

HAYWARD CITY COUNCIL

RESOLUTION NO. 24-\_\_\_\_

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

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH NHA ADVISORS, LLC FOR MUNICIPAL ADVISORY SERVICES IN AN AMOUNT NOT TO EXCEED \$90,000 FOR THE WATER RESOURCE RECOVERY FACILITY (WRRF) IMPROVEMENT – PHASE II PROJECT

WHEREAS, the City of Hayward (City) owns and operates a wastewater collection, treatment and disposal system, including the Water Resource Recovery Facility (WRRF), which treats an average flow of approximately eleven million gallons per day; and

WHEREAS, increasing nutrient (nitrogen) loadings in the Bay is a growing concern for the Bay Area water quality community, which has been discussed in the San Francisco Bay Regional Water Quality Control Board's (Water Board) both the first Nutrients Watershed Permit (issued 2014) and the Second Nutrients Watershed Permit (issued 2019); and

WHEREAS, in June 2020, the City completed a comprehensive Master Plan update, the WPCF Phase II Facilities Plan, to identify improvements required for the WRRF to upgrade its treatment process to incorporate nutrient reduction in the treated effluent to meet the upcoming regulatory requirements (Phase II Project); and

WHEREAS, on February 15, 2024, the Water Board issued a draft of the 3rd Nutrients Watershed Permit, which will be finalized and implemented by August 1, 2024, which would require the City to reduce nutrient loading to the Bay by 50% by May 1, 2034; and

WHEREAS, the main goal of the Phase II Project is to construct improvements necessary for nutrient removal in compliance with the Water Board's anticipated requirements in the 3rd Nutrients Permit; and

WHEREAS, in accordance with the Master Plan update, the City will also construct (i) a 21,800 square foot building housing a centralized administration building, main control room for WRRF operations, expanded laboratory facilities, and staff facilities (WRRF Administration and Lab Project) and (ii) a 3 MG primary effluent equalization facility and pump station (Primary Effluent Equalization Facility Project) at a new location in the WRRF, to improve the WRRF's hydraulic capacity and operability, and to clear space for the Phase II Project; and

WHEREAS, the City will pursue financing for the Projects under the U.S. Environmental Protection Agency (USEPA) Water Infrastructure Finance and Innovation Act (WIFIA) program and may pursue financing under the California Clean Water State Revolving Fund (CWSRF) loan program, and also expects to issue revenue bonds, among other available financing vehicles; and

WHEREAS, on May 21, 2024, Council adopted an Ordinance adding Article 22, Chapter 8 to the Hayward Municipal Code regarding Water and Wastewater Enterprise Revenue Bond Law; and

WHEREAS, pursuing municipal bonds requires information and documents demonstrating the borrower's financial creditworthiness, typically prepared by the City's financial advisor.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby authorizes the City Manager to negotiate and execute an agreement with NHA Advisors LLC for Municipal Advisory Services in an Amount Not-to-Exceed \$90,000 for the WRRF Phase II Project in a form to be approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2024

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:  
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward