# 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, August 18, 2026**

**7:00 PM**

**City Hall, Council Chambers**
**777 B Street, Hayward**

## City Council

## CITY COUNCIL MEETING
## 777 B Street, Hayward, CA 94541
## City Hall, Council Chambers

NOTICE: The City Council will hold a hybrid meeting in the Council Chambers and virtually via Zoom

*PUBLIC PARTICIPATION*
*How to observe the Meeting:*

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

*How to submit written Public Comment:*

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

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

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

*Participate in the Council Chambers or click link below to join the meeting:*
*https://hayward.zoom.us/j/89609029108?pwd=qiawgmkzmt8xUtjfj6GLmDZGbo2CMV.1*

*Meeting ID: 896 0902 9108*
*Password: CC8/18@7pm*
*or*

*Dial: +1 833 928 4609 (Toll Free)*

*Meeting ID: 896 0902 9108*
*Password: 9508561200*

**CITY COUNCIL MEETING**
**777 B Street, Hayward, CA 94541**
**City Hall, Council Chambers**

**CALL TO ORDER: Mayor Salinas**

**Pledge of Allegiance: Council Member Andrews**

**SB 707 TELECONFERENCE NOTIFICATIONS AND CONSIDERATION**

**ROLL CALL**

**CLOSED SESSION ANNOUNCEMENT**

**June 16, 2026**
**July 22, 2026**
**August 18, 2026**

**PRESENTATION**

Fire Department Service Awards: Letters of Commendation

**PUBLIC COMMENTS**

*The Public Comments section provides an opportunity to address the City Council on items not listed on the agenda or Informational Staff Presentation items. The Council welcomes comments and requests that speakers present their remarks in a respectful manner, within established time limits, and focus on issues which directly affect the City or are within the jurisdiction of the City. As the Council is prohibited by State law from discussing items not listed on the agenda, items will be taken under consideration and may be referred to staff. The City Council welcomes comments, including criticism, about the policies, procedures, programs, or services of the City, or of the acts or omissions of the City Council. Speakers shall not use threatening, profane, or abusive language which disrupts, disturbs, or otherwise impedes the orderly conduct of a City Council. The City is committed to maintaining a workplace free of unlawful harassment and is mindful that City staff regularly attend Council meetings. Discriminatory statements or conduct that is hostile, intimidating, oppressive, or abusive – are per se disruptive to a meeting and will not be tolerated. ration and may be referred to staff.*

**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.

## SPECIAL PRESENTATION

**1.** RPT 26-058 AC Transit Budget & Service Update: Receive a Presentation from AC Transit on Agency Deficit Projections and Potential Service and Workforce Reductions (Report from AC Transit Board Director Anthony C. Silva)

**Attachments:** Attachment I AC Transit Budget and Service Update memo

Attachment II PowerPoint Presentation

## 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 CALENDAR

**2.** MIN 26-073 Approve the City Council Minutes of the City Council Meeting on June 16, 2026

**Attachments:** Attachment I Draft Minutes of 6/16/2026

**3.** CONS 26-288 Adopt a Resolution (1) Approving Addendum No. 1 and No. 2 to the Project Specifications and Plans, (2) Rejecting the Bid Protest from SubTerra Construction, Inc., (3) Authorizing the City Manager to Award a Contract to JDB & Sons Construction, Inc., in an Amount of $10,229,360, and (4) Approving $1,022,936 in Administrative Construction Contingency for the FY24 Sewer Line Replacement Project, Project No. 07789

**Attachments:** Attachment I Staff Report

Attachment II Resolution

Attachment III Bid Protest

**4.** CONS 26-289 Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Contract with Hi-Lite Airfield Services for Pavement Improvements of the Airport Hangar Improvement Project No. 06826 in a Not-To-Exceed Amount of $244,387.10, and Approving $24,438.71 in Administrative Construction Contingencies

**Attachments:** Attachment I Staff Report

Attachment II Resolution

| | | |
|---|---|---|
| **5.** | CONS 26-291 | Adopt Resolutions Approving City Applications to the Alameda County Transportation Commission Comprehensive Investment Plan and Authorizing the City Manager to Execute Agreements with the Alameda County Transportation Commission |
| | **Attachments:** | Attachment I Staff Report<br>Attachment II Resolution - Tennyson Corridor<br>Attachment III Resolution - A Street Corridor<br>Attachment IV Resolution - Safe Routes to School |
| **6.** | CONS 26-293 | Adopt a Resolution Approving Addendum No. 1, Awarding a Construction Contract to QLM, Inc., for the Fiscal Year 2026 Sidewalk Rehabilitation and Wheelchair Ramps Project, Project No. 05348 in the Amount of $823,397, and Approving $100,000 in Administrative Construction Contingencies |
| | **Attachments:** | Attachment I Staff Report<br>Attachment II Resolution<br>Attachment III Distract Map |
| **7.** | CONS 26-294 | Adopt an Ordinance of the City Council of the City of Hayward Amending Sections 2-3.90, et seq., of the Hayward Municipal Code, Relating to the Community Services Commission; and Finding that the Action is Exempt from CEQA Review |
| | **Attachments:** | Attachment I Staff Report<br>Attachment II Summary of Published Ordinance |
| **8.** | CONS 26-299 | Adopt a Resolution Approving Addendums No. 1 and No. 2, Authorizing the City Manager to 1) Award a Contract to Corcus Construction, Inc., in an Amount of $1,262,240 and Approve $126,224 in Administrative Construction Contingency, and 2) Amend the Existing Professional Services Agreement with HydroScience Engineers, Inc., to Increase the Contract Amount by $44,203; and 3) Appropriate Additional Funds in the Amount of $471,275 for the Water Resource Recovery Facility Effluent Return Pump Station Project, Project No. 07806 |
| | **Attachments:** | Attachment I Staff Report<br>Attachment II Resolution |

**9.** CONS 26-307 Adopt Resolutions Authorizing the City Manager to Negotiate and Execute 1) An Amendment to the Loan to the Hayward Economic Development Corporation and 2) An Agreement for Staffing Services Between the Two Agencies

**Attachments:** Attachment I Staff Report
Attachment II Resolution Loan Amendment
Attachment III Resolution Staffing Agreement
Attachment IV Loan Amendment Terms

**10.** CONS 26-309 Adopt a Resolution Authorizing the City Manager to Execute a Memorandum of Understanding Between the City of Hayward and the County of Alameda for the Administration of the Russell City Redress Fund and Phase 1 Payments and Related Actions

**Attachments:** Attachment I Staff Report
Attachment II Resolution
Attachment II Exhibit A - MOU

**11.** CONS 26-313 Adopt a Resolution Approving Three Side Letters of Agreement for Clarification and Clean-Up Purposes Amending Memoranda of Understanding between the City of Hayward and Both the International Association of Firefighters, Local 1909 and Hayward Fire Officers Association Confirming Previous Agreements and Establishing a Payment for Preceptor Work, and Authorizing Staff to Execute the Agreements

**Attachments:** Attachment I Staff Report
Attachment II Resolution
Attachment III CalPERS Cost-Sharing Side Letter
Attachment IV CTO Side Letter
Attachment V Preceptor Side Letter
Attachment VI Side Letter of Agreement Approved April 2026

**12.** CONS 26-314 Adopt a Resolution (1) Authorizing the City Manager to Negotiate and Execute a Five-Year Agreement with Axon Enterprises, Inc. for a Real-Time Information Center Technology Package, including “Drone as a First Responder” Equipment, 64 Replacement Automated License Plate Recognition Cameras, and Other Integrated Technologies with a Maximum Not-to-Exceed Compensation Amount of $2,945,000 Consistent with Previous City Council Direction; (2) Authorizing the City Manager to Execute Future Amendments that Result in Reduced Costs or Impacts to the General Fund; and (3) Authorizing Related Budget Actions Contingent on Maintaining or Reducing the General Fund Allocation

**Attachments:**
Attachment I Staff Report
Attachment II Resolution
Attachment III HPD Policy 611

**LEGISLATIVE BUSINESS**

**13.** LB 26-014 Cal Cities 2026 Annual Conference: Adopt Resolutions (1) Designating a Voting Delegate and Alternates for the Conference Scheduled for September 23-25, 2026 , and (2) Directing the City’s Voting Delegate to Vote on a Proposed League of California Cities General Assembly Resolution Calling for a Working Group to Consider Actions to Ensure Final Local Authority Over Housing and Land Use Decisions (Report from City Clerk Lens and City Manager Ott)

**Attachments:**
Attachment I Staff Report
Attachment II Resolution Designating Delegates
Attachment III Resolution Regarding Cal Cities Resolution
Attachment IV Cal Cities Annual Conference Information

**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.

## INFORMATION ITEMS

*Information items are presented as general information for Council and the public, and are not presented for discussion. Should Council wish to discuss or take action on any of the "information" items, they will direct the City Manager to bring them back at the next Council agenda as an Action Item.*

**14.** RPT 26-057 Fiscal Year 2026 Q3 and Q4 Semiannual Capital Improvement Program Progress Report

**Attachments:** Attachment I Staff Report

Attachment II FY26 Q3 & Q4 In Progress Projects

Attachment III FY26 Q3 & Q4 Completed Projects

## ADJOURNMENT

## NEXT SPECIAL MEETING, August 25, 2026, 7:00 PM

## PUBLIC COMMENT RULES

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

## PLEASE TAKE NOTICE

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

**PLEASE TAKE FURTHER NOTICE**

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

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

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

*Assistance will be provided to those requiring language assistance. For translation services, please contact the City Clerk's Office at least 24 hours before the start of the meeting at cityclerk@hayward-ca.gov or (510) 583-4400. The translation link will only be activated when translation services have been requested in advance. If translation services have been requested for this meeting, written or audio translation may be accessed during the meeting using the following link: https://attend.wordly.ai/join.*

# CITY OF HAYWARD

Hayward City Hall
777 B Street
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**File #:** RPT 26-058

**DATE:** August 18, 2026

**TO:** Mayor and City Council

**FROM:** City Manager

**SUBJECT**

AC Transit Budget & Service Update: Receive a Presentation from AC Transit on Agency Deficit Projections and Potential Service and Workforce Reductions

**RECOMMENDATION**

That the City Council receives a presentation from AC Transit staff on agency deficit projections and potential service and workforce reductions.

**SUMMARY**

The Alameda-Contra Costa Transit District (AC Transit) is the largest public bus-only transit system in California. For 65 years, AC Transit has connected East Bay residents to jobs, schools, healthcare, and community life. However, rising costs have outpaced available funding, leaving the agency at a historic financial crossroads, facing a four-year, $200 million deficit beginning in Fiscal Year 2027-28.

The emergency relief funding that sustained service through the pandemic is now gone. At the same time, costs of operating transit are rising - including wages and benefits, fuel, parts, and bus production - these increases are outpacing the revenues we rely on.

A recent State of California bridge loan provides temporary relief but does not solve the ongoing lack of funding. The passage of a proposed ballot measure in November could provide funding for AC Transit to continue full service. However, without sustainable, long-term funding by December 2026, our 65-year-old transit district faces unavoidable service cuts of up to 16% and potential layoffs, impacting as many as 300 employees.

**ATTACHMENTS**

| | |
|---|---|
| Attachment I | AC Transit Budget and Service Update |
| Attachment II | AC Transit Presentation |

**DATE:** August 18, 2026

**TO:** **City of Hayward**
Mayor Mark Salinas, Mayor Pro Tempore George Syrop; and Councilmembers: Angela Andrews, Ray Bonilla, Dan Goldstein, Julie Roche, and Francisco Zermeño; and City Manager Jennifer Ott

**FROM:** Diann Castleberry, AC Transit Legislative Affairs & Community Relations Department

**SUBJECT:** AC Transit Budget & Service Update: Receive a presentation from AC Transit on agency deficit projections and potential service and workforce reductions.

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## Background

The Alameda-Contra Costa Transit District (AC Transit) is the largest public bus-only transit system in California. For 65 years, AC Transit has connected East Bay residents to jobs, schools, healthcare, and community life. However, rising costs have outpaced available funding, leaving the agency at a historic financial crossroads, facing a four-year, $200 million deficit beginning in Fiscal Year 2027-28.

The emergency relief funding that sustained service through the pandemic is now gone. At the same time, costs of operating transit are rising – including wages and benefits, fuel, parts, and bus production – these increases are outpacing the revenues we rely on.

A recent State of California bridge loan provides temporary relief but does not solve the ongoing lack of funding. The passage of a proposed ballot measure in November could provide funding for AC Transit to continue full service. However, without sustainable, long-term funding by December 2026, our 65-year-old transit district faces unavoidable service cuts of up to 16% and potential layoffs, impacting as many as 300 employees.

## Current Status

This is an informational presentation. AC Transit representatives will provide an update on the agency's financial outlook, including projected deficits, and possible service and workforce reductions, and will invite public input.

