign and community outreach regarding programs Increase the number of residents who are signed up for CodeRED and Nixle alerts 	Fire PIO/HPD PIO/Communication & Media Relations Division	CS 5.11	Dec 2017		Completed in past update Ongoing
		5.c.3. Expansion of the City's Brace and Bolt Program <ul style="list-style-type: none"> Targeted outreach to homeowners in special populations and extremely low-income households Explore funding mechanisms to expand the Brace and Bolt program, from CDBG funded home-owner based program, to allow for seismic retrofits for rental properties 	CMO Management Analyst & L&CS Management Analyst	HAZ-2.9	Jun 2018		The program has expanded its pool of FEMA certified contractors available to complete projects. Targeted outreach to low-income census tracts with potential eligible applicants is ongoing.
	5.d. Increase access to effective public transit	5.d.1. Install GPS based traffic Signal Preemption for AC Transit buses <ul style="list-style-type: none"> Develop and execute agreement with Alameda County Transit for the cost recovery associated with installation Installation of GPS based preemption devices Review and report out data regarding reduction in traffic wait times and ridership 	Transportation Manager	HQL 4.2 M 7.2	Dec 2017		The installation has been completed. AC Transit currently working with City Staff for upgrading their system to use signal preemption on Hesperian and will explore other Corridors after that project is complete.
		5.d.2. Coordinate with local service providers and transit agencies to promote the City's Paratransit Program <ul style="list-style-type: none"> Analysis in service gaps in the Corridor based upon currently existing Paratransit client database Develop taxi service marketing campaign and materials in multiple languages Public outreach using the HEART team 	Community Services Manager/Paratransit Coordinator	HQL 6.7 HQL 4.2 M7.2 M 7.12	Jun 2018		The Community Services Division commissioned a City of Hayward Needs Assessment to identify service gaps in the following areas: transportation, housing, health services and employment. The HOP is partnering with the City of Fremont and LIFE Eldercare to contract with transportation network company LYFT to serve seniors and people with disabilities.

GOAL	OBJECTIVE	ACTION/TASK	LEAD STAFF	POLICY REFERENCE	DUE DATE	STATUS	COMMENT
	5.e. Facilitate economic development and growth opportunities within the Corridor	5.e.1. Adopt, finalize, and implement Business Incentive Program	Economic Dev Manager	ED1-3	Dec 2017	On Schedule and Within Budget	Completed in past update Ongoing
		5.e.2. Develop business accelerator	Economic Dev Manager Community Services Manager	ED1-3	Jun 2018	Behind Schedule or exceeding Budget	The City has engaged a potential operator of a pilot business accelerator, but given current Economic Development and Community Services priorities, staffing capacity, and resources, the business accelerator pilot has been placed on hold and likely will not be re-initiated until FY20. Economic Development is currently prioritizing the façade improvement program along Tennyson.
	5.f. Reduce resident utility bills through efficiency	5.e.1. Pilot utilities “class” for multifamily property owners <ul style="list-style-type: none"> • Work with Stopwaste to create pilot curriculum • Identify ten property owners for pilot class • Host the class, which will teach ways to achieve utility savings for water, sewer, energy and garbage, including bill analysis, coaching, and tours If effective, expand pilot to reach more property owners	UES Management Analyst	NR-4	June 2018	Stopped – No Progress	This pilot program is postponed indefinitely until there are sufficient staffing levels to implement.
		5.e.2. Target outreach for the PAYS, CYES, Water Rebate, Grid Alternative and Sun Shares programs to residents and property managers along Tennyson <ul style="list-style-type: none"> • Map target blocks with service providers and collect baseline utility usage • Conduct marketing campaigns • Track program participation and utility savings to measure impact 	UES Management Analyst	NR-4	Jun 2018	On Schedule and Within Budget	Complete. Staff received grant funding to hire CYES staff to work specifically in the Tennyson neighborhoods in the 2018 summer. In addition, East Bay Energy Watch’s Smart Light Program visited 199 businesses, conducted 20 audits and are following up with 40 businesses.

-  On Schedule and Within Budget
-  Behind Schedule or exceeding Budget
-  Stopped – No Progress

Tennyson Corridor Strategy

Performance Measures

(Select 5-10 Performance Measures for Each Strategy)

1. Depth and breadth of community stakeholder participation in visioning process, including:
 - a. Percent of residents and businesses reached in door-to-door outreach
 - b. Attendance at in-person community visioning sessions
 - c. Response rates for electronic/mailer outreach (e.g., surveys)
 - d. Demographics of participants in comparison to demographics of Tennyson Corridor (e.g., primary language, race/ethnicity, age, business owners/residents/other community stakeholders)
2. Percent of Councilmembers who vote to approve the Vision Plan (target = unanimous)
3. Percent reduction in time for Alameda County Transit buses to navigate Tennyson Corridor
4. Change in number of accidents involving pedestrians or cyclists
5. Change in demand for medical and dental services at Firehouse Clinic
6. Change in participation in CERT/NERT classes and programs
7. Conduct annual survey of community members to understand changing attitudes about the Tennyson Corridor and capture performance, including:
 - a. Percent of community members who report that the appearance of the Tennyson Corridor has improved from two years prior
 - b. Percent of community members who report that the Tennyson Corridor is headed in the right direction
 - c. Percent of community members who report that they feel the City is paying attention to their neighborhood
 - d. Percent of community members who report that they feel safe walking and/or biking along Tennyson
8. Additionally, the team will report back on the quantitative and qualitative accomplishments of actions, pilot projects, and lean innovation experiments, including:
(note: staff will determine targets for the below deliverables in late 2017 after establishing baseline data)
 - a. Number of neighborhood alert groups
 - b. Number of trees planted
 - c. Number of public art features
 - d. Number of public trashcans
 - e. Business participation in pilot projects, such as lighting incentives
 - f. Usage of infrastructure improvements such as: pop-up bike lane, adopt-a-crosswalk, and temporary bike racks
 - g. Mobile City Hall interactions/problems resolved

COMPLETE COMMUNITIES STRATEGY
TWO-YEAR ACTION PLAN (FY 2018 & 2019)



Purpose: The purpose of the Complete Communities strategy is to create and support structures, services and amenities to provide inclusive and equitable access with the goal of becoming a thriving and promising place to live, work and play for all.

GOALS	OBJECTIVES	ACTION	TASK	LEAD STAFF	POLICY	DUE DATE	STATUS	COMMENT
QUALITY OF LIFE								
	1.a. Increase neighborhood safety and cohesion	1.a.1. Support community-based public safety programs.	1.a.1.a. Support and improve National Night Out; Coffee with a Cop; Hayward E.Y.E.S.	Crime Prevention Specialist Hayward PD	Consistent with GP GOAL CS1 – HQL5	September 2017 & 2018		Ongoing. Programs show continued success and growth with strong community support. Meet and Greet Get potential neighborhood watch meetings and block captains. Find what is going on in community. <i>This will be an ongoing effort.</i>
		1.a.2. Create opportunities for outreach and education.	1.a.2.a. Support and expand Homework Support Centers and Literacy Program	LCS Director Ed. Services Mgr LCS	Consistent with GP GOAL ED2 –	September 2017 & 2018		Ongoing.
		1.a.3. Strengthen neighborhood connections.	1.a.3.a. Support and expand Neighborhood Watch; NIXLE, Next Door App	Crime Prevention Specialist Hayward PD	Consistent with GP GOAL CS1 – HQL5	September 2017 & 2018		Ongoing. Educate Public about neighborhood watch, NIXLE and Nextdoor. This will be an ongoing effort.
	1.b. Foster a sense of place and support neighborhood pride.	1.b.1. Work with neighborhood groups to promote and award Neighborhood Improvement Grants for placemaking projects to create neighborhood identity opportunities.	1.b.1.a. Revise requirements and application process for Neighborhood Improvement Grants to reflect Complete Communities priorities, promote program, and award grants annually.	CMO Assistant to the City Manager	Consistent with GP GOAL HQL1; PFS7	June 2018		Ongoing. The Chabot Student Initiative Center has identified and tested dozens of possible placemaking ideas. In addition, they have piloted several of these ideas and will continue their work in FY19.
		Econ Dev Manager	1.b.2.a. Incorporate Complete Communities checklist for new development.	Development Services Director	Consistent with GP GOAL HQL1	March 2018		Ongoing.
			1.b.2.b. Explore expansion of a second farmer's market location	Economic Development Specialist	Consistent with GP GOAL HQL1-5-9	December 2018		Ongoing.
	1.c. Increase collaboration with businesses, non-profits and neighborhood groups on placemaking projects.	1.c.1. Identify existing partnerships for collaboration with local faith-based and non-profit organizations.	1.c.1.a. Expend federal CDBG allocation through Community Agency Funding process	Community Services Manager	Consistent with GP GOAL ED1-5; HQL1-9	September 2017 & 2018		Complete and ongoing. In FY19 CSD spent ~\$4.5M in the community. The City will continue to receive annual CDBG funds and expend in the community.
			1.c.1.b Continue to support and expand partnerships with local nonprofits	Community Services Manager	Consistent with GP GOAL ED1-5; HQL1-9	September 2017 & 2018		Complete and ongoing. Partnerships developed to expand housing and transportation options for residents.
		1.c.2. Create opportunities for businesses to engage locally, and work to engage with local small businesses	1.c.2.a. Façade Improvements Program	Econ Dev Manager	Consistent with GP GOAL ED5	Jun-19		On-going. Provided façade assistance to 13 businesses (2 on B Street and 11 on Tennyson Corridor). Implemented a Design Assistance program to provide a designer for the businesses to work with to get the maximum potential from the façade dollars for improving the look of the building. Four businesses have received design assistance. Five additional businesses are currently in the process of receiving façade design support.

1. Improve quality of life for residents, business owners, and community members in all Hayward neighborhoods	1.c.3. Explore ways to facilitate public art.	1.c.3.a. Create Public Arts Ordinance	Development Services Director	Consistent with GP GOAL ED 4-5; HQL 1-2-9	Mar-19	Ongoing.	This process will take more than two years. However, a work plan, working group, and community outreach will be implemented within this timeline.	
		1.c.3.b. Explore Potential - Arts in-Lieu Fee to support public art.	Development Services Director	Consistent with GP GOAL ED4-5; HQL1-2-9	Mar-19	On hold.	Expected to begin Fall 2019.	
	1.c.4 Facilitate economic development and growth opportunities within communities	1.c.4.a Adopt, finalize and implement Business Incentive Program	Econ Dev Manager	Consistent with GP GOAL ED1-3	Dec-17	Complete.	Adopted the Concierge and Ombudsman Programs as well as the Façade Improvement program.	
		1.c.4.b Develop business accelerator	Community Services Manager Econ Dev Manager	Consistent with GP GOAL ED1-2-3	Jun-18	Complete/on-hold.	City adopted the Concierge program to provide assistance to new businesses and developments locating in Hayward. Development of a Incubator on hold due to lack of space available.	
	1.d. Create resilient and sustainable neighborhoods.	1.d.1. Increase City & neighborhood capacity to respond to emergencies	1.d.1.a. Begin update to Comprehensive Emergency Response Plan	CMO Management Analyst	Consistent with GP GOAL HAZ1; CSS	Jun-19	Ongoing .	This process will take more than two years. However, a work plan, working group, and community outreach will be implemented within this timeline.
			1.d.1.b. Establish neighborhood Community Emergency Response Teams (CERT)	Deputy Chief, Special Operations Hayward FD	Consistent with GP GOAL CS5	Mar-18		Staff has completed the development of the new Neighborhood Emergency Response Team (NERT) program, which will be rolled out in FY19 when the program budget becomes available.
		1.d.2. Provide opportunities for residents to increase their environmental sustainability	1.d.2.a Promote sustainability initiatives including water conservation, waste diversion, greenhouse gas emissions	Environmental Services	Consistent with GP GOAL HQL7	March & September 2018 March & September 2018	Ongoing.	
	1.e. Actively value diversity and promote inclusive activities.	1.e.1. Sponsor, support, and host events that celebrate and value Hayward's diversity.	1.e.1.a. Continue to fund and provide staff support to events celebrating the heritage of Hayward residents	CMO, City Council, Management Analyst	Consistent with GP GOAL HQL1-7-9	Dec-18	Ongoing.	Economic Development brought a proposed City of Hayward Special Event Support and Grant Program Guidelines tp CEDC on 7/1/19.
		1.e.2. Adopt and implement the Anti-Discrimination Action Plan (ADAP)	1.e.2.a Introduce pro-equity practices aligned with ADAP in the major functions of city government	CMO	Consistent with GP GOAL HQL1-7-9	Mar-19	Ongoing .	The process to develop a systemic approach to the introduction of equity and social justice goals aligned with ADAP will take more than two years. However, a work plan, working group, and community outreach will be implemented within this timeline. An internal working group is implementing the Commitment for an Inclusive, Equitable, and Compassionate Community.
			1.e.2.b. Initiate training to promote effective and accountable leadership for advancing equity and social justice through ADAP	CMO HR Director	Consistent with GP GOAL HQL1-7-9	Jun-19	Ongoing.	Various departments completed.

			1.e.3. Equity and social justice values guide department operations, programs and service delivery	1.e.3.a Develop policy guidance that includes equity and social justice values.	CMO HR Director	Consistent with GP GOAL HQL1-7-9	Jun-19	Ongoing . Operationalize ADAP goals throughout the organization Ongoing. FY19: City began Government Alliance on Race and Equity work.
				1.e.3.b Improve staff and leadership proficiencies in delivering services that respond to changing demographics	CMO HR Director	Consistent with GP GOAL HQL1-7-9	Jun-19	Ongoing . Determine how the City can integrate the principals of "fair and just" in the delivery of City services. FY19: City began Government Alliance on Race and Equity work.
HOUSING								
			2.a. Centralize and expand housing services.	2.a.1.a. Create a Housing Division	LCS Director	Consistent with GP GOALH1-2-4-5-6 – HQL5-6	Dec-17	Complete . Housing Division Manager, Management Analysts, Administrative Clerk, Housing Specialist have been hired.
				2.a.1.b. Identify current housing conditions via housing study, including conducting empathy work	Development Services Director Housing Division Manager	Consistent with GP GOALH1 – HQL5-6	Jun-18	Ongoing. 1) One state grant will not be used because only applies to single family homes. Trying to move the \$400k to another area. Need to research further. 2) Empathy work has been conducted regarding rental housing. The City has conducted several stakeholders meeting regarding housing affordability strategies.
				2.a.1.c. Explore funding mechanism for seismic retrofit for rental properties	Management Analyst, CMO Housing Development Specialist	Consistent with GP GOAL HAZ1-2; H4; CS5	Mar-18	Ongoing. Applying for various sources of funding (Hazard Mitigation Grant Program, CPSE, etc.) Not mandatory, but instead a voluntary ordinance. Potential funding through FEMA, State funding and PACE. CDBG funding allocated.
				2.a.1.d. Continue to monitor the city's affordable housing assets	Housing Division Manager Housing Development Specialist	Ongoing: Consistent with GP GOALH1	Jun-18	Ongoing. Recipients of Affordable housing loan funds are required to electronically report on tenant rent and income on either an annual or quarterly basis depending on the regulatory terms. On-site monitoring of borrowers files happens every 1 to 3 years depending on condition of property. Regular evaluation of compliance will resume once Housing Development Specialist is hired.
				2.b.1.a. Adopt ADU ordinance policy /procedures	Planning Manager Community Services Manager	Ongoing: Consistent with GP GOALH1	Dec-17	Complete. ADU Ordinance adopted by City Council on November 7, 2017 (Ordinance 17-16).

<p>2. Provide a mix of housing stock for all Hayward residents and community members, including the expansion of affordable housing opportunities and resources.</p>	<p>2.b. Facilitate the development of diverse housing types that serve the needs of all populations.</p>	<p>2.b.1 Oversee the development of housing affordable to low and moderate income households</p>	<p>2.b.1.b. Identify development projects to receive first round A1 funding.</p>	<p>Housing Development Specialist</p>	<p>Ongoing: Consistent with GP GOALH1</p>	<p>Dec-17</p>	<p>Complete. On April 30, 2018, Notice of Funding Availability (NOFA) to identify projects to receive Measure A1 bond funds. In October 2019, City Council approved \$28.6 million to construct three affordable housing developments.</p>
			<p>2.b.1.c. Address the housing needs of special populations and extremely low-income households</p>	<p>Community Services Manager</p>	<p>Ongoing: Consistent with GP GOALH1 – HQL5-6</p>	<p>Mar-18</p>	<p>Complete. In October 2019, City Council approved \$28.6 million to construct three affordable housing developments, creating 259 new apartments for low and extremely low income residents, including units set aside for homeless and people with disabilities.</p>
	<p>2.c. Conserve and improve the existing housing stock.</p>	<p>2.c.1 Achieve an adequate supply of decent, safe and affordable housing.</p>	<p>2.c.1.a. Report accomplishments of Housing Rehabilitation Program (CDBG)</p>	<p>Community Services Manager</p>	<p>Consistent with GP GOALH1</p>	<p>September 2018 & 2019</p>	<p>Complete. City has created "Brace & Bolt" seismic retrofit program using CDBG funds.</p>
			<p>2.c.1.b Increase the number of eligible properties assisted with seismic retrofitting</p>	<p>Management Analyst CMO Housing Division Manager</p>	<p>Consistent with GP GOALH1</p>	<p>June 2018 & 2019</p>	<p>Complete. 10 households assisted in FY18-19.</p>
		<p>2.d.1 Identify adequate sites to encourage the development of a variety of housing for all income levels</p>	<p>2.d.1.a. Review/update affordable housing ordinance (including fee assessment)</p>	<p>CAO Housing Division Manager Housing Development Specialist</p>	<p>Consistent with GP GOALH1-2-3 – HQL5-6</p>	<p>Sep-17</p>	<p>Complete . The Affordable Housing Ordinance was updated in November 2017. Master fee schedule updated for FY19.</p>
				<p>Housing Division Manager CAO Development Services Director Community Services Manager</p>	<p>Consistent with GP GOALH1-2-4-5-6 – HQL5-6</p>	<p>Mar-18</p>	<p>Ongoing . Affirmative Fair Marketing is a requirement for all affordable housing projects receiving funding under the Notice of Funding Availability.</p>
		<p>2.d.2. Explore measures to prevent housing displacement</p>	<p>2.d.2.b. Review and revise as necessary Rent Stabilization Ordinance</p>	<p>CMO CAO Housing Division Manager</p>	<p>Consistent with GP GOALH1-2-4-5-6 – HQL5-6</p>	<p>Jun-18</p>	<p>Complete. On June 25, 2019, Council adopted a new Residential Rent Stabilization and Tenant Protection Ordinance. The effective date of the ordinance is July 25, 2019.</p>

2.d. Increase supply of affordable, safe and resilient housing in Hayward		2.d.2.c. Strengthen renter protections and rights, beginning with empathy work	CAO Housing Division Manager Development Services Director	Consistent with GP GOALH1-2-4-5-6 – HQL5-6	Sep-18	Complete. Staff held stakeholders meetings in February and March 2018. In April 2019 staff held a housing open house where Hayward residents could speak directly to staff about the housing issues they are facing. The City adopted provisions for just-cause for eviction and anti-tenant retaliatory protections for tenants as part of the new Residential Rent Stabilization and Tenant Protection Ordinance
	2.d.3 Mitigate any constraints to housing production and affordability	2.d.3.a. Bring back Soft Story Seismic Program ordinance for Council adoption	CMO Management Analyst	Ongoing: Consistent with GP GOALH4-5-6 – HQL5-6	Mar-18	Complete and ongoing. A mandatory screening and voluntary retrofit standard was adopted by Council on July 2, 2019.
		2.d.3.b. Analyze Rental Inspection Program (IPMC /17920.3)	Code Enforcement Manager Housing Division Manager	Ongoing; Consistent with GP GOALH1-5-6 – HQL5-6	Sep-18	Ongoing.
		2.d.3.c. Evaluate CPTED for comprehensive safety improvements	Crime Prevention Specialist Housing Division Manager	Ongoing: Consistent with GP GOALH1-2-4-5-6 – HQL5-6	Jun-18	Ongoing.
		2.d.3.d. Analyze of home safety programs (Weed Abatement PR)	Fire Marshal Code Enforcement Manager	Ongoing: Consistent with GP GOALH1-2-4-5-6 – HQL5-6	Jun-18	Ongoing. Specialized software (3Di) launched in May 2018 to streamline customer service interactions related to weed abatement issues.

REGULATORY TOOLKIT

3.a Update, streamline, and modernize zoning & codes	3.a.1 Industrial Zoning Update	3.a.1.a Work with consultant to complete update of industrial zoning update	Senior Planner	Ongoing: Consistent with GP GOAL LU6	Jun-18	Complete. Approved by Council 6/4/19.
	3.a.2. Develop Shoreline Master Plan	3.a.2.a Identify funding source & consultant	Associate Planner HASPA TAC	Ongoing: Consistent with GP GOAL LU4	Jun-19	Ongoing. Received Caltrans SB1 grant for total of \$509,000 to prepare the Shoreline Master Plan. Preparing Request for Proposals for consultant services to be released in October 2018. Anticipated project completion in 2021.
	3.a.3. Refine Downtown Specific Plan	3.a.3.a Bring to Planning Commission and City Council	Senior Planner	Ongoing: Consistent with GP GOAL LU8	Jun-18	Complete. Approved by Council 7/2/19.
	3.a.4. Revise and update Form-Based Code	3.a.4.a Conduct research and compile a comprehensive list of items to be revised	Planning Manager	Consistent with GP GOAL LU1	Dec-17	Ongoing. Lisa Wise Consulting was selected as the consultant to prepare the update; Contract was approved by the City Council on May 22, 2018. Public draft expected late summer 2019.

3. Develop a Regulatory Toolkit for Policy Makers.		3.a.4.b Revise Draft Codes showing revisions and share with public and policy makers	Planning Manager	Consistent with GP GOAL LU1	Sep-18	On Schedule and Within Budget	Ongoing.	
		3.a.4.c Conduct Planning Commission and City Council Public Hearings for Adoption of Revised Codes	Planning Manager	Consistent with GP GOAL LU1	Mar-19	On Schedule and Within Budget	Ongoing.	
	3.a.5 Unified Development Code / Performance Based Zoning	3.a.5.a Undertake an RFP process for development of a comprehensive Unified Code 3.a.5.b Complete community engagement efforts	Planning Manager	Consistent with GP GOAL LU1	Dec-17	Behind Schedule or exceeding Budget	On hold. Additional budget funding is necessary.	
			Planning Manager	Consistent with GP GOAL LU1	Mar-18	Behind Schedule or exceeding Budget	On hold.	
	3.b. Identify and Design Appropriate In-Lieu Fees to Provide Community Amenities	3.b.1 Review Park In-Lieu Fees	3.b.1.a Develop a study, complete community outreach, and provide recommendations to City Council	Planning Manager Landscape Architect HARD staff	Consistent with GP GOAL LU 1-3-4-9	Mar-19	On Schedule and Within Budget	In process: Draft study completed and stakeholder outreach planned summer 2019.
		3.b.2 Review Commercial In-Lieu Fees	3.b.2a. Develop a study, complete community outreach, and provide recommendations to City Council	Econ Dev Manager	Consistent with GP GOAL ED6 – LU1	Jun-19	On Schedule and Within Budget	On-going process. Working with other City departments as in-lieu fees are reviewed and updated.
	3.c. Develop and refine other regulatory tools	3.c.1 Assess the Viability of developing a Vacant Building Ordinance	3.c.1.a Develop a study, complete community outreach, and provide recommendations to City Council	Code Enforcement Manager	Consistent with GP GOAL ED6 – LU1	Mar-18	On Schedule and Within Budget	Ongoing. Went to CEDC on 6/3, going to Chamnber Commerce on 7/12, DHIA on 7/15.
		3.c.2. Update and Amend Vice statutes in Municipal Code	3.c.2.a. Introduce Cannabis ordinance bring to Council to put forth standards aligned with state requirements 3.c.2.b Review Alcohol Standards ordinance.	Principal Planner HPD, CMO, CAO	Consistent with GP GOAL CS1-2; ED12-3	Sep-17	On Schedule and Within Budget	Complete.
			3.c.2.c Process Consistency - work to establish clear procedures and process for permit applications	CAO, CMO Planning Manager HPD Command Staff	Ongoing: Consistent with GP GOAL CS1-2; ED12-3	Dec-19	On Schedule and Within Budget	Ongoing
				Principal Planner, Supervising Plan Checker/Expeditor	Ongoing: Consistent with GP GOAL ED1-6	Sep-18	On Schedule and Within Budget	Ongoing.

	On Schedule and Within Budget
	Behind Schedule or exceeding Budget
	Stopped – No Progress

Complete Communities Strategy
Performance Measures

PM1. Concentration and distribution of neighborhood/business participation (GIS heat map) for following goals and tasks:

- a) NextDoor/Nixle/Neighborhood watch
- b) National Night Out/Coffee with a Cop/ Hayward E.Y.E.S/ CERT
- c) Business Incentive Program /Façade Improvement Program/ Business Incubator
- d) Neighborhood events
- e) Affordable housing
- f) Location of various public amenities (parks, art, placemaking projects, Neighborhood Improvement Grants, etc.)
- g) Percentage of retail vacancy rates

First reporting period will set baseline; subsequent reporting periods will include both a map with concentration/distribution and a map identifying areas of growth and contraction over previous reporting periods.

