

**CITY COUNCIL MEETING
TUESDAY, FEBRUARY 26, 2019**

**DOCUMENTS RECEIVED
AFTER PUBLISHED AGENDA**

AGENDA QUESTIONS & ANSWERS

Items 1 and 7

AGENDA QUESTIONS & ANSWERS

MEETING DATE: February 26, 2019

Item # 1: [PH 19-016](#) Hearing to Adopt Resolution 2019-02 Approving the Annexation of the Ersted Property into the Hayward Geologic Hazard Abatement District and Approving the Ersted Property Plan of Control

I appreciate the appeals process added to the GHAD plan of control. Is it consistent with similar appeal processes that the appeal would be submitted to the Manager rather than the GHAD Attorney or Clerk?

5.8 APPEALS PROCEDURE If a property owner does not agree with a decision of the GHAD Manager within Section 5, the property owner may request a reconsideration of the decision. The property owner shall, within thirty (30) days of the decision, file with the GHAD Manager a brief summary of the facts of the matter, the decision being appealed, and the grounds for the appeal. The GHAD Manager will present the request to the Board with an explanation of the basis of the GHAD Manager's decision, and the property owner's requested relief. The Board will decide based on a majority vote. The GHAD Manager will proceed based on the direction of the Board.

In the few GHADs with an appeal's process described in their Plan of Control, appeals are submitted through the GHAD Manager. As with other GHAD matters, where appropriate, the GHAD Manager would engage the GHAD Attorney to provide review and comments prior to the GHAD Clerk placing the appeal with staff recommendations on the GHAD Board's agenda.

Item # 7: [LB 19-012](#) FY 2019 Mid-Year Budget Review & General Fund Long Range Financial Model Update (Report from Director of Finance Claussen)

1. Are the "translation services, and digitizing applications" City Manager's Office expenses requested in the Staff reports - as part of the consideration for mid-year budget adjustments - related to translation and digitizing happening through the City Clerk's Office?

"The City Manager's Office is requesting \$156,810 to use for professional services related to the rent review program, translation services, and digitizing applications."

2. Would you please share, briefly, the background of one of the garbage transfer sites being sold?

"Maintenance Operations (increase of \$75,000)- The City operates two garbage transfer sites. This year, one of the properties was sold

No, the City Manager's Office will be using the services for the City's rent review program while the City Clerk's Office is utilizing the services for provision at Council & Committee meetings as well as to digitize related documents.

The site that the City used previously was owned and sold by BART. This parcel was purchased by William Lyon Homes as part of the SoHay development in which the developer purchased a number of parcels. Once the sale became evident, the City secured a lease at another transfer site in the City; this property is also owned by and leased from BART.

and the transfer site was closed. The City has secured an alternative site and funds are need to setup the new location.”

3. CDBG Housing Rehab Loan fund shows an increase of \$1,300,313. Would you please clarify this increase?

4. Similarly, I think we have discussed the \$3,336,990 increase in Worker’s Comp, but would you please remind me?

5. What is the Hayward Trust & Agency Fund?

\$1,000,000 was provided to St. Rose Hospital for equipment purchased by the hospital; \$300,000 was appropriated as Measure A1 Matching funds to Mission Senior Paradise. Both were appropriated by Council as part of the Biennial Funds process and approved by Reso. 18-082.

A quick point of clarification, the amount referenced in this inquiry is related to the Risk Management Fund and not Worker’s Comp Fund. The amount is made up of two items. \$3,000,000 appropriates payment related to the settlement the City & RCEC reached in late calendar 2018. The remainder of this request is for contracts being carried forward with multiple different legal service providers.

This fund captures donations that have been made for the benefit of a specified purpose. The fund is being used currently for the Hayward Youth Commission and Hayward Youth at Large programs, both of which are being programs in the City Clerk’s Office.

ITEM #3 CONS 19-111

**APPROVAL OF MICROSOFT ENTERPRISE
LICENSE AGREEMENT (ELA) FOR MICROSOFT
ENTERPRISE RENEWAL LICENSES FOR A
THREE-YEAR CONTRACT**

MEMO



DATE: February 26, 2019
TO: Mayor and City Council
FROM: City Manager
THROUGH: Adam Kostrzak, IT Director /CIO
SUBJECT Approval of Microsoft Enterprise License Agreement (ELA) for Microsoft Enterprise Renewal Licenses for a Three-year Contract in an Amount Not to Exceed \$725,075

RECOMMENDATION

That Council accepts the amendment to agenda item CONS- 19-111 Agenda Item #3, regarding the price quoted for the Microsoft ELA. and adopt the attached revised resolution. The original quote provided by PCM-G to the City had an incorrect SKU number and will not be honored by PCM-G on behalf of Microsoft. The cost of the licenses has been revised to \$757,456.62 to reflect this change and this price point represents the lowest cost among the quotes received.

Staff recommends authorizing the City Manager to negotiate and execute a purchase order, payable annually for a total amount not to exceed \$248,421.74 for year 1 and \$254,517.44 each year for years 2 and 3; and approve a contingency of 10% of \$75,745.66.

Fund 730-0001-17300-61140 will be increased by \$67K to cover contingencies.

Recommended by: Adam Kostrzak, IT Director / CIO

Approved by:

Kelly McAdoo, City Manager

Attachment:
Revised Resolution

HAYWARD CITY COUNCIL

RESOLUTION NO. 19-

Introduced by Council Member _____

RESOLUTION AUTHORIZATING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A PURCHASE ORDER AND A THREE-YEAR CONTRACT FOR A MICROSOFT ENTERPRISE LICENSE AGREEMENT (ELA) FOR MICROSOFT ENTERPRISE SOFTWARE LICENSES INCLUDING OFFICE 365 SUITE

WHEREAS, on 2019, February 26, the three-year contract between PCM-G and the City will end and must be renewed to prevent the repayment of all the perpetual licenses that we own.

WHEREAS, the City desires to renew the Microsoft ELA agreement to maintain the level of current services which provide licensing for life-of-business applications using the Windows Operating System and Microsoft Office 365.

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 an agreement for a ELA not to-exceed ~~\$725,075~~ \$833,202, in a form to be 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