Alameda-Contra Costra Transit District

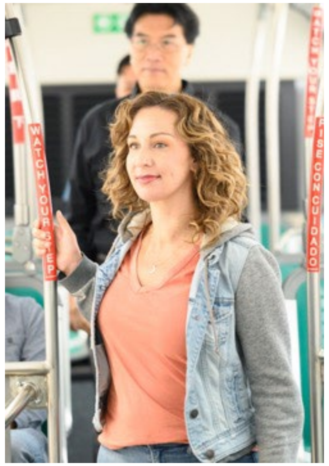
# Keeping the East Bay Moving

## The State of AC Transit 2026

City of Hayward

August 18, 2026

# AC Transit At a Glance



- **California's largest public bus-only system**
- 2023 Outstanding Public Transportation System Award

**Serving the** East Bay since 1960

**$606.3M** operating budget

## Service area:

364 miles

Serving **3+ million** riders monthly

Connecting to **16 transit systems**

**13** cities and **8** unincorporated communities in Alameda and Contra Costa counties

**65%** of riders: low-income

**75%** of riders: people of color

**6** facilities in **4** cities:
- Oakland (3)
- Emeryville
- Hayward
- Richmond

2,266 Employees

# Current Ridership

## Providing 40 Million Annual Rides

(April 2026 data)


141,000 Weekday

162,559 Saturday & Sunday

9,538  Daily Weekday Transbay

30,000 Student Trips Every School Day

# Driving the East Bay Economy

## A Workforce-First Employer

Investments in service, maintenance, and capital projects support over

**5,100 Jobs**

**$604 million**

in local wages fuel the region's economy

## An East Bay Economic Engine

**$1 billion**

Local Business Sales

*Source: The American Public Transportation Association (APTA)*

# National Leader in Clean Transit

*25 Years of Zero Emission Leadership*

**58 zero emission buses (ZEBs)**
(28 battery electric + 30 hydrogen fuel cell)

**The nation's first Zero Emission Bus University (ZEBU):** the future of workforce development

**Awarded $40M** in federal grants to help make ZEBU – in Hayward – a reality

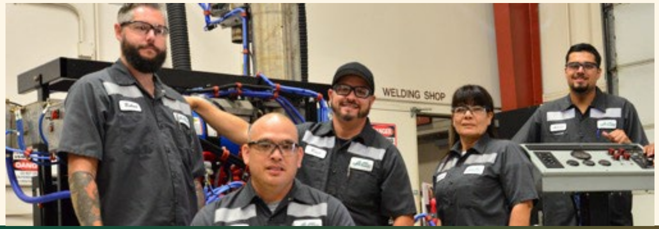

CHABOT COLLEGE

ATU

**ZEBU Workforce Partnership**
A first-of-its-kind transit-college collaboration with Chabot College & union (ATU Local 192)

**Investing in communities** that depend on transit





# Investing In Our Communities

*Programs that put riders first*

## EasyPass

- ***Unlimited rides, one pass***
- ***4.7M Annual Trips***

Deeply discounted annual passes for employers, colleges, and residential communities.

## Clipper START

***Half-price fares for riders who need it most***

50% off every trip for income-eligible adults across Bay Area transit.

## Safety Tech

***Bus Only Lanes & Bus Stop Enforcement***

Onboard camera technology encourages safer driving around buses.

## Regional Network Management

***Coordinating transit priority across the Bay Area***

Working with regional partners to make buses faster and more reliable across major corridors.

## Realign

***Right-Sizing Our Bus System***

Redesigned 104 lines to match today's ridership, improve connectivity, and boost efficiency.

# AC Transit Riders Depend on Us More Than Ever

- Higher-income commuters are riding transit less often.
- **Lower-income riders still rely heavily on transit for daily needs.**
- **Over 60% of AC Transit riders earn under $50,000.**
- 70% of Bay Area transit riders earn under $100,000.
- 65% of Bay Area transit riders had no household vehicle available for their trip.

***East Bay riders with the fewest transportation options would bear the brunt of possible service cuts.***


*Sources: S.F. Chronicle, June 29, 2026; MTC 2023–2024 Transit Passenger Snapshot Survey.*

# Accountability and Oversight

*Making every taxpayer dollar count*

## Strengthening Fare Compliance

***Every fare supports service***

Following the first fare increase in six years, a second arrives July 1, 2026, paired with a campaign on the importance of paying the fare and reducing evasion through fare compliance.

## 2026 State Audit Report

***Validated by California's State Auditor***

AC Transit and five other East Bay transit agencies are already working together well across the region. The real problem is mounting fiscal deficits that threaten service.

## SB 63 Financial Efficiency Review

***Independent review confirms we're controlling costs***

Independent review confirms average annual savings of $33 million since FY20.

## Disciplined Financial Management. Strong Credit Rating.

***S&P Global Ratings: AA+***

One of the highest credit ratings, demonstrating a very strong ability to meet financial obligations.

# Financial Outlook

*Structural Deficit & Mitigations*

## What's Behind Our Budget Deficit?

- Emergency relief funding that sustained service through the pandemic is now gone
- Operating costs — wages and benefits, fuel, parts, and bus production — are rising faster than revenues
- Flat regional sales tax revenues

**+28%**
**Fuel**

**+14%**
**Bus parts**

**+35%**
**Cost of buses**

*Bus cost increase: 2023–2025*

# Financial Outlook

*Structural Deficit & Mitigations*

## Smart Cost-Cutting

***Every department is tightening spending***

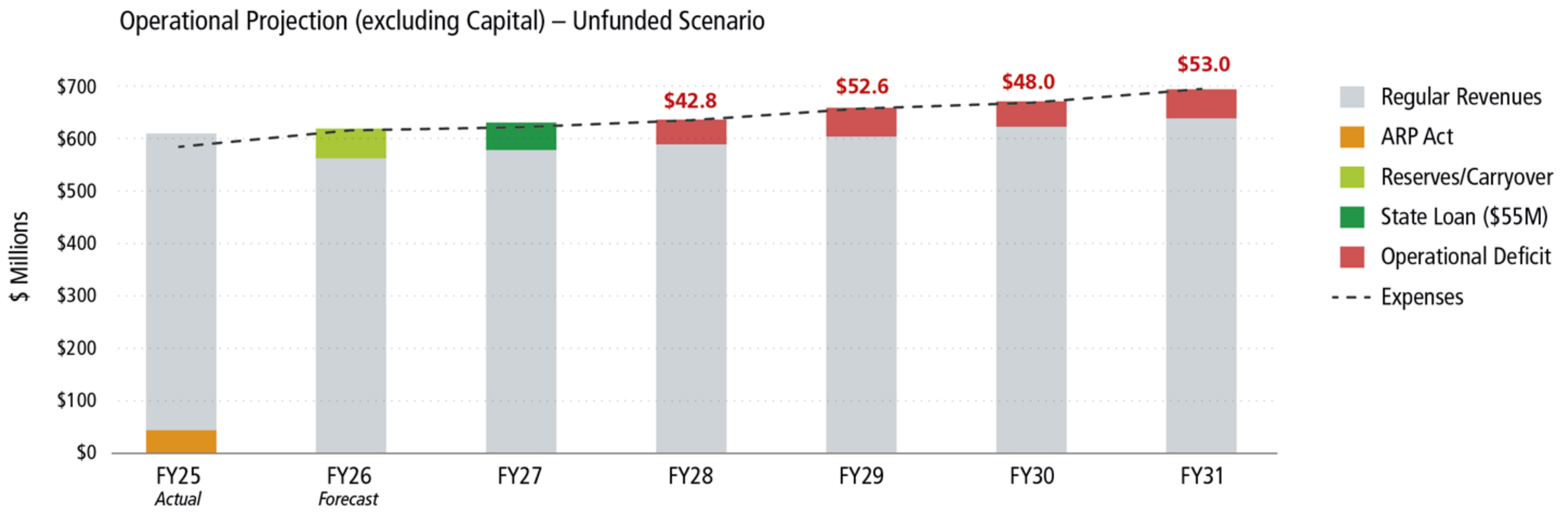
**$9M+**

In savings delivered in FY 26

- Hiring limited to critical roles that directly support service
- Temporary employees scaled back — saving up to $2M each year
- Brought outside professional services in house
- Partnered with other agencies to buy goods and services for less
- Temporary pension payment plan reduction approved for FY 2026–27

# If New Funding Doesn't Materialize

*$200M, Projected Four-Year Deficit*




▼ **16%**
**Bus Service**

**Potential loss of 300 jobs and cuts to 1,500 paratransit trips.**

# Potential New Funding & Use of Bridge Loan

## November 2026 Ballot Measure

- SB 63 authorizes a 5-county sales tax measure: 0.5% in Alameda, Contra Costa, San Mateo and Santa Clara and 1% in San Francisco
- If the measure is approved by voters, AC Transit receives $52M annually
- Would provide funding for other transit operators and local projects prioritized by each county
- Would preserve current bus service levels

## Regional Transit Bridge Loan

- $590 million loan offers short-term relief
- **AC Transit will receive $55 million**
- The loan covers most of our $60 million deficit in FY26-27 allowing us to maintain current service levels into the coming fiscal year

# Protect As Much As Possible

*Plan for the worst, hope for the best*

## Why Plan for Service Reductions?

- Protect the investments we've made
- Continue to use tax dollars wisely
- Deliver the best service we can in the worst-case scenario
- Protect as much bus service as possible

## Guiding Principles

- Maintain the Realign network
- Minimize complete service eliminations
- Focus on span and frequency reductions
- Restructure high-cost services
- Service impacts proportional across bus network

# Proposed Contingency Service Plan

*Primary Route Network*

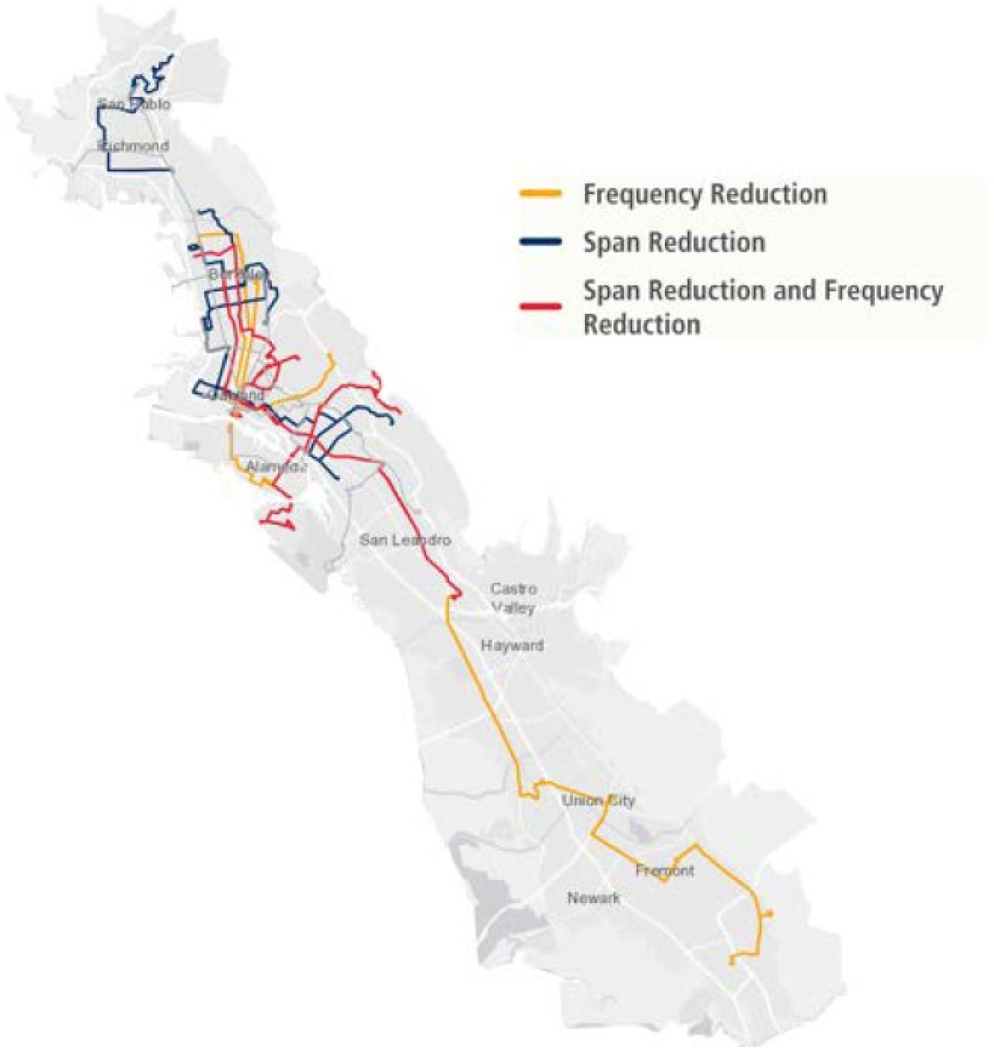
## The “backbone” of the network is protected

### Lines 1T, 6, 9, 18, 40, 51A, 51B, 52, 57, shared 72/72M/72L:

- Preserved at 15 minutes or better on weekdays

### Most other “backbone” lines:

- Daily service with hours no less than 6:00 a.m.–10:00 p.m.
- Every 30 minutes in line with service standards
- 93% of bus lines remain unchanged



# What This Means For City of Hayward

## (*Central Alameda County)*

## *Proposed Contingency Service Plan*

**Line 9:** Frequency reduced to 30 mins before 7:00am and after 7:00pm. Hours of operation reduced to 6:00am – 10:00pm throughout the week.