PM2. Annual report detailing projects assisted through Community Agency Funding process;

- a) Percentage of unduplicated eligible low-income clients served;
- b) Percentage of funds expended in priority objectives (Housing, Services, Econ Dev, Infrastructure)

PM3. Percentage of eligible projects that implement the Complete Communities checklist

PM4. Percentage of employees answering positively to (strongly agree or agree) the Employee Engagement Survey question, "My workplace prioritizes equitable and socially just principles and policies" and "The organization understands and appreciates differences among employees (for example, gender, race, religion, age, nationality, etc.)"

PM5. Annual report detailing housing units assisted through Housing Division programs;

- a) Percentage of eligible units assisted through Housing Rehabilitation Program;
- b) Percentage of eligible buildings in the process of/have completed seismic retrofits
- c) Percentage of eligible low-income households / businesses assisted
- d) Annual increase in affordable housing units created in conformance with RHNA

PM6. Percentage of new housing developments with inclusionary units

PM7. Level of investment/tenancy resulting from new allowable land uses

PM8. Percentage of eligible properties submitting ADU permit applications

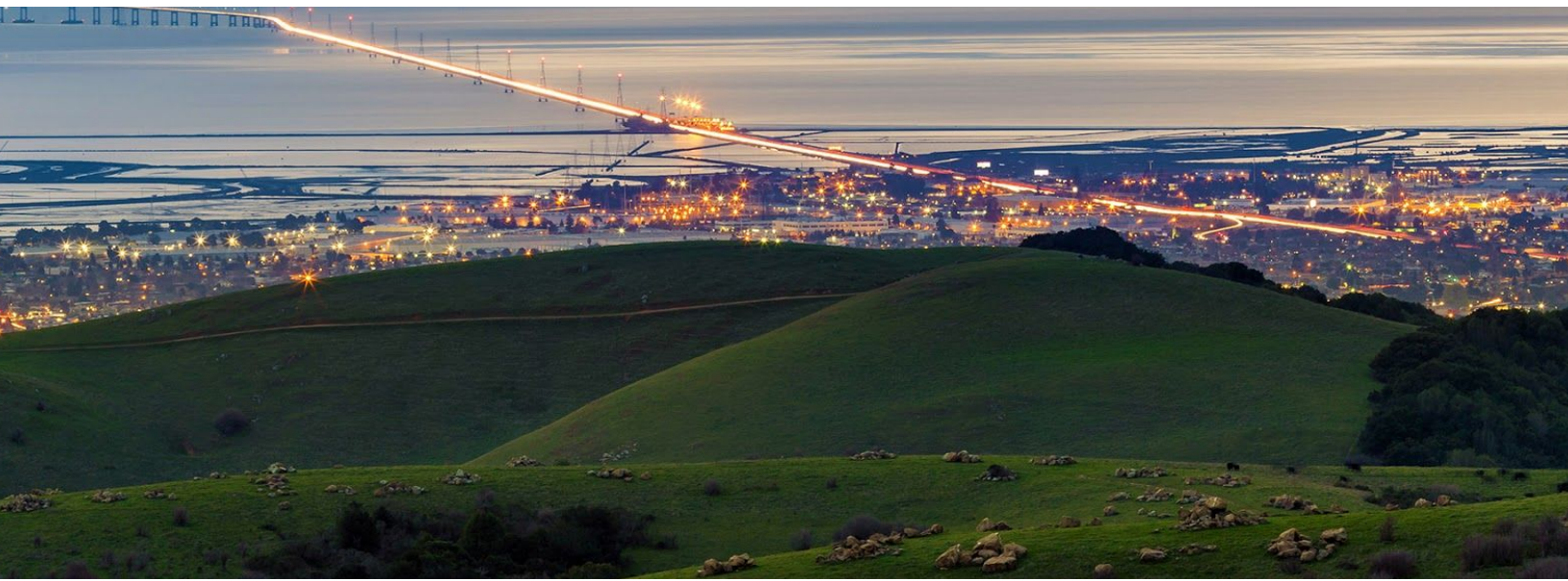
PM9. Permit turnaround times



Scope of Work
City of Hayward
Strategic Plan Phase 2, Version 2

(RFP #1915-031519)

July 9, 2019



Scope of Work

00 Glossary

Key Terms to Understand

- **Mission** - A statement of why the organization exists at its most meaningful level.
- **Vision** - A clear, specific, compelling and shared picture of what the organization will look like in three to five years.
- **Strategic Priorities** - The top areas of focus to achieve the vision.
- **Projects** - The main items within each strategic priority that need to occur in order to achieve the vision.
- **Year 1 Objectives** - Specific outcomes for the first year that need to be achieved in order to stay on track toward accomplishing a project.
- **Metrics** - How we keep track of progress toward achieving priorities and projects.

01 Planning & Assessment

July and August 2019

Deliverables

- Phase 2 work plan and budget
- Focus group agenda for Executive Team
- Interview protocols for department heads and staff
- Synthesis of staff engagement findings

1.1 Phase 2 kick-off meeting & work plan. In this meeting, we will discuss what we learned from phase 1, and what we would change for phase 2. In addition, we will discuss project goals, deliverables, timeline, key stakeholders, project roles, terminology, and project team communication norms. We will share a work plan and timeline based on this scope of work and the strategic planning approach outlined in this document.

1.2 Review of background documents. This includes the prioritization sprints, employee performance evaluations, the employee engagement survey, and the latest community survey.

1.3 Focus group with executive team (14 people in one group). During an E-Team meeting, we will conduct a focus group with all department heads to determine their vision and priorities for the next three to five years. In addition,

we will use this time to uncover any challenges to implementing previous plans and/or to prioritizing work. We may also use these conversations to gather input on the best ways to engage staff which could vary by department.

- 1.4 Interviews with staff from across departments and levels (10 - 12).** We will interview select staff (representing all departments and levels in the organization), either individually or in groups, to determine their vision and priorities for the next three to five years. We will also use this time to uncover any challenges to implementing previous plans and/or to prioritizing work. Some of these conversations might be 1:1 meetings while others could be part of existing meetings such as the quarterly management team meeting, monthly meeting for analysis, monthly secretarial staff meeting, etc...
- 1.5 Synthesis of staff engagement findings.** We will summarize our initial findings from focus groups and interviews with staff and use this to inform the priorities and projects, pre-workshop survey, and workshop design.

02 Priorities and Projects Workshop

September & October 2019

Deliverables

- Priority-setting workshop design, agenda, and facilitation
- Gallery walk design, collateral and staging (up to 3)
- Community pop-up design, collateral, and facilitation (up to 3)
- Draft summary of priorities and projects

- 2.1 Pre-workshop limited survey to department heads and staff interviewees.** After our interviews, we will conduct a brief follow-up survey to the staff we interviewed asking them to vote and rank specific aspects of the mission/vision/priorities. For example, we might ask them to read the vision Council crafted during its retreat and ask department heads to rate their agreement to this vision. If staff is in alignment, then we know we can use our workshop time to discuss other matters. By doing a brief survey ahead of the workshop, we can focus our time during the workshop on coming to consensus around areas of disagreement.
- 2.2 Priority and project-setting workshop for Council and department heads.** After analyzing the data from our interviews and the survey, we will create and facilitate a custom workshop that will set the direction for Hayward in the next three to five years. Our goal is to get to specific issues (priorities and projects) as

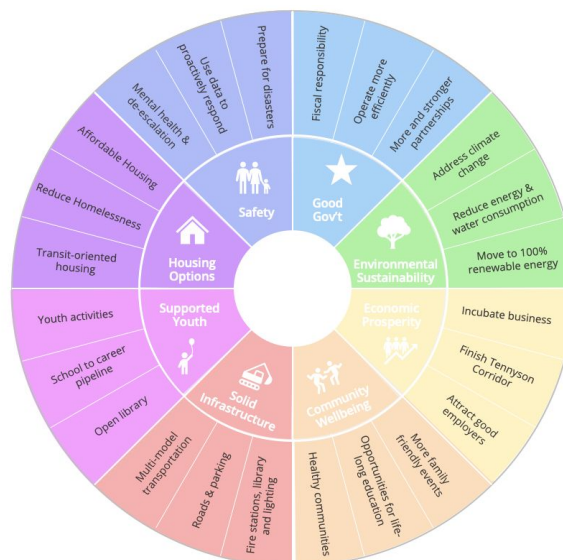
quickly as possible. However, the agenda of this workshop will depend on the existing alignment between department heads and Council. For example, if we find that staff has different priorities than Council, or an entirely different vision altogether, then we may spend more time on uncovering why and coming to a new shared consensus. If we find agreement on vision and priorities, then we may spend more time on the specific programs and projects.

While this task includes sufficient budget for mission development, developing a mission may not be necessary given the City's interest in discussing priorities.

2.3 Gallery walk for staff. After the workshop, we will share the results by setting up a 'gallery walk' for staff in up to three locations across the city, including offsite satellite locations. The purpose is two-fold: 1) to share the results of the workshop and 2) to gather their feedback. We may kick these off with a 'pop-up' where we have staff present to share information and receive questions and feedback. We would then leave the informational and interactive materials up on walls or easels for staff to see and interact with over time.

2.4 Community pop-up events (3). CivicMakers will prepare three community pop-up events to conduct dot voting and collect comments on our priority wheel (see concept below). Pop-up events are community engagement activities where we go to the public. We will 'pop-up' at different community settings, be it the farmers market, BART station, or main street, where we will ask participants to vote on their top priorities. We envision creating a visualization of the City's strategic priorities, such as the draft shown below, and inviting community members to dot vote and add comments.

NOTE: Below is a rough mock-up. This is not a final map of priorities.



- 2.5 Draft summary of priorities and projects.** Incorporating the feedback from the workshop, gallery walks, and community pop-ups, we will revise and summarize our findings in a draft summary document. Once approved by city leadership and City Council, this will become the foundation of the strategic plan and will be used as the starting point for our objectives and work plan workshop.

03 Objectives & Work Plan Workshop

October & November 2019

Deliverables

- Objectives & work plan workshop agenda, materials and facilitation
- Prototype of a new prioritization sprint based on the strategic plan
- Draft summary of year 1 objectives and work plans

- 3.1 Explore prioritization sprint integration into work plan.** We will work with the City Manager's office to investigate how previous prioritization work may inform work plan development.

- 3.2 Year 1 objectives and work plan workshop for staff.** Working with department heads, division leads, and select analysts, we will get into the details of what needs to occur in the next year in order to keep on track with the strategic plan. We break up into groups based on each of the strategic priorities. Often, this means representatives from different departments are working together at the same table. Together, they will decide what needs to happen in year 1 to keep the City on track towards its goals.

The work plan is where the rubber meets the road. During this workshop, each department breaks off into its own group. There, departmental representatives decide the details of achieving each yearly objective - who needs to do what and by when. The result is a gantt chart (or similar) of tasks, task owners, due dates, and progress. Below is an example:

PROJECT TITLE	OPERATIONS WORKPLAN	COMPANY NAME	IHSF
OWNER	BRITT	DATE	9/5/18

PRIORITY	OBJ	TASK	TASK OWNER	START DATE	DUE DATE	DURATION	COST	PCT OF TASK COMPLETE
1.4	HR Support (Distinct from Finance)			1/2/19	3/30/19	88	\$0	10%
	1.4.1	Quarterly Meetings with upper management to check-in on Finances, completion/progression in achieving identified work goals, and over-all staff health i.e. have we had any losses in staff, or new hires. Does there seem to be a trend of turnover in any positions	New GM	1/2/19	3/30/19	88	\$0	0%
	1.4.2	HR Handbook - onboarding, PTO processes	New GM	1/2/19	3/30/19	88	\$0	0%
	1.4.3	A process for staff to securely submit work related complaints plus follow up process	New GM	1/2/19	3/30/19	88	\$0	0%
	1.4.4	A schedule for Annual reviews	New GM	1/2/19	3/30/19	88	\$0	0%
	1.4.5	Quarterly reports on company shares	New GM	1/2/19	3/30/19	88	\$0	0%

In addition, the group develops cross-departmental shared **metrics** to measure its results. Example worksheet below.

Pick your best fit measures

What strategic priority is this for? _____

Generate possible measures for the priority
→
Rank Against Criteria
→
Develop how and when you'll measure it
→
Circle the top measures

<ul style="list-style-type: none"> What are the most important components of this priority that need to be measured? How would you measure it? What's your target? 	<ul style="list-style-type: none"> Is the measure a sufficient proxy? Is it something we can control? Does it motivate desired behavior? Is it practical/easy to measure? 	<ul style="list-style-type: none"> Pick a good metric <ul style="list-style-type: none"> Absolute number, ratio, percentage, rating, ranking When will you measure it? <ul style="list-style-type: none"> Yearly, monthly, daily, etc 	<ul style="list-style-type: none"> Of all the possible measures, which one measures it best? CIRCLE IT!

CivicMakers

Finally, we investigate the behaviors that staff need to learn or unlearn in order to achieve the work plan and understand their priorities. For example, if the success of the work plan depends on more cross-department collaboration, then we would identify that as a system and skill set that needs to be improved.

Improve your **enabling skill sets**



Key question: Which of the following need to be optimized to enable you to deliver on your critical few initiatives while still doing your daily work with quality?

Drivers of Team Performance	Definition	Examples of Possible Team Improvements
Leadership	How we inspire, engage others	Do we need to strengthen our leadership abilities? Do we need to promote a different type of leader? Do we need to adjust our leadership roles?
Culture	Our norms and behaviors	How are we working together as a team? What gets rewarded?
Systems & Processes	HR, procurement, IT, etc.	Do we need new technology? Do we need to improve accountability? Does the org structure work for this strategy?
Competencies	What we know and are able to do	Do we need to acquire or increase our skills? Should we change how we develop internal talent?

What are yours?	Your New Enabling Skill Sets
Leadership	
Culture	
Systems & Processes	
Competencies	



3.3 Align staff prioritization sprints with work plans. We will work with the City Manager’s office to investigate how the new department work plans influence the staff prioritization sprints. Questions to explore include:

- How aligned are the tasks and criteria in the staff prioritization sprints to the priorities and projects in the strategic plan? How do we ensure the two are aligned?
- How should future sprints be recalibrated to include the prioritization work within the strategic plan?
- How do the priorities and projects of the strategic plan affect the results of previous prioritization sprints?
- How can the sprints keep staff members on track with the strategic plan?
- How might input from the sprints help to continually revise the strategic plan?

We envision conducting an exploratory meeting with the City Manager’s Office to investigate these questions.

In addition, we will circle back with leadership at their E-Team or quarterly management meeting to discuss how to align staff assignments to the strategic plan. Suggestions might include how to use staff meetings, job performance reviews, dashboards, weekly check-in or quarterly reviews to keep staff working towards their highest priorities.

- 3.4 Draft summary of year 1 objectives and work plans.** After department heads have disseminate their work plans for staff feedback, we will summarize their results and integrate them into the outputs of the workshop. This will be incorporated in the citywide strategic roadmap report (Task 4.1 below)..

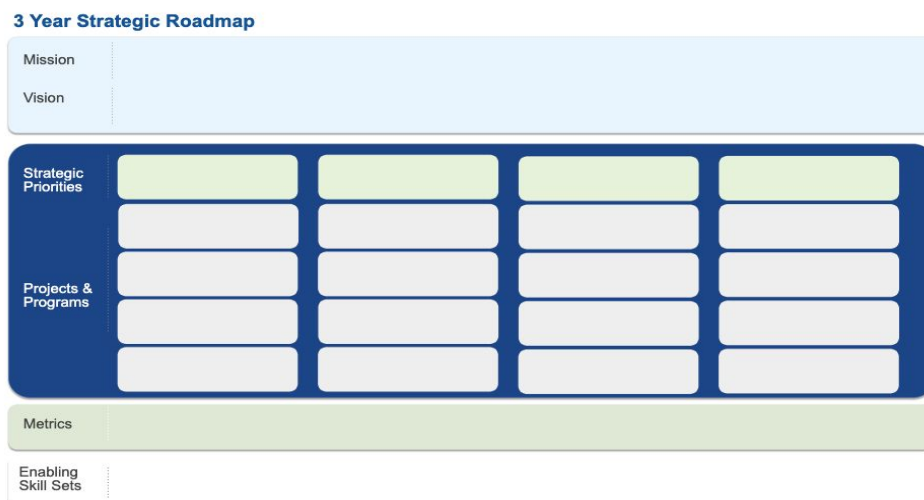
04 Reporting & Implementation

December 2019 to February 2020

Deliverables

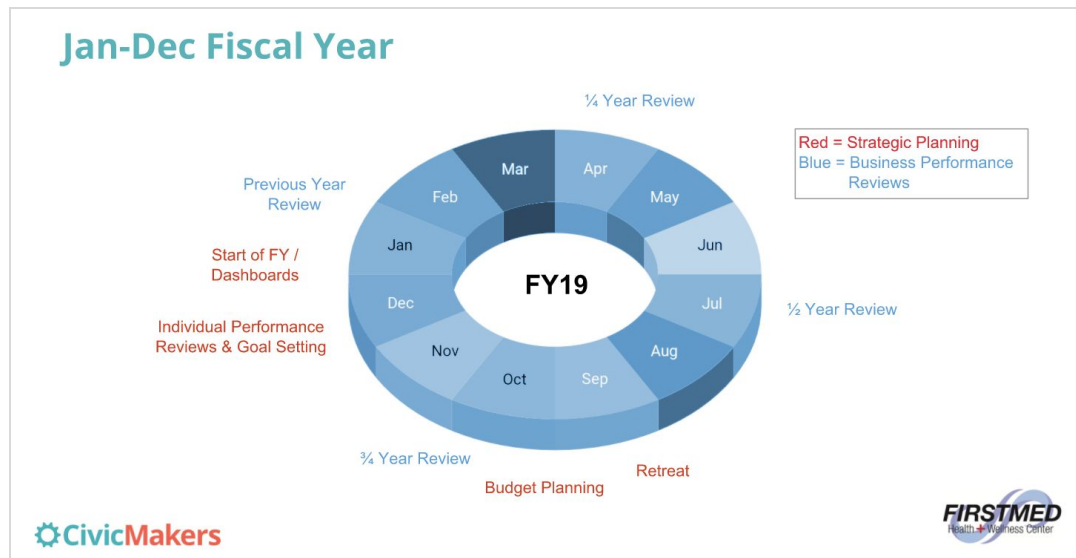
- Draft and final 3-5 Year Strategic roadmap
- Presentation to City Council
- Dashboard recommendations
- Budget integration recommendations
- Organizational cadence recommendations
- Staff input recommendations

- 4.1 3 - 5 Year Strategic roadmap report.** Putting it all together, we report back to Council and staff the results of their hard work. We visually depict a strategic roadmap where one can see the linkages between mission and vision, strategic priorities, yearly objectives, and metrics. Our findings are shown in a graphically-designed presentation deck. The deck will also include information about how the roadmap was developed. Below is an example of a high-level summary sheet for a Strategic Roadmap.



- 4.2 Presentation to City Council.** After the strategic plan has been finalized by the city manager, we will present it to City Council for their final ratification.

- 4.3 Dashboard recommendations.** We will consult with your IT department about strategies to build upon your existing online dashboard infrastructure to incorporate our newly devised strategic priorities and metrics. We will also work with the City to identify databases, monitoring and reporting that we will use to create and regularly update the dashboard.
- 4.4 Budget integration.** CivicMakers will work with budget officers to rethink how resources are prescribed by strategic priority. We will look at project codes, labor codes, expense reporting and payroll to move toward performance-based budgeting.
- 4.5 Organizational cadence development.** Strategic planning should not be a ‘one-and-done’ affair but ingrained in the weekly and quarterly habits of the organization. CivicMakers will share best-practices for creating a strategic organizational cadence that regularly measures and tweaks performance. This adaptive process is key to ensuring that the plan remains relevant and is continually informed by new opportunities and any unexpected challenges.



- 4.6 Codification of continued staff input.** The development of the strategic plan offers ample opportunity for staff and Council to work together. How might we continue these collaborations over the next five years, such that Council and staff are continually learning from one another and improving on the strategic planning process? CivicMakers will make recommendations about how to codify staff input on the strategic plan moving forward.

Hayward Strategic Plan - Phase 2	Lawrence Grodeska	Jim Rettew	Cristelle Blackford	Variable	Expenses*	Estimate	Not to Exceed
	Project Director	Project Manager	Engagement Lead	Associate			
Tasks	\$195	\$185	\$175	\$125			
1. Planning & Assessment	15	51	59	10	\$250	\$24,185	\$28,127
Kick-off meetings		6	6		\$100	\$2,260	\$2,712
Revised project plan	1	8	8			\$3,075	\$3,690
Council survey & synthesis (carry over from Phase 1)		10	15			\$4,475	\$4,475
Document review	4	4	4			\$2,220	\$2,664
Dept head focus group prep	4	4	1	2		\$1,945	\$2,334
Dept head focus group	4	4		1	\$50	\$1,695	\$2,034
Staff interview prep		4	4	2		\$1,690	\$2,028
Staff interviews		2	12	2	\$100	\$2,820	\$3,384
Synthesis & analysis		4	4	2		\$1,690	\$2,028
Project management	2	5	5	1		\$2,315	\$2,778
2. Priorities & Projects Workshop	19	61	48	38	\$1,300	\$29,440	\$35,328
Pre-workshop limited survey	1	3	3	1		\$1,400	\$1,680
Workshop prep	4	10		2	\$50	\$2,930	\$3,516
Workshop facilitation	10	10		1	\$50	\$3,975	\$4,770
Gallery walk prep		4	8	8	\$500	\$3,640	\$4,368
Gallery walk facilitation (up to 3)		10	10	10	\$100	\$4,950	\$5,940
Community pop-up prep		4	8	10	\$500	\$3,890	\$4,668
Community pop-ups (up to 3)		12	12		\$100	\$4,420	\$5,304
Draft summary	3	4	3	4		\$2,350	\$2,820
Project management	1	4	4	2		\$1,885	\$2,262
3. Objectives & Work Plan Worksh	25	37	8	20	\$200	\$17,310	\$20,772
Work plan development research		4	4		\$50	\$1,490	\$1,788
Workshop prep	4	10		5	\$50	\$3,305	\$3,966
Workshop facilitation	10	10		8	\$50	\$4,850	\$5,820
Align prioritization sprints	6	10	4	2	\$100	\$4,070	\$4,884
Draft summary	3	4	3	3		\$2,225	\$2,670
Project management	2	3	1	2		\$1,370	\$1,644

Reporting & Implementation	17	63	19	16	\$250	\$20,545	\$24,654
Strategic roadmap draft		16	8	4		\$4,860	\$5,832
Strategic roadmap final		8	6	2		\$2,780	\$3,336
Presentation to Council	3	5	3		\$50	\$2,085	\$2,502
Dashboard recommendations	3	8		2	\$50	\$2,365	\$2,838
Integrate with budget	3	8		2	\$50	\$2,365	\$2,838
Develop organizational cadence	3	6		2	\$50	\$1,995	\$2,394
Codify continued staff input	3	6		2	\$50	\$1,995	\$2,394
Project management	2	6	2	2		\$2,100	\$2,520
Total	76	212	134	84	\$2,000	\$91,480	\$108,881



CITY OF HAYWARD

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

File #: CONS 19-534

DATE: July 16, 2019

TO: Mayor and City Council

FROM: Fire Chief

SUBJECT

Adopt a Resolution Authorizing the City Manager to Accept and Appropriate up to \$100,000 Annually for the Next Five Years from the Fairview Fire Protection District for Special Projects

RECOMMENDATION

That Council approves a resolution (Attachment II) authorizing the City Manager to accept and appropriate up to \$100,000 annually for the next five years from the Fairview Fire Protection District for Special Projects.

SUMMARY

From time to time, the Fairview Fire Protection District (FFPD) Board approves service-related costs that are outside of the scope of their contract with the City's Fire Department. For administrative efficiency, it is easiest for the City to make these purchases on behalf of FFPD and accept funds from the District to cover the costs. The attached resolution would authorize the City Manager to accept and appropriate up to \$100,000 annually from FFPD for the next five years for special projects in the FFPD.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution



DATE: July 16, 2019

TO: Mayor and City Council

FROM: Fire Chief

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BACKGROUND AND DISCUSSION

The City of Hayward Fire Department provides emergency response services to the Fairview Fire Protection District through a service contract. This contract includes a detailed description of the activities that shall be provided as part of the cost of the contract.

From time to time, the FFPD Board approves service-related costs that are outside of the scope of the contract. For example, in FY 2019, the FFPD Board allocated additional funds for the annual chipping program, as well as funds to replace certain hose supplies. For administrative efficiency, it is easiest for the City to make these purchases on behalf of FFPD and accept funds from the District to cover the costs.

The attached resolution would authorize the City Manager to accept and appropriate up to \$100,000 from FFPD annually for the next five years for special projects in the FFPD. In addition, the resolution would authorize the City Manager to appropriate these funds to the

City's Local Grants Fund to pay for expenses related to these services. The City will only pay for services up to the amount received from FFPD.

Council passed an equivalent resolution last July for FY 2019. Staff is now seeking to expand the resolution for five years to avoid the need to return to Council annually.

FISCAL IMPACT

There will be no net fiscal impact to the City resulting from this resolution. Staff will only begin effort and expenses related to these special projects after funds are received and expenses will be entirely offset by revenue from the Fairview Fire Protection District. At times, there may be some additional staff time devoted to administering these projects, these costs will be absorbed within the existing Fire Department operating budget.

STRATEGIC INITIATIVES

This agenda item is a routine operational item and does not directly relate to one of the Council's Strategic Initiatives.

Prepared by: Mary Thomas, Management Analyst

Recommended by: Garrett Contreras, Fire Chief

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 19-_____

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT AND APPROPRIATE UP TO \$100,000 FROM THE FAIRVIEW FIRE PROTECTION DISTRICT ANNUALLY FOR THE NEXT FIVE YEARS FOR SPECIAL PROJECTS

WHEREAS, The Fairview Fire Protection District (FFPD) participates in the City of Hayward Fire Department's (City's) chipping program, defensible space projects, and other special projects that are mutually beneficial to both jurisdictions; and

WHEREAS, from time to time, it is more efficient for the City to make these purchases on behalf of FFPD and accept funds from the District to cover the costs.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward authorizes the City Manager to accept and appropriate up to \$100,000 annually for the next five years from FFPD to the City's Local Grant Fund for special projects.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2019

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 19-535

DATE: July 16, 2019

TO: Mayor and City Council

FROM: Fire Chief

SUBJECT

Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Contract Amendment with 3Di Systems for Wildfire Fuel Management Inspection Software

RECOMMENDATION

That Council adopts a resolution (Attachment II) authorizing the City Manager to negotiate and execute a contract amendment with 3Di Systems to extend the service agreement for wildfire fuel management inspection software through April 30, 2023.

SUMMARY

The City entered into an agreement with 3Di Systems in May of 2017 to use its myFD Brush Inspection/Weed Abatement software for Hayward's wildfire fuel management inspection program. The Fire Department piloted the program during the 2018 fire season and is continuing the program during the 2019 season. The 3Di platform has successfully reduced staff time and increased customer experience by eliminating paperwork and adding a customer interface. Staff is requesting Council authorization to extend the service agreement through April 20, 2023. The cost is \$60,000 a year, which has been already been incorporated into the City's Information Technology budget.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution



DATE: July 16, 2019

TO: Mayor and City Council

FROM: Fire Chief

SUBJECT: Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Contract Amendment with 3Di Systems for Wildfire Fuel Management Inspection Software

RECOMMENDATION

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SUMMARY

The City entered into an agreement with 3Di Systems in May of 2017 to use its myFD Brush Inspection/Weed Abatement software for Hayward's wildfire fuel management inspection program. The Fire Department piloted the program during the 2018 fire season and is continuing the program during the 2019 season. The 3Di platform has successfully reduced staff time and increased customer experience by eliminating paperwork and adding a customer interface. Staff is requesting Council authorization to extend the service agreement through April 20, 2023. The cost is \$60,000 a year, which has been already been incorporated into the City's Information Technology budget.

BACKGROUND AND DISCUSSION

Every year in the late spring, the City's fire crews inspect all Hayward and Fairview properties east of Mission Boulevard to confirm that wildfire fuel, such as brush, weeds, and dead branches, are cleared for the fire season. The purpose of these inspections is to ensure defensible space around homes and to reduce the risk of wildfire.

In the past, the fire crews would keep paper records, which would be given to administrative staff for data entry and citations. In May of 2017, the Fire Department entered into an agreement with 3Di Systems to pilot its myFD Brush Inspection/Weed Abatement software. This cloud-based platform automates the inspection program by providing the tools to schedule, notice, deploy, track and close out the inspections. The platform also enables the fire crews to take geocoded pictures of violations. When property owners receive a citation,

they can log onto the customer interface to see a visual of the particular hazard that they need to address. This has been helpful for administrative staff, who field dozens of calls each year from customers seeking guidance on how to properly manage the wildfire fuel on their properties.

The 2018 pilot to use 3Di platform successfully reduced staff time and increased customer experience. 3Di has since upgraded its software at no additional cost to a newer version which covers includes a wildland survey module and a complaints module. Staff is now requesting Council authorization to extend the service agreement through April 20, 2023. The cost of the agreement is \$60,000 a year, which has been already been incorporated into the City's FY 2020 Information Technology budget.

FISCAL IMPACT

The cost of this contract extension is \$60,000 annually through FY 2023. There are sufficient funds budgeted in the Information Technology fund to cover the costs associated with this contract.

STRATEGIC INITIATIVES

This agenda item is a routine operational item and does not directly relate to one of the Council's Strategic Initiatives.

NEXT STEPS

If the Council approves this item, the City Manager will enter into an agreement with 3Di.

Prepared by: Mary Thomas, Management Analyst

Recommended by: Garrett Contreras, Fire Chief

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 19-

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A CONTRACT AMENDMENT WITH 3DI SYSTEMS FOR WILDFIRE FUEL MANAGEMENT INSPECTION SOFTWARE TO EXTEND THE AGREEMENT THROUGH APRIL 30, 2023

WHEREAS, the Hayward Fire Department has successful piloted using 3Di System’s myFD Brush Inspection/Weed Abatement software to streamline its annual wildfire fuel management inspection process; and

WHEREAS, the City wishes to renew the agreement with 3Di Systems for four consecutive years and 3Di has upgraded the software to include wildland survey and complaints modules at no additional cost.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward authorizes the City Manager to negotiate and execute a contract amendment with 3Di Systems for wildfire fuel management inspection software to extend the agreement through April 30, 2023 in the amount of \$60,000 annually through 2023.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2019

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 19-540

DATE: July 16, 2019

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT

Adopt a Resolution to Reject all Bids for the Installation of Trash Capture Infrastructure on Arf Avenue

RECOMMENDATION

That Council adopts a resolution (Attachment II) rejecting all bids for the installation of trash capture infrastructure on Arf Avenue.

SUMMARY

Only two bids were received at the bid opening and both are significantly more than the Engineer's Estimate for the project. Staff anticipates re-advertising the project later this year will yield better results. This project will involve the installation of trash capture infrastructure in the existing storm drain box culvert on Arf Avenue, near its intersection with Pueblo Spring, which would help remove trash from the City's storm water system.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution



DATE: July 16, 2019

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT Adopt a Resolution to Reject all Bids for the Installation of Trash Capture Infrastructure on Arf Avenue

RECOMMENDATION

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SUMMARY

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BACKGROUND

In December 2015, the Water Board adopted the current Municipal Regional Stormwater Permit (MRP 2.0) requirements to regulate storm water discharge from its permittees, which include municipalities and local agencies in Alameda, Contra Costa, San Mateo, and Santa Clara Counties, as well as the cities of Fairfield, Suisun, and Vallejo. Under the MRP 2.0, permittees are required to reduce trash entering state waters from their respective Municipal Separate Storm Sewer Systems (MS4s) by 100% by 2022.

In January 2015, the EPA awarded the City \$800,000 to fund the Hayward Youth-Based Trash Capture, Reduction, and Watershed Education Project. The four-year project includes a school curriculum for first through twelfth grade students to educate them about watersheds, pollution, and engineered trash reduction facilities like CDS units.

The City currently has two existing CDS units and both were manufactured by Contech. One is at the intersection of Tyrell Avenue and West Tennyson Road, installed in 2012 and one is on Patrick Avenue, installed in 2017. A video of the Patrick Avenue installation, completed as part of the EPA grant project, is available on the City's website¹.

¹ <https://www.hayward-ca.gov/youth-trash-capture>

Construction of the Arf Avenue CDS project would entail the removal of one tree, temporary shutdown of an overhead power line, excavation adjacent to the roadway, installing the diversion box and two CDS units, backfilling the area, and repairing the area to pre-construction conditions. On May 21, 2019², Council approved the plans and specifications and called for bids to be received on July 2, 2019. On June 4, 2019³, Council approved a change in the submittal deadline for bids from July 2, 2019 to June 25, 2019.

DISCUSSION

On June 25, 2019, the City received two bids. Bay Construction Co. submitted the lower bid in the amount of \$750,000, which is 66.7% higher than the Engineer's Estimate of \$450,000. JMB Construction Inc. submitted the second lowest bid in the amount of \$993,000, which is 120.7% higher than the Engineer's Estimate.

Upon review of the bids received, staff determined it would be in the best interest of the City to reject all bids and re-advertise the project at a later date. Below are the main reasons for staff's recommendation:

1. Too Few Bidders – There were only two bids received. The timing of the call for bids, which was in the height of the construction season with contractors working in the field, may have contributed to the low response. Also, contractors had only three weeks to prepare bids. Staff anticipates that re-advertising the project later in the year with a longer bid period should yield more bids.
2. Unexpected High Bid Line Item – In the low bid, the line item for “Trenching and Backfilling” was approximately 375% higher than the Engineer's Estimate of \$80,000. Staff intends to complete a geotechnical investigation to provide more information regarding the soil type, which should provide more certainty for bidding firms to design the shoring and estimate trenching costs.
3. Potential Cost Saving – There is an overhead power line about 50 feet above the proposed CDS units, which may pose a safety concern to contractors. Staff is currently coordinating with PG&E for a temporary power shutdown. There may be significant cost savings for the Contractor if they can install the CDS units without the concern of working under an energized overhead power line.

ECONOMIC IMPACT

There is no direct economic impact associated with this item.

FISCAL IMPACT

Staff anticipates that rebidding the project later this fall or winter should yield better results.

² <https://hayward.legistar.com/LegislationDetail.aspx?ID=3952685&GUID=E2BF303C-279B-4FB8-ABD4-2E160F10DC07&Options=&Search=>

³ <https://hayward.legistar.com/LegislationDetail.aspx?ID=3969941&GUID=B5C39527-0140-4ABD-9476-F834CE046941&Options=&Search=>

STRATEGIC INITIATIVES

This item is a routine operational item and does not directly relate to one of the Council's three Strategic Initiatives.

SUSTAINABILITY FEATURES

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

PUBLIC CONTACT

On June 18, 2019, an early notice was mailed out to the Glen Eden Garden Home Association to notify the project will be encroach onto their property. Prior to and during construction, further notices will be provided to affected residents and property owners to inform them of the nature and purpose of the work, potential impacts, work schedule, and City contact for additional information. In addition, staff will work closely with residents in the vicinity of the project to minimize potential impacts.

NEXT STEPS

If Council adopts the attached resolution, staff will send a formal rejection notice to both bidders. Staff will continue to work with the Alameda County Flood Control and Water Conservation District (ACFC) to secure an Encroachment Permit. Staff will also prepare a geotechnical investigation, work with PG&E to address safety concerns of the overhead power line and return to Council with a new call for bids, later this year.

Prepared by: Elisa Wilfong, Water Pollution Control Administrator
Terence Lai, Associate Civil Engineer

Reviewed by: Erik Pearson, Environmental Services Manager

Recommended by: Alex Ameri, Director of Public Works

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 19-_____

Introduced by Council Member _____

RESOLUTION REJECTING ALL BIDS FOR INSTALLATION OF A TRASH
CAPTURE DEVICE AT ARF AVENUE, PROJECT 07675

WHEREAS, by Resolution No. 19-096 on May 21, 2019, Council approved the plans and specifications for the Trash Capture Device Installation on Arf Avenue Project, Project No. 07675, and called for bids to be received on July 2, 2019;

WHEREAS, by Resolution No. 19-120 on June 4, 2019, Council approved a change in the submittal deadline for bids from July 2, 2019 to June 25, 2019;

WHEREAS, on June 25, 2019, two (2) bids were received ranging from \$ 750,000 to \$ 993,000; Bay Construction Co. of Oakland, CA, submitted the low bid in the amount of \$ 750,000, which is 66.7 % percent higher than the Engineer's Estimate of \$450,000;

WHEREAS, in the opinion of the staff, it is not in the best interest of the City of Hayward that said bids, submitted as heretofore set forth, be accepted.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the above listed bids, at and for the price named and stated in the final proposal of the hereinabove specified bidders, are hereby rejected.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Clerk is hereby authorized and directed to return the bids and bid bonds submitted by all bidders.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2019

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 19-541

DATE: July 16, 2019

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT

Adopt a Resolution Authorizing the City Manager to Amend the Professional Services Agreement with HydroScience Engineers, Inc., to Increase the Contract Amount to a not-to-exceed amount of \$1,028,000 to Provide Additional Recycled Water Support Services

RECOMMENDATION

That Council adopts a resolution (Attachment II) authorizing the City Manager to amend the professional services agreement with HydroScience Engineers, Inc., to increase the contract amount by \$50,000 to a not-to-exceed amount of \$1,028,000, to provide additional recycled water support services.

SUMMARY

Implementation of the City's Recycled Water Project is well underway and recycled water deliveries are scheduled to begin in spring 2020. In addition to construction of a treatment facility, storage tank, pump station, and distribution pipelines, the Recycled Water Project includes the permitting, design and construction of irrigation system retrofits necessary to convert thirty-one customer sites from the City's potable drinking water system to the newly constructed recycled water distribution system. This specialized work requires extensive knowledge and experience with recycled water regulations and customer irrigation systems. On March 20, 2017, the City and HydroScience, Inc. (HydroScience) entered into a professional services agreement (PSA) for HydroScience to provide engineering, design, and construction support services to retrofit customer sites to use recycled water. Staff is requesting Council approval to increase the contract amount with HydroScience by \$50,000 to a not to exceed amount of \$1,028,000, to provide additional recycled water support services.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution

File #: CONS 19-541



DATE: July 16, 2019

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Adopt a Resolution Authorizing the City Manager to Amend the Professional Services Agreement with HydroScience Engineers, Inc., to Increase the Contract Amount to a not-to-exceed Amount of \$1,028,000 to Provide Additional Recycled Water Support Services

RECOMMENDATION

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SUMMARY

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BACKGROUND

The City is implementing the Recycled Water Project, which will provide a locally sustainable and drought-proof supply of recycled water to customers for irrigation and industrial uses. The Recycled Water Project consists of constructing a treatment facility, storage tank, and pump station at the City's Water Pollution Control Facility (WPCF) and installing nine miles of distribution pipelines and customer connections to deliver 260,000 gallons per day of

recycled water to customers. The City-owned recycled water treatment facility was added to the project in December 2017, after the City was unable to make progress with Russell City Energy Corporation, LLC (RCEC) in finalizing an agreement for the City to obtain recycled water from RCEC's Recycled Water Facility, located adjacent to the WPCF. Once the initial infrastructure is constructed, staff will prepare a Recycled Water Master Plan to evaluate potential expansion of the system and identify customers that could be included in future phases.

The Recycled Water Project includes the permitting and design of irrigation system retrofits necessary to convert thirty-one customer sites from the City's potable drinking water system to the new recycled water system. There are also a significant number of supporting tasks that must be completed to set up the City's new recycled water program and comply with State regulations for use of recycled water, including conducting site visits, properly training site supervisors on the use of recycled water, and testing and inspecting the installed customer retrofits to ensure complete separation of the recycled water and potable drinking water systems. The field work includes retrofitting the piping on a customer's property so that the site can use recycled water. This specialized work requires extensive knowledge and experience with recycled water regulations and customer irrigation systems.

On January 6, 2017, a request for proposals was issued to qualified consulting firms to assist with the permitting, design, and other related tasks required to convert customers to recycled water. On February 28, 2017, Council approved execution of an agreement with HydroScience in an amount not to exceed \$710,000. On March 20, 2017, the City and HydroScience entered into a PSA for HydroScience to provide engineering, design, and construction support services to retrofit customer sites to use recycled water. Council subsequently approved amendments to the HydroScience PSA on September 19, 2017¹ and July 17, 2018², that increased the maximum contract amount with HydroScience to \$978,000, in order to provide additional support services that were not anticipated when the PSA was negotiated.

DISCUSSION

Establishing a new recycled water program requires close coordination with customers, regulatory agencies, and the consultants and contractors designing and constructing the recycled water facilities. Staff is finding that the level of effort required to work with regulatory agencies and customers to convert sites from drinking water to recycled water is difficult to estimate and higher than originally anticipated because the program and process is new both for staff and potential recycled water customers.

In addition, in the two years since the contract with HydroScience was awarded, key regulatory agency and customer staff have changed, which has resulted in additional work for

¹ <https://hayward.legistar.com/LegislationDetail.aspx?ID=3155392&GUID=6C92995E-A39E-4009-8C48-98BBB681F993&Options=&Search=>

² <https://hayward.legistar.com/LegislationDetail.aspx?ID=3553039&GUID=62AB05BE-7157-46A5-B68F-AB28233EDE1E&Options=&Search=>

staff and HydroScience. For example, the City's new contact at the State Board's Division of Drinking Water (DDW) recently requested that the City resubmit all recycled water customer retrofit designs for DDW review, along with documentation showing that City staff had reviewed the design drawings for each customer site and copies of public outreach materials. Multiple customers have also sought changes to the onsite retrofit designs as part of signing up for the City's recycled water program. Although these changes were minor, it took HydroScience time to make sure these changes were reflected in the design drawings.

Given the higher than anticipated effort required so far to respond to regulatory, permitting, and customer requests, staff currently anticipates that HydroScience's remaining budget would not be sufficient to absorb any additional out of scope work. Therefore, staff is requesting HydroScience's budget be increased by \$50,000, for a total not to exceed contract amount of \$1,028,000, to provide support to staff in the following areas:

- **Permitting.** In November 2017, the City received approval from the San Francisco Bay Regional Water Quality Control Board (RWQCB) for distribution and use of recycled water under the State's 2016 General Order for recycled water. The City was the first agency to be permitted under the State's new General Order. Staff is currently working with the RWQCB to revise the City's permit to add production of recycled water from the proposed City-owned recycled water treatment facility. This effort requires updating the City's Engineering Report in compliance with Title 22 of the California Code of Regulations (Title 22). Title 22 requirements are stringent water quality standards set by the State to ensure the safe production, distribution, and use of recycled water in California.

Staff plans to submit the revised permitting application to the RWQCB in fall 2019. Because the City is one of the first agencies to seek permit coverage for recycled water production under the new General Order, staff is anticipating a lengthier review process. The RWQCB has also indicated that they will require the City to perform additional studies after the recycled water storage tank is constructed to demonstrate the effectiveness of the City's use of the storage tank to ensure disinfection requirements. Staff anticipates needing HydroScience's support to respond to RWQCB comments and successfully obtain approval for the revised permitting application.

- **Public Outreach and Training.** In May 2019, the City received a letter from DDW confirming that the City's designs for converting customer sites to recycled water meet all regulatory requirements. Because this is a new City program, DDW recommended that the City increase its recycled water public outreach program by adequately training City staff and customer site supervisors to answer questions and make the general public aware that certain sites are irrigated with recycled water. Staff will be working with HydroScience to incorporate additional public outreach materials into the recycled water training for customer site supervisors and staff.
- **Additional Construction Support Services.** Staff anticipates that HydroScience will need to provide additional support during construction. Based on the site surveys

completed, a number of customers have irrigation systems that need repair. By signing the retrofit agreement, the customer agrees to repair their irrigation system prior to being connected to the recycled water system. Staff anticipates that multiple site visits and tests may be required to ensure compliance with regulatory requirements before certain customers can be connected to the recycled water system. DDW has also indicated their intent to schedule inspections of a select number of sites to witness cross-connection testing and confirm construction according to the approved project design drawings. HydroScience will be required to be present during DDW's site inspections.

ECONOMIC IMPACT

The community as a whole will benefit from the Recycled Water Project through greater diversity and reliability of water supplies, especially during periods of drought. The economic impact of the project on customers will, to some extent, depend on the total costs to implement the City's Recycled Water Project, which includes the capital and operating costs for the storage and distribution system and recycled water treatment facility. To the extent that the project is partially funded by grants, the overall cost impact to customers is reduced. On July 2, 2019, Council adopted a recycled water rate structure that provides a balance between recovering costs over the life of the project and offering an incentive to customers who are able to receive recycled water.

FISCAL IMPACT

The total estimated capital cost for the Recycled Water Project, which includes construction of the treatment facility, storage and distribution system, and customer conversions, is currently estimated at \$28,155,000. The Ten-Year Capital Improvement Program (CIP) includes \$27,811,000 for the Recycled Water Storage and Distribution System Project (Project No. 07507) and \$2,300,000 for the Recycled Water Treatment Facility Project (Project No. 07710), for a total funding amount of \$30,111,000 for Phase I of the Recycled Water Project. The Recycled Water Project is currently anticipated to come in under budget, primarily due to the construction of the distribution system pipelines that was completed nearly one year ahead of schedule and under budget.

The CIP budget for the Recycled Water Project is sufficient to accommodate the \$50,000 increase in HydroScience's contract. The Recycled Water Project will not utilize any General Fund monies.

The City has also secured outside grant funding and low interest loans from the State Water Resources Control Board (SWRCB) Clean Water State Revolving Fund Program to help finance the Recycled Water Project. The total SWRCB financial assistance package is approximately \$27 million, of which \$5.8 million is in the form of a grant and up to \$21.2 million is in the form of a low-interest loan.

STRATEGIC INITIATIVES

Implementation of the Recycled Water Project supports the Tennyson Corridor Strategic Initiative. The purpose of this initiative is to develop an attractive, cohesive, thriving Tennyson Corridor through thoughtful engagement with residents, businesses and community partnerships. There are two sites located in the Tennyson Corridor that are proposed to be connected to the recycled water system, and would therefore support the following goal and objectives:

Goal 3: Improve Community Appearance

Objective 1: Enhance landscaping

Objective 3: Decrease blight

The use of recycled water will help create attractive outdoor spaces in the Tennyson Corridor. Since recycled water is a sustainable and drought-proof source of supply, customers will be able to maintain their landscaping during water supply shortages when drinking water supplies are limited.

SUSTAINABILITY FEATURES

The use of recycled water will reduce the demand for drinking water and improve the reliability and availability of drinking water, while providing a sustainable and drought-proof water supply for some irrigation uses. It will also reduce the volume of wastewater and associated residual pollutants discharged to San Francisco Bay, which is required to meet increasingly stringent discharge regulations.

PUBLIC CONTACT

The City and HydroScience are working closely with Phase I recycled water customers to design onsite piping modifications that would be required to connect the customer to the new recycled water distribution system. This close coordination with customers will continue throughout the construction, testing, and permitting phase. HydroScience will also be implementing educational efforts to train site supervisors, including City staff, on the use of recycled water to ensure a smooth transition. As discussed previously, a portion of the budget increase being requested is to provide for additional staff and customer training for the new recycled water program. Informational materials on the Recycled Water Project can be viewed at the following website.³

NEXT STEPS

If Council approves the \$50,000 increase in the contract amount with HydroScience, staff will increase the budget with HydroScience to a not to exceed amount of \$1,028,000 for additional recycled water support services.

Prepared by: Jan Lee, Water Resources Manager

³ <https://www.hayward-ca.gov/your-government/departments/utilities-environmental-services/recycled-water>

Recommended by: Alex Ameri, Director of Public Works

Approved by:

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

Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 19-_____

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO AMEND THE AGREEMENT WITH HYDROSCIENCE ENGINEERS, INC., TO INCREASE THE CONTRACT AMOUNT FOR PROFESSIONAL SERVICES RELATED TO RECYCLED WATER BY \$50,000 TO A NOT-TO-EXCEED AMOUNT OF \$1,028,000

WHEREAS, the City of Hayward Recycled Water Storage and Distribution Project No. 07507 (“Recycled Water Project”) would reduce the demand for potable water and provide a sustainable and drought-proof water supply for some irrigation and industrial uses; and

WHEREAS, the City entered into an Agreement with HydroScience Engineers, Inc. (“HydroScience”) on March 20, 2017 for HydroScience to provide engineering, design, and construction services for the Recycled Water Project, in an amount not to exceed \$710,000; and

WHEREAS, the City executed amendments to the Agreement with HydroScience for additional support services for the Recycled Water Project on October 11, 2017 to increase the contract amount by \$150,000, for a total amount not to exceed \$860,000, and on September 17, 2018 to increase the contract amount by \$118,000, for a total amount not to exceed \$978,000; and

WHEREAS, the City requires additional support services related to the Recycled Water Project and the City does not have the expertise or resources to perform this work; and

WHEREAS, HydroScience has demonstrated technical expertise and applicable experience; and has reasonable labor hours and hourly rates; and

WHEREAS, HydroScience is willing to provide such additional support services for the Recycled Water Project; and

WHEREAS, the cost of the additional support services is \$50,000 for project permitting, public outreach and training, and construction support; and

WHEREAS, the Ten-Year Capital Improvement Program includes sufficient funding for HydroScience to perform the additional support services required by the City for the Recycled Water Project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that City Manager is hereby authorized to amend the professional services agreement with HydroScience Engineers, Inc., to increase the contract amount for professional services related to recycled water by \$50,000, to a total not to exceed amount of \$1,028,000.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2019

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 19-542

DATE: July 16, 2019

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT

Adopt a Resolution Approving Plans and Specifications and Call for Bids for the Recycled Water Customer Onsite Conversions

RECOMMENDATION

That Council adopts a resolution (Attachment II) approving the plans and specifications for the Recycled Water Customer Onsite Conversions and calling for bids to be received on August 20, 2019.

SUMMARY

The City's Recycled Water Project consists of constructing a treatment facility, storage tank and pump station at the City's Water Pollution Control Facility (WPCF) and installing nine miles of distribution pipelines and customer connections to deliver recycled water to customers for irrigation and industrial uses. The project is being constructed under multiple contracts. Design has been completed and bid documents have been prepared for the construction of irrigation system retrofits necessary to convert customer sites from the City's potable drinking water system to the new recycled water system. Staff is requesting Council's approval of plans and specifications and calling for bids to be received on August 20, 2019.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution



DATE: July 16, 2019

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Adopt a Resolution Approving Plans and Specifications and Call for Bids for the Recycled Water Customer Onsite Conversions

RECOMMENDATION

That Council adopts a resolution (Attachment II) approving the plans and specifications for the Recycled Water Customer Onsite Conversions and calling for bids to be received on August 20, 2019.