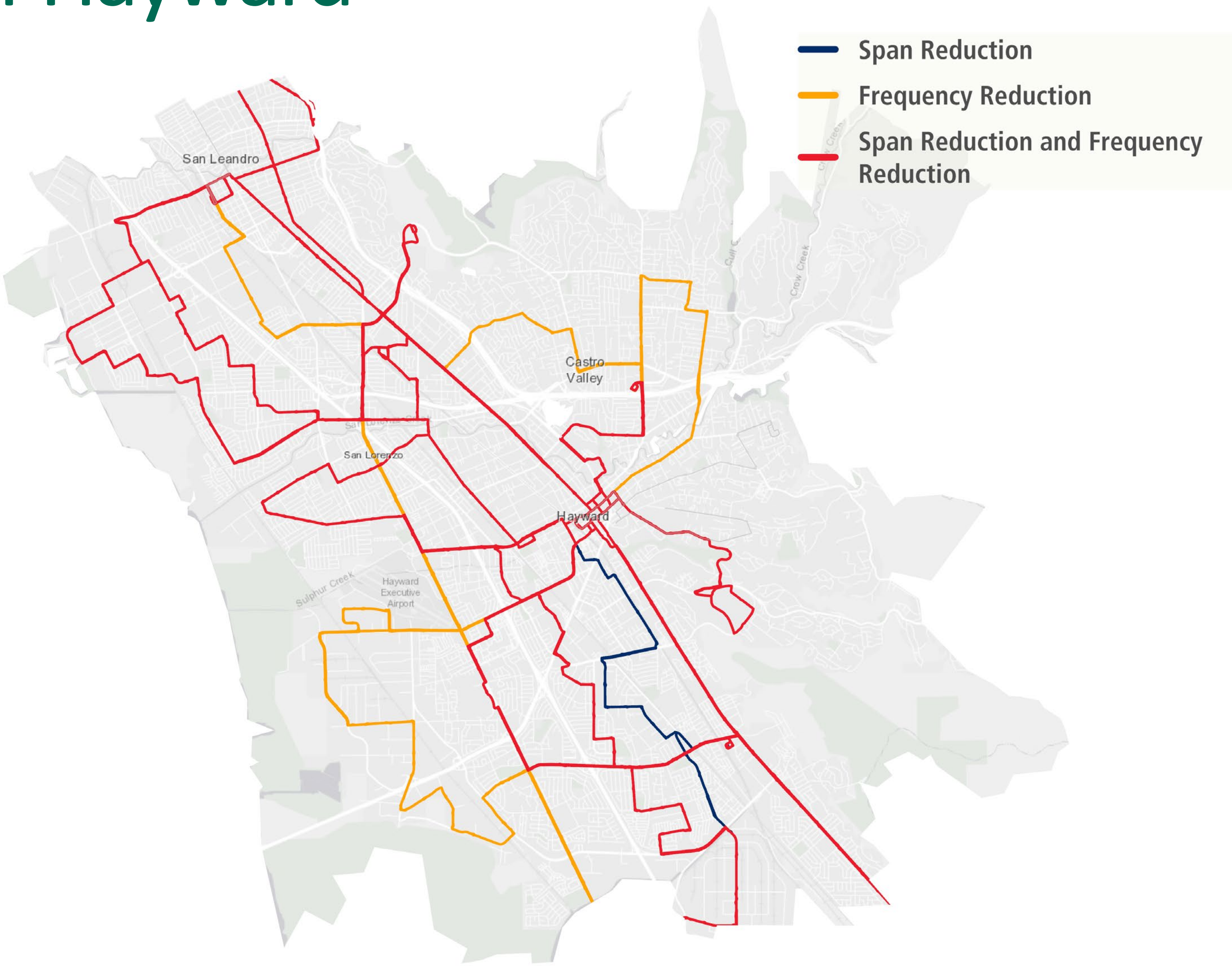
**Line 97:** Frequency reduced to 30 mins all day and service truncated at Union Landing (i.e., service eliminated between Union Landing and Union City BART).

**Line 60:** Reduced hours of operation to 6:00 AM – 10:00 PM. Weekend frequency reductions to 60 mins. 45-minute weekday frequencies maintained. Additional trips to CSUEB maintained.

**Other lines (28, 34, 35, 41, 56, 86, 93, 95):**

Daily 60-minute service and reduced hours of operation on most lines.

**Line 801 (Owl service):** No change.



# The Road Ahead

| Date | Service Reduction Step |
|---|---|
| **Aug 12, 2026** | AC Transit Board Sets Public Hearing |
| **Oct 14, 2026** | Public Hearing and Open House |
| **Nov 3, 2026** | General Election |
| **Nov 18, 2026** (if needed) | AC Transit Regular Board Meeting |
| **Dec 9, 2026** (if needed) | AC Transit Board Approval |
| **Jun 13, 2027** (if needed) | Implement Service Reductions |

# Share Your Feedback!

*Scan the QR Code to learn more about our Proposed Contingency Plan*

***Email**: planning@actransit.org* ***Visit**: www.actransit.org/contingency-plan*


Find us on Social: **@rideact**

actransit.org

CITY OF HAYWARD
HEART OF THE BAY

# CITY OF HAYWARD

Hayward City Hall
777 B Street
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**File #:** MIN 26-073

**DATE:** August 18, 2026

**TO:** Mayor and City Council

**FROM:** City Clerk

**SUBJECT**

Approve the City Council Minutes of the City Council Meeting on June 16, 2026

**RECOMMENDATION**

That the City Council approves the City Council meeting minutes of June 16, 2026.

**SUMMARY**

The City Council held a City Council meeting on June 16, 2026.

**ATTACHMENTS**

Attachment I Draft Minutes of June 16, 2026

The City Council meeting was called to order by Mayor Salinas at 7:00 p.m. in the Council Chambers.

**Pledge of Allegiance:** Council Member Zermeño

**ROLL CALL**

Present: COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche, Syrop, Zermeño
MAYOR Salinas
Absent: None

**CLOSED SESSION ANNOUNCEMENT**

The City Council convened in closed session on June 16, 2026, at 5:30 p.m., with all City Council members present, including Council Member Roche attending the second item, and no public speakers, regarding two items: 1) conference with legal counsel pursuant to Government Code section 54956.9(d)(1) regarding Caleb Smith, et al. v. City of Hayward, et al., U.S. District Court case no. C21-08467 YGR; and 2) public employment for the City Attorney pursuant to Government Code section 54957(b)(1). City Attorney Lawson reported that the City Council met in closed session, discussed the items, and provided direction to staff related to Item 1. Mayor Salinas reported that the City Council took no reportable action on Item 2. The closed session adjourned at 6:43 p.m.

**SPECIAL PRESENTATION**

Mayor Salinas read a proclamation declaring June 19, 2026, as Juneteenth National Independence Day in the City of Hayward. The proclamation was accepted by the following individuals on behalf of their respective organizations: Dorothy Dominique, Founder of Treasures Unleashed; Veleta Savannah, Founder and President of the Dwayne P. Wiggins Foundation; Jahna Nicks, Vice President of Delta Sigma Theta Sorority, Inc., Hayward Tri-City Alumnae Chapter; and Corey Lowe and Joy Johnson of the Hayward South Alameda County NAACP Youth Council. Hayward Area Recreation and Park District Board Director Lamnin thanked the City for its partnership in the Juneteenth event. Council Member Roche commended Council Member Andrews for her leadership in establishing and expanding Hayward's Juneteenth celebration. Council Member Andrews thanked the City Council, community organizations, and event partners for their continued support in organizing the annual event.

## PUBLIC COMMENT

Suzanne Luther, Hayward Concerned Citizens' member, apologized for comments she made during the previous budget discussion, explaining that they were based on a misunderstanding of Mayor Salinas' remarks.

Eric Eichorn, Hayward resident, expressed concerns regarding the City's planned enforcement of overnight parking and garage time-limit regulations beginning July 1, 2026; and suggested implementing the proposed parking permit program before enforcement begins.

Chris Yelicli commended City staff for their professionalism, responsiveness, and collaboration in addressing challenges associated with the SoMi Affordable Housing Development project.

Council Member Goldstein recognized his summer intern, Sanjana Silvaraj, and thanked her for participating in the internship program.

Karen Goldman, Hayward resident, stated that renters in her neighborhood have limited parking options and did not receive adequate notice regarding the upcoming parking enforcement; requested clearer communication about enforcement areas and permit-parking opportunities; and expressed concern that enforcement may begin before alternative parking solutions are available.

## CITY MANAGER'S COMMENTS

City Manager Ott made three announcements: 1) Juneteenth observances will include a ceremonial raising of the Juneteenth and Pan-African flags at City Hall Plaza on June 18, 2026, with City office closures on June 19, 2026, and the annual Hayward Juneteenth Freedom Celebration Day at Mount Eden High School on June 20, 2026; 2) the Economic Development Division recently launched the Hayward Amplified Program, which provides small grants to businesses to support community events and World Cup watch parties; and 3) City commission recruitment remains open through July 31, 2026, and residents were encouraged to submit applications.

Mayor Salinas recognized the Hayward Area Recreation and Park District Board for hosting FIFA World Cup watch parties at local parks.

## CONSENT CALENDAR

Consent items 6, 7, 11, 13, 14, 16, and 17 were pulled from the Consent Calendar for comment.

1. Approve the Special Joint Hayward City Council/Redevelopment Successor Agency/Housing Authority Board Meeting Minutes on June 2, 2026 **MIN 26-064**

It was moved by Council/RSA/HAB Member Andrews, seconded by Council/RSA/HAB Member Goldstein, and carried unanimously, to adopt the Special Joint Hayward City Council/Redevelopment Successor Agency/Housing Authority Board Meeting Minutes of June 2, 2026.

2. Adopt a Resolution Approving the Final Engineer's Report and Ordering the Levy of Assessments for Fiscal Year 2027 for Old Highlands Area Road Improvement Assessment District **CONS 26-225**

Staff report submitted by Public Works Director Ameri, dated June 16, 2026, was filed.

It was moved by Council Member Andrews, seconded by Council Member Goldstein, and carried unanimously, to adopt the resolution.

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

Resolution 26-104, "Resolution Preliminarily Approving the Final Engineer's Report and Ordering the Levy of Assessments for Fiscal Year 2027 for the Old Highlands Area Road Improvement Assessment District"

3. Adopt a Resolution Authorizing the City Manager to Accept and Appropriate $33,042.60 in Awarded 2024 Byrne Justice Assistance Grant Funds from the Alameda County Sheriff's Office for Use by the Hayward Police Department **CONS 26-228**

Staff report submitted by Police Chief Matthews, dated June 16, 2026, was filed.

It was moved by Council Member Andrews, seconded by Council Member Goldstein, and carried unanimously, to adopt the resolution.

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

Resolution 26-105, "Resolution Authorizing the City Manager to Accept and Appropriate $33,042.60 in awarded 2024 Byrne Justice Assistance Grant Funds from the Alameda County Sheriff's Office for Use by the Hayward Police Department"

4. Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Amendment to the Agreement with Bay Area Community Services for the Shallow Rental Subsidy Program Operations to Extend the Agreement Term through December 31, 2026, with Continuing Reporting Obligations through December 31, 2028 **CONS 26-234**

Staff report submitted by Assistant City Manager Thomas, dated June 16, 2026, was filed.

It was moved by Council Member Andrews, seconded by Council Member Goldstein, and carried unanimously, to adopt the resolution.

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

Resolution 26-106, "Resolution Authorizing the City Manager to Negotiate and Execute an Amendment to the Agreement with Bay Area Community Services for the Shallow Rental Subsidy Program Operations to Extend the Agreement Term Through December 31, 2026, with Continuing Reporting Obligations Through December 31, 2028"

5. Adopt a Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Professional Services Agreement with Samsara, Inc. to Provide Fleet Management Software and Telematics Services with a Maximum Compensation Not-to-Exceed Amount of $150,000 and an Effective Term Length Through June 30, 2029 **CONS 26-237**

Staff report submitted by Maintenance Services Director Rullman, dated June 16, 2026, was filed.

It was moved by Council Member Andrews, seconded by Council Member Goldstein, and carried unanimously, to adopt the resolution.

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

Resolution 26-107, "Resolution Authorizing the City Manager to Execute Amendment No.1 to the Professional Services Agreement with Samsara, Inc. to Provide Fleet Management Software and Telematics Services with a Maximum Compensation Amount Not to-Exceed $150,000 and an Effective Term Length Through Fiscal Year 2028-29"

6. Adopt a Resolution Rescinding Resolution No. 26-022 and Authorizing the City Manager to Accept and Appropriate All Proceeds from Liquidations of Donated Securities from the Edward Michael Nuss Trust Estimated at Approximately $121,432.73 with Final Value Subject to Market Fluctuation and Liquidation Timing to Be Used by the Hayward Animal Services Bureau for the Community Cat Trap, Neuter, Vaccinate, and Return Program **CONS 26-241**

Staff report submitted by Police Chief Matthews, dated June 16, 2026, was filed.

Council Member Andrews thanked the Edward Michael Nuss Trust for its contribution to the Hayward Animal Shelter.

It was moved by Council Member Andrews, seconded by Council Member Goldstein, and carried unanimously, to adopt the resolution.

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

Resolution 26-108, “Resolution Rescinding Resolution No. 26-022 and Authorizing the City Manager to Accept and Appropriate All Proceeds from Liquidations of Donated Securities from the Edward Michael Nuss Trust Estimated at Approximately $115,000 with Final Value Subject to Market Fluctuation and Liquidation Timing to be Used by the Hayward Animal Service Bureau for the Community Cat Trap, Neuter, Vaccinate and Return Program”

7. Adopt Resolutions Authorizing the City Manager to Execute Amendment No. 2 to the Memorandum of Understanding with the Hayward Area Recreation and Park District to Eliminate the Measure C Funding Contribution and Execute an Amendment to the Master Lease Agreement to Include La Vista Park **CONS 26-244**

Staff report submitted by Public Works Director Ameri, dated June 16, 2026, was filed.

Council Member Andrews thanked the Hayward Area Recreation and Park District (HARD) for agreeing to assume responsibility for La Vista Park and recognized Public Works staff for their efforts to value-engineer the project and achieve cost savings.