SUMMARY

The City's Recycled Water Project consists of constructing a treatment facility, storage tank and pump station at the City's Water Pollution Control Facility (WPCF) and installing nine miles of distribution pipelines and customer connections to deliver recycled water to customers for irrigation and industrial uses. The project is being constructed under multiple contracts. Design has been completed and bid documents have been prepared for the construction of irrigation system retrofits necessary to convert customer sites from the City's potable drinking water system to the new recycled water system. Staff is requesting Council's approval of plans and specifications and calling for bids to be received on August 20, 2019.

BACKGROUND

The City is implementing the Recycled Water Project, which will provide a locally sustainable and drought-proof supply of recycled water to customers for irrigation and industrial uses. The Recycled Water Project consists of constructing a treatment facility, storage tank and pump station at the City's Water Pollution Control Facility (WPCF) and installing nine miles of distribution pipelines and customer connections to deliver recycled water to customers for irrigation and industrial uses. The City-owned recycled water treatment facility was added to the project in December 2017, after the City was unable to make progress with Russell City Energy Corporation, LLC (RCEC) in finalizing an agreement for the City to obtain recycled water from RCEC's Recycled Water Facility, located adjacent to the WPCF.

The initial phase of the project is anticipated to deliver an estimated 290 acre-feet per year, or about 260,000 gallons per day (gpd), of disinfected tertiary treated recycled water for thirty-one customer sites within a three-mile radius of the WPCF. The Phase I customer sites include four parks, six schools, twenty private businesses, and City street landscaping. Once the initial infrastructure is constructed, staff will prepare a Recycled Water Master Plan to evaluate

potential expansion of the system and identify customers that could be included in future phases.

Construction of the City's Recycled Water Project is well underway and recycled water deliveries are anticipated to begin in spring 2020. The Recycled Water Project is being constructed under multiple contracts as described below:

1. Whitesell Street Pipeline. Approximately one mile of pipeline was installed in 2015 as part of the 880/92 Route Reliever Project that realigned Whitesell Street.
2. Distribution System Pipelines. Construction of nearly eight miles of pipelines was completed in June 2019, nearly one year ahead of schedule and under budget.
3. Storage Tank and Pump Station. A one-million-gallon storage tank and pump station is under construction at the WPCF and is scheduled to be completed in July 2019.
4. Treatment Facility – Phase 1. A 500,000 gpd package membrane treatment system is being installed at the WPCF and is scheduled to be completed by December 2019. Funding for the treatment facility is included as a separate project (Project No. 07710) in the FY 2020 Capital Improvement Program.

The fifth and final contract for the Recycled Water Project involves construction of irrigation system retrofits necessary to convert customer sites from the City's potable drinking water system to the new recycled water system. On March 20, 2017, the City entered into an agreement with HydroScience Engineers, Inc., to provide engineering, design, and construction support services for customer on-site retrofit conversions.

DISCUSSION

The bid documents for the Recycled Water Customer Onsite Conversions include modifying the piping on a customer's property for the site to be able to use recycled water for irrigation. As part of this contract, any buried backflow prevention devices on existing fire lines will be upgraded and brought above ground so they can be routinely tested by Utilities staff to ensure complete separation of the recycled water and potable water systems at all times. Signage will also be placed around the site to inform the public that recycled water is being used for irrigation to conserve limited drinking water supplies.

Once the onsite piping modifications are constructed, there are a significant number of supporting tasks that must be completed prior to connecting the customer site to the recycled water system. The contractor will need to work closely with staff, the City's consultant, and customers to perform cross-connection and coverage testing to ensure that the site complies with all State regulations for use of recycled water. The customer site supervisor must also successfully complete training on the use of recycled water and City staff must conduct a final inspection of the site before issuing a permit to allow the customer to begin receiving recycled water.

Phase I of the Recycled Water Project includes conversion of thirty-one customer sites to

recycled water for irrigation. The customer sites include:

- Four parks - Oliver Sports Park, Mt. Eden Park, Christian Penke Park, and Rancho Arroyo Park)
- Six schools - Impact Academy, Mt. Eden High School, Eden Garden School, Lorin Eden Elementary School, Leadership Public School, and Anthony Ochoa Middle School
- Life Chiropractic College
- Nineteen private businesses
- City landscaping along Whitesell Street

To date, customers representing twenty-eight (out of thirty) non-City sites have signed an agreement with the City, allowing the City or its contractor access to the customer's site to perform the piping modification work at no cost to the customer, in exchange for the customer agreeing to use recycled water in the future and be solely responsible for maintenance of the onsite irrigation system, once the conversion to recycled water is complete. Staff is in discussions with the remaining two customers and currently anticipates that they will sign up for the program. If the City is unable to reach agreement with these final two customers prior to the start of construction, these customers would be removed from the contract.

The schedule for completing the onsite piping work and connecting customers to the recycled water system is dependent on when a supply of recycled water is available. Prior to anticipated completion of the recycled water treatment facility in December 2019, the contractor and City can perform limited site work, such as installing signs and training customers on the proper use of recycled water. Staff anticipates that the majority of the construction work at customer sites will begin in January 2020 and take 3 to 6 months to connect all of the City's Phase I customers to the recycled water system. Staff further anticipates that certain customers may begin receiving water by spring 2020, while some customers may take longer to connect if multiple site visits and tests are required to ensure compliance with regulatory requirements.

Staff will maintain regular communication with customers throughout this phase of the Recycled Water Project so that questions and concerns are addressed in a timely way and site supervisors are properly trained on the use of recycled water. Staff will also work closely with the customer, contractor, and consultant to minimize disruptions to the customer during onsite construction activities.

ECONOMIC IMPACT

Construction of the Recycled Water Onsite Conversions would be subject to the requirements of the Community Workforce Agreement, which provides potential local economic benefits, such as the hiring of Hayward residents.

The economic impact of the Recycled Water Project on customers will, to some extent, depend on the total costs to implement the City's Recycled Water Project, which includes the capital and operating costs for the storage and distribution system and recycled water treatment

facility. To the extent that the project is partially funded by grants, the overall cost impact to customers is reduced. On July 2, 2019, Council adopted a recycled water rate structure that provides a balance between recovering costs over the life the project and offering an incentive to customers who are able to receive recycled water. The community as a whole will benefit from this project through greater diversity and reliability of water supplies, especially during periods of drought.

FISCAL IMPACT

The total estimated costs for the Recycled Water Customer Onsite Conversions are as follows:

Construction Contract	\$ 1,376,000
Administrative Construction Contingency (ACO)	\$ 70,000
Meter and Service Line Installation (City)	\$ 75,000
Construction Management, Inspection, Training, Permitting (Consultant)	\$ 281,935
Inspection, Training, and Permitting (City)	\$ 50,000
Horticulture Support (Consultant)	\$ <u>10,000</u>
Total	\$ 1,862,935

Total Phase I Recycled Water Project Cost

The total estimated capital cost to construct all facilities needed for Phase I of the Recycled Water Project, including the Customer Conversions, is shown in Table 1. The total cost for the treatment facility, storage and distribution system, and customer conversions is currently estimated at \$28,155,000.

The Ten-Year Capital Improvement Program (CIP) includes \$27,811,000 for the Recycled Water Storage and Distribution System Project (Project No. 07507) and \$2,300,000 for the Recycled Water Treatment Facility Project (Project No. 07710), for a total funding amount of \$30,111,000 for Phase I of the Recycled Water Project. The Recycled Water Project is currently anticipated to come in under budget, primarily due to the construction of the distribution system pipelines that was completed nearly one year ahead of schedule and under budget. The Recycled Water Project will not impact the General Fund.

The City has also secured outside grant funding and low interest loans to help finance the Recycled Water Project. In May 2017, the City executed a financing agreement with the State Water Resources Control Board for \$5.8 million in California Proposition 1 grant funding and \$13.5 million in the form of a low-interest Clean Water State Revolving Fund loan. The financing agreement was amended in November 2018 to increase the amount of the low-interest loan from \$13.5 million, which had been previously secured for the project, to \$21.2 million, for a total financial assistance package of \$27 million.

Table 1. Phase I Recycled Water Project Capital Cost Estimate

FACILITY	ESTIMATED COST
Recycled Water Storage and Distribution System Project (Project No. 07507)	
Administration, Planning and Design	\$ 2,897,616
Construction	
Whitesell Pipeline (completed in 2015)	\$ 513,648
Distribution System Pipelines (completed in June 2019)	\$ 15,290,718
Storage Tank and Pump Station (currently under construction)	\$ 5,290,718
Customer Retrofits (advertise in July 2019)	\$ <u>1,862,935</u>
Total (rounded to nearest thousand)	\$ 25,856,000
Recycled Water Treatment Facility Project – Phase I (Project No. 07710)	\$ 2,299,000
TOTAL ESTIMATED PHASE I RECYCLED WATER PROJECT COST	\$ 28,155,000

STRATEGIC INITIATIVES

Implementation of the Recycled Water Project supports the Tennyson Corridor Strategic Initiative. The purpose of this initiative is to develop an attractive, cohesive, thriving Tennyson Corridor through thoughtful engagement with residents, businesses and community partnerships. There are two sites located in the Tennyson Corridor that are proposed to be connected to the recycled water system, and would therefore support the following goal and objectives:

- Goal 3: Improve Community Appearance
 - Objective 1: Enhance landscaping
 - Objective 3: Decrease blight

The use of recycled water will help create attractive outdoor spaces in the Tennyson Corridor. Since recycled water is a sustainable and drought-proof source of supply, customers will be able to maintain their landscaping during water supply shortages when drinking water supplies are limited.

SUSTAINABILITY FEATURES

The use of recycled water will reduce the demand for drinking water and improve the reliability and availability of drinking water, while providing a sustainable and drought-proof water supply for some irrigation uses. It will also reduce the volume of wastewater and associated nutrients and residual pollutants discharged to San Francisco Bay, which is required to meet increasingly stringent discharge regulations.

PUBLIC CONTACT

The City completed an environmental review of the Recycled Water Project in October 2014 and a draft Initial Study/Mitigated Negative Declaration (IS/MND) was circulated for a thirty-day public review from October 24, 2014 through November 24, 2014. The IS/MND was adopted on December 16, 2014, incorporating all the comments that were received. The Recycled Water Ordinance, which includes provisions for mandatory use of recycled water for appropriate irrigation and industrial uses, was introduced at a public hearing of the City Council on December 1, 2015 and adopted on December 15, 2015. Prior to the adoption of the Ordinance, a customer meeting was held on November 20, 2015 at City Hall to inform the customers about the City's proposed Recycled Water Project.

As described earlier, staff and HydroScience have been working closely with potential customers to design onsite piping modifications that would be required to connect a customer to the new recycled water distribution system. This close coordination with customers will continue throughout the construction, testing, and permitting phase. HydroScience will also be implementing educational efforts to train site supervisors, including City staff, on the use of recycled water to ensure a smooth transition. Informational materials on the Recycled Water Project can be viewed at the following website.¹

NEXT STEPS

Following Council approval, staff will advertise the project for public bidding. Staff will return to Council for award of the construction contract after bids have been received and reviewed. The following schedule has been developed for this project:

Receive Bids	August 20, 2019
Award Construction Contract	September 10, 2019
Notice to Proceed	September 27, 2019
Initiate Recycled Water Service	Spring 2020

Prepared by: Aparna Chatterjee, Associate Civil Engineer

Recommended by: Alex Ameri, Director of Public Works

Approved by:



Kelly McAdoo, City Manager

¹ <https://www.hayward-ca.gov/your-government/departments/utilities-environmental-services/recycled-water>

HAYWARD CITY COUNCIL

RESOLUTION NO. 19-_____

Introduced by Council Member _____

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR THE
RECYCLED WATER CUSTOMER ONSITE CONVERSIONS PROJECT, PROJECT
NO. 07507 AND CALL FOR BIDS

WHEREAS, those certain plans and specifications for the Recycled Water Customer Onsite Conversion Project, Project No. 07507, on file in the Office of the City Clerk by July 16, 2019, are hereby adopted as 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 therefore will be received by the City Clerk's Office at City Hall, 777 B Street, Hayward, California 94541, up to the hour of 2 p.m. on Tuesday, August 20, 2019, and immediately thereafter publicly opened and declared by the City Clerk in Conference Room 4D, 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.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2019

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 19-543

DATE: July 16, 2019

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT

Adopt a Resolution Authorizing the City Manager to Execute a Professional Services Agreement with St. Francis, Inc., for On-Call Streetlight and Traffic Signal Maintenance Services

RECOMMENDATION

That Council adopts a resolution (Attachment II) authorizing the City Manager to execute a three-year agreement with St. Francis Electric, Inc., for On-Call Streetlight and Traffic Signal Maintenance Support.

SUMMARY

The On-Call Streetlight and Traffic Signal Maintenance services contract primarily provide after-hours and weekend emergency services support to the City traffic signal technician to maintain and repair streetlights and traffic signal equipment. In July 2016, Council authorized the City Manager to execute a three-year agreement with St. Francis Electric, Inc., for On-Call Streetlight and Traffic Signal Maintenance services with a not-to-exceed amount of \$175,000 annually, which expired on July 5, 2019. The new professional services agreement will provide On-Call Streetlight and Traffic Signal Maintenance services for a three-year period (until June 30, 2022), with a not-to-exceed amount of \$175,000 annually.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution



DATE: July 16, 2019

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Adopt a Resolution Authorizing the City Manager to Execute a Professional Services Agreement with St. Francis, Inc., for On-Call Streetlight and Traffic Signal Maintenance Services.

RECOMMENDATION

That Council adopts a resolution (Attachment II) authorizing the City Manager to execute a three-year agreement with St. Francis Electric, Inc., for On-Call Streetlight and Traffic Signal Maintenance Support.

SUMMARY

The On-Call Streetlight and Traffic Signal Maintenance services contract primarily provide after-hours and weekend emergency services support to the City traffic signal technician to maintain and repair streetlights and traffic signal equipment. In July 2016, Council authorized the City Manager to execute a three-year agreement with St. Francis Electric, Inc., for On-Call Streetlight and Traffic Signal Maintenance services with a not-to-exceed amount of \$175,000 annually, which expired on July 5, 2019. The new professional services agreement will provide On-Call Streetlight and Traffic Signal Maintenance services for a three-year period (until June 30, 2022), with a not-to-exceed amount of \$175,000 annually.

BACKGROUND

Hayward's Public Works & Utilities Department is responsible for maintaining 146 traffic signals and approximately 8,280 streetlights. Prior to 2013, the City relied exclusively on outside contractors to maintain and repair streetlights and traffic signal equipment. In February 2013, the City hired its first in-house traffic signal technician. The position performs day-to-day services such as replacing signal detection, streetlight fixture repair, and overall inspection.

The services provided by the on-call Streetlight and Traffic Signal Maintenance contractor includes complex problem solving, large labor-intensive projects, and after-hours and weekend emergency services. The services include, but are not limited to, installation of streetlights and traffic signal infrastructure, fiber optic cable installation,

and repairing the recurring damage to the City's signal and streetlight infrastructure from automobile accidents.

DISCUSSION

The proposed On-Call Traffic Signal and Streetlight Maintenance services will only be performed in a support capacity to assist the Traffic Signal technician. Primarily, the on-call services will be provided for emergency services after hours and during weekends, and as needed for complex problem solving and labor-intensive projects. The current contract with St. Francis Electric, Inc., expired on July 5, 2019. A Request for Proposals (RFP) was prepared by staff and released to five traffic signal and streetlight maintenance firms and posted on the City's website on May 31, 2019. On June 14, 2019, three proposals were received in response to the RFP. St. Francis Electric, Inc., was determined by staff to be the most qualified for the services needed, based on their experience in providing similar services to the City of Hayward, familiarity with the City's traffic signal system, and the firm's competitive rate structure.

ECONOMIC IMPACT

The ability to quickly and efficiently replace damaged streetlighting and traffic signals provides a significant benefit to Hayward residents, businesses, and patrons to Hayward merchants.

FISCAL IMPACT

There will be no impact to the General Fund. The funding for these services will come from previously approved CIP budgets allocated for Streetlight and Traffic Signal Maintenance. Staff recommends a professional service agreement with St. Francis Electric, Inc., for a not-to-exceed amount of \$175,000 annually for a three-year period.

STRATEGIC INITIATIVES

This agenda item supports the Complete Streets Strategic Initiative. The purpose of the Complete Streets initiative is to build transportation networks that are safe, comfortable, and convenient for everyone regardless of age or ability, including motorists, pedestrians, bicyclists, and public transportation riders. This agenda item supports the following goals and objectives:

- Goal 1: Prioritize safety for all modes of travel.
 - Objective 3: Ensure that roadway construction and retrofit programs and projects include complete streets elements.
- Goal 2: Provide Complete Streets that balance the diverse needs of users of the public right-of-way.
 - Objective 1: Increase walking, biking, transit usage, carpooling, and other sustainable modes of transportation by designing and retrofitting streets to accommodate all modes.

SUSTAINABILITY FEATURES

Maintaining a reliable and robust infrastructure will help minimize the City's environmental footprint. The upkeep of the City's streetlight inventory and traffic signals is an important part of a sustainable community. It allows the City to meet environmental goals by replacing high energy lights with more energy efficient lights and reduce greenhouse gas emissions by optimizing traffic flows. The effort to replace all High-Pressure Sodium bulbs in City's 8,000 plus streetlights with LED bulbs has resulted in a longer useable life and lower yearly energy costs.

PUBLIC CONTACT

No public contact has been made related to streetlight and traffic signal maintenance services.

NEXT STEPS

If Council approves this request, the City Manager will enter into a three-year contract with St. Francis, Inc., for a not to exceed annual amount of \$175,000.

Prepared by: Fred Kelley, Transportation Manager

Recommended by: Alex Ameri, Director of Public Works

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 19-

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH ST. FRANCIS ELECTRIC, INC., FOR ON-CALL STREETLIGHT AND TRAFFIC SIGNAL MAINTENANCE SERVICES.

WHEREAS, the On-Call Streetlight and Traffic Signal Maintenance services primarily provide after-hours and weekend emergency services support to the City traffic signal technician to maintain and repair streetlights and traffic signal equipment; and

WHEREAS, the City previously entered into a three-year Agreement with St. Francis Electric, Inc. ("St. Francis") to provide on-call streetlight and signal maintenance services, which expired on July 5, 2019; and

WHEREAS, the City continues to require on-call streetlight and traffic signal maintenance services; and

WHEREAS, a Request for Proposals (RFP) was prepared by staff and released to five traffic signal and streetlight maintenance firms, and posted on the City's website on May 31, 2019; and

WHEREAS, on June 14, 2019, three proposals were received in response to the RFP and St. Francis Electric, Inc., was determined by staff to be the most qualified for the services needed, based on their experience in providing similar services to the City of Hayward, familiarity with the City's traffic signal system, and the firm's competitive rate structure.

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 a professional services agreement with St. Francis Electric, Inc. for on-call streetlight and traffic signal maintenance services in an amount not-to-exceed \$175,000 annually, with an expiration date of June 30, 2022, in a form approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2019

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 19-544

DATE: July 16, 2019

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT

Adopt a Resolution Approving Plans and Specifications and Call for Bids for the Sewer Line Replacement Project

RECOMMENDATION

That Council adopts a resolution (Attachment II) approving the plans and specifications for the Sewer Line Replacement Project, Project 07694, and calling for construction bids to be received by August 20, 2019.

SUMMARY

The Utilities Division of the Department of Public Works & Utilities replaces the City's undersized or structurally damaged sewer mains through annual capital improvement projects. This project will replace approximately 5,000 linear feet of 6-inch or 8-inch clay pipe with 8-inch polyvinyl chloride (PVC) or polyethylene (PE) pipe. Approximately 4,000 linear feet will be replaced by traditional open-cut method, and another approximately 1,000 linear feet will be replaced by a trenchless technology used to upsize existing underground pipeline.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution



DATE: July 16, 2019

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Adopt a Resolution Approving Plans and Specifications and Call for Bids for the Sewer Line Replacement Project

RECOMMENDATION

That Council adopts a resolution (Attachment II) approving the plans and specifications for the Sewer Line Replacement Project, Project 07694, and calling for construction bids to be received by August 20, 2019.

SUMMARY

The Utilities Division of the Department of Public Works & Utilities replaces the City's undersized or structurally damaged sewer mains through annual capital improvement projects. This project will replace approximately 5,000 linear feet of 6-inch or 8-inch clay pipe with 8-inch polyvinyl chloride (PVC) or polyethylene (PE) pipe. Approximately 4,000 linear feet will be replaced by traditional open-cut method, and another approximately 1,000 linear feet will be replaced by a trenchless technology used to upsize existing underground pipeline.

BACKGROUND

The City's current Capital Improvement Program includes funding to replace the City's undersized or structurally damaged sewer mains through annual sewer line replacement projects. The City's sanitary sewer collection system was mostly constructed after World War II. Among its 325 miles of sewer pipelines, approximately 9% of the sewer mains are four or six inches in diameter. As the City grew over several decades, sewer flows have increased and as a result, a majority of these small size sewer mains are now undersized. Industry experience has shown that these small diameter pipes are more likely to cause overflows and blockages in the system than 8-inch pipes. Therefore, the City has adopted a standard minimum sanitary sewer main size of eight inches.

The Utilities Division staff also performs regular sewer main cleaning and has an ongoing program to monitor and inspect the condition of the City's sanitary sewer collection system using closed circuit television (CCTV) technology. The inspection is performed by placing a camera, mounted on tracks, inside a sewer pipe and remotely guiding it through the length of the pipe. As the camera moves forward, it sends back video to a TV monitor which enables the staff to inspect the pipe in real time. The video recording of the inspection is stored on a computer and can be retrieved and viewed at a later time. These inspections are used to identify structurally damaged sewer mains for repair or replacement.

DISCUSSION

This project includes replacement of approximately 5,000 linear feet of existing 6-inch or 8-inch sewer clay pipe with 8-inch pipe.

Approximately 4,000 linear feet of existing pipe will be replaced with 8-inch polyvinyl chloride (PVC) pipe by traditional open-cut method. Traditional open-cut sewer repair involves excavating a trench of approximately two to four feet in width and to the depth of the damaged or undersized pipe. Once the sewer main is exposed, the damaged or undersized section is removed and replaced with new PVC pipe. When the repair is complete, the opened trench is backfilled, compacted, and paved to match the original pavement section. The locations of open-cut replacement are on E Street, 1st Street, Armstrong Street, Main Street, Vallejo Street, and Fletcher Lane.

The remaining 1,000 linear feet will be replaced by a trenchless pipe replacement technique, known as reaming, that uses a horizontal directional drilling (HDD) machine. As the drill head rotates and simultaneously pulls through the existing pipe, the old pipe is ground up and replaced with new polyethylene (PE) pipe. The old pipe is removed by mixing the ground up material with the drilling fluid and transferring it to an exit point for removal via a vacuum truck. This more costly method will be employed in easements and areas of heavy traffic; specifically, in easements on Redbud Lane and Rockaway Lane, as well as at the intersection of Foothill Boulevard and Main Street.

This project also includes installation of new manholes in areas where there is a distance of more than 350 feet between manholes to facilitate future maintenance, as hydro cleaning and CCTV equipment operate best within a range of 350 feet.

ECONOMIC IMPACT

Construction of this project would be subject to the requirements of the Community Workforce Agreement, which provides potential local economic benefits, such as the hiring of Hayward residents.

FISCAL IMPACT

The estimated costs for the Sewer Line Replacement Project are as follows:

Construction Contract	\$1,330,000
Administrative Construction Contingency (ACO)	\$100,000
Pipe Reaming Specialty Consultant	\$11,000
Construction Administration	\$20,000
Permit Fees, Inspection & Testing	<u>\$50,000</u>
Total	\$1,511,000

The adopted FY 2020 Capital Improvement Program (CIP) includes \$2,620,000 for the Sewer Line Replacement Project, Project No. 07694. The appropriations for this CIP project are approximately \$1 million higher than the estimated project costs because the sewer line replacements planned on Rose Street, Peralta Street, Montgomery Street, and a segment of Main Street (from Rose Street to Hazel Avenue) have been deferred to later years due to a street moratorium in effect for these recently paved streets. This project would have no impact on the General Fund.

STRATEGIC INITIATIVES

This agenda item is a routine operational and maintenance item and does not directly relate to one of the Council's Strategic Initiatives.

SUSTAINABILITY FEATURES

The repair and replacement of deteriorating sewer lines reduces the risk of sewer overflows, which can cause untreated wastewater to flow into public waterways.

Where appropriate, the use of reaming to replace undersized sewer main reduces the amount of equipment used and disturbance to the ground, as compared to the open-cut method, which reduces air emissions and particulates.

PUBLIC CONTACT

This project is statutorily exempt from environmental review under the California Environmental Quality Act (CEQA) Section 15282(k), which allows for the repair and restoration of an existing subsurface pipeline, provided the project does not exceed one mile in length.

During construction, notices will be provided to affected residents, property and business owners to inform them of the nature and purpose of the work, potential impacts, work schedule and City contact for additional information.

NEXT STEPS

If Council approves the plans and specifications, staff will advertise the construction project for public bidding. Staff will return to Council for the award of the construction contract after construction bids have been received and reviewed.