Council Member Syrop acknowledged the ongoing partnership between the City and HARD, including joint community events and collaboration on the La Vista Park project; and noted that this partnership has supported efficient service delivery while generating savings for taxpayers.

<u>It was moved by Council Member Andrews, seconded by Council Member Goldstein, and carried unanimously, to adopt the resolutions.</u>

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

Resolution 26-109, “Resolution Authorizing the City Manager to Negotiate and Execute Amendment No. 2 to the Memorandum of Understanding with the Hayward Area Recreation and Park District for the Funding, Operations, and Maintenance of La Vista Park, Project No. 06914”

Resolution 26-110, “Resolution Authorizing the City Manager to Negotiate and Execute an Amendment to the Master Lease Agreement with the Hayward Area Recreation and Park District to Add La Vista Park”

8. Adopt a Resolution Authorizing the City Manager to Execute a Professional Services Agreement with BKF Engineers for the Fiscal Year 2025 Water Line Replacement Project, Project 07028, with a Maximum Compensation Not-to-Exceed Amount of $680,589 **CONS 26-245**

Staff report submitted by Public Works Director Ameri, dated June 16, 2026, was filed.

It was moved by Council Member Andrews, seconded by Council Member Goldstein, and carried unanimously, to adopt the resolution.

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

Resolution 26-111, Resolution Authorizing the City Manager to Execute a Professional Services Agreement with BKF Engineers for the FY25 Water Line Replacement Project, Project 07028, with a Maximum Compensation Amount Not-to-Exceed $680,589"

9. Adopt a Resolution Approving the City of Hayward Salary Plan for Fiscal Year 2027 Including Retroactive Adjustments for FY 2025 and FY 2026 **CONS 26-247**

Staff report submitted by Human Resources Director Tecson, dated June 16, 2026, was filed.

It was moved by Council Member Andrews, seconded by Council Member Goldstein, and carried unanimously, to adopt the resolution.

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

Resolution 26-112, "Resolution Approving the Fiscal Year 2027 Salary Plan Designating Positions of Employment in the City of Hayward and Salary Range Including Retroactive Adjustments for Fiscal 2025 and Fiscal Year 2026; and Superseding Resolution No. 26-040 and All Amendments Thereto"

10. Adopt a Resolution Approving the Plans and Specifications, Including Use of Certain Sole Source Products in the Plans and Specifications, and Calling for Bids for Construction of the Effluent Channel Return Pump Station Project for the Water Resource Recovery Facility's (WRRF), Project No. 07806 **CONS 26-248**

Staff report submitted by Public Works Director Ameri, dated June 16, 2026, was filed.

It was moved by Council Member Andrews, seconded by Council Member Goldstein, and carried unanimously, to adopt the resolution.

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

Resolution 26-113, "Resolution Approving the Plans and Specifications Including Use of Certain Sole Source Products in the Plans and Specifications and Calling for Bids for Construction of the Effluent Channel Return Pump Station Project for the Water Resource Recovery Facility's (WRRF), Project No. 07806"

11. Adopt Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with Bay Area Community Services for Fiscal Year 2026-2027 Hayward Navigation Center Operations with a Maximum Compensation Not-to-Exceed Amount of $1,540,342 **CONS 26-249**

Staff report submitted by Assistant City Manager Thomas, dated June 16, 2026, was filed.

Council Member Roche commented on the agreement with Bay Area Community Services (BACS) for operation of the Hayward Navigation Center, recognizing the program's success in helping individuals transition to housing; and expressed support for continued improvements at Regis Village, including the addition of on-site medical staff to address non-emergency needs and reduce impacts on public safety services.

It was moved by Council Member Andrews, seconded by Council Member Goldstein, and carried unanimously, to adopt the resolution.

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

Resolution 26-114, "Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with Bay Area Community Services (BACS) for Fiscal Year 2026-27 Hayward Navigation Center (HNC) Operations with a Maximum Compensation Amount Not-to Exceed $1,540,342"

12. Adopt a Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Alta Planning and Design with a Maximum Compensation Not-to-Exceed Amount of $360,000 for the Bicycle and Pedestrian Plan Update (CIP Project 05352) **CONS 26-250**

Staff report submitted by Public Works Director Ameri, dated June 16, 2026, was filed.

<u>It was moved by Council Member Andrews, seconded by Council Member Goldstein, and carried unanimously, to adopt the resolution.</u>

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

Resolution 26-115, "Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Alta Planning and Design for Consulting Services for the Development of the City's Bicycle and Pedestrian Master Plan Update (CIP Project 05352) in an Amount Not to Exceed $360,000"

13. Adopt a Resolution Confirming the Report and Nuisance Abatement/Municipal Code Violation Liens List and Approving the Filing of Nuisance Abatement/Municipal Code Liens with the County Recorder's Office for Non-Abatable Code Violations **CONS 26-251**

Staff report submitted by Development Services Director Buizer, dated June 16, 2026, was filed.

Council Member Goldstein noted that five of the fifteen cited properties were located in the Tennyson area and expressed concern about the potential financial impact of fines on residents in a historically underserved community; and encouraged the City to work with community partners to support residents in achieving compliance rather than relying solely on enforcement penalties.

It was moved by Council Member Andrews, seconded by Council Member Goldstein, and carried unanimously, to adopt the resolution.

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

Resolution 26-116, "Resolution Confirming the Report and Nuisance Abatement/Municipal Code Violation Liens List and Approving the Filing of Nuisance Abatement/Municipal Code Liens with the County Recorder's Office for Non-Abatable Code Violations"

14. Adopt a Resolution Confirming the Report and Code Enforcement Programs Assessment Listing, and Authorizing Transmittal of Assessments to the County Assessor for Collection Associated with Past Due Code Enforcement Fees and Penalties for the Period of May 1, 2025 through April 30, 2026, to the County Assessor for Collection **CONS 26-252**

Staff report submitted by Development Services Director Buizer, dated June 16, 2026, was filed.

Mr. Kashmir Phugga, a Mission Boulevard business owner, expressed concern regarding citations he believed were issued unfairly and requested that the City review the matter.

Celina Ni, co-owner of property at 1085 Folsom Avenue, requested a reduction or waiver of the proposed penalty and assessment fees; explained that health challenges prevented her from responding to City notices in a timely manner; and stated the property has since been brought into compliance

Alejandro Rodriguez stated that the notice he received regarding a special assessment for unpaid program fees and penalties did not include a date; and expressed concern that the omission could affect a recipient's ability to exercise appeal rights within the timeframe established by State law.

Robert Finkel, representing the property owner San Antonio 30630 LLC, objected to a proposed special-assessment penalty of approximately $14.5 million related to unlawful cannabis operations conducted by a former tenant; argued that the proposed penalty was excessive; and noted that a legal objection was submitted for the record.

The speakers were advised their matters would go through the City Attorney's review process.

It was moved by Council Member Andrews, seconded by Council Member Goldstein, and carried unanimously, to adopt the resolution.

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

Resolution 26-117, "Confirming the Report and Code Enforcement Programs Assessment Listing and Authorizing Transmittal of Assessments to the County Assessor for Collection Associated with Past Due Code Enforcement Fees and Penalties for the Period of May 1, 2025, Through April 30, 2026"

15. Adopt a Resolution Approving Plans and Specifications and Calling for Bids for the Tennyson Park Streetlight Project, Project No. 06973 **CONS 26-253**

Staff report submitted by Public Works Director Ameri, dated June 16, 2026, was filed.

It was moved by Council Member Andrews, seconded by Council Member Goldstein, and carried unanimously, to adopt the resolution.

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

Resolution 26-118, "Resolution Approving Plans and Specifications for the Tennyson Park Streetlight Project No. 06973 and Call for Bids"

16. Adopt a Resolution Approving a Request to the Metropolitan Transportation Commission for an Allocation of Transportation Development Act Article 3 Pedestrian and Bicycle Project Funding for Fiscal Year 2027 **CONS 26-256**

Staff report submitted by Public Works Director Ameri, dated June 16, 2026, was filed.

Council Member Andrews thanked the Alameda County Transportation Commission (ACTC) for implementing quick-build projects to improve transit, pedestrian, and bicycle safety and encouraged consideration of additional safety improvements at the Tennyson Road/I-880 interchange.

It was moved by Council Member Andrews, seconded by Council Member Goldstein, and carried unanimously, to adopt the resolution.

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

Resolution 26-119, "Resolution Approving a Request to the Metropolitan Transportation Commission for an Allocation of Transportation Development Act Article 3 Pedestrian and Bicycle Project Funding for Fiscal Year 2026-27"

17. Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Purchase and Sales Agreement with Link Logistics Real Estate LLC for the Transfer of the Former Whitesell Street Right-of-Way (with Reservation of Utility Easements) Located at Whitesell Street and Bay Center Place (APN 439-99-77-1) and Finding the Action Exempt from CEQA Review **CONS 26-262**

Staff report submitted by City Manager Ott, dated June 16, 2026, was filed.

Council Member Andrews thanked Real Estate Project Manager Irving for advancing the sale of City-owned property that will contribute revenue to the General Fund and for facilitating future development opportunities on other City-owned parcels.

It was moved by Council Member Andrews, seconded by Council Member Goldstein, and carried unanimously, to adopt the resolution.

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

Resolution 26-120, "Resolution Authorizing the City Manager to Negotiate and Execute a Purchase and Sales Agreement with Link Logistics Real Estate LLC for the Transfer of the Former Whitesell Street Right-of-Way (with Reservation of Utility Easements) Located at Whitesell Street and Bay Center Place (APN 439-99-77-1); and Finding the Action Exempt from Environmental Review"

18. Adopt a Resolution Extending the Terms of Current Hayward Youth Commission Voting Members through June 30, 2027, and Promoting Alternates to Voting Member Status with Terms Expiring June 30, 2027 **CONS 26-265**

Staff report submitted by City Clerk Lens, dated June 16, 2026, was filed.

<u>It was moved by Council Member Andrews, seconded by Council Member Goldstein, and carried unanimously, to adopt the resolution.</u>

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

Resolution 26-121, "Extending the Terms of Current Hayward Youth Commission Voting Members Through June 30, 2027, and Promoting Alternates to Voting Member Status with Terms Expiring June 30, 2027"

19. Adopt a Resolution Designating City-Owned Properties at Oak Street (APNs 415-0160-051-00, 415-0160-052-00, 415-0160-053-00, 415-0170-036-00, and 415-0170-037-00), AT Overlook Avenue (APNs 445-0170-020-06 and 445-0180-001-00), at Harder Road (APNs 078C-0800-001-01, 078C-0800-029-00, 078C-0800-030-00, 078C-0800-031-00, 078C-0800-032-00, 078C-0800-033-00, 078C-0800-034-00078C-0800-035-00, 078C-0800-036-00, 078C-0800-037-00, 078C-0800-038-00, 078C-0800-039-00, 078C-0800-040-00, 078C-0800-041-00, 078C-0800-042-00, and 078C-0800-043-00) at Carlos Bee Blvd. (APN 445-0200-012-04), as Surplus Land, Authorizing Notices of Availability, and Finding the Action Exempt from California Environmental Quality Act Review **CONS 26-267**

Staff report submitted by City Manager Ott, dated June 16, 2026, was filed.

<u>It was moved by Council Member Andrews, seconded by Council Member Goldstein, and carried unanimously, to adopt the resolution.</u>

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

Resolution 26-122, "Resolution Designating Certain City-Owned Properties Located at Oak Street (APNs 415-0160-051-00, 415-0160-052-00, 415-0160-053-00, 415-0170 036-00, and 415-0170-037-00), at Overlook avenue (APNs 445-0170-020-06 and 445-0180-001-00), at Harder Road (APNs 078c-0800-001-01, 078c-0800 029-00, 078c-0800-030-00, 078c-0800-031-00, 078c-0800-032-00, 078c-0800 033-00, 078c-0800-034-00078c-0800-035-00, 078c-0800-036-00, 078c-0800-037 00, 078c-0800-038-00, 078c-0800-039-00, 078c-0800-040-00, 078c-0800-041-00, 078c-0800-042-00, and 078c-0800-043-00) at Carlos Bee Blvd (APN 445-0200 012-04), at Hayward, California as Surplus Land Pursuant to Government Code Section 54221; Authorizing the City Manager to Issue Notices of Availability as Required by the Surplus Land Act; and Finding that the Action Is Exempt from Environmental Review"

20. Adopt a Resolution Authorizing the City Manager to Execute an Amendment (or Amendments) to the Agreement with JP Morgan Chase, N.A. for Banking and Cash Management Services to Extend the Term for Up to an Additional Three Years **CONS 26-270**

Staff report submitted by Finance Director Hilbrants, dated June 16, 2026, was filed.

It was moved by Council Member Andrews, seconded by Council Member Goldstein, and carried unanimously, to adopt the resolution.

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

Resolution 26-123, "Resolution Authorizing the City Manager to Execute an Amendment (or Amendments) to the Professional Services Agreement Between the City of Hayward and JP Morgan Chase, N.A. to Provide Banking and Cash Management Services for Up to an additional Three Years"

21. Adopt a Resolution: (1) Declaring a City Council Recess from July 1, 2026 through August 14, 2026; (2) Cancelling the Regular City Council Meetings Scheduled for July 7 and 21, and August 4, 2026; and (3) Authorizing the City Manager, or her Designee, to Take Action on Administrative Matters as Necessary During the Recess **CONS 26-268**

Staff report submitted by City Manager Ott, dated June 16, 2026, was filed.