The following schedule has been developed for this project:

Receive Bids	August 20, 2019
Award Construction Contract	September 10, 2019
Notice to Proceed	October 11, 2019
Construction Completion	January 31, 2020

Prepared by: Jimmy Chen, Senior Utilities Engineer

Recommended by: Alex Ameri, Director of Public Works

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 19-

Introduced by Council Member _____

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR THE SEWER LINE REPLACEMENT PROJECT, PROJECT NO. 07694, AND CALL FOR BIDS

WHEREAS, those certain plans and specifications for the Sewer Line Replacement Project, Project No. 07694, on file in the Office of the City Clerk by July 16, 2019, are hereby adopted as 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 therefore will be received by the City Clerk's Office at City Hall, 777 B Street, Hayward, California 94541, up to the hour of 2 p.m. on Tuesday, August 20, 2019, and immediately thereafter publicly opened and declared by the City Clerk in Conference Room 4D, 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.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2019

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 #: PH 19-070

DATE: July 9, 2019

TO: Mayor and City Council

FROM: Director of Public Works
City Attorney

SUBJECT

21st Century Library and Community Learning Center and Heritage Plaza: Public Contract Code § 4107 Hearing Regarding Removal and Substitution of the Electrical Subcontractor, Collins Electrical Company, Inc.

RECOMMENDATION

That the Council, after conducting a hearing, considers and approves a resolution for the removal of Collins Electrical Company, Inc. as the electrical subcontractor on the 21st Century Library project and authorizes the City Manager to approve a substitute subcontractor to perform the electrical work pursuant to Public Contract Code § 4107.

SUMMARY

On July 2, 2019, the City transmitted a letter to T. B. Penick & Sons, Inc. (TBP) requesting that they remove Collins Electrical Company, Inc., (Collins) from the project and identify a responsible electrical contractor for submittal as a substitute. The request is based on disruptive actions and project delays attributed to Collins. The City sent a notification to Collins regarding its request that TBP remove them as a subcontractor on this project.

The terms of the construction contract for the library project require the contractor to immediately remove a subcontractor who fails to satisfactorily prosecute the work, upon request by the City. The Public Contract Code requires a public hearing by the awarding authority whenever a subcontractor objects to being removed from a project and replaced with a substitute.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution



DATE: July 9, 2019

TO: Mayor and City Council

FROM: Director of Public Works
City Attorney

SUBJECT: 21st Century Library and Community Learning Center and Heritage Plaza:
Public Contract Code § 4107 Hearing Regarding Removal and Substitution of
the Electrical Subcontractor, Collins Electrical Company, Inc.

RECOMMENDATION

That Council, after conducting a hearing, considers and approves a resolution for the removal of Collins Electrical Company, Inc. as the electrical subcontractor on the 21st Century Library project and authorizes the City Manager to approve a substitute subcontractor to perform the electrical work pursuant to Public Contract Code § 4107.

SUMMARY

On July 2, 2019, the City transmitted a letter to T. B. Penick & Sons, Inc. (TBP) requesting that they remove Collins Electrical Company, Inc., (Collins) from the project and identify a responsible electrical contractor for submittal as a substitute. The request is based on disruptive actions and project delays attributed to Collins. The City sent a notification to Collins regarding its request that TBP remove them as a subcontractor on this project.

The terms of the construction contract for the library project require the contractor to immediately remove a subcontractor who fails to satisfactorily prosecute the work, upon request by the City. The Public Contract Code requires a public hearing by the awarding authority whenever a subcontractor objects to being removed from a project and replaced with a substitute.

BACKGROUND

On September 15, 2015, Council awarded the construction contract for the 21st Century Library and Community Learning Center and Heritage Plaza project to T. B. Penick & Sons, Inc. (TBP). TBP listed Collins Electric (Collins) as their electrical subcontractor to perform all electrical related work.

DISCUSSION

The project consists of two phases. Phase 1 includes work on the new main library and the adjacent parking garage. Phase 2 includes demolition of the old main library and construction of park amenities in the plaza. Phase 1 started on January 4, 2016. Initially, phase 1 was expected to have been completed during the Summer of 2017 per the allotted contract time. Unanticipated soil contamination and rain delays extended the completion date to December 5, 2017. Construction on the new main library is still not complete, for various reasons, among them is Collins' inability or unwillingness to complete critical tasks necessary to obtain occupancy of the library building and to complete the project. These tasks are necessary prerequisites prior to testing of life/safety systems that must be completed before the building can be occupied.

Two recent examples of Collins unwillingness to diligently pursue work required to begin the smoke and fire alarm tests are:

(1) Window actuators

On January 8, 2019, TBP asked if the low voltage window actuator wiring needed to be in conduit. Two days later, the City's Fire Department provided code language that confirmed the wiring was required to be enclosed in conduit. On January 22, 2019, based on a TBP request for formal direction, the City directed TBP to enclose all window actuator wiring in conduit. One week later, Spacetone began removing ceiling panels to provide access for the conduit installation. On February 4, 2019, Collins started the rework. On February 16, 2019, TBP provided notice that they formally disagreed with the City's position but would continue work under protest. On May 14, 2019, the conduit and wiring had been installed. Rework on the wiring continued through mid-June during the Commercial Controls (another subcontractor) pretest activities.

After TBP suspended work on the project between March 15 and March 22, 2019, Collins refused to return until TBP could assure them that all work areas related to all of Collins remaining activities were complete and available to Collins. Collins returned to work on April 15, 2019.

Collins has had limited staff on the project with only one or two and rarely three electricians on-site at any one time even though there were many areas available for work.

(2) Strobes and horns

On March 11, 2019, TBP asked for clarification of horn and strobe locations at the wood cloud ceiling locations on each floor of the library. On March 11, 2019, the City's architect provided plans with suggested alternate horn and strobe locations outside of the cloud ceiling envelope. These alternate locations were dependent upon feedback from Pyrocom, a Collins subcontractor, because the spacing and strobe design came from Pyrocom. A formal response to the Request for Information (RFI) was sent on March 20, 2019. On April 24, 2019, TBP submitted a Collins change order request for this work. On April 30, 2019, TBP submitted plans with the revised strobe locations to the City for Building permit approval. On May 9, 2019, the City rejected the change order request because this

conflict should have been identified and addressed during the contractor's early work with the Building Infrastructure Model. On May 16, 2019, the City confirmed its direction to TBP that this work proceed under protest if necessary. On May 23, 2019, TBP confirmed that the work would proceed under protest and began removing ceiling panels to start the work. On June 21, Collins completed installation of the last strobe. However, TBP had to replace the ceiling panels so the strobes were removed, and the ceiling panels replaced. To date, the strobes have not been reinstalled.

Additionally, Collins has delayed or disrupted progress of the work by turning off power and data to receptacles and rooms. On various occasions, power has not been available for training activities or for vendor installation activities. This has impacted the installation of the owner furnished equipment, such as the book return units, the self-check-out machines, and the security stanchions and training on the wall in the large conference room.

The provisions of the contract between TBP and the City allow removal of a subcontractor under these circumstances. Section 5-1.13 of the 2010 CalTrans Standard Specifications regarding Subcontracting, which is incorporated into the contract by Section 1 and Section 2-1.07 of the Project Specifications, states that upon request, the contractor shall immediately remove and not again use a subcontractor who fails to prosecute the work satisfactorily. The City has made this request pursuant to the contract for the reasons stated above.

The City further requested TBP to propose a substitute subcontractor as required by the Public Contract Code. Public Contract Code § 4107 generally prohibits a general contractor from substituting a subcontractor listed in the original bid with another subcontractor unless consented to by the awarding authority. A subcontractor that is subject to a substitution request is entitled to submit written objections to the substitution request. If written objections are submitted, the awarding authority must conduct a hearing on the contractor's substitution request to determine if it should be allowed. As of the date of this report, Collins has indicated through legal counsel that it would prepare objections to removal/substitution. The parties have been invited to submit written evidence in advance of the hearing. Any written evidence received by the City prior to July 9 will be provided to the Council prior to hearing. The parties will be given an opportunity to present their positions and provide additional live testimony during the hearing. Based upon the evidence submitted, the City Council must determine if removal/substitution of Collins is appropriate or if other actions should be taken.

Following receipt of the notice from the City earlier this week, both TBP and Collins indicated a desire to keep Collins on the job and made some commitments to finalize required work for the temporary certificate of occupancy (TCO). If TBP and Collins have followed through on their commitments by early next week, staff indicated a willingness to request that Council continue this hearing to the July 16 City Council meeting and to potentially ask the Council to drop consideration of this request for removal/substitution if the TCO is accomplished prior to the July 16 meeting.

ECONOMIC IMPACT

There is no economic impact associated with this item.

FISCAL IMPACT

The adopted Capital Improvement Program budget for the 21st Century Library project is \$66,078,512. This request for subcontractor removal and substitution will cause additional delays to the completion of the project and will likely result in additional administrative costs and delay claims.

STRATEGIC INITIATIVES

This agenda item does not directly relate to the Council's Strategic Initiatives.

SUSTAINABILITY FEATURES

The action taken for this report will not result in physical development, purchase, or service, or a new policy/legislation.

PUBLIC CONTACT

No special public contact has occurred associated with this action other than standard publication of the agenda in compliance with the Brown Act.

NEXT STEPS

If Council consents to the removal of Collins Electrical, TBP will be directed to contract with a responsible electrical contractor to complete the electrical work on Phase 1 and Phase 2 of the project. If Council does not consent to the substitution, Collins Electrical will remain on the project.

Prepared by: Kathy Garcia, Deputy Director of Public Works
Michael Vigilia, Senior Assistant City Attorney

Recommended by: Alex Ameri, Director of Public Works
Michael S. Lawson, City Attorney

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 19-_____

Introduced by Council Member _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAYWARD
APPROVING REMOVAL AND SUBSTITUTION OF COLLINS
ELECTRICAL COMPANY, INC., FROM THE 21ST CENTURY LIBRARY
AND COMMUNITY CENTER AND HERITAGE PLAZA PROJECT

WHEREAS, on September 15, 2015, the Hayward City Council awarded the construction contract for the 21st Century Library and Community Learning Center and Heritage Plaza project to T. B. Penick & Sons, Inc. (TBP); and

WHEREAS, Collins Electrical Company, Inc. (Collins) was listed in TBP's bid as the electrical subcontractor to perform all electrical related work on the project; and

WHEREAS, Construction on the new main library is still not complete, for various reasons, among them is Collins' inability or unwillingness to complete critical tasks necessary to obtain occupancy of the library building and to complete the project, which tasks are necessary prerequisites prior to testing of life/safety systems that must be completed before the building can be occupied; and

WHEREAS, Section 5-1.13 of the 2010 CalTrans Standard Specifications regarding Subcontracting, which is incorporated into the contract between the City and TBP by Section 1 and Section 2-1.07 of the Project Specifications, states that upon request, the contractor shall immediately remove and not again use a subcontractor who fails to prosecute the work satisfactorily; and

WHEREAS, pursuant to Public Contract Code section 4107, substitution of a listed subcontractor is permissible when the awarding authority determines that the work performed by the subcontractor is substantially unsatisfactory and not in substantial accordance with the plans and specifications, or that the subcontractor is substantially delaying or disrupting the progress of the work; and

WHEREAS, on July 3, 2019 the City transmitted a letter to TBP requesting removal of Collins from the project based on Collins' failure to prosecute the work in a timely and satisfactory manner and requested TBP to provide a substitute subcontractor for approval by the City as required by the Public Contract Code; and

WHEREAS, on July 3, 2019 the City transmitted a letter to Collins advising that the City had made the above referenced request to TBP and that a hearing before the City Council was scheduled for July 9, 2019 on the matter, for which Collins was invited to provide written and oral evidence and testimony; and

WHEREAS, the City Council, having conducted the aforementioned public hearing and considered the evidence and testimony provided by the parties, makes the following findings:

(1) Collins failed to diligently prosecute tasks that are necessary prerequisites prior to testing of life/safety systems that must be completed before the building can be occupied, specifically:

- Window Actuators - On January 8, 2019, TBP asked if the low voltage window actuator wiring need to be in conduit. Two days later, the City's Fire Department provided code language that confirmed the wiring was required to be enclosed in conduit. On January 22, 2019, based on a TBP request for formal direction, the City directed TBP to enclose all window actuator wiring in conduit. One week later, Spacetone began removing ceiling panels to provide access for the conduit installation. On February 4, 2019, Collins started the rework. On February 16, 2019, TBP provided notice that they formally disagreed with City's position but would continue work under protest. On May 14, 2019, the conduit and wiring had been installed. Rework on the wiring continued through mid-June during the Commercial Controls pretest activities.

After TBP suspended work on the project between March 15 and March 22, 2019, Collins refused to return until TBP could assure them that all work areas related to all of Collins remaining activities were complete and available to Collins. Collins returned to work on April 15, 2019.

Collins has had limited staff on the project with only one or two and rarely three electricians on-site at any one time even though there were many areas available for work.

- Strobes and Horns - On March 11, 2019, TBP asked for clarification of horn and strobe locations at the wood cloud ceiling locations on each floor of the library. On March 11, 2019, the City's architect provided plans with suggested alternate horn and strobe locations outside of the cloud ceiling envelope. These alternate locations were dependent upon feedback from Pyrocom, a Collins subcontractor, feedback because the spacing and strobe design came from Pyrocom. A formal response to the Request for Information (RFI) was sent on March 20, 2019. On April 24, 2019, TBP submitted a Collins change order request for this work. On April 30, 2019, TBP submitted plans with the revised strobe locations to

the City for Building permit approval. On May 9, 2019, the City rejected the change order request because this conflict should have been identified and addressed during the contractor's early work with the Building Infrastructure Model. On May 16, 2019, the City confirmed its direction to TBP that this work proceed under protest if necessary. On May 23, 2019 TPB confirmed that the work would proceed under protest and began removing ceiling panels to start the work. On June 21, Collins completed installation of the last strobe. However, TBP had to replace the ceiling panels so the strobes were removed, and the ceiling panels replaced. To date, the strobes have not been reinstalled.

- (2) Collins delayed or disrupted progress of the work by turning off power and data to receptacles and rooms. On various occasions, power has not been available for training activities or for vendor installation activities. This has impacted the installation of the owner furnished equipment, such as the book return units, the self-check-out machines and the security stanchions and training on the wall in the large conference room.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Hayward that the removal of Collins Electrical Company, Inc. from the 21st Century Library and Community Learning Center and Heritage Plaza project is approved based on the reasons and findings stated herein.

BE IT FURTHER RESOLVED, that the City Manager is authorized to provide consent on behalf of the City Council to any proposed subcontractor identified by T.B. Penick & Sons, Inc. to replace Collins on the Project.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2019

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 #: LB 19-032

DATE: July 16, 2019

TO: Mayor and City Council

FROM: City Manager, City Attorney, and City Clerk

SUBJECT

Adopt a Resolution Accepting Revisions and Additions to the Council Member Handbook

RECOMMENDATION

That the City Council adopts a resolution (Attachment II) accepting revisions and additions to the Council Member Handbook "Handbook" and directs the City Clerk to issue the updated Handbook to Council, Council's appointed bodies, and other interested parties.

SUMMARY

The Council Ad Hoc Committee on the Council Handbook has met over the last several months to review various sections of the Council Handbook, as identified by the Council during their February 3, 2019 Council Retreat. This staff report presents the Council Ad Hoc Committee's proposed amendments to the Council Handbook for Council consideration and adoption.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution
Attachment III	Redlined Council Member Handbook



DATE: July 16, 2019

TO: Mayor and Council Members

FROM: City Manager, City Attorney, and City Clerk

SUBJECT: Adopt a Resolution Accepting Revisions and Additions to the Council Member Handbook

RECOMMENDATION

That the City Council adopts a resolution (Attachment II) accepting revisions and additions to the Council Member Handbook (“Handbook”) and directing the City Clerk to issue the updated Handbook to Council, Council’s appointed bodies, and other interested parties.

SUMMARY

The Council Ad Hoc Committee on the Council Handbook has met over the last several months to review various sections of the Council Handbook, as identified by the Council during their February 3, 2019 Council Retreat. This staff report presents the Council Ad Hoc Committee’s proposed amendments to the Council Handbook for Council consideration and adoption.

BACKGROUND

On February 3, 2019¹, during the Special Council Retreat, the Council reviewed the Table of Contents of the Handbook and discussed sections they recommended be reviewed and modified. During the same meeting, the Council agreed to have an Ad Hoc Committee of the Council review proposed modifications to the Handbook. The Council Ad Hoc Committee was comprised of Mayor Halliday, Council Member Mendall, and Council Member Márquez. The Council Ad Hoc Committee convened three meetings on March 25, 2019², April 8, 2019³, and

¹ February 3, 2019 Council Minutes

<https://hayward.legistar.com/LegislationDetail.aspx?ID=3863374&GUID=5E6D9809-6F16-4472-9D46-1AD430C0BD58&Options=&Search=>

² March 25, 2019 Council Ad Hoc Committee Packet

<https://hayward.legistar.com/MeetingDetail.aspx?ID=683141&GUID=D633EA8E-CA0B-4C42-8A19-4B12815273BB&Options=info&Search=>

³ April 8, 2019 Council Ad Hoc Committee Packet

<https://hayward.legistar.com/MeetingDetail.aspx?ID=683142&GUID=A48D6E22-89E2-4286-AD72-0E8A6700062B&Options=info&Search=>

April 29, 2019⁴, to review sections of the Handbook identified at the Retreat. The Ad Hoc Committee was also asked to review the section on “Council Reports, Referrals, and Future Agenda Items” which was presented to the Council at a subsequent Council meeting.

DISCUSSION

The Council Ad Hoc Committee reviewed proposed amendments and identified further changes that are incorporated into the redlined version of the Handbook (Attachment III). The Council Ad Hoc Committee referred the “Compensation for Members of the City Council” and “Benefits” sections of the Handbook to the Council Budget and Finance Committee for discussion during its meeting on April 16, 2019⁵. The Council Budget and Finance Committee discussed this section of the Handbook and the Council had subsequent Closed Session discussions related to Council Benefits and Compensation.

Discussion items included:

- 1) The Committee requested clarification as to whether Councilmembers are full-time or part-time employees: The City Charter, Articles V and VI, generally establishes the makeup of the City Council, the requirements for election, and duties of the mayor and members of the Council. Section 501 of the Charter identifies the mayor and the six members of the Council as elective officers of the City. The Charter does not explicitly say the mayor and members of the Council are full-time or part-time. The Mayor and Council are salaried employees. The City Attorney opined that they are entitled to spend as much or as little as they choose in carrying out their duties.
- 2) The Committee considered salary adjustments of 2% with an additional 1% contribution to PERS: Section 603 of the City Charter establishes the framework for compensating the Mayor and members of the Council. An ordinance is currently in place, Hayward Municipal Code Section 2-1.12, which establishes the compensation at \$40,000 annually for the Mayor, and \$25,000 annually for each member of the Council, subject to an annual increase per the Bay Area Consumer Price index, but no greater than 5%. Section 603 authorizes upward adjustments to the compensation, as long as the process follows the ordinance in place at the time of the action to increase compensation. If the Mayor and members of the Council decide to increase their compensation, any such increase would not be effective until one or more members of the Council become eligible to serve a new term of office. This constraint in Section 603 means any increase in compensation at the current time would not become

⁴ April 29, 2019 Council Ad Hoc Committee Packet

<https://hayward.legistar.com/MeetingDetail.aspx?ID=683143&GUID=CBFC3528-A67D-417B-866A-8A2267FCE973&Options=info&Search=>

⁵ Council Budget and Finance Committee Packet

<https://hayward.legistar.com/MeetingDetail.aspx?ID=611681&GUID=51F2ECFB-6607-4341-9BB7-858BB10A33FE&Options=info&Search=>

effective for any current member unless and until the member is re-elected in November 2020.

It was determined to not make any adjustments to Council salary or contributions to PERS at this time.

The Handbook was made gender neutral and changed to use positions rather than pronouns. Below is a brief description of the other proposed amendments to the Council Member Handbook. Attachment III contains the redlined verbatim version of the proposed amendments to the Council Handbook.

CITY COUNCIL

Elective Officers

This Section is proposed to be amended to include reference to the Code of Fair Campaign Practices and its basic principles, which are expected to be observed by all Council Members.

Compensation for Member of the City Council Section

The Compensation for Member of the City Council Section is proposed to be amended to include reference to how City Council salary adjustments are made and not specify annual salary dollar amounts, as those change annually. The section of the Hayward Municipal Code (Chapter 2, Article 1, Section 1) will be updated later this year to align with the proposed language in the Handbook.

1. MAYOR

Mayor Pro Tempore Section

This Section is proposed to be amended to reflect that the Council will elect the Mayor Pro Tempore at the end of the calendar year during off election years. The Section is proposed to be further revised to indicate that the term of the Mayor Pro Tempore will be from January 1st to December 31st.

2. POLICY REGARDING CITY COUNCIL EXPRESSION ON STATE, FEDERAL AND INTERNATIONAL ISSUES

This Section is proposed to be amended to include more information about the Hayward Legislative Program and a weblink to information on the City's website.

3. MEETINGS

Special Meetings/Calling/Notice Section

This Section is proposed to clarify language regarding special meetings and to memorialize that the City Council will strive to hold a meeting outside of City Hall and in another part of the community at least once a year.

4. AGENDA

Order of Business Section

This Section is proposed to be amended to reflect the current order of business.

Delivery of Agenda Section

This Section is proposed to be amended to reflect current practice.

Proclamation Section

A new Section called "Proclamation" was added to provide guidelines and information for submitting proclamation requests.

Certain subsections under Agenda were moved within the same section to be consistent with the "Order of Business" sequencing outline.

Council Reports and Announcements Referrals and Future Agenda Items Section

This Section was separated into two sections: 1) Council Reports and Announcements and 2) Council Referrals. The Council Referrals Section provides information about the process for submitting a Council Referral Memorandum (Memo) and procedure for considering the Memo during Council meetings.

5. RULES, DECORUM, AND ORDER

Council Member's Prerogative Section

This Section is proposed to be removed and have its language incorporated under the Motion to Amend Section.

6. ADDRESSING THE COUNCIL

This Section is proposed to be modified to allow the Presiding Officer flexibility to manage time during the public comment section of Council meetings.

7. MOTIONS

Processing of Motions Section

This Section is proposed to be modified to remove unnecessary information.

Motion to Amend Section

This Section is proposed to be amended to add clarity regarding continuance of matters.

8. COUNCIL COMMITTEES

This Section is proposed to be modified to incorporate reference to Alameda County agencies and other regional boards and to note that Council appointees' attendance at Alameda County agencies and other regional boards will be reported annually to the Mayor and Council.

9. COUNCIL LIAISON

Responsibility of Council Liaison Section

This Section is proposed to be modified to include language to reflect that the Council liaison plays an important role informing and advising Council's appointed bodies.

Liaison and Commission Member Decorum Section

This Section is proposed to be modified to include language encouraging Council liaisons to send updates to the City Council within one month of meetings.

FISCAL IMPACT

There is no fiscal impact associated with the adoption of this resolution.

STRATEGIC INITIATIVES

This agenda item is a routine operational item and does not relate to one of the Council's Strategic Initiatives.

PUBLIC CONTACT

The Council Ad Hoc Committee agendas and this agenda report were published in accordance with Brown Act guidelines. The Ad Hoc Committee meetings were open to the public.

NEXT STEPS

If approved, a final copy of the Council Member Handbook will be distributed to Council and interested parties and it will be posted on the City's website accordingly.

Prepared and Recommended by: Maria A. Hurtado, Assistant City Manager
Michael Lawson, City Attorney
Miriam Lens, City Clerk

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 19-

Introduced by Council Member _____

RESOLUTION ACCEPTING THE REVISIONS AND ADDITIONS TO THE COUNCIL MEMBER HANDBOOK

BE IT RESOLVED that the City Council of the City of Hayward does hereby accepts revisions and additions to the Council Member Handbook.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2019

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward



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CITY COUNCIL THE COUNCIL

The elective officers of the City of Hayward shall consist of a Council of seven members, to be composed of six Council Members and a Mayor, all to be elected by the qualified voters of the City at large. ([Sec. 500, City Charter](#))

VACANCY

An elective office becomes vacant when the incumbent [thereof](#) dies, resigns, is removed from office under recall proceedings, is adjudged insane, convicted of a felony, or of an offense involving a violation of [the incumbent's her/his](#) official duties, or ceases to be a resident of the City, or neglects to qualify within ten days following election or appointment, or shall have been absent from the State without leave for more than sixty consecutive days, or fails to attend the meetings of the body of which [she/hethe incumbent](#) is a member for a like period without being excused by said body.

A vacancy in an elective office shall be filled by appointment by the City Council, such appointee to hold office until the first Tuesday following the next General Municipal Election and until their successor is elected and qualified. At the next General Municipal Election following any such appointment, [any the](#) person so elected shall serve for the remainder of any unexpired term.

No appointment to fill a vacancy in an elective office shall be made during such time prior to a General Municipal Election that nomination papers may be filed for candidates seeking office at said election.

In the event that Council shall fail to fill a vacancy by appointment within thirty days after such office shall have become vacant, it shall forthwith cause an election to be held to fill such vacancy. ([Sec. 501, City Charter](#))

[If a vacancy is not filled by appointment within thirty days, the Charter mandates a special election. There are expenses incurred for special elections called to fill vacancies of elected offices. The election cost per voter differs according to the type of election \(countrywide consolidated, standalone or standalone by mail\) and the number of registered voters. A cost analysis should be completed before proceeding with a special election.](#)

ELECTIVE OFFICERS

Except as otherwise provided in Section 501 of the Charter, Elective Officers shall hold office for a term of four years from and after the first Tuesday following their election, and shall continue in office until their respective successors qualify.

When the general municipal election for the election of officers is consolidated with a California State General Election held earlier in the calendar year than the last election for the seat

occupied by an incumbent, the incumbent's term of office shall be shortened to the first Tuesday following the consolidated election or until ~~his or her~~ successor qualifies. When the general municipal election for the election of officers is consolidated with a California State General Election held later in the calendar year than the last election for the seat occupied by an incumbent, the incumbent's term in office shall be lengthened to the first Tuesday following the consolidated election or until ~~his or her~~ successor qualifies.

[\(Sec. 2-1.15, Hayward Municipal Code\)](#)

Ties among candidates for any office shall be settled by the drawing of lots. [\(Sec. 600, City Charter\)](#)

[All members of the Council are encouraged to conduct themselves according to the Code of Fair Campaign Practices, California Elections Code, 20400, Chapter 5. Fair Campaign Practices, Article 1. General Intent.](#)

ELIGIBILITY

No person shall be eligible to be nominated for or hold office as a member of the Council unless ~~she/hethe person~~ is a resident and qualified elector of the City or of territory annexed thereto. [\(Sec. 601, City Charter\)](#)

COUNCIL MEMBER TO HOLD NO OTHER OFFICE

No member of the Council shall hold any other city office or city employment, the compensation of which is paid out of municipal funds, nor be elected or appointed to any office created or the compensation of which is increased by the Council, while ~~she/hethe Council~~ is a member thereof, until one year after the expiration of the term for which ~~he/shethe Council member~~ was elected. [\(Sec. 602, City Charter\)](#)

TRAINING REQUIREMENTS

AB 1234, now [California Government Code Section 53234](#), was signed into law on October 7, 2005. This law requires, among other things, that all local agencies that provide compensation, salary, or a stipend to, or reimburses the expenses, of members of a legislative body must provide Ethics Training to local agency officials by January 1, 2007, and every two years thereafter.

AB 1825, now [California Government Code Section 12950.1](#), requires immediate and continual Sexual Harassment Prevention Training for supervisors. This law increases the training obligations of all employers, that have employees within the State of California, and extends their obligations beyond the training requirements discussed by the U.S. Supreme Court, the Equal Employment Opportunity Commission ("EEOC"), and other federal and state courts and legislative bodies. While AB 1825 does not specifically define "supervisor," the definition contained in the California Fair Employment and Housing Act ("FEHA") will presumably apply. Under the FEHA, a supervisor is any individual having the authority "to hire, transfer, suspend,

layoff, recall, promote, discharge, assign, reward, or discipline other employees, or the responsibility to direct them, or to adjust their grievances, or effectively to recommend that action...if the exercise of that authority is not ~~of a~~ merely routine or clerical in nature, but requires the use of independent judgment. Training is mandatory for all employees who become supervisors after January 1, 2006 within six months of assumption of a supervisory position and a once every two years thereafter.

Members of boards, commissions, task forces and committees established by Council are also required to obtain the above described training.

On October 12, 2010, the City Council adopted [Resolution 10-159](#), which updated the City's Harassment Policy by extending the policy against harassment and retaliation to City Council and all appointees.

Assembly Bill 1661, now [California Government Code Section 53237](#), was signed into law on September 29, 2016. This law requires local agency officials to receive sexual harassment prevention training and education if the local agency provides any type of compensation to those officials. The law also requires an entity that develops curricula to satisfy this requirement to consult with the city attorney regarding its sufficiency and accuracy.

Council Members are encouraged to complete at least five (5) hours per year of ongoing professional development. The League of California Cities and other resources provide training programs, conferences, and other resources to help elected officials stay engaged and informed on matters affecting cities.

Effective 2018, City staff will provide an ~~official~~ orientation to members of the City Council upon taking office related to the structure and the operation of City government and legal and ethical duties and responsibilities.

COMPENSATION FOR MEMBERS OF THE CITY COUNCIL

Any compensation to be paid to members of the Council shall be established by ordinance, and shall apply to all incumbent members of the Council. The Council may likewise change such compensation; however, such change shall not be effective until one or more members of Council becomes eligible for such change in compensation by virtue of beginning a new term of office. ([Sec. 603, City Charter](#)) [Ordinance 01-12](#)^[ML1]

HMC SECTION 603 will be updated this year

~~Hayward Municipal Code, Section 2-1.10~~—Compensation for Members of the City Council- reads as follows:

(a) Each Council Member shall receive compensation for services rendered in an official capacity, ~~an annual salary in the sum of Twenty-Five Thousand Dollars (\$25,000).~~

~~(b) The Council of the City of Hayward does ordain as follows: The Mayor shall receive as~~

~~compensation for services rendered in an official capacity, an annual salary in the sum of Forty Thousand Dollars (\$40,000).~~

~~(e)~~(b) From and after the fiscal year beginning July 1, 2003 and for each fiscal year thereafter, the compensation for the Mayor and each Council Member ~~may shall~~ be increased by an amount equivalent to the percent increase in the “Consumer Price Index San Francisco-Oakland Metropolitan Area – All Items,” published by the Bureau of Labor Statistics, United States Department of Labor, for the twelve-month period ending June of each fiscal year. However, in no event shall any such increase be greater than 5%.

~~(d)~~(c) In addition, the Mayor and members of Council shall receive reimbursement for Council authorized travel and expenses while on official City duty.

~~(e)~~(d) Each Council Member and the Mayor ~~may make voluntary contribution to shall also receive~~ deferred compensation benefits under the City of Hayward’s Deferred Compensation Plan for employees. The rate of compensation received under this plan by the Mayor and each Council Member shall be the same as that received by Unrepresented Management employees, as amended from time to time.

[\(Section 2-1.10, Hayward Municipal Code\)](#)

BENEFITS

In accordance with the Public Employees’ Medical and Hospital Care Act, medical coverage and a dental plan are provided to members of the City Council. ([Resolution 86-310](#) and [97-107](#))

The benefits offered to the City Council are: Medical, Dental, Vision, Life Insurance, and retirement through the California Public Employees Retirement System (PERS). These benefits are optional (with the exception of PERS and life insurance) and are chosen at the discretion of each Council Member. Cost sharing with the City for these benefits occurs in accordance with [Resolutions 94-045, 11-089, and 14-104](#).

HARASSMENT AND RETALIATION POLICY

On October 12, 2010, the City Council adopted [Resolution 10-159](#), which updated the City’s Harassment Policy, by extending the policy against harassment and retaliation to City Council and all Appointees.

POLICY IN SUPPORT OF A HARASSMENT-FREE, DISCRIMINATION-FREE, AND RETALIATION-FREE WORKPLACE

The Hayward City Council is committed to prohibiting all forms of harassment and discrimination in the workplace that are based upon protected classifications as defined in this policy. In addition, the City Council prohibits retaliation against those who complain of

harassment or discrimination. This policy applies to all City Council Members as well as to all Appointees.

Any City Council Member found to be in violation of this policy may be subject to censure by the City Council. Any Appointee found to be in violation of this policy may be subject to dismissal from ~~his/her~~ the appointment.

I. Definitions.

- A. Appointee. This refers to any individual appointed as a member of one or more of the City's various boards, commissions, committees and task forces or any City official directly appointed by the City Council (i.e., the City Manager, the City Attorney, or the City Clerk).
- B. Protected Classifications. This policy prohibits harassment or discrimination because of an individual's actual or perceived protected classification. "Protected classification" includes sex (including gender, gender identity, gender expression, pregnancy, childbirth, and breastfeeding), race, religious creed, color, national origin, ancestry physical or mental disability, medical condition, marital status, age, military and veteran status, genetic information, or sexual orientation (including heterosexuality, homosexuality, and bisexuality).
- C. Policy Coverage. This policy prohibits City Council Members and Appointees from harassing or discriminating against applicants, officers, officials, employees, volunteers, persons providing services to the City pursuant to a contract, or clients because of: (1) an individual's protected classification; (2) the perception that an individual has a protected classification; or (3) the individual associates with a person who has or is perceived to have a protected classification.
- D. Discrimination. This policy prohibits treating an individual differently because of the individual's protected classification.
- E. Harassment. Depending upon the circumstances, a single act of harassment, as defined below, can violate this policy.
 - 1. Verbal Harassment: Includes, but is not limited to, epithets, jokes, comments, or slurs that identify a person on the basis of ~~his or her~~ protected classification, intimate or other nicknames, and comments on appearance or stories that tend to disparage those with a protected classification.
 - 2. Visual Forms of Harassment: Includes, but is not limited to, gestures, posters, notices, bulletins, cartoons, emails, photography, or drawings that tend to disparage those with a protected classification.

3. **Physical Harassment:** Includes, but is not limited to, the following conduct taken because of an individual's protected classification: assault, impeding or blocking movement, physically interfering with normal work or movement, pinching, grabbing, patting, propositioning, leering, making express or implied job threats or promises in return for submission of physical acts, mimicking, stalking or taunting.
4. **Sexual Harassment:** Is defined as unwelcome sexual advances, requests for sexual favors, and other verbal, physical, or visual conduct of a sexual nature which occurs under any one of four circumstances:
 - a. Submission is made either explicitly or implicitly a term or condition of employment, or of a contractual business relationship with the City.
 - b. Submission or rejection by an individual is used as a basis for employment decisions affecting that individual.
 - c. Such conduct has the potential to affect an employee's work performance negatively and/or to create an intimidating, hostile, or otherwise offensive working environment.
 - d. Submission or rejection by a client or vendor is used as a basis for making a business decision by the employee or creates an intimidating, hostile, or otherwise offensive working environment.

F. **Guidelines for Identifying Harassment.**

1. Harassment includes any conduct which would be "unwelcome" to an individual of the recipient's same protected classification and which is taken because of the recipient's protected classification.
2. It is no defense that the recipient appears to have voluntarily "consented" to the conduct at issue. A recipient may not protest for many legitimate reasons, including the need to avoid being insubordinate or to avoid being ostracized.
3. Simply because no one has complained about a joke, gesture, picture, physical contact, or comment does not mean that the conduct is welcome. Harassment can evolve over time. Small isolated incidents might be tolerated up to a point. The fact that no one is complaining now does not preclude anyone from complaining if the conduct is repeated in the future.

4. Even visual, verbal, and/or physical conduct between two Council Members or two Appointees who appear to welcome it can constitute harassment of a third applicant, officer, official, employee, contractor or appointee who observes the conduct or learns about the conduct later. Conduct can constitute harassment even if it is not explicitly or specifically directed at an individual.
 5. Conduct can constitute harassment in violation of this policy even if the individual engaging in the conduct has no intention to harass. Even well-intentioned conduct can violate this policy if the conduct is directed at or implicates a protected classification, and if an individual of the recipient's same protected classification would find it offensive (e.g., gifts, over-attention, endearing nicknames).
 6. The conduct of an individual other than a City Council Member or an Appointee, with respect to harassment of employees, applicants or persons providing services pursuant to a contract in the workplace, may violate this policy if the City, or its agents or supervisors, knows or should have known of the conduct and fails to take immediate and appropriate corrective action.
 7. A single act can violate this policy and provide grounds for appropriate sanctions. Therefore, if in doubt as to whether any particular conduct may violate this policy, do not engage in the conduct and seek guidance from the City Manager's Office or the City's Human Resources Department.
- G. Retaliation. Any adverse conduct taken against an individual by a City Council member or Appointee because the individual has reported harassment or discrimination, or has participated in the Complaint Procedure described below, is prohibited. "Adverse conduct" includes taking sides because an individual has reported harassment or discrimination, spreading rumors about a complainant, shunning and avoiding an individual who reports harassment or discrimination, or real or implied threats of intimidation to prevent an individual from reporting harassment or discrimination. Any individual who makes a good faith report about harassment or discrimination, who associates with an individual who is involved in reporting harassment or discrimination, or who participates in the complaint and investigation procedure is protected from retaliation.
- II. Complaint Procedure. An individual who believes he or she has been harassed, discriminated against, or retaliated against by a City Council Member or Appointee in violation of this policy should report the conduct immediately and according to the following procedure so that the complaint can be resolved quickly and fairly. The City Council encourages prompt reporting of harassment, discrimination, or retaliation so that

an investigation can be commenced and if necessary immediate and effective remedial action taken to stop such conduct.

- A. Reporting to the Mayor. An individual who believes he or she has been harassed, discriminated against, or retaliated against by a City Council Member or Appointee, should immediately report the conduct orally or in writing to the Mayor; in the event of a complaint against the Mayor, such conduct should be reported to the Mayor Pro Tempore.
- B. Confidentiality. The City Council recognizes that confidentiality is important to all parties involved in a harassment, discrimination, and/or retaliation investigation. Complete confidentiality cannot occur, however, due to the need to fully investigate and the duty to take effective remedial action. As a result, confidentiality will be maintained to the extent possible.
- C. Duty to Maintain Confidentiality of Interview. An individual who is interviewed during the course of an investigation is prohibited from discussing the substance of the interview, except for discussing it with his/hers representative. Any individual who discusses the content of an investigative interview in breach of this duty will be subject to appropriate remedial action, including censure and/or removal from appointment.

III. Response to Complaint.

- A. Interim Relief. Upon receipt of a harassment, discrimination, or retaliation complaint, the Mayor (or if the complaint is against the Mayor then the Mayor Pro Tempore), with the assistance of the City Manager, may take immediate and appropriate remedial action to stop the conduct at issue and/or to diffuse any volatile circumstances associated with the conduct.
- B. Investigation.
 - 1. Complaint Against a City Council Member or the Mayor: Under this policy, the City Council designates the Mayor to be the investigator of a harassment, discrimination, and/or retaliation complaint against a City Council Member; in the event of a complaint against the Mayor, the Mayor Pro Tempore is the person so designated. The Mayor, at his/hers/the Mayor's discretion and with the assistance of the City Manager, may retain an experienced private attorney, consultant, investigator, or other specialist who is not an official or employee of the City to conduct the investigation. The investigation shall be commenced as soon as practicable, and the specialist shall be responsible for completing a report on his/hers/the investigation, to include findings. The investigation will normally include interviews of the reporting individual, the accused and any other individuals who are believed to have relevant knowledge concerning the

allegations. The investigator will remind all witnesses to maintain the confidentiality of the content of their interviews and admonish them that retaliation against those who report alleged harassment or discrimination or who participate in the complaint procedure is prohibited. The investigation shall also include, but not be limited to, the retrieval and review of documents or evidence such as work schedules, letters, computer records, telephone messages, personnel files, gifts, or cards.

2. **Complaint Against an Appointee:** Upon receipt of a complaint against an Appointee, the Mayor shall refer the complaint to the City Manager for investigation. The City Manager shall have the discretion to use city staff or an outside investigator to conduct the investigation. Such investigation shall be conducted consistent with the guidelines set forth in Section III(B)(1) above.
- C. **Investigation of Unreported Potential Violations.** The City Council takes a proactive approach to the problem of harassment, discrimination, and retaliation, and the Mayor (or the Mayor Pro Tempore) will initiate an investigation consistent with this policy if ~~the Mayor he/she~~ becomes aware that harassment, discrimination, or retaliation may be occurring, regardless of whether the recipient or a third party reports a potential violation.
- D. **Action.**
1. **City Council Member or Mayor:** If the specialist's report concludes that harassment, discrimination, or retaliation in violation of the City Council policy prohibiting harassment, discrimination, and retaliation has occurred, the Mayor (or Mayor Pro Tempore) shall present the report to the City Council for further action, if any, consistent with its legal obligations. Such action for a City Council Member may include, but not be limited to, censure.
 2. **Appointee:** Upon completion of ~~his/her~~the report, the City Manager shall forward it and a recommendation to the Mayor and the City Council. Possible action for an Appointee includes, but is not limited to, dismissal from ~~his/her~~ appointment.
- E. **Option to Report to Outside Administrative Agencies.** Individuals also have the option to report harassment, discrimination, or retaliation to the U.S. Equal Employment Opportunity Commission (EEOC) or the California Department of Fair Employment and Housing (DFEH). These governmental agencies offer legal remedies and a complaint process. The nearest DFEH and EEOC offices are listed in the government section of the telephone book.

- F. This policy is not to be construed nor is it intended to prohibit mutually welcome, social relationships freely entered into between people and which have no impact on the workplace.

IV. Individual Responsibilities.

- A. Individual City Council Member or Appointee. A City Council Member or an Appointee is required to:

1. Conduct him or herself consistently with the anti-harassment, anti-discrimination, and anti-retaliation policy as set forth herein; and
2. Report any act which he or she believes in good faith constitutes harassment, discrimination, or retaliation, as defined herein, to the Mayor (or the Mayor Pro Tempore); and
3. Maintain the confidentiality of any investigation conducted pursuant to this policy by not disclosing the substance of any investigatory interview, except for discussing it with ~~his or her~~ representative; and
4. Cooperate fully with such investigation into alleged violations of this policy by responding fully and truthfully to all questions posed during the investigation; and
5. Be familiar with this policy and modeling behavior that is consistent with it; and
6. Report any potential violations of this policy of which he or she becomes aware.

COUNCIL OFFICE BUDGET AND EXPENDITURE GUIDELINES

The City Council adopts an annual City budget for all services. The Council holds budget work sessions in May and June, which are open to the public. The draft budget is also scheduled for a public hearing in June at a City Council meeting, and adopted at the following City Council meeting.

As part of the annual budget adoption, the City Council may appropriate budgets for each Councilmember and the Mayor to utilize in the execution of the duties of their respective offices. The use of these funds must always be in compliance with the City's purchasing policies, the Employee Expense Reimbursement Policy, and other applicable City policies and procedures. In addition, the Council has established the following additional policies to govern the use of these funds:

- 1) Councilmembers and the Mayor can be reimbursed for actual and necessary expenses incurred in the performance of official duties, subject to budget, applicable laws, ethical standards, and procedures established by Council. An expense will not be reimbursable if it is paid for or reimbursed by another entity or person.
- 2) Expenses may be incurred for the following activities:
 - a) Attending educational seminars or seminars designed to improve elected officials' skill and/or information level;
 - b) Purchase of books or educational materials that will be returned to the City at the end of the term of office;
 - c) Participating in regional, state, and national organizations whose activities affect the City's interests or where the Councilmember serves as the appointed voting delegate (or alternate) or where the Councilmember serves on a Committee or is asked to share the City's expertise;
 - d) Attending City-sponsored events or functions where payment shall be made for the Councilmember only to participate;
 - e) Communicating with representatives of regional, state and national government on City-adopted policy positions when such trips have been preapproved and authorized by the whole Council; and
 - f) Other expenses approved by the City Council in advance of their incurrence.
- 3) Reimbursable expenses may include (and in compliance with the City's Employee Expense Reimbursement Policy): registration fees; transportation; lodging; meals (excluding alcohol); and long-distance phone calls/internet connectivity (used for City business).

Link to the Administrative Rule 2.51 – Employee Expense Reimbursement Policy
http://www.hayward-ca.gov/blogdocs/cityclerk/2015/2.51_Employee_Expense_Reimbursement_Policy.pdf

MAYOR

POWERS AND DUTIES

The Mayor shall be the Mayor at all meetings of the Council. In the absence of the Mayor, the Mayor Pro Tempore shall preside. In the absence of the Mayor and the Mayor Pro Tempore, the Council shall elect a temporary presiding officer to serve until the arrival of the Mayor or Mayor Pro Tempore or until adjournment.

The elected Mayor shall be recognized as the official head of the City for all ceremonial purposes, and by the Courts for the purpose of serving civil processes. The Mayor shall be the presiding officer of the Council, and shall preside at the meetings of the Council for the purpose of determining the presence of a quorum. ~~The Mayor He/she~~ shall be entitled to a vote on all matters coming before the Council, but shall possess no veto power. ~~The Mayor He/she~~ may use the title of Mayor in all cases, but the same shall not be construed as conferring upon him/her administrative or judicial functions or other powers or functions of a Mayor under the general laws of the State. ([Sec. 604, City Charter](#))

SIGNING OF DOCUMENTS

The Mayor, or Mayor Pro Tempore in the absence of the Mayor, shall sign ordinances adopted by the City Council.

MAYOR PRO TEMPORE

In even number years, the Council shall elect the Mayor Pro Tempore following the installation of those newly elected Council Members. In odd years, the Council shall elect the Mayor Pro Tempore at the end of ~~June~~ ~~the calendar year~~.

The Mayor Pro Tempore shall serve at the pleasure of the Council for the term of one year, and shall be elected and removed by the affirmative votes of at least five (5) members of Council.

The Council shall elect a Council Member with the most seniority as a Council Member and who has not previously served as Mayor Pro Tempore. In the event two Council Members begin service in the same year, the Council Member with the highest number of votes will serve as Mayor Pro Tempore. (See [City Council Minutes, 4/28/92](#))

Prior to being elected as Mayor Pro Tempore, a Council Member shall have served at least two years on the Council. The term of the Mayor Pro Tempore shall be based on the ~~calendar fiscal~~ year ~~of January 1st to December 31st~~ ~~July 1 to June 30~~. ([Resolution 98-120](#) and [Council Minutes, 6/26/2001](#))

The Mayor Pro Tempore shall perform the duties of the Mayor during ~~her/his~~the Mayor's absence or disability. ([Sec. 605, City Charter](#))

PARTICIPATION OF PRESIDING OFFICER

The Presiding Officer may move, second, and debate from the Chair, subject only to such limitations of debate as are imposed on all Council Members, and ~~he/she~~Council Members shall not be deprived of any of the rights and privileges of a Council Member by reason of ~~his/her~~ acting as Presiding Officer. However, the Presiding Officer is primarily responsible for the conduct of the meeting. If ~~he/she~~the Presiding Officer desires to personally engage in extended debate on questions before the Council, ~~he/she~~the Presiding Officer should consider turning the Chair over to another member.

QUESTION TO BE STATED

The Presiding Officer shall orally restate each question immediately prior to calling for the vote. Following the vote, the Mayor or City Clerk shall announce whether the question carried or was defeated for the benefit of the cable television audience.

MAINTENANCE OF ORDER

The Mayor or Presiding Officer is responsible for the maintenance of order and decorum at all times. No Council person, staff or member of the audience is allowed to speak who has not first been recognized by the Chair. All questions and remarks shall be addressed to the Chair.

POWERS OF COUNCIL

All powers of the City shall be vested in the Council, subject to the provisions of this Charter and to the Constitution of the State of California. The Council may establish the method by which any of such powers may be exercised. ([Sec. 606, City Charter](#))

MEETINGS OF COUNCIL

The Council shall, by ordinance or resolution, provide for the time and place of holding its meetings and the manner in which its special meetings may be called. All meetings of the Council, whether regular or special, shall be open to the public. ([Sec. 607, City Charter](#))

PARTICIPATION BY MEMBERS OF THE PUBLIC

No public member shall be denied the right personally, or through counsel, to present grievances or offer suggestions for the betterment of municipal affairs at any regular meeting of the Council, nor to speak on the subject of any special meetings. ([Sec. 609, City Charter](#))

ADMINISTERING OATHS - SUBPOENAS

Each member of the Council shall have the power to administer oaths and affirmations in any investigation or proceeding pending before the Council. The Council shall have the power and

authority to compel the attendance of witnesses, to examine them under oath and to compel the production of evidence before it. Subpoenas may be issued in the name of the City and be attested by the City Clerk. Disobedience of such subpoena or the refusal to testify (upon other than constitutional grounds), shall be deemed contempt and shall be punishable as provided by the general laws of the State. [\(Sec. 610, City Charter\)](#)

RULES OF PROCEEDING

The Council shall determine its own rules of procedure, and may punish its members for disorderly conduct and compel their attendance at Council meetings. [\(Sec. 611, City Charter\)](#)

NON-INTERFERENCE WITH ADMINISTRATIVE SERVICE

Neither the Council nor any of its members shall interfere with the execution by the City Manager of ~~his/her~~ [the City Manager's](#) powers and duties, or order, directly or indirectly, the appointment by the City Manager, or by any of the department heads in the administrative service of the City, of any person to any office or employment, or ~~his/her~~ removal there from. Except for the purpose of inquiry, the Council and its members shall deal with the administrative service solely through the City Manager, and neither the Council nor any member thereof shall give orders to any subordinate of the City Manager, either publicly or privately. The City Manager shall take ~~his/her~~ orders and instructions from the City Council only when it is sitting in a lawfully held meeting. [\(Sec. 705, City Charter\)](#)

Inquiry is defined as a request for information readily available, without need for extensive research or study by subordinates of the City Manager.

All other requests are to go directly to or through the City Manager.

POLICY REGARDING CITY COUNCIL EXPRESSION ON STATE, FEDERAL AND INTERNATIONAL ISSUES

Whereas, from time to time the City Council is requested to make an official statement with regard to State, Federal and International issues, some of which have no effect upon the administration of local affairs of the City of Hayward, or which the City Council, as a legislative body, cannot exercise jurisdiction over same; and

Whereas, it would appear that statements to be made with regard to such State, Federal and International issues should be made only as an expression of individual opinion and not as an official statement of this City Council.

Now, Therefore, Be it Resolved by the City Council of the City of Hayward that said Council does hereby adopt as a policy that official City Council expression should not be given on State, Federal, and International issues which have no direct effect upon the administration of the local affairs of the City of Hayward or which the City of Hayward, as a municipal

corporation, cannot exercise any jurisdiction over such matters.

Be it further resolved that the aforesaid statement of policy is not intended to foreclose the rights of any person to make a public presentation to the City Council on such issues nor to impinge upon the right of any individual Council Member to give ~~his/her~~ personal views on such matters.