It was moved by Council Member Andrews, seconded by Council Member Goldstein, and carried unanimously, to adopt the resolution.

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

Resolution 26-124, "Resolution of the City Council of the City of Hayward Declaring a City Council Recess from July 1, 2026 Through August 14, 2026; Cancelling the Regular City Council Meetings Scheduled for July 7 and 21 and August 4, 2026; and Authorizing the City Manager, or Her Designee, to Take Action on Administrative Matters as Necessary During the Recess"

**PUBLIC HEARING**

22. LLAD 96-1 Assessment Hearing: Adopt a Resolution to Approve the Final Engineer's Report, Reconfirm Maximum Base Assessment Amounts, Confirm the Assessment Diagrams and Fiscal Assessments, Order the Levy and Collection of Fiscal Assessments; and Adopt a Resolution to Approve Funding Recommendations and Appropriate Special Revenue Funds for Consolidated Landscaping and Lighting Assessment District No. 96-1, Zones 1 through 18, for Fiscal Year 2026-27 **(Report from Maintenance Services Director Rullman**) **PH 26-029**

Staff report submitted by Maintenance Services Director Rullman, dated June 16, 2026, was filed.

Mayor Salinas announced the public hearing and, with no objections, waived the staff's oral report; no questions were posed by members of the City Council.

There being no public speakers, Mayor Salinas opened and closed the public hearing at 7:51 p.m.

It was moved by Council Member Zermeño, seconded by Council Member Roche, and carried unanimously, to adopt the resolutions.

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

Resolution 26-125, "Resolution Approving the Final Engineer's Report, Reconfirming Maximum Base Assessments, Confirming the Assessment Diagrams and Fiscal Assessments, and Ordering Levy and Collection of Fiscal Assessments for Fiscal Year 2027 for the Landscaping and Lighting Assessment District No. 96 1, Zones 1-18"

Resolution 26-126, "Resolution Approving Funding Recommendations and appropriating Special Revenue Funds for Consolidated Landscaping and Lighting Assessment District No. 96-1, Zones 1 Through 18 for Fiscal Year 2027"

23. MD-1 Assessment Hearing: Adopt a Resolution to Approve the Final Engineer's Report, Confirm the Maximum Base Assessment Rate, Confirm the Fiscal Assessment Rate, Confirm the Assessment Diagram, Order the Levy and Collection of Fiscal Assessment; and Adopt a Resolution to Approve Funding Recommendations and Appropriate Revenue and Expenditure Budgets for Maintenance District No. 1 - Storm Drainage Pumping Station and Storm Drain Conduit - Pacheco Way, Stratford Road and Ruus Lane, for Fiscal Year 2026-27 **(Report from Maintenance Services Director Rullman) PH 26-030**

Staff report submitted by Maintenance Services Director Rullman, dated June 16, 2026, was filed.

Mayor Salinas announced the public hearing and, with no objections, waived the staff's oral report; no questions were posed by members of the City Council.

There being no public speakers, Mayor Salinas opened and closed the public hearing at 7:55 p.m.

<u>It was moved by Council Member Goldstein, seconded by Council Member Syrop, and carried unanimously, to adopt the resolutions.</u>

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

Resolution 26-127, "Resolution Approving the Engineer's Report, Reconfirming Maximum Base Assessment Rate, Confirming the Assessment Diagram and Fiscal Assessment, and Ordering Levy and Collection of Fiscal Assessments for Fiscal Year 2027 for Maintenance District No. 1: Storm Drainage Pumping Station and Storm Drain - Pacheco Way, Stratford Road, and Ruus Lane"

Resolution 26-128, "Resolution Approving Funding Recommendations and appropriating Special Revenue Funds for Maintenance District No.1 for Fiscal Year 2026-27"

24. MD-2 Assessment Hearing: Adopt a Resolution to Approve the Final Engineer's Report, Confirm the Maximum Base Assessment Rate, Confirm the Fiscal Assessment Rate, Confirm the Assessment Diagram, Order the Levy and Collection of Fiscal Assessment; and Adopt a Resolution to Approve Funding Recommendations and Appropriate Revenue and Expenditure Budgets for Maintenance District No. 2 - Eden Shores Storm Water Buffer and Facilities, for Fiscal Year 2027 **(Report from Maintenance Services Director Rullman) PH 26-031**

Staff report submitted by Maintenance Services Director Rullman, dated June 16, 2026, was filed.

Mayor Salinas announced the public hearing and, with no objections, waived the staff's oral report; no questions were posed by members of the City Council.

There being no public comment, Mayor Salinas opened and closed the public hearing at 7:57 p.m.

<u>It was moved by Council Member Roche, seconded by Council Member Zermeño, and carried unanimously, to adopt the resolutions.</u>

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

Resolution 26-129, "Resolution Approving the Final Engineer's Report, Confirming Maximum Base Assessment amount, Confirming the Fiscal Assessment Rate, Confirming the Assessment Diagram, and Ordering the Levy and Collection of the Fiscal Assessment for Fiscal Year 2027 for Maintenance District No. 2: Eden Shores Water Buffer Zone and Pre-Treatment Pond"

Resolution 26-130, "Resolution Approving Funding Recommendations and Appropriating the Special Revenue Funds for Maintenance District No. 2 for Fiscal Year 2027"

25. Urban Water Management Plan and Water Shortage Contingency Plan: Review and Adopt the 2025 Urban Water Management and 2025 Water Shortage Contingency Plans **(Report from Public Works Director Ameri) PH 26-032**

Staff report submitted by Public Works Director Ameri, dated June 16, 2026, was filed.

Public Works Director Ameri announced the item and introduced Water Resource Manager Muñoz, who provided a synopsis of the 2025 Urban Water Management Plan and Water Shortage Contingency Plan.

In response to Council Member Andrew's inquiry regarding data-center water demand and the difference between open-and closed-loop cooling systems, Public Works Director Ameri estimated approximately 4,000 gallons per day for a 100-megawatt closed-loop data center, based on developer conversations, not yet City-verified, and added there is coordination with Bay Area Water Supply and Conservation Agency (BAWSCA) and peer cities (Santa Clara, San Jose) on data-center water-use benchmarking. In response to projected changes in residential and industrial water demand, Public Works Director Ameri clarified that the anticipated increase in the industrial, commercial, and institutional share of water use is largely attributable to expected reductions in residential water consumption resulting from conservation measures and efficiency improvements.

In response to Council Member Syrop's inquiries regarding recycled water capacity, projected increases in commercial and industrial water demand, and data center water use, Public Works Director Ameri explained that recycled water use is currently limited by existing infrastructure, but the City is developing plans to expand production and distribution capacity. Regarding water shortages, Public Works Director Ameri clarified that the Water Shortage Contingency Plan serves as a framework of potential response measures and that any decisions regarding how reductions would be allocated among customer groups would be brought before the City Council for direction at the time a shortage occurs. Council Member Syrop emphasized the importance of prioritizing residential water needs and expressed interest in establishing future local water conservation goals.

Council Member Zermeño asked questions regarding the City's plans to expand recycled water use, the potential use of recycled water by future data centers, emergency water supply capacity, and irrigation for newly planted trees. Public Works Director Ameri confirmed that the City is working to expand recycled water infrastructure, noted that data centers may be able to utilize recycled water with additional treatment, explained that the City's four emergency wells could meet most water demands during a supply disruption with modest conservation measures, and stated that recycled water is used for irrigation where available.

Council Member Bonilla Jr. asked questions regarding opportunities to encourage or require greater water conservation among businesses, emergency water supply planning, and cost differential between recycled and potable water. Public Works Director Ameri noted that the City provides incentives and conservation programs for commercial users, confirmed that the City's four emergency wells can provide with a short activation time for emergency use only during disruption of Hetch Hetchy supply and not for routine supplementation, and added that the City currently offers a 20% rate discount for recycled water.

Council Member Bonilla Jr. emphasized the importance of prioritizing residential water needs during future shortages and requested additional discussion regarding water allocation policies and recycled water expansion. There was consensus to refer the item to the Council Infrastructure Committee for discussion.

There being no speakers, Mayor Salinas opened and closed the public hearing at 8:31 p.m.

It was moved by Council Member Roche, seconded by Council Member Andrews, and carried out unanimously, to adopt the resolutions.

| | |
|---|---|
| AYES: | COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche, Syrop, Zermeño<br>MAYOR Salinas |
| NOES: | None |
| ABSENT: | None |
| ABSTAIN: | None |

Resolution 26-131, "Resolution adopting the 2025 Urban Water Management Plan for the City of Hayward"

Resolution 26-132, "Resolution adopting the 2025 Water Shortage Contingency Plan for the City of Hayward"

**LEGISLATIVE BUSINESS**

26. Military Equipment Use: Approve the Hayward Police Department's Annual Military Equipment Use Report for April 2025 through March 2026 and Renew Ordinance 22-06 Adopting Military Equipment Use Policy No. 706 in Compliance with Assembly Bill No. 481 **(Report from Police Chief Matthews) LB 26-010**

Staff report submitted by Police Chief Matthews, dated June 16, 2026, was filed.

Police Chief Matthews provided a synopsis of the staff report and noted that the Council Public Safety Committee had recommended the proposal for Council consideration.

Mayor Salinas acknowledged members of the Council Public Safety Committee: Mayor Salinas, Council Member Roche, and Council Member Bonilla Jr.

Council Member Andrews asked questions regarding privacy protections, funding, and reporting requirements for the proposed Drone as a First Responder (DFR) program. Police Chief Matthews explained that the program would operate under the same privacy safeguards and policy framework developed through community outreach and consideration of American Civil Liberties union (ACLU) recommendations when the City's drone program was established; noted that the program could be scaled based on available funding; and that drone usage data could be reported to the Council Public Safety Committee more frequently than the annual Assembly Bill No. 481 reporting requirement.

Council Member Syrop emphasized the importance of maintaining detailed public reporting on drone deployments in the transparency log. In response to Council Member Syrop's request for clarification on how the program would remain reactive and limited to emergency response activities, Police Chief Matthews explained that any expansion of drone uses beyond those authorized in policy would require additional policy changes and City Council review. Police Chief Matthews and Captain Olsen clarified that the estimated cost is up to approximately $589,000 per year over a five-year phase implementation, funded through grants, asset-forfeiture funds, and other sources; and added that asset-forfeiture funds are legally restricted to police-specific uses and cannot substitute for General Fund spending.

Council Member Roche thanked staff for addressing privacy concerns raised during the Council Public Safety Committee's review of the DFR program; and expressed appreciation for staff's follow-up regarding the drone camera's manual override capabilities and for updating the policy to ensure the camera remains oriented toward the horizon until it reaches an incident location.

Council Member Zermeño asked questions regarding the proposed DFR program, including the use of the term "military equipment," citywide drone coverage, and the potential for proactive drone deployments. Police Chief Matthews explained that the term is established by State law, stated that eight strategically located drones are expected to provide coverage throughout the city, and clarified that drone deployments would remain complaint-driven and focused on calls for service.

Council Member Bonilla Jr. asked questions regarding data security, vendor selection, privacy protections, and potential emergency response applications for the proposed DFR program. Police Chief Matthews explained that a vendor has not yet been selected and that the City would complete a competitive procurement process but noted that the pilot program utilized technology from Axon and Skydio, both of which provide secure systems with comprehensive audit trails and restricted access to data. Council Member Bonilla Jr. emphasized the importance of protecting resident privacy and ensuring drones are deployed thoughtfully and only when appropriate.

Mayor Salinas opened the public hearing at 9:19 p.m.

Suzanne Luther, Hayward Concerned Citizens' member, expressed support for the Hayward Police Department's existing Unmanned Aircraft Systems (UAS) program and DFR expansion; and stated that the technology would improve response times, enhance officer and community safety, and serve as a valuable tool for an understaffed department.

Claire Dugan, Hayward resident and Hayward Concerned Citizens' member, voiced support for HPD's request to expand the drone program, citing concerns about crime and public safety; and stated that drones can improve emergency response, enhance community safety, and assist in crime prevention and apprehension efforts.

Dennis Houghtelin, Hayward resident and retired law enforcement executive and former Hayward Deputy Police Chief, expressed support for the DFR program; and stated that drone technology improves situational awareness, officer safety, operational efficiency, and de-escalation; and described it as one of the most significant technological advancements in modern policing.

TJ, Hayward Concerned Citizens' member, supported the proposed DFR program and real-time information center capabilities; and stated that the program would improve public safety, enhance emergency response, support officer safety, and maximize limited City resources while maintaining appropriate privacy protections.

Hayward Chamber of Commerce President Lopez expressed the Chamber's support for the DFR program expansion; and stated that the program would help address public safety concerns, offer officer-safety benefits, improve emergency response capabilities, support local businesses, avoid new General Fund cost, and contribute to Hayward's long-term economic growth.

Dylan Rogers, representing the Hayward Coalition for Human Rights in the Philippines, opposed the DFR program; raised concerns regarding increased surveillance, militarization of law enforcement, privacy impacts, and the use of public funds for drone technology; and urged the City Council to consider potential unintended consequences and ensure strong oversight and regulations if the program moves forward.

Toney Chaplin, retired Police Chief, expressed support for the DFR program, citing its potential to improve officer and community safety through enhanced situational awareness and de-escalation; and stated that drone technology can help address staffing challenges, improve emergency response outcomes, and serve as a cost-effective public safety tool when accompanied by appropriate safeguards.

Mayor Salinas closed the public hearing at 9:40 p.m.

Council Member Zermeño expressed support for the DFR program, noting the technology would improve officer response time and enhance situational awareness, and was not concerned with privacy concerns.

Council Member Syrop stated that he has longstanding concerns about expanding police surveillance infrastructure and the use of military equipment, citing privacy issues, third-party vendor practices, and the potential for future misuse; expressed concerns regarding funding sustainability, the continued growth of the Police Department budget, and the need for clearer deployment policies and safeguards; and encouraged continued policy review, greater transparency, and exploration of broader City applications for the technology, but indicated he could not support the proposal based on these concerns.

Council Member Roche expressed support for the DFR program, noting that the Police Department has been transparent regarding its military equipment inventory and drone policies; highlighted the benefits of the technology in improving situational awareness, enhancing safety for officers, community members, and suspects, and helping address staffing challenges faced by law enforcement agencies; and emphasized that the program is reactive, governed by existing policies and privacy protections, and funded without requiring additional General Fund resources.

Council Member Andrews acknowledged that she initially had concerns about drone technology but noted that the Police Department addressed many of those concerns through community engagement, privacy protections, and policy safeguards. While expressing some reservations regarding potential public reactions to drones, she supported exploring the program because of its potential to improve emergency response, disaster preparedness, officer safety, and the reduction of officer-involved shootings. She emphasized the importance of ongoing reporting, public accountability, and the ability to suspend the program if issues arise.

Council Member Bonilla Jr. expressed support for the DFR program, citing the safeguards, privacy protections, and thoughtful implementation plan developed by staff; commended the Police Department for securing alternative funding sources; emphasized the importance of identifying a sustainable long-term funding strategy if the program proves successful; and also supported the program's reactive deployment model and its role in improving real-time information and emergency response capabilities throughout the city.

Council Member Goldstein expressed support for the proposal and commended staff for their diligence in ensuring the program aligns with community values regarding privacy and appropriate use; stated that the technology could provide significant public safety benefits while helping reinforce that Hayward is committed to addressing crime; and encouraged consideration of corporate social responsibility factors when selecting a vendor for the program.

Mayor Salinas expressed support for the DFR program, thanking staff for incorporating feedback from the Council Public Safety Committee and developing a policy framework that balances public safety needs with privacy protections; emphasized that the technology can enhance officer and community safety by providing better information before officers arrive at a scene, reducing uncertainty and potentially to de-escalating dangerous situations; noted that public safety remains the City's highest priority and referenced positive experiences and best practices shared by other cities using similar technology; and stated that the City Council retains the authority to modify or discontinue the program if concerns arise in the future.

It was moved by Mayor Salinas, seconded by Council Member Roche, and carried unanimously, to adopt the resolution.

| | |
|---|---|
| AYES: | COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche, Zermeño<br>MAYOR Salinas |
| NOES: | COUNCIL MEMBER Syrop |
| ABSENT: | None |
| ABSTAIN: | None |

Resolution 26-133, "Resolution Approving the Hayward Police Department's annual Military Equipment Use Report for April 2025 Through March 2026 and Renewing Ordinance 22-06 adopting Military Equipment Use Policy No. 706 in Compliance with assembly Bill No. 481"

27. Hayward Municipal Code Amendment: Introduction of Ordinance Amending the Hayward Municipal Code, Relating to the Community Services Commission **(Report from Assistant City Manager Thomas) LB 26-013**

Staff report submitted by Assistant City Manager Thomas, dated June 16, 2026, was filed.

Mayor Salinas announced the public hearing and, with no objections, waived the staff's oral report; no questions were posed by members of the City Council.

Council Member Syrop thanked Council Member Bonilla Jr. for collaborating with the Community Services Commission to evaluate how the commission can best serve the community and provide value to the City; and recognized staff for incorporating feedback into a revised framework that clearly defines the commission's advisory role.

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

It was moved by Council Member Bonilla Jr., seconded by Council Member Goldstein, and carried unanimously, to adopt the resolution.

| | |
|---|---|
| AYES: | COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche, Syrop, Zermeño<br>MAYOR Salinas |
| NOES: | None |
| ABSENT: | None |
| ABSTAIN: | None |

Introduction of Ordinance 26-_, "An Ordinance of the City Council of the City of Hayward Amending Sections 2-3.90, et seq., of the Hayward Municipal Code, Relating to the Community Services Commission; and Finding that the Action is Exempt from CEQA Review"

**INFORMATION ITEMS**

28. Development of New 39,900-Square-Foot Hangar at Hayward Executive Airport by APP Jet Center **RPT 26-052**

The report was informational only and no questions were raised by members of the City Council.

**COUNCIL REPORTS AND ANNOUNCEMENTS**

Council Member Andrews announced the Juneteenth celebration scheduled for June 20, 2026, at Mt. Eden High School; thanked the City Council and community partners for their support; recognized Alameda County Supervisor Márquez for her continued support of the event; and acknowledged West Coast Makers for organizing the live performances.

Council Member Syrop encouraged residents to attend the Juneteenth celebration and highlighted a concurrent 5K run, noting that participants would receive a commemorative medal designed by local artist Big Lou.

**COUNCIL REFERRALS**

There were none.

**ADJOURNMENT**

Mayor Salinas adjourned the City Council meeting at 10:18 p.m.

**APPROVED**

________________________________________________

Mark Salinas
Mayor, City of Hayward

**ATTEST:**

________________________________________________

Miriam Lens
City Clerk, City of Hayward

**File #:** CONS 26-288

**DATE:** August 18, 2026

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT**

Adopt a Resolution (1) Approving Addendum No. 1 and No. 2 to the Project Specifications and Plans, (2) Rejecting the Bid Protest from SubTerra Construction, Inc., (3) Authorizing the City Manager to Award a Contract to JDB & Sons Construction, Inc., in an Amount of $10,229,360, and (4) Approving $1,022,936 in Administrative Construction Contingency for the FY24 Sewer Line Replacement Project, Project No. 07789

**RECOMMENDATION**

That City Council adopts the attached resolution (Attachment II) (1) approving Addendum No. 1 and No. 2, providing minor revisions to the project specifications and plans; (2) rejecting the bid protest from SubTerra Construction, Inc.; (3) authorizing the City Manager to award the construction contract to JDB & Sons Construction, Inc., in an amount of $10,229,360 and (4) approving $1,022,936 in administrative construction contingency for the FY24 Sewer Line Replacement Project, Project No. 07789.

**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 Program (CIP) projects. The FY24 Sewer Line Replacement Project will improve the capacity and maintain the operability of the sewer collection system by replacing or rehabilitating approximately 4.68 miles of existing vitrified clay pipe (VCP) and asbestos cement pipe (ACP) ranging in diameter from 6 to 10-inch with new 8, 10, 12, 15, or 18-inch Polyvinyl chloride (PVC) or High-density Polyethylene (HDPE) pipe. This project takes place at twenty-six locations throughout the City. Approximately 2.04 miles will be replaced by traditional open-cut method, another approximately 0.77 mile will be replaced by trenchless technology used to cross under obstructions that prohibit open-cut installation, and approximately 1.87 miles will be repaired with Cured-In-Place Pipe lining (CIPP).

On June 30, 2026, seven (7) bids were received. The low bid was $10,229,360 which is $4,300,540, or 29.6%, below the Engineer's estimate of $14,530,000. Staff is requesting City Council's approval of Addendum No. 1 and No. 2, which provided minor revisions to clarify the specifications/plans, and awarding the construction contract to the lowest responsible bidder, JDB & Sons Construction, Inc., in the amount of $10,229,360, and approving $1,022,936 in Administrative Construction Contingency (change orders).

**ATTACHMENTS**

| | |
|---|---|
| Attachment I | Staff Report |
| Attachment II | Resolution |
| Attachment III | Bid Protest |

**DATE:** August 18, 2026

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT** Adopt a Resolution (1) Approving Addendum No. 1 and No. 2 to the Project Specifications and Plans, (2) Rejecting the Bid Protest from SubTerra Construction, Inc., (3) Authorizing the City Manager to Award a Contract to JDB & Sons Construction, Inc., in an Amount of $10,229,360, and (4) Approving $1,022,936 in Administrative Construction Contingency for the FY24 Sewer Line Replacement Project, Project No. 07789

## RECOMMENDATION

That City Council adopts the attached resolution (Attachment II) (1) approving Addendum No. 1 and No. 2, providing minor revisions to the project specifications and plans; (2) rejecting the bid protest from SubTerra Construction, Inc.; (3) authorizing the City Manager to award the construction contract to JDB & Sons Construction, Inc., in an amount of $10,229,360 and (4) approving $1,022,936 in administrative construction contingency for the FY24 Sewer Line Replacement Project, Project No. 07789.

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responsible bidder, JDB & Sons Construction, Inc., in the amount of $10,229,360, and approving $1,022,936 in Administrative Construction Contingency (change orders).

**FISCAL IMPACT**

This item does not impact the General Fund or Measure C.

The estimated costs for the FY24 Sewer Line Replacement Project are as follows:

| | |
|---|---|
| Construction Contract | $10,229,360 |
| Administrative Construction Contingency | $1,022,936 |
| Professional Engineering Services – Consultant | $836,100 |
| Inspection & Testing & Permitting | $612,400 |
| Construction Management and Administration – City Staff | $924,000 |
| Total | $13,624,796 |

The adopted FY27 CIP included $18,965,000 for the FY24 Sewer Line Replacement Project, Project No. 07789. The anticipated surplus of $5,340,204 will be carried forward to the FY26 Sewer Line Replacement Project for future sewer line replacement.

**BACKGROUND**

The City's current CIP includes funding to replace the City's undersized or structurally damaged sewer mains through annual sewer line replacement projects. The City operates approximately 325 miles of sanitary sewer mains. The Utilities Division staff 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 to identify structurally damaged sewer mains for repair or replacement.

On February 20, 2024[1], City Council approved Resolution No. 24-066, authorizing the City to enter into a Professional Services Agreement with BKF Engineers (BKF), for design services and technical support during construction. The City has completed the environmental analysis for the construction of the FY24 Water and Sewer Line Replacement Projects in accordance with the California Environmental Quality Act (CEQA) and City Council has adopted the Initial Study/Mitigated Negative Declaration document on March 17, 2026. Combining both water and sewer projects into one analysis allows for better design efficiencies and economies of scale.

[1] https://hayward.legistar.com/LegislationDetail.aspx?ID=6517563&GUID=3DE2D074-1334-47C7-8115-C6F3C5D16B78

## DISCUSSION

On May 19, 2026[2], Council approved the plans and specifications for the project and called for bids to be received on June 30, 2026.

On June 30, 2026, the City received seven (7) bids for the project, ranging from $10,229,360 to $19,912,000. JDB & Sons Construction, Inc. (JDB & Sons), submitted the lowest bid in the amount of $10,229,360, which is approximately 29.6% below the Engineer's estimate of $14,530,000. SubTerra Construction, Inc., (SubTerra) submitted the second-lowest bid of $10,876,289. The average of the seven (7) bids received was $12,873,853 which is approximately 11.4% below the Engineer's estimate. An additional $1,022,936 (or 10% of the contract amount) is included for administrative construction contingency in the event additional funds are needed for unforeseen conditions and changes during construction.

## BID PROTEST BY SUBTERRA CONSTRUCTION, INC.

On July 7, 2026, the City received an email and physical copy of a bid protest from a law firm representing SubTerra (Attachment III). The bid protest contends that JDB & Sons' bid was not submitted timely in conformity with the project's Notice to Contractors (NTC) so it should be rejected and the project should be awarded to the second lowest bidder in SubTerra. The bid protest's argument is that JDB & Sons' bid was late because it was submitted 40 seconds after 2:00 p.m. when the NTC states that bids will be received "until 2:00 p.m."

After reviewing the bid protest, staff determined that the City Clerk's acceptance of the bid from JDB & Sons at 40 seconds after 2:00 p.m., before 2:01 p.m., was consistent with the standard City bid procedures and with the language in the NTC. It has been the City's discretion and standard practice to accept all bids before the clock turned to 2:01 p.m. As a result, staff recommends that City Council deny the bid protest from SubTerra and award the contract to JDB & Sons.

## ECONOMIC IMPACT

The community will benefit from the project, including the continued operability and serviceability of the sewer collection system. Furthermore, robust and reliable sewer infrastructure can help foster economic development and viability in the City.

Replacing the sewer main and appurtenances are part of an effort to, pursuant to City Council direction, modernize and upgrade existing infrastructure. The project will reduce operations and maintenance costs associated with servicing the undersized and structurally defective sewer mains. In addition, staff time attending to issues related to high frequency maintenance and sanitary sewer overflows will be reduced.

[2] https://hayward.legistar.com/LegislationDetail.aspx?ID=8030307&GUID=E5A98CEC-5A37-4336-A514-49C3ED020B73

On June 24, 2025[3], City Council passed a resolution authorizing a Community Workforce Agreement (CWA) with the Alameda County Building Trades Council (BTC), which applies to City projects with construction costs of $1,000,000 or more. The agreement requires contractors to utilize local union hiring halls, encourages the employment of Hayward residents and Hayward Unified School District graduates, and requires workers to pay applicable union dues and contribute to other benefit trust funds. The CWA agreement applies to the FY24 Sewer Line Replacement Project as its construction cost exceeds $1,000,000.

**STRATEGIC ROADMAP**

This agenda item supports the Strategic Roadmap, which includes Invest in Infrastructure as one of the strategic priorities. Specifically, this item relates to the implementation of Objective 4: Invest in Water Supplies, Sanitation Infrastructure & Storm Sewers under "Invest in Infrastructure:"

N20: Replace an average of 2.5 miles of sewer pipelines annually

**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.

**PUBLIC CONTACT**

Prior to and 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. In addition, staff will separately contact any large employers and schools that may be affected by the project and coordinate work to minimize impact.