[\(Res. 77-209, May 24, 1977\)](#)

HAYWARD LEGISLATIVE PROGRAM

~~On a semi-regular basis, the City Council adopts a~~ ~~At a Council meeting on September 20, 2016, the City Council received a draft~~ Hayward Legislative Program which outlines the legislative priorities of the City of Hayward. [The Legislative Program can be accessed on the link below.](#)

<https://www.hayward-ca.gov/your-government/programs/legislative-program>

~~Adoption of the final version is anticipated to be presented to the City Council in the Spring. After adoption of the program, the Handbook will be updated adding by reference the final Hayward Legislative Program.~~

~~The City's legislative program helps provide direction to staff and the City's legislative advocates in Sacramento and Washington D.C. The program informs interested parties of the City's stances on any piece of legislation, state-wide referenda, grant funding opportunity, or local/regional ballot measure. Additionally, this program serves as a basis for action regarding any piece of federal or state legislation or funding opportunity.~~

MEETINGS

MEETINGS - OFFICIAL ACTIONS

Except as hereinafter provided, all meetings of the Council shall be held in the Council Chamber, City Hall, 777 B Street, Hayward, California. In the event any meeting is held elsewhere, a notice setting forth the time and place thereof shall be conspicuously posted on the entrance door to the Council Chamber during the time such meeting is in progress. ([Sec. 2-1.00, Municipal Code](#))

TIME OF REGULAR MEETINGS

The time of regular meetings of the Council shall be as specified from time to time by resolution of the City Council. ([Sec. 2-1.00, Municipal Code](#))

On December 15, 2009, the City Council adopted [Resolution 09-189](#), which changed the hour of Council meetings to seven (7) o'clock p.m. Council also incorporated Work Session meetings within the regular meetings. Normally, meetings of the City Council are held the

first, third, and fourth Tuesdays of each month at the hour of seven (7) o'clock p.m. Meetings may be cancelled on these days or added on the second and fifth Tuesdays by the Mayor or City Manager as determined by workload.

It shall be the policy of the Council that, if at all possible, agenda items shall not be considered past the hour of midnight.

SPECIAL MEETINGS/ CALLING/ NOTICE

~~A special meeting may be called at any time by the Presiding Officer of the Council, or by a majority of the members, by delivering written notice to each member of the Council and at his/her the Member's residence or place of business and mailing written notice to the press, at least twenty four hours prior to said meeting, in accordance with the Ralph M. Brown Act (G.C. Section 54956).~~

A special meeting may be called at any time by the Presiding Officer of the Council, or by a majority of the members, by delivering written notice to each member of the Council, and to each local newspaper of general circulation and radio or television station requesting notice in writing and posting a notice on the local agency's Internet Web site. The notice shall be delivered personally or by any other means and shall be received at least 24 hours before the time of the meeting as specified in the notice, in accordance with the Ralph M. Brown Act (G.C. Section 54956).

An emergency meeting may be called at any time if emergency circumstances exist, or dire emergency circumstances exist, with notice at least one hour prior to such meeting, or with no advance notice if circumstances warrant and telephone communications are unavailable, in accordance with the Ralph M. Brown Act (G.C. Section 54956.5).

As the Council, as a whole, also serves as the Redevelopment Successor Agency, the Hayward Public Finance Authority, the Geologic Hazard Abatement District Board, which was formed on March 1, 2016, and the Housing Authority for the City of Hayward. Special joint meetings may be conducted in order to conduct business relative to each agency. The Hayward Redevelopment Agency was dissolved on February 1, 2012. The City of Hayward chose to become the Successor Agency to the Redevelopment Agency.

~~The Hayward Redevelopment Agency was dissolved on February 1, 2012. The City of Hayward chose to become the Successor Agency to the Redevelopment Agency.~~

~~The City Council also serves as the Geologic Hazard Abatement District Board, which was formed on March 1, 2016.~~

The call and notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at said meeting.

The City Council shall strive to hold a meeting outside of City Hall and in another part of the community at least once a year.

RULES OF ORDER

The proceedings of the Council shall be governed under "[Robert's Rules of Order](#)" on all matters pertaining to parliamentary law; however, no action of the Council shall be invalidated or the legality thereof otherwise affected by the failure or omission to observe or follow said rules. ([Sec. 2-1.03, Municipal Code](#))

QUORUM

A majority of the City Council (4) shall constitute a quorum for the transaction of business, but a less number may adjourn from time to time and postpone the consideration of pending business. ([Sec. 608, City Charter](#))

No ordinance of resolution shall be passed or become effective without receiving the affirmative votes of at least four members of the Council. ([Sec. 614, City Charter](#))

CALL TO ORDER

The meeting of the Council shall be called to order by the Mayor or in ~~her/his~~the Mayor's absence by the Mayor Pro Tempore. In the absence of both the Mayor and the Mayor Pro Tempore, the meeting shall be called to order by the City Clerk, whereupon the City Clerk shall immediately call for the selection of a temporary Presiding Officer.

AGENDA

When scheduling items for City Council meetings, staff should consider the number of items being placed on each agenda and the estimated time that each item requires. Staff should strive to provide well-balanced agendas for all City Council meetings throughout the year. Although there might be rare occasions where a long meeting is necessary, a series of long meetings should be avoided by balancing the content of each agenda.

ORDER OF BUSINESS

The following shall constitute the order of business to be followed in conducting regular meetings of the Council:

Call to Order
Salute to Flag
Roll Call
Closed Session Announcement
Presentation/Proclamation
Public Comments * (for matters not otherwise listed on the agenda or informational staff presentation items)
Consent
Work Session/~~Informational Presentation~~
Hearing
Legislative Business
Information Items
City Manager's Comments
~~Council Referrals~~
Council Reports and Announcements
~~Council Referrals, and Future Agenda Items (Indicate "None submitted")~~
Adjournment`

**The printed agenda for each regular meeting shall include the following statement:*

Public Comments for Council Meeting Agendas shall read:

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 your comments and requests that speakers present their remarks in a respectful manner, within established time limits, and focus on issues which directly affect the City or are within the jurisdiction of the City. As the Council is prohibited by State law from discussing items not listed on the agenda, your item will be taken under consideration and may be referred to staff. ([Res. 02-058, May 7, 2002](#))

(Agenda Revisions: [City Manager's Weekly Report - November 25, 2009](#))

AMENDED AGENDA

The Brown Act generally prohibits the City Council from discussing or taking action on an item not appearing on its posted agenda. The Act provides certain exceptions to this rule. For instance, the City Council may, on a two-thirds vote, determine that the need to take action on an item arose after the agenda was posted. If fewer than five members of the Council are present, the vote must be unanimous. If the Council makes this determination it may proceed to consider the underlying issue presented. Other exceptions are provided for emergencies, as defined, and certain continued hearings. Upon amending a work session agenda, no action would be taken on the underlying issue.

POSTING OF AGENDA

The City Clerk is directed to post a copy of the agenda in the lobby of City Hall, the bulletin board outside City Hall and at the Main Library not less than 72 hours prior to each regular meeting, and not less than 24 hours prior to each special meeting to be held by the City Council. The City Clerk is further directed to maintain a log of the date and time each agenda is posted.

DELIVERY OF AGENDA

If practicable, the agenda and agenda item reports ~~packet~~ will be available ~~electronically via the iLegislate application for iPads~~ for Council Members each Thursday afternoon, or Friday if the preceding Monday was a holiday. ~~Council Members are asked to advise the City Clerk's Office where they desire agenda packets to be delivered.~~

The agenda shall also be available to the general public, via posting to the City's website and electronic mail, at the time it is delivered to the City Council.

SUSPENDING ORDER OF BUSINESS

The regular order of business may be suspended by a majority vote of the members present for the accommodation of persons present, or for any other purpose. ([Sec. 2-1.06, Municipal Code](#))

CLOSED SESSIONS

Council meets from time to time in closed sessions which are duly held meetings or a portion thereof, at which certain actions may be taken and are not open to the public and news media. Matters discussed in closed sessions are considered **confidential**. If an action is taken, a

public announcement will be made. These are:

(1) Labor Relations

Closed sessions held at such times where the Council meets with its designated representatives prior to and during consultation and discussions with representatives of employee organizations.

As a matter of policy, Council acknowledges that the City and its taxpayers are best served if positions authorized during such sessions are represented as those of the Council as a whole. Members of the City Council agree that positions and agreements shall not be divulged.

(2) Security or Emergencies

Arrangements made to address threats to the City or its property must be kept confidential;

(3) Personnel Sessions

Matters discussed and reviewed in personnel sessions shall remain confidential in order to protect employees' rights to privacy.

(4) Litigation

Closed sessions to consider potential or pending litigation in which the city or an officer or employee is or could be a party;

Discussion of probable or pending litigation could waive attorney-client privilege to the detriment of the City's position;

(5) Real Property Negotiations

Closed sessions to meet with negotiators over specific real state sites;

Prior to the closed session, the negotiator, the site, and the properties' representatives must be identified.

Confidential Communications in Closed Session

To address a long-standing problem associated with confidential communications in closed session and how to maintain the confidentiality of such discussions, in 2003, the Legislature passed Assembly Bill 1945 ("AB 1945"), which states that no person may disclose confidential information that has been acquired by being present in a closed session, unless authorized by the body holding the closed session. Disclosure of closed

session discussions need only occur when required by law or when there is a majority vote of the City Council, or upon advice of the legal counsel or negotiator handling the matter. In the event someone violates this provision, the statute gives the legislative body three options to address the violation: (1) The body may ask a court to issue an injunction preventing the further disclosure of confidential information; (2) If the person disclosing the information is an employee, the public entity may take disciplinary action against that employee; or (3) If the person disclosing the information is a member of the legislative body, the public entity may refer that person to the grand jury.

CLOSED SESSION ANNOUNCEMENT

Following a closed session, the Mayor, or the City Attorney or the City Manager at the request of the Mayor, will announce whether there is or is not reportable action. If there is reportable action, the Mayor, or the City Attorney or the City Manager at the request of the Mayor, will announce such action, including a report of how each member of the Council voted on the item.

PRESENTATION

Special presentations shall be scheduled as necessary in recognition of persons or groups, or for the promotion of an event or service. Requests for special presentations must be submitted to the City Clerk in writing in advance of the agenda deadline. The City Clerk shall coordinate the scheduling of presentations with the Mayor.

PROCLAMATION

From time to time, the Mayor will recognize extraordinary Hayward residents and community members through letters, certificates, proclamations, and adjournments. Proclamations are legal documents that declare a day, week, or month in honor of a cause, individual, or occasion significant to the City of Hayward and its residents.

The guidelines for proclamation submittals can be found on the City's website at this link: <https://www.hayward-ca.gov/content/guidelines-mayorcouncil-ceremonial-documents-events-adjournments>

[Note to Ad Hoc Committee: No changes to the Consent Calendar Section. The "Consent Calendar" section was simply moved to this location of the document to be consistent with the "Order of Business" sequencing outline.]

CONSENT CALENDAR

Items of a routine nature, and non-controversial, including Approval of Minutes, shall be placed under the Consent agenda at the City Manager's discretion. All items may be approved

by one blanket motion upon unanimous consent. Any Council Member or any member of the public may request that any item be withdrawn from the consent agenda for separate consideration. (Council Action, March 18, 1997)

WORK SESSION

When a work session is required, Council Members will meet at City Hall unless otherwise noticed according to State law. Members of the public are encouraged to attend work sessions. Comments on an item appearing in the work session section of the agenda follows staff's presentation.

Except for the procedural motions required by the Brown Act which may be made at a work session (and which are discussed more fully in the section "Amended Agenda") no formal action shall be taken, no motions shall be offered, no arguments entered into; the sole purpose of said meetings being to provide background information to members of the Council and to allow Council Members to ask questions and to express personal opinions.

A Work Session presentation and discussion shall be limited to one hour.

CONSENT CALENDAR

~~Items of a routine nature, and non-controversial, including Approval of Minutes, shall be placed under the Consent agenda at the City Manager's discretion. All items may be approved by one blanket motion upon unanimous consent. Any Council Member or any member of the public may request that any item be withdrawn from the consent agenda for separate consideration. (Council Action, March 18, 1997)~~

PUBLIC HEARINGS AND LEGISLATIVE BUSINESS

Public Hearings:

A public hearing is a legally mandated process that occurs during the public meeting of a local decision-making body, such as a city council meeting. Public hearings serve two functions: First, to obtain public testimony or comment on specific legislative decisions or policy matters such as a proposed annual budget or ordinance. The second function is to provide due process to an individual or party making an appeal to or request of the legislative body, such as a hearing regarding the denial of a permit or license. A public hearing is required only when a specific federal, state, or local law requires one to be held on a particular issue.

Notice for Public Hearings:

A law that requires a public hearing to be held will also generally include the requirements for providing notice of the public hearing.

[Note to Ad Hoc Committee: No changes to the Quasi-Judicial Hearings Section. The “Quasi-Judicial Hearings” section was simply moved to this location of the document to be consistent with the “Order of Business” sequencing outline.]

QUASI-JUDICIAL HEARINGS

The procedures for quasi-judicial hearings shall be determined on a case-by-case basis and the City Attorney shall advise the City Council in this regard.

LEGISLATIVE BUSINESS ~~Legislative Business:~~

Legislative business is any policy-related item that is not legally required to have a public hearing, but which is deserving of or benefits from public discussion. In many respects, a legislative business item looks the same as a public hearing - the only difference is the type of legal notice given prior to the meeting. In fact, some legislative business items may warrant the type of noticing typically associated with public hearings, but doing so is discretionary and should only be done on a case-by-case basis. Applying the public hearing approach to legislative business is appropriate when there is a high degree of public interest in a topic, when the Council has not had sufficient exposure to the facts, circumstances or opinions informing the decision they are being asked to make, when there is a controversial topic that divides the community or the Council, or when the actions being considered have the potential to impact a large number of residents.

Notice for Legislative Business:

Publication of the agenda prior to the scheduled legislative item is generally sufficient notice for legislative business items. However, in the interest of inclusion and transparency, staff may choose to send notices to interested parties, deliver flyers to the affected neighborhood, or otherwise alert those known or thought to be likely interested in the matter. Similarly, staff may provide advance notice to parties identifying the likely date something may come before Council. Administrative Rule 1.25

Generally, public hearing as well as legislative business items, other than those of a quasi-judicial nature (quasi-judicial matters are those matters where the City Council is interpreting and applying regulations, such as consideration on use permits or zoning issues), shall be conducted in the following order:

- staff reviews the recommendation

- questions of staff by Council
- hearing opened by Mayor
- hearing closed by Mayor
- discussion and questions by Council
- action by Council

Questions and comments from the public shall be limited to the subject under consideration. Depending upon the extent of the agenda, and the number of persons desiring to speak on an issue, the Mayor may, at the beginning of the hearing, limit testimony to three (3) minutes per individual. Applicants and/or appellants desiring to address the City Council shall limit their presentation to ten (10) minutes. The Mayor or Presiding Officer will call forward individuals who wish to address the City Council. At the discretion of the Mayor, two or more speakers may be called at a time to help facilitate the public testimony.

Council Members should not speak to an issue until the public hearing has been closed. If a Council Member has met with a proponent/developer or opponent of subject hearing, ~~she/he~~ the Council Member should acknowledge such meeting prior to opening of the hearing at the Council meeting.

Once a hearing is closed, it is inappropriate for the public to speak except to answer an inquiry of Council Members addressed through the Chair.

QUASI-JUDICIAL HEARINGS

~~The procedures for quasi-judicial hearings shall be determined on a case-by-case basis and the City Attorney shall advise the City Council in this regard.~~

INFORMATION ITEMS

The Information Items section was added on September 23, 2014, to present information to Council and the public in the form of a transparent, written report, which does not ask for any Council action. The public can comment on “Information Items” during the Public Comments section. If the Council wishes to discuss or take action on any “Information Items”, the Council will direct staff to bring the item forward on a future Council agenda as an action item.

CITY MANAGER’S COMMENTS

The City Manager’s Comments section was added on September 23, 2014, to provide an opportunity for the City Manager to verbally report on upcoming activities, events, or other items of interest or concern to the Council and the public.

COUNCIL REPORTS ~~AND ANNOUNCEMENTS, REFERRALS AND FUTURE AGENDA ITEMS~~

During the Council Reports, ~~Referrals, and Future Agenda Items~~ section of the agenda, a Council Member may report on ~~on-attended intergovernmental agency meetings, conferences, seminars, or other Council events to comply with AB 1234 requirements (reimbursable expenses for official activities)~~ and also attended meetings or make an announcement request an item be considered on a future agenda, and upon agreement of a majority of Council, staff will prepare a report if formal Council action is required. Council Members may make this request verbally during a meeting or may submit it in writing.

COUNCIL REFERRALS

~~During the Council Referrals section of the agenda, a Council Member may request that an item be considered on a future agenda by following the policy adopted by the Council on March 19, 2019. The intent of the Council Referral section is to provide an orderly means through which an individual Council Member can raise an issue for discussion and possible direction by the City Council. This policy described below has two parts. The first part is to enable the Council Member to place a matter before the Council. The second part is to enable the Council to determine whether staff time should be spent on the issue.~~

~~Any Council member may bring forward a Council Referral Memorandum (Memo) on any topic to be considered by the entire Council.~~

~~Part 1: Council members wishing to refer a matter to the City Council for discussion will:~~

- ~~A. Prior to preparing a Council Referral Memo, Council members can consult with the appropriate Council Appointed Officer to determine whether the issue can be addressed as part of existing operational authority and with current budgeted resources.~~
- ~~B. The Referring Council Member will submit a Council Referral Memo (not to exceed two pages) describing the Referral. (Exhibit X – Sample Council Referral Memo). The Council Referral Memo can outline the policy issue, overall outcome or desired objective, desired timeline, identification of key stakeholder groups that might need to be consulted, and/or other pertinent information that will clarify for Council the policy issue desired for Council discussion.~~
- ~~C. The Referring Council Member will notify the City Manager, or the City Manager’s designee, via telephone, email, or in person and convey that the~~

Council member has a Council Referral Memo to place on the agenda and the desired Council meeting date, a week prior to the Council meeting. This will give the City Clerk time to finalize the agenda and post it within the required timeframe. Requests received after this one-week deadline will be placed on the agenda for the following regularly-scheduled Council meeting.

Staff will not devote time preparing reports or analysis on the requested item. The limited staff assistance provided, at this initial stage of the Council referral, would be to help the Council member clarify and/or frame the issue, if needed, so that the Council and public clearly understand the request.

Part 2: Council Consideration of the Council Referral Memo:

- A. When the item is called at the Council meeting, the Referring Council Member who made the request may describe the policy issue the Council Member wishes to place on a future agenda.
- B. The Council discussion will be limited to determining whether staff time and City resources should be devoted to researching the particular agenda item and whether to direct staff to conduct further analysis on the item. Council will not take action on the agenda item itself. Concurrence that staff time and City resources will be devoted to the item does not signify approval of the item. It only indicates that the Council wishes to have the item studied further. Additionally, the Council may, at any time, decide to drop the matter, even after the matter has been analyzed by staff.
- C. Upon the concurrence of a majority of the Council that the item should be researched and placed on a future Council agenda, referred to a Council Committee, staff, or closed session, depending on the topic and/or action sought by Council, the City Manager will determine when to place the item on a future agenda based on time necessary to complete the research and staff workload considerations. The City Manager will maintain a log of such referrals, the date of the referrals, and the projected dates the referred matter will be agendized for further consideration.
- D. Council member comments on Council Referral items are limited to clarifying questions and whether or not staff resources should be spent researching the issue and whether or not Council member(s) support referring the item to a Council Committee, staff, or placed on a future Council agenda. No discussion on the item will be held at this initial stage of the Council referral.

E. If a member of the public wishes to address the Council on Council Referrals, public comments will be limited to one (1) minute per person to relay to Council whether or not they support staff spending resources researching the item and placing it on a future Council agenda.

F. The Mayor / Presiding Officer will ask the submitter of the Council Referral Memorandum to make a Motion, ask for a second, then take roll call.

G. If there are no Council Referrals, indicate "None Submitted" in this section of the Agenda.

ADJOURNMENT

When any member requests that a meeting be adjourned and a tree planted in memory of an individual recently deceased, the Mayor shall so adjourn the meeting and staff shall arrange for a tree to be planted.

RULES, DECORUM, AND ORDER

POINTS OF ORDER

The Presiding Officer shall determine all Points of Order subject to the right of any member to appeal to the Council. If any appeal is taken, the question shall be, "Shall the decision of the Presiding Officer be sustained?" in which event a majority vote shall sustain or reverse the Presiding Officer's determination.

DECORUM AND ORDER – COUNCIL MEMBERS

(a) Any Council Member desiring to speak shall address the Chair and, upon recognition by the Mayor, shall confine himself/herself to the question under debate.

(b) A Council Member desiring to question a staff member shall address ~~his/her~~ questions to the City Manager, City Attorney, or the City Clerk in appropriate cases, who shall be entitled to answer the inquiry himself/herself or to designate some member of the staff for that purpose.

(c) A Council Member, once recognized, shall not be interrupted while speaking unless called to order by the Mayor; unless a Point of Order is raised by another Council Member; or unless the speaker chooses to yield to questions from another Council Member.

(d) Any Council Member challenged while speaking, shall cease speaking immediately until the question of order is determined. If ruled to be in order, ~~he/she~~ the Council Member shall be permitted to proceed. If ruled to be not in order, ~~he/she~~ the Council Member shall remain silent or shall alter ~~his/her~~ remarks so as to comply with rules of the Council.

(e) Council Members shall accord the utmost courtesy to each other, to City employees and to the public appearing before the Council, and shall refrain at all times from rude and derogatory remarks, reflections as to integrity, abusive comments, and statements as to motives and personalities.

(f) Any Council Member may move to require the Mayor to enforce the rules and the affirmative vote of a majority of the Council shall require him/her to so act.

(g) Section 611 of the City Charter provides that the City Council may determine its own rules of procedure, may punish its members for disorderly conduct, and compel their attendance at Council meetings. In addition to the sanctions identified herein, the failure of the Mayor or a Council Member to observe these rules of decorum may warrant ~~his-or-her~~ the Member's removal from the Council Chambers in accordance with the procedures described in the section entitled "Enforcement of Decorum."

Sanctions and Procedures for Violations of Rules of Decorum and Order

(h) Council Members who fail to observe these rules of Decorum and Order, or violate any state or federal law, the City Charter, or any City ordinance or policy, may be reprimanded or formally censured, lose seniority or committee assignments (both within the City of Hayward or with inter-government agencies), have official travel restricted or be ordered to attend Council meetings, if the Council Member is absent without justification. Serious infractions of these rules of Decorum and Order could lead to other sanctions as deemed appropriate by the Council, including, but not limited to, referral to the Alameda District Attorney and/or Civil Grand Jury if the conduct is egregious or allegedly criminal in nature. Council Members should point out to the offending Council Member any perceived infraction of these rules of Decorum and Order as it occurs. No Council Member shall be reprimanded, sanctioned or censured for the exercise of ~~his or her~~the Member's First Amendment rights. However, nothing herein shall be construed to prohibit the City Council from individually or collectively condemning or expressing disapproval of behavior in violation of these rules.

(i) It is the responsibility of the Mayor to initiate formal action if a Council Member's behavior may warrant reprimand, sanction, or censure. If no action is taken by the Mayor, action on the alleged violation may be placed on a future agenda for consideration by a majority of the full Council.

(j) Reprimand is the least severe form of action for a violation of these rules and may be issued by majority vote of the City Council without findings of fact or investigation. Reprimand is not considered a sanction or censure.

(k) Formal censure, loss of seniority or committee assignments and travel restrictions may be requested by any Council Member in writing submitted to the Mayor. The written request must set forth specific allegations of violations of state or federal law, the City Charter, or City ordinances or policies, including these rules of Decorum and Order, upon which the proposed sanction is based. If the Mayor determines that the request for censure or sanction warrants Council consideration, the request shall be scheduled for consideration by the Council at the next regularly scheduled Council meeting. If a majority of the Council wishes to take action on the request for sanction or censure, the request shall be scheduled for public hearing far enough in advance to give the affected Council Member adequate time to prepare a response to the request. The Council Member shall be given the opportunity to make opening and closing statements; to present or question witnesses; and is entitled to be represented by an advisor or counsel of ~~his or her~~the Member's choosing. The Mayor, or the Mayor Pro Tempore if the Mayor is the subject of the sanction request, shall preside over the proceedings. The rules of evidence shall not apply. The City Attorney or ~~his or her~~designee shall provide legal advice to the Council, as needed. A decision to censure or impose other sanction requires the adoption of a resolution

containing findings with respect to the specific charges, based on substantial evidence, by a two-thirds vote of the Council.

DECORUM AND ORDER - EMPLOYEES

Members of the Administrative Staff and employees of the City shall observe the same rules of procedure and decorum applicable to members of the Council. The City Manager shall insure that all City employees observe such decorum. Any staff member, including the City Manager, City Attorney, and City Clerk, desiring to address the Council or members of the public shall first be recognized by the Presiding Officer. All remarks shall be addressed to the Presiding Officer and not to any one individual Council Member or member of the public.

DECORUM AND ORDER - PUBLIC

Members of the Public attending Council meetings shall observe the same rules of order and decorum applicable to the Council

Each person who addresses the Council from the podium shall do so in an orderly manner and shall not make personal, slanderous, or profane remarks to any member of the Council, staff, or general public. Any person who makes such remarks, or who utters loud, threatening, personal, or abusive language, or engages in any other disorderly conduct which disrupts, disturbs, or otherwise impedes the orderly conduct of any Council meeting, whether from the podium or in the audience, may, at the discretion of the Mayor after observance of the procedure for enforcement of decorum described below, be escorted from Council Chambers and barred from further audience before the Council during that meeting. These rules shall be enforced as set forth in the section entitled "Enforcement of Decorum."

ENFORCEMENT OF DECORUM

The Chief of Police or ~~his/her~~the Chief's representative shall be ex-officio Sergeant-at-Arms of the Council. ~~He/she~~The Chief of Police shall carry out all orders and instructions given him/her by the Mayor for the purpose of maintaining order and decorum in the Council Chambers. Upon instructions from the Mayor, it shall be the duty of the Chief of Police or ~~his/hers~~a representative of the Chief to eject any person from the Council Chambers or place ~~him/hers~~aid person under arrest or both.