**NEXT STEPS**

The following schedule has been developed for this project:

| | |
|---|---|
| Award Construction Contract | August 18, 2026 |
| Notice to Proceed | September 2026 |
| Construction Completion | Fall 2027 |

[3] https://hayward.legistar.com/LegislationDetail.aspx?ID=7437057&GUID=2CA848AA-3F0F-4AE9-A53E-2309AEDED8CC&Options=Advanced&Search=

*Prepared by:* Derek Pham, Senior Utilities Engineer

*Reviewed by:* Zaheer Shaikh, Utilities Engineering Manager

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

Approved by:

Jennifer Ott, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 26-_____

Introduced by Council Member_______________

RESOLUTION APPROVING ADDENDUM NO. 1 AND NO. 2 TO THE PROJECT SPECIFICATIONS AND PLANS, REJECTING THE BID PROTEST FROM SUBTERRA CONSTRUCTION, INC., AUTHORIZING THE CITY MANAGER TO AWARD A CONTRACT TO JDB & SONS CONSTRUCTION, INC. IN AN AMOUNT OF $10,229,360 AND APPROVING $1,022,936 IN ADMINISTRATIVE CONSTRUCTION CONTINGENCY FOR THE FY24 SEWER LINE REPLACEMENT PROJECT, PROJECT NO. 07789

WHEREAS, by Resolution No. 26-073 on May 19, 2026, the City Council approved the plans and specifications for the FY24 Sewer Line Replacement Project, Project No. 07789, and called for bids to be received on June 30, 2026; and

WHEREAS, Addendum No. 1 and No. 2 were issued to make minor revisions to the specifications and plans; and

WHEREAS, on June 30, 2026, seven (7) bids were received ranging from $10,229,360 to $19,912,000. The low bid, submitted by JDB & Sons Construction, Inc., is approximately 29.6% below the engineer's estimate of $14,530,000.

WHEREAS, on July 7, 2026, the City received a bid protest from SubTerra Construction Inc., the second lowest bidder, regarding the timing of JDB & Sons Construction, Inc. bid submission; and

WHEREAS, the City reviewed the bid protest and determined that JDB & Sons Construction submitted the bid on time.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward that Addendum No. 1 and No. 2 are hereby approved and adopted as part of the plans and specifications for the project; and

BE IT FURTHER RESOLVED, after review and consideration of the bid protest by SubTerra Construction, Inc., that said protest is denied.

BE IT FURTHER RESOLVED that JDB & Sons Construction, Inc., of San Francisco, CA, is hereby awarded the contract for the FY24 Sewer Line Replacement Project, Project No. 07789, in accordance with the plans and specifications adopted therefore and on file in the office of the City Clerk of the City of Hayward, at and for the price named and stated in the final proposal of the hereinabove specified bidder, and all other bids are hereby rejected; and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute an agreement with JDB & Sons Construction, Inc., in the name of and for and on behalf of the City of Hayward, in an amount of $10,229,360 in a form to be approved by the City Attorney and an administrative construction contingency of $1,022,936 is approved.

IN COUNCIL, HAYWARD, CALIFORNIA ________________________, 2026

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

SANDHU
LAW GROUP, APC

REPLY TO:
2535 Capitol Oaks Dr., Suite 450
Sacramento, CA 95833
Tel. 916-963-9965

July 7, 2026

**VIA HAND DELIVERY & EMAIL**

City Clerk of the City of Hayward
777 B Street, First Floor
Hayward, CA 94541-5007
cityclerk@hayward-ca.gov
Miriam.Lens@hayward-ca.gov

Derek Pham, PE
Derek.Pham@hayward-ca.cov

***RE: BID PROTEST by SubTerra Construction, Inc.***
City of Hayward - FY24 Sewer Line Replacement Project
Project No. 07789

To Whom It May Concern:

This office was retained to represent SubTerra Construction, Inc., (hereinafter "SubTerra") in its Protest of the award of Project No. 07789 to JDB & Sons Construction, Inc., CSLB Number 876159 (hereinafter "JDB") because JDB's bid was not timely submitted in conformity with the Notice to Contractors (NTC). **(Exhibit A)**

SubTerra is a contractor that submitted a timely, responsive, and responsible bid to the City of Hayward for work on the above-referenced Project. SubTerra was informed that it is the second lowest bidder behind JDB who submitted a late bid package as will be set forth below.

SubTerra requests that its bid protest by affirmed and that JDB's bid be found non-responsive and untimely pursuant to Public Contract Code § 4104.5(a). Once JDB's bid is found non-responsive, SubTerra requests that its bid be accepted as the lowest responsible and responsive bid for this project.

## I. STATEMENT OF FACTS

The NTC requires that "SEALED proposals will be received at the office of the City Clerk, First Floor, 777 "B" Street, Hayward, California 94541-5007, **until 2:00 p.m.** on TUESDAY, June 30, 2026, at which time they will be publicly opened and read aloud in the Rotunda, First Floor, of said building, for construction in accordance with the project plans and specifications to which special reference is made …" (emphasis added)

The language "**until** 2:00 pm" means the action must be completed before 2:00:00 p.m., or it is legally late. (Black's Law Dictionary, Fifth Edition 1979, p. 1380 [Up to time of. A word of limitation, used ordinarily to restrict that which precedes to what immediately follows it, and its office is to fix some occurrence of which what precedes will cease to exist.) In other words, the phrase "until" excludes the exact time mentioned in the document, unless the clear intention of the parties indicates otherwise. Here, the deadline was 2:00 p.m., and anything submitted after that exact time is late.

If the term was "**by** 2:00 pm", that means before 2:01 p.m.. In legal terms, "by" incorporates the time specified. If a bid is received at 2:01 p.m., it is considered late and will likely be dismissed as untimely.

SubTerra personnel, including the undersigned Andrew Chung, were present at the bid opening on June 30, 2026.

At 2:00 p.m., the City Clerk announced that it was "now 2:00 p.m." By announcing that it was 2:00 p.m., the City Clerk effectively stated that bidding is now closed because 2:00 p.m., was reached. But then the City Clerk decided to wait to accept bids even though the strict deadline in the NTC was reached.

JDB & Sons Construction, Inc., which ultimately had the lowest bid, hand delivered its bid package approximately 40 seconds after the City Clerk announced that it was "now 2:00 p.m."

Instead of returning JDB's bid unopened as required by Public Contract Code § 4104.5(a), the City Clerk added it to the rest of the bids and read the contents for the bid price last (in the order it was received). This happened at approximately 2:05 p.m.

The bid results for the project were as follows (contractor names have been shortened):

| | |
|---|---|
| JDB & Sons Construction, Inc. | $10,229,360 |
| SubTerra Construction, inc. | $10,876,289 |
| Cratus, Inc. | $11,241,389 |
| Glossage Engineering, Inc. | $11,752,917 |
| KJ Woods Construction, Inc. | $12,238,000 |
| Ranger Pipelines, inc. | $13,867,015 |
| Precision Engineering | $19,912,000 |

Had the City Clerk returned JDB's bid package as required by Public Contract Code § 4104.5(a), SubTerra would have been the lowest responsible bidder entitled to be awarded the Contract.

As a result of the activities at the bid opening, SubTerra was the second lowest bidder due to the City's acceptance of JDB's late bid package.

## II. ARGUMENTS

### A. Responsible Bidders, and Responsive Bids

There typically are two general grounds for protesting a bid: (1) The bidder is not a "responsible" contractor, and (2) The bid is not "responsive" to the Invitation for Bids or Instructions to Bidders, or the job specifications.

Let's clarify the terms responsive and responsible. California courts provide a good definition of the difference between responsive and responsible. The court stated, "a bid is 'responsive' if it promises to do what the bidding instructions demand; a bidder is 'responsible' if it can perform the contract as promised." (emphasis added) (*Taylor Bus Services, Inc. v. San Diego Board of Education* (1987) 195 Cal.App.3d 1331)

A bid is "non-responsive", for example, when the bid form is not completely filled out and signed, as required by the Instructions to Bidders, or where there are other errors or omissions on the Bid Forms, such as timely submission.

A responsible bidder is defined as a bidder who has demonstrated the attributes of trustworthiness as well as quality, fitness, capacity, and experience to satisfactorily perform a public works project. (Public Contract Code § 1103)

The issues in this protest relate to the responsiveness of JDB's bid that requires delivery by a specific time, not whether JDB is a responsible bidder. To be responsive, the bid must follow the NTC **exactly**.

Nothing is shown that SubTerra' s bid was not responsive or not responsible. SubTerra is a proper party to Protest. Here, however, JDB's bid was not responsive because it was submitted late.

**B. The JDB Bid Was Not Responsive Because it was Untimely**

The most common grounds for a protest, and the easiest to demonstrate, is a defect in a bid that makes it non-responsive. A simple comparison of the bid to the requirements in the bidding documents demonstrates most responsiveness problems. Here, JDB's bid was not submitted by the bid deadline. The City should have returned JDB's bid unopened.

In California, construction bids must be submitted strictly on time to be considered valid. The legislature has declared some bid defects to be fatal flaws. For example, statutes barring agencies from even opening late bids necessarily make tardiness a fatal flaw. (Public Contract Code § 4104.5 [Subsection a – "**Any bids received after the time specified in the notice** or any extension due to material changes **shall be returned unopened.**"]

Accepting a late bid violates the fundamental purpose of public competitive bidding, which is to ensure a level playing field, guard against favoritism, and prevent fraud. (See generally Public Contract Code § 100)

The City has the discretion to reject the low bidder if they find the bid non-responsive, or the contractor not responsible. (*Raymond v. Fresno City Unified Sch. District* (1954) 123 Cal.App.2d 626) A late bid (not already barred by a statute) is an example that usually meets both tests. Subcontractors and suppliers typically submit price cuts until seconds before the bid deadline (*Saliba-Kringlen Corp v. Allen Engineering Co.* (1971) 15 Cal. App. 3d 95, 99). Tardiness in submitting a bid allows a bidder to receive and use later last-minute cuts; that gives the bidder an advantage not allowed to bidders who timely submitted their bids. Using those late cuts also likely affects the amount of the bid.

Here, JDB submitted its bid approximately 40 seconds late, after the City Clerk already announced that it was "now 2:00 p.m." The City Clerk effectively stated that bidding period is closed because 2:00 p.m., was reached.

The NTC is very specific that bidding is open "**until 2:00 p.m.**" on TUESDAY, June 30, 2026. "Until 2:00 PM" means up to the specific hour of 14:00 (2:00 post meridiem). In short, that activity, condition, or deadline remains in effect or valid continuously from a prior point in time up until exactly 2:00 PM.

Accepting JDB's bid after 2:00 p.m., was improper and a material violation of the competitive bidding process. Thus, even though the City opened JDB's bid, by it being late, it was "non-responsive," meaning the City lacks the authority to legally award JDB the contract.

The City should find that JDB's bid is non-responsive because it was not submitted by the exact 2:00 p.m., deadline.

## III. CONCLUSION

Based on the foregoing, SubTerra requests that its bid protest by affirmed and that JDB's bid be found non-responsive and untimely. Once JDB's bid is found non-responsive, SubTerra requests that its bid be accepted as the lowest responsible and responsive bid for this project.

Sincerely,

RONALD L. CARELLO

cc: SubTerra Construction, Inc. (Attn: Andrew Chung) (achung@subterraconstruction.com)
JDB & Sons Construction, Inc. (Attn: James Anthony Burke) (admin@jdb-construction.com; info@jdb-construction.com)

Enclosures as noted.

RLC:jp

## VERIFICATION

I, Andrew Chung, am an authorized representative for SubTerra Construction, Inc. I have read the foregoing Bid Protest and know the contents thereof. The same is true of my own knowledge, except as to those matters which are therein stated on information and belief, and, as to those matters, I believe them to be true.

ANDREW CHUNG, Chief Financial Officer

# EXHIBIT A

**CITY OF HAYWARD**

**DEPARTMENT OF PUBLIC WORKS**

* * * * *

**NOTICE TO CONTRACTORS**

* * * * *

**SEALED** proposals will be received at the office of the City Clerk, First Floor, 777 "B" Street, Hayward, California 94541-5007, until 2:00 p.m. on **TUESDAY**, **June 30, 2026**, at which time they will be publicly opened and read aloud in the Rotunda, First Floor, of said building, for construction in accordance with the project plans and specifications to which special reference is made, as follows:

**Title**: FY24 Sewer Line Replacement Project

**Project No**. 07789

**Project Description:**

The work includes, in general, the furnishing of labor, materials, and equipment for the construction of new sanitary sewer lines in the City, including, but not limited to replacing existing sewer pipes with approximately 10,837 linear feet of new pipes by open cut; approximately 4,236 linear feet new pipes by pipe bursting; and rehabilitating approximately 9,668 linear feet of existing pipes by cured in place pipe (CIPP); restoring and reconnecting all affected sanitary sewer service lines (laterals); installing new, abandoning, modifying, and replacing sewer manholes.

The work also includes cleaning and video inspection of sanitary sewer pipes, wastewater flow control and bypass pumping, dewatering, shoring, traffic control, utility locating, potholing, public notification, restoration of public and private surface improvements (including but not limited to pavement, sidewalk, curb and gutter, fences, and landscaping), and all incidental items not mentioned above, but are required by the Contract Drawings, Standard Specifications, Technical Specifications, or these Special Provisions.