As set forth in the Brown Act ([Government Code Section 54957.9](#)), in the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the members of the Council may order the meeting room cleared and continue in session. Only matters appearing on the

agenda may be considered in such a session. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this section. Nothing in the section shall prohibit the legislative body from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.

Decorum and order shall be enforced in the following manner:

(a) Warnings. The Mayor shall ask that any person violating the rules of decorum be orderly and silent. The warning shall be in substantially the form described below. If, after receiving a clear warning from the Mayor, the person persists in disturbing the meeting, the Mayor may order a brief recess of the Council to regain order. If the person persists in disturbing the meeting, despite having been previously warned, the Mayor may order him or her to leave the Council meeting. If the person does not depart the Council chambers of ~~his or her~~their own volition, the Mayor may order any law enforcement officer who is on duty at the meeting as Sergeant-at-Arms of the Council to escort that person from the Council chambers.

(b) Text for Warning. The Mayor shall deliver the requisite warning in substantially the following form:

You are hereby advised that your conduct is in violation of the Rules of Order and Decorum of the City Council and California Penal Code Section 403, and you are directed to be orderly and silent. Penal Code Section 403 states that any person who, without authority of law, willfully disturbs or breaks up a lawfully convened meeting of the City Council is guilty of a misdemeanor. Continued disruption of this City Council meeting will result in your removal from the meeting by the Sergeant-at-Arms and you will not be permitted to return to Council Chambers for the duration of the meeting. In addition, any continued disruption of this meeting is grounds for your being arrested and charged with a misdemeanor. Do you understand this admonition?

(c) Removal. Any law enforcement officer who is serving as Sergeant-at-Arms of the Council shall carry out all orders and instructions given by the Mayor for the purpose of maintaining order and decorum at the Council meeting. Upon instruction of the Mayor, it shall be the duty of the Sergeant-at-Arms to remove from the Council meeting any person who is disturbing the proceedings of the Council. Removal of a disruptive member of the public from Council Chambers shall be accomplished by the Sergeant-at-Arms or other sworn law enforcement officers only.

(d) Misdemeanor. Any person who willfully disturbs or breaks up a Council meeting may be arrested and charged with a misdemeanor, pursuant to [California Penal Code Section 403](#).

(e) Motion to Enforce. If the Mayor fails to enforce the rules set forth above, any member of the Council may move to require the Mayor to do so and, by an affirmative vote of a majority of the Council, shall require the Mayor to do so. If the Mayor of the Council fails to carry out the will of a majority of the Council, the majority may designate the Mayor Pro Tempore to act as Presiding Officer for the limited purpose of enforcing these rules of decorum.

Attendance at Council Meetings does not provide individuals or groups immunity of protection when their conduct is in violation of any other laws (California Penal Code, City of Hayward Municipal Code, etc.). The Sergeant-at-Arms should and will be called upon by the Mayor to enforce these laws at Council Meetings.

POLICY REGARDING CABLE TELEVISION BROADCAST OF CITY MEETINGS

It shall be the policy of the City Council of the City of Hayward to broadcast public meetings held in the Council Chamber over cable television from the beginning of that meeting through adjournment without interruption. Meetings may be videotaped, or audio recorded as long as the activity does not constitute a disruption of the meeting. ([Res. 94-049, March 8, 1994](#))

PERSONAL PRIVILEGE

The right of a member to address the Council on a question of personal privilege shall be limited to cases in which ~~his/her~~[the Member's](#) integrity, character, or motives are assailed, questioned or impugned.

COUNCIL MEMBER'S PREROGATIVE

~~Regardless of the number of Council Members present, or request of a member of the public, any Council Member may exercise a personal privilege to have an item continued once unless State law or local regulations require that action be taken at that time.~~

CONFLICT OF INTEREST (Disqualifications)

All Council Members are subject to the provisions of California Law, such as [Chapter 7, Title 9, of the California Government Code](#), relative to conflicts of interest, and to the conflict of interest code adopted by resolution of the Hayward City Council.

If a Council Member, after receiving the agenda packet, believes or is aware that [the Council Member he/she](#) has a potential conflict, [he/shethe Council Member](#) should confer with the

City Attorney prior to the meeting.

Any Council Member who has a conflict of interest shall absent him/herself from the Council Chamber during the debate and voting on the issue. The Council is prohibited by law to enter into contracts with its members. ([Government Code 1090 et seq](#))

LIMITATION OF DEBATE AND COUNCIL MEMBER DELIBERATIONS

No Council Member should speak more than once on any one subject until every other member choosing to speak thereon has spoken. Council Members are encouraged to keep their comments concise and succinct; and to limit their general comments on any item to five minutes once any specific questions on the item have been asked and answered. (Also, see Section VII under "Time Limitations")

DISSENT AND PROTESTS

Any member shall have the right to express dissent from or protest to any action of the Council and have the reason entered in the minutes. If such dissent or protest is desired to be entered in the minutes, this should be made clear by language such as "I would like the minutes to show that I am opposed to this action for the following reasons..."

PROCEDURES IN ABSENCE OF RULES

Except as modified by the provisions of this handbook, the proceedings of the City Council shall be governed by Robert's Rules of Order Newly Revised.

RULINGS OF CHAIR FINAL UNLESS OVERRULED

In presiding over Council meetings, the Mayor, Mayor Pro Tempore or temporary Presiding Officer shall decide all questions of interpretations of these rules, points of order or other questions of procedure, requiring rulings.

Any such decision or ruling shall be final unless overridden or suspended by a majority vote of the Council Member present and voting.

ADDRESSING THE COUNCIL

MANNER OF ADDRESSING THE COUNCIL/PUBLIC COMMENT

Any public member may arise and address the Council on any business especially concerning ~~the public member~~him/her, or affecting ~~their~~his/her interests; however, preference will be given to those who have first presented matters in the form of a written communication, or who have notified the Presiding Officer of their desire to speak. [\(Sec. 2-1.04, Municipal Code; Sec. 609, City Charter\)](#)

Any member of the public desiring to address the Council shall complete a "speaker card" and hand it to the City Clerk. The City Clerk will advise the Mayor. The Mayor will announce the names from the speaker cards. Once the public member's name is called, the public member should proceed to the podium and wait to be recognized by the Presiding Officer. After being recognized, ~~he/she~~public members shall speak directly into the microphone and for the record, ~~shall may~~ state ~~their~~his/her name and ~~city of residence. address and business address in Hayward if applicable.~~

~~The Mayor will allow up to one hour for c~~Comments from the public which are not the subject of an agenda item ~~to shall~~ be heard at the beginning of the posted agenda under the heading "Public Comments." ~~The balance of the public comments which are not the subject of an agenda item will be heard before City Manager Comments. The Mayor has discretion to hear the balance of public comments which are not the subject of an agenda item, depending on the number of speaker cards remaining. Otherwise the public may speak~~Any public comments on items on the agenda may speak when their agenda item is being considered.

Under the provisions of the Brown Act, the City Council is prohibited from discussing or taking action on an item not appearing on its posted agenda. Therefore, any issue raised under the "Public Comments" section of the agenda will be referred to staff for a decision about placing it on a future agenda for discussion, action, or report.

TIME LIMITATION

Individual Speakers

Any member of the public desiring to address the Council shall ~~be limited~~ ~~her/his~~this address to three (3) minutes unless less or further time has been granted by the Presiding Officer or in accordance with the section under Public Hearings. ~~The Presiding Officer~~Mayor has the discretion to shorten or lengthen the maximum time members may speak. ~~The Mayor has discretion to hear the balance of public comments which are not the subject of an agenda item, depending on the number of speaker cards remaining. Public Comments can be taken~~

~~for up to 1 hour, and any balance of public comments can be heard before the City Manager's comments. The Mayor has discretion to hear the balance of speakers under public comments depending upon the number of speaker cards submitted.~~

[Government Code Section 54954.3](#) states that if the City Council limits time for public comment, the City Council shall provide at least twice the allotted time to a member of the public who utilizes an interpreter to ensure that non-English speakers receive the same opportunity to directly address the Council. This shall not apply if the City Council utilizes simultaneous translation equipment.

Applicants and/or Appellants

Any applicant and/or appellant desiring to address the City Council shall limit their address to ten (10) minutes. This time limit will not be applied to speakers to whom constitutional due process applies. The City Attorney shall advise the City Council on this regard.

ADDRESSING THE COUNCIL AFTER MOTION IS MADE

After a motion has been made, or after a public hearing has been closed, no person shall address the Council except to answer an inquiry of Council Members addressed through the Chair.

LIMITATIONS REGARDING PUBLIC COMMENTS AND REPORTS

The making of oral communications to the Council by any member of the public shall be subject to the following limitations:

- (1) No speaker shall be permitted to address the Council on a topic which is currently before or about to be submitted for consideration by a city commission, board, or other agency before which the speaker should make his/hers presentation, until that latter body has completed its deliberations and taken its final action.
- (2) In case the speaker should have followed an otherwise available appeal procedure, the Presiding Officer shall not allow oral communication to the Council outside that procedure.

The Presiding Officer may limit the number of speakers heard on non-agenda topics at any single meeting. (See Section VII for "Time Limitations for Individual Speakers").

If it appears that several speakers desire to speak regarding a single topic, the Presiding Officer may reasonably limit the number speaking as to each side of an issue and request that they not be redundant. In this regard, preference may be given to speakers who represent groups of persons who have designated a spokesperson.

No statement shall be allowed to include charges or complaints against any employee of the City, regardless of whether such employee is identified in the presentation by name or by any other reference which tends to identify him/her. All charges or complaints against employees shall be referred without comment to the City Manager for appropriate action, and may also be submitted to members of the Council for information by written communication only.

WRITTEN CORRESPONDENCE

The City Clerk is authorized to receive and open all mail addressed to the Council as a whole and refer to the City Manager, for immediate attention, those communications related to administrative business, not necessarily requiring Council action, so that they may be disposed of between Council Meetings. A copy of such communication and response shall be sent to each Council Member marked "For Purposes of Information." Copies of all other communications sent to Council as a whole will be transmitted to them.

Any communication relating to a matter pending, or to be brought, before the City Council, shall be included in the agenda packet for the meeting at which such item is to be considered. Letters of appeal from administrative or Commission decisions shall be processed under applicable provisions of the Municipal Code or other ordinances. Communications specifically addressed to individual council members will be transmitted to them unopened.

Any non-confidential writings or documents related to an agenda item submitted to a majority of the Council less than 72 hours prior to a public meeting will be made available for public inspection in the Office of the City Clerk. Any documents related to an item on the agenda provided by City staff to the Mayor and City Council at the meeting must be available to the public at that meeting. ([SB 343, Brown Act amendment, July 1, 2008](#))

PERSONS AUTHORIZED TO BE WITHIN PLATFORM

No person except City officials shall be permitted within the platform area in front of the Council dais without the invitation or consent of the Presiding Officer.

MOTIONS

PROCESSING OF MOTIONS

When a motion is made and seconded, it shall be stated by the Mayor before debate. A motion so stated shall not be withdrawn by the mover without the consent of the person seconding it. A Council member will request to speak, be recognized by the Presiding Officer, and verbally move the item and wait for a seconder.

~~While the current Granicus – VoteCast system allows elected officials a more effective way to participate using touch screen displays and makes every part of the meeting process automated, there are limitations with the motion and second buttons. The Presiding Officer of the meeting is not able to see who offered a motion or a second. Until the limitation is resolved, members of the City Council wishing to make a motion and offer a second should use the “request to speak” button via their iPads to be acknowledged by the Presiding Officer. This process will be in place until the Presiding Officer can see in his/her the iPad who made the motion and the second.~~

BUSINESS ITEMS OUT OF ORDER

The Mayor may at any time, by majority consent of the Council, permit a member to introduce an ordinance, resolution, or motion out of the regular agenda order.

DIVISION OF QUESTION

If the question contains two or more divisible propositions, the Mayor may, upon request of a member, (unless appealed) divide same.

MOTION TO FIX HOUR OF ADJOURNMENT

Any regular meeting can be adjourned to a stated date, time, and place.

MOTION TO TABLE

A motion to table shall be used to temporarily bypass the subject. A motion to table is not debatable and shall preclude all amendments or debate of the subject under consideration.

MOTION TO LIMIT OR TERMINATE DISCUSSION

Such a motion shall be used to limit or close debate on, or further amendment to, the main motion and shall be undebatable. If the motion fails, debate shall be reopened; if the motion passes, a vote shall be taken on the main motion.

MOTION TO AMEND

A friendly amendment shall be in order if it is consented to by both the maker of the motion and the second. A motion to amend shall be debatable only as to amendment. A motion to amend an amendment shall be in order, but a motion to amend an amendment to an amendment shall not be in order. An amendment modifying the intention of a motion shall be in order, but an amendment relating to a different matter shall not be in order. Substitute motions are not allowed. Amendments shall be voted upon first. The main motion shall then be voted on either as amended or as originally stated, if the amendment failed to pass.

CONTINUANCE OF MATTERS (Note: CA Researching the Issue Further)

- (1) The City Council ordinarily will grant one continuance of a matter in the event it creates an inconvenience or hardship to a member of the public. Request for such a continuance should, if at all possible, be made at least five (5) days before the scheduled agenda date, and the continuance shall be to a date mutually agreeable to all parties.
- (2) (a) When five (5) or fewer members of the Council are present at the scheduled meeting, a request for a continuance may be made once in order that the matter may be scheduled for a time when more than five (5) members are expected to be present.

(b) Requests for continuance when there are five (5) or fewer members present shall be granted unless State law or local regulations require that action be taken at that time, or if the failure to act in a timely manner would create legal or financial jeopardy or substantially impair the City's operations.
- (c) Regardless of the number of Council Members present, or request of a member of the public, any Council Member may exercise a personal prerogative to have an item continued once unless State law or local regulations require that action be taken at that time or if the failure to act in a timely manner would create legal or financial jeopardy or substantially impair the City's operations. Exercising this personal prerogative will not count as a request for continuance per (2) (a) and (2) (b) above.
- (3) If a matter is continued, the Mayor will ask if those present who wish to speak to the matter can return at a later date. Those individuals who cannot, will be given the opportunity to speak on the matter and said comments shall be made part of the record to be considered at the continued date. Such persons shall not repeat statements so made at the continued date; however, further comment shall be allowed where new material is presented.

COUNCIL MEMBER OBLIGATION WHEN ABSENT

When a member of Council is absent from an earlier meeting at which a matter is discussed, it shall be the duty of such member to become acquainted with the issues discussed by reading the minutes, the documents presented, and, if possible, the electronic recording of such discussion.

VOTING PROCEDURE

The Council shall pass ordinances and resolutions only by taking the ayes and noes by an open vote, which shall be entered in the minutes of the meeting. The ayes and noes shall be taken and recorded on all motions. Abstentions shall also be recorded. ([Sec. 613, City Charter](#))

No ordinance or resolution shall be passed or become effective without receiving the affirmative votes of at least four members of the Council. ([Sec. 614, City Charter](#))

RECONSIDERATION

When any ordinance is put upon its final passage and fails to pass, and a motion is made to reconsider, the vote upon such motion shall not be taken except at a meeting of the Council, and held not less than one week after the meeting at which such motion is made. ([Sec. 618, City Charter](#))

TIE VOTES

Tie votes shall be lost motions. When all Council Members are present, a tie vote whether to grant an appeal from official action shall be considered a denial of such appeal, unless the Council takes another action to further consider the matter. If a tie vote results at a time when fewer than all members of the Council are present, the matter shall automatically be continued to the agenda of the next regular meeting of the Council, unless otherwise ordered by Council. Official actions are those quasi judicial actions such as made by Planning Commission wherein fewer than four votes sustain their action.

RESOLUTIONS

DEFINITIONS

As a rule, it can be said that legislative acts of the City Council (usually a rule of public conduct for long-term application) are taken by ordinance, whereas more routine business and administrative matters (usually more temporary and transitory in nature) are accomplished by "resolutions." The term "resolution" in its general sense will denote any action taken affirmatively via a vote of the Council, other than one taken by ordinance, which is memorialized in a separate document. In this City, however, two methods of action are in general use to accomplish such non-ordinance actions: "resolution" and "motion" (the latter recorded by minute entry). The two are equally as legally effective and binding; they vary in the formality of respective memorialization. The more formal is referred to as a "resolution." This, in addition to being referenced in the minutes, will be recorded by a separate document, numbered in sequence, and preserved in a separate set of books. Such "resolutions" are used in this City for various reasons, such as when specifically required by law, when needed as a separate evidentiary document to be transmitted to another governmental agency, or where the frequency of future reference back to its contents warrants a separate document (with the additional "whereas" explanatory material it often recites) to facilitate such future reference and research.

The "motion" (assuming it was one which passed) is a Council action which is recorded simply by an item entry in the minutes of the meeting at which it was accomplished, and no separate document is made to memorialize it. In this City, procedural actions (such as a motion to continue a hearing) are always done by motion, and, in addition, many administrative matters (such as directing the City Manager to furnish a report) are done by motion.

METHOD OF ACTION

Legislative action shall be taken by the Council only by means of an ordinance or resolution. ([Sec. 612, City Charter](#))

An ordinance or resolution may be adopted by a motion, duly seconded, and passed by four (4) votes of the City Council.

AYES AND NOES

The Council shall pass ordinances and resolutions only by taking the ayes and noes by an open vote, which shall be entered in the Minutes of the meeting. The ayes and noes shall be taken and recorded on all motions. ([Sec. 613, City Charter](#))

MAJORITY VOTE OF COUNCIL

No ordinance or resolution shall be passed or become effective without receiving the

affirmative votes of at least four members of the Council. [\(Sec. 614, City Charter\)](#)

SUBJECT OF TITLE

Every ordinance or resolution shall be preceded by a brief title which shall indicate the subject and purport thereof. [\(Sec. 615, City Charter\)](#)

RESOLUTIONS PREPARED IN ADVANCE

Where a resolution has been prepared in advance, the procedure shall be: motion, second, discussion, vote pursuant to methods prescribed earlier and result declared. It shall not be necessary to read a resolution in full or by title except to identify it. Any member may require that the resolution be read in full.

ORDINANCES

REQUIREMENTS OF ORDINANCES

Except as hereafter provided, no ordinance shall be adopted by the Council on the day of its introduction, nor within one week thereafter, nor at any time other than at a duly assembled meeting. If an ordinance is altered after its introduction (except for the correction of typographical or clerical errors), it shall be adopted at a meeting held at least one week after the date of such alteration.

At the time of introduction or adoption of an ordinance the title need only be read, unless reading of the ordinance in full is requested by any member of Council.

EMERGENCY ORDINANCES

Any ordinance declared by the Council to be necessary as an emergency measure for preserving the public peace, health or safety and containing a statement of the reasons for its urgency, may be introduced and adopted at the same meeting if passed by at least five affirmative votes.

PUBLICATION REQUIREMENTS

Before final adoption of an ordinance, a notice indicating its title, a subject matter index, the date of its introduction, and the date, time, and place it will be considered for final adoption, and that copies of the full text thereof are available for examination by the public in the office of the City Clerk, shall be published once in a newspaper of general circulation within the City at least three days before the final adoption meeting date.

A similar notice indicating the adoption of an emergency ordinance and the vote thereon shall be published once within one week after its adoption. ([Sec. 617, City Charter](#))

The enacting clause of all ordinances adopted by the Council shall be substantially as follows: "The Council of the City of Hayward does ordain as follows." ([Sec. 616, City Charter](#))

When any ordinance is put upon its final passage and fails to pass, and a motion is made to reconsider, the vote upon such motion shall not be taken except at a meeting of the Council, held not less than one week after the meeting at which such motion was made. ([Sec. 618, City Charter](#))

All ordinances shall be signed by the Mayor and attested by the City Clerk. ([Sec. 619, City Charter](#))

No ordinance shall become effective until thirty days from and after the date of its adoption, except the following which shall take effect upon adoption:

- (a) An ordinance calling or otherwise relating to an election.
- (b) An improvement proceeding ordinance adopted under State law or a procedural ordinance.
- (c) An ordinance declaring the amount of money necessary to be raised by taxation, or fixing the rate of taxation, or levying the annual tax upon property.
- (d) An emergency ordinance adopted in the manner provided for in the Charter.
- (e) An ordinance annexing areas to the City.
- (f) An ordinance relating to the zoning or rezoning of the City or portions thereof. [\(Sec. 620, City Charter\)](#)

A true and correct copy of all ordinances shall be kept and certified by the City Clerk, such record copy, with such certificate, or the original ordinance, shall be prima facie evidence of the contents of the ordinance and of the due passage and publication of the same, and shall be admissible as such in any court or proceeding. Such records shall not be filed in any case, but shall be returned to the custody of the City Clerk. Nothing herein contained shall be construed to prevent the proof of the passage and publication of an ordinance in the usual way.

[\(Sec. 621, City Charter\)](#)

Any or all ordinances of the city which have been enacted in the manner required at the time of their adoption, and which have not been repealed, may be compiled, consolidated, revised, indexed and arranged as a comprehensive ordinance code, and such code may be adopted by reference, with the same effect as an ordinance, by the passage of an ordinance for such purpose. Such code need not be published in the manner required for other ordinances, but not less than three copies thereof shall be filed for use and examination by the public in the office of the City Clerk prior to the adoption thereof. Ordinances codified shall be repealed as of the effective date of the code. Subsequent amendments to the code shall be enacted in the same manner as herein required for the amendment of ordinances generally. [\(Sec. 622, City Charter\)](#)

ORDINANCE VIOLATION - PENALTY

A violation of any ordinance of the City shall constitute a misdemeanor unless by the terms of such ordinance its violation shall constitute an infraction. A violation of any ordinance of the City may be prosecuted in the name of the People of the State of California or may be redressed by civil action. [\(Sec. 623, City Charter\)](#)

COUNCIL COMMITTEES AND APPOINTMENTS TO ALAMEDA COUNTY AGENCIES AND OTHER REGIONAL BOARDS

The Council may organize among its members such standing committees as it may determine, each of which shall act as a fact-finding committee for the purpose of considering all available information on proposed legislation or matters of policy referred to such committee by Council and making recommendations thereon to the Council as a whole. ([Sec. 600a, City Charter](#))

Each Council Member shall be assigned by the Mayor to various standing committees, [including Alameda County agencies and other regional boards](#). Participation and attendance at those committee meetings is important. Continued absences from meetings without good cause may result in removal from a committee at the discretion of the Mayor, taking into consideration advice from other committee members. [Attendance will be reported annually to the Mayor and Council for Mayor's appointees](#).

From time to time Ad Hoc committees may be organized by the Mayor to address special concerns which may be of short duration. Additionally, each Council Member shall be assigned by the Mayor as Liaison to various boards, committees and commissions, and other public agencies or quasi-public agencies.

It shall be the prerogative of the Mayor, taking into consideration relative length of Council service, individual Council Member preference and equivalency, to assign individual Council Members to these various committees. Normally appointments are for a two-year period, but may be renewed at the Mayor's discretion where Council Members have particular experience or expertise with respect to the business of a particular committee.

STANDING COMMITTEES

The list of standing and Ad Hoc committees and liaison assignments shall be revised from time to time as necessary.

COUNCIL COMMITTEE MEETINGS

- (1) All Council Committees must comply with the Brown Act.
- (2) A Council Member other than Council Committee Members may attend a regular committee meeting. However, [he/she/a Council Member](#) shall not participate in the decision-making process of the Committee.
- (3) It is the policy not to hold joint Council-Committee meetings. An item that might be considered for such meeting should be scheduled for a work session of the whole Council.

On March 13, 2015, the City Attorney provided a memorandum to clarify the application of the Brown Act to the Council's standing and ad hoc committees. A copy of the memorandum is available at the following link:

http://www.hayward-ca.gov/blogdocs/cityclerk/2015/SKMBT_C65215032308330.pdf

COUNCIL LIAISON

The Mayor shall designate a member of Council to be a liaison to each city board and commission. The method and length of appointment shall be as provided above in the section on Council Committees.

RESPONSIBILITY OF COUNCIL LIAISON

It shall be the responsibility of a Council liaison to attend as many board or commission meetings as possible in order to be currently aware of issues being dealt with, to listen and observe, and to bring back to the Council any needs, requests, or information from a board or commission. A Council Liaison shall not take part in the deliberations of the commission. The Council liaison also plays an important role informing and advising the Council's appointed bodies. Council liaisons may send updates to the City Council through the City Clerk within one month of advisory body meetings. Annual Reports are encouraged for all Council appointments.

LIAISON AND COMMISSION MEMBER DECORUM

Council liaison and members of boards and commissions have a mutual obligation to accord the utmost courtesy to one another and shall refrain from rude and derogatory remarks, abusive comments, or other chastising, particularly in public.

If a Council liaison has a specific concern about the behavior and/or statements of an individual board or commission member, ~~he/she~~the Council liaison should bring it first to the attention of the board or commission Chairperson in private. If no resolution is affected, then the matter should be brought to the attention of the Mayor for ~~his/her~~ action.

Conversely, board and commission members should discuss a concern about a Council liaison with their respective Chairperson and not go directly to the Mayor or to other Council Members.

Decorum among board and commission members shall be the same as applicable to the Council.

Council liaisons may send updates to the City Council through the City Clerk within one month of advisory body meetings. Annual Reports are encouraged for all Council appointments.

BOARDS, COMMISSIONS, COMMITTEES, AND TASK FORCES

(Council's Appointed Officials Handbook)

<http://www.hayward-ca.gov/your-government/boards-commissions>