The Engineer's estimated cost of construction is **$14,530,000**.

The work is to be completed within **TWO HUNDRED AND SIXTY (260)** working days.

The Contractor shall pay to the City of Hayward the sum of **$1,000.00** per day in excess of the number of working days prescribed above, for each and every calendar day's delay in finishing the work. See details in the Special Provisions.

At the time this contract is awarded, the Contractor shall possess either a **Class A or C-34 license.**

**When the Engineer's estimated cost of construction is greater than $1,000,000, the contract is subject to the Community Workforce Agreement approved by the Hayward City Council on June 24, 2025. The successful bidder and all subcontractors, at any tier, will be required to sign an Agreement to be Bound which can be found in Exhibit F in the Special Provisions as a condition precedent to entering into any contract for this project.**

Pursuant to Section 1770 of the Labor Code, the Director of the Department of Industrial Relations has ascertained the general prevailing rate of per diem wages applicable to the work to be performed, which rates are filed in the office of the Engineer, and copies of which are available to any interested parties on request.

In accordance with Labor Code Section 1771.1, a contractor or subcontractor shall not be qualified to bid on, be listed in a bid proposal, or engage in the performance of any contract for public work unless currently registered with the State Department of Industrial Relations and qualified to perform public work pursuant to Labor Code Section 1725.5. Section 1771.1 applies to any bid proposal submitted on or after March 1, 2015 and/or any contract for public work entered into on or after April 1, 2015.

Job Site Notices. Contractor shall post a Job Site Notice for this project pursuant to Title 8 California Code of Regulations Section 16451.

A bid submitted by any Contractor who is not licensed to engage in business or act in the capacity of a Contractor shall be considered non-responsive and shall be rejected, except for those exceptions governed by Section 7028.15 of the Business and Professions Code.

The City of Hayward hereby notifies all bidders that bidders will not be discriminated against on the grounds of race, color, religion, national origin, ancestry, place of birth, sex, sexual orientation, age, or disability in consideration for an award.

A pre-bid conference will be held on **Thursday**, **June 04, 2026** at **10:00 A.M.** via Microsoft Teams Meeting (visit BidNet Direct at www.bidnetdirect.com for meeting link or call-in phone number). The purpose of this conference is to answer Contractor's questions regarding the project requirements. Attending this conference is not a condition of submitting a bid, but prospective bidders are encouraged to attend.

Prior to and as a condition of submitting a Bid, Bidder must carefully examine the nature, extent, and location(s) of Work to be performed, verify actual conditions and as-built conditions. Failure for Bidder to conduct a site visit prior to submitting a bid will not be considered in change orders or claims. Bidders are required to submit any questions online via BidNet Direct no later than **June 22, 2026 BY 4:00 P.M**. Only written inquiries will be permitted. Only questions answered by Addenda will be binding. Oral and other interpretations or clarifications will be without legal effect.

Each bid must be accompanied by certified or cashier's check, or bidder's bond duly executed by a responsible corporate surety authorized to issue such bonds in the State of California, made payable to the City of Hayward for an amount equal to at least ten (10) percent of the amount bid.

The successful bidder shall furnish a Labor and Materials Bond and a Faithful Performance Bond. Each bond shall be for 110% of the bid amount.

Bidder's attention is directed to Section 6-1, "City of Hayward Non-Discriminatory Employment Practices Provision," of the Special Provisions.

The Contractor may elect to receive 100 percent of payments due under the contract from time to time, without retention of any portion of the payment by the City, by depositing securities of equivalent value with the City in accordance with the provisions of Sections 22300 of the Public Contract Code. All expenses of such substitute deposit shall be borne by the Contractor. Securities eligible for investment under the section shall include those listed in Section 16430 of the California Government Code or certificates of deposit of a bank or savings and loan association. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any interest thereon. Such securities, if deposited by the Contractor, shall be valued by the City's Finance Director (Treasurer), whose decision on valuation of the securities shall be final.

Alternatively, upon the Contractor's request, the City will make payment of retentions earned directly to the escrow agent. The Contractor may direct the investment of the payments into securities, and the Contractor shall receive the interest earned on the investments upon the same terms provided for securities deposited by the Contractor. Upon satisfactory completion of the contract, the Contractor shall receive from the escrow agent all securities, interest and payments received by the escrow agent from the City, pursuant to the terms in Section 22300 of the Public Contract Code.

Prospective bidders and interested parties may download copies of the bid documents, related attachments and all future communication and correspondences regarding this bid process from BidNet Direct at www.bidnetdirect.com. The City's current advertised projects on BidNet Direct can be accessed, and bid documents downloaded for FREE, through the City's website at https://www.hayward-ca.gov/business/doing-business-with-hayward/bidding-construction. The City of Hayward will not be a distribution point for the bid documents. The bid documents may also be reviewed at the various builders exchanges and construction service offices throughout the San Francisco Bay Area.

Project Addendum notifications will be issued through BidNet Direct at www.bidnetdirect.com. BidNet Direct will email notifications to all plan holders.

Miriam Lens

MIRIAM LENS – City Clerk

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

**File #:** CONS 26-289

**DATE:** August 18, 2026

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT**

Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Contract with Hi-Lite Airfield Services for Pavement Improvements of the Airport Hangar Improvement Project No. 06826 in a Not-To-Exceed Amount of $244,387.10, and Approving $24,438.71 in Administrative Construction Contingencies

**RECOMMENDATION**

That the City Council adopts a resolution (Attachment II) authorizing the City Manager to negotiate and execute a Contract with Hi-Lite Airfield Services for the Airport Hangar Improvement Project No. 06826, in an amount not-to-exceed $244,387.10 and approving $24,438.71 in Administrative Construction Contingencies.

**SUMMARY**

The Airport Hangar Improvement Project No. 06826 will be used to repair and maintain T-Hangars located at the Hayward Executive Airport. The project will include a seal coat, crack seal, and markings of approximately 265,482 square feet.

**ATTACHMENTS**

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

**DATE:** August 18, 2026

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT:** Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Contract with Hi-Lite Airfield Services for Pavement Improvements of the Airport Hangar Improvement Project No. 06826 in a Not-To-Exceed Amount of $244,387.10, and Approving $24,438.71 in Administrative Construction Contingencies

## RECOMMENDATION

That the City Council adopts a resolution (Attachment II) authorizing the City Manager to negotiate and execute a Contract with Hi-Lite Airfield Services for the Airport Hangar Improvement Project No. 06826, in an amount not-to-exceed $244,387.10 and approving $24,438.71 in Administrative Construction Contingencies.

## SUMMARY

The Airport Hangar Improvement Project No. 06826 will be used to repair and maintain T-Hangars located at the Hayward Executive Airport. The project will include a seal coat, crack seal, and markings of approximately 265,482 square feet.

## FISCAL IMPACT

There will be no impact on the General Fund or Measure C.

Funding for this work will come from the Airport Capital Fund (621), which is funded by the Airport Enterprise Fund.

## BACKGROUND

The Airport Hangar Improvement Project No. 06826 will be used to repair and maintain T-Hangars located at and owned by the Hayward Executive Airport. The project will include a seal coat, crack seal, and markings of approximately 265,482 square feet.

## DISCUSSION

Staff propose utilizing Sourcewell, a cooperative purchasing program that competitively bids construction services with pre-existing unit prices and specifications for general construction services (including materials, equipment, labor costs), to contract with Hi-Lite Airfield Services for the project. Pursuant to California Government Code Section 6500 et seq., public agencies are authorized to enter into joint agreements to exercise shared power, including participating in cooperative purchasing agreements, provided such participation complies with the City's adopted procurement policies and procedures. Hi-Lite Airfield Services submitted a proposal in the amount of $244,387.10. Additionally, the City is requesting a 10% administrative construction contingency in the amount of $24,438.71. Staff has reviewed this proposal and recommend a contract award not-to-exceed $268,825.81.

## ECONOMIC IMPACT

There is no economic impact related to this action.

## STRATEGIC ROADMAP

This agenda item supports Strategic Priority to Invest in Infrastructure, specifically Invest in City Facilities and Property.

## SUSTAINABILITY FEATURES

This item does not involve any sustainability features.

## PUBLIC CONTACT

No public contact was made for this agenda item.

## NEXT STEPS

If City Council approves this request, staff will finalize a contract with Hi-Lite Airfield Services for services to be performed. Construction will start in September and last approximately four weeks.

*Prepared by*: Pamela Svrdlin, Airport Operations Supervisor

*Reviewed by:* Douglas McNeeley, Airport Manager

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

Approved by:

____________________________

Jennifer Ott, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 26-___

Introduced by Council Member _________

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A CONTRACT WITH HI-LIFE AIRFIELD SERVICES FOR THE PAVEMENT IMPROVEMENT OF THE AIRPORT HANGAR IMPROVEMENT PROJECT NO. 06826, IN AN AMOUNT NOT-TO-EXCEED $244,387.10 AND APPROVING $24,438.71 IN ADMINISTRATIVE CONSTRUCTION CONTINGENCIES

WHEREAS, the project will be used to repair and maintain the payment around the City owned hangars located at the Hayward Executive Airport; and

WHEREAS, the project will include a seal coat, crack seal, and markings of approximately 265,482 square feet; and

WHEREAS, the City proposes utilizing Sourcewell, a cooperative purchasing program for competitively bid construction services to contract with Hi-Lite Airfield Services for the project; and

WHEREAS, the total project cost is $268,825.81, which includes a 10% administrative construction contingency in an amount of $24,438.71; and

WHEREAS, funding for the project will be from the Airport Capital Fund (Fund 621).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward, that the City Manager is hereby authorized to negotiate and execute an agreement, in a form approved by the City Attorney, with Hi-Lite Airfield Services for repair and maintenance of T-Hangars for a total not-to-exceed amount of $268,825.81.

IN COUNCIL, HAYWARD, CALIFORNIA ________________________, 2026

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: ____________________________________
City Clerk of the City of Hayward

APPROVED AS TO FORM:

_______________________________________
City Attorney of the City of Hayward

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

**File #:** CONS 26-291

**DATE:** August 18, 2026

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT**

Adopt Resolutions Approving City Applications to the Alameda County Transportation Commission Comprehensive Investment Plan and Authorizing the City Manager to Execute Agreements with the Alameda County Transportation Commission

**RECOMMENDATION**

That City Council adopts the attached resolutions authorizing the City to apply for grants to the Alameda County Transportation Commission (Alameda CTC) Comprehensive Investment Plan and authorizing the City Manager to execute funding agreements with Alameda CTC for:

1. The Safe Streets Hayward - Tennyson Corridor Project (Attachment II)
2. The A Street Corridor Signal Interconnect and Advanced Traffic Management System Project (Attachment III)
3. The Safe Routes to School Implementation Project (Attachment IV)

**SUMMARY**

The Alameda CTC maintains programming and allocation authority for federal, state, regional, and local transportation funding programs. Since 2016, Alameda CTC has consolidated the programming and allocation of the funding sources under its purview into a single document called the Comprehensive Investment Plan (CIP). Every two years, Alameda CTC opens a call for projects for discretionary grants under the CIP, including Measures B and BB, Vehicle Registration Fee (VRF), and Transportation Fund for Clean Air (TFCA), I-580 Toll Revenues, and the federal One Bay Area Grant Program Cycle 4 (OBAG 4) to improve the county's multimodal transportation system. This program is typically open to applications every two years. The City is proposing to submit applications for three projects: the Safe Streets Hayward - Tennyson Corridor Project, the Safe Routes to School Implementation Project, and the A Street Corridor Signal Interconnect & Advanced Traffic Management System.

**ATTACHMENTS**

Attachment I Staff Report
Attachment II Resolution - Tennyson Corridor

**File #:** CONS 26-291

| | |
|---|---|
| Attachment III | Resolution - A Street Corridor |
| Attachment IV | Resolution - Safe Routes to School |

CITY OF
HAYWARD
HEART OF THE BAY

**DATE:** August 18, 2026

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT:** Adopt Resolutions Approving City Applications to the Alameda County Transportation Commission Comprehensive Investment Plan and Authorizing the City Manager to Execute Agreements with the Alameda County Transportation Commission

## RECOMMENDATION

That City Council adopts the attached resolutions authorizing the City to apply for grants to the Alameda County Transportation Commission (Alameda CTC) Comprehensive Investment Plan and authorizing the City Manager to execute funding agreements with Alameda CTC for:

1. The Safe Streets Hayward – Tennyson Corridor Project (Attachment II)
2. The A Street Corridor Signal Interconnect and Advanced Traffic Management System Project (Attachment III)
3. The Safe Routes to School Implementation Project (Attachment IV)

## SUMMARY

The Alameda CTC maintains programming and allocation authority for federal, state, regional, and local transportation funding programs. Since 2016, Alameda CTC has consolidated the programming and allocation of the funding sources under its purview into a single document called the Comprehensive Investment Plan (CIP). Every two years, Alameda CTC opens a call for projects for discretionary grants under the CIP, including Measures B and BB, Vehicle Registration Fee (VRF), and Transportation Fund for Clean Air (TFCA), I-580 Toll Revenues, and the federal One Bay Area Grant Program Cycle 4 (OBAG 4) to improve the county's multimodal transportation system. This program is typically open to applications every two years. The City is proposing to submit applications for three projects: the Safe Streets Hayward – Tennyson Corridor Project, the Safe Routes to School Implementation Project, and the A Street Corridor Signal Interconnect & Advanced Traffic Management System.

**FISCAL IMPACT**

This item does not impact the General Fund or Measure C.

Each application requires the City to provide matching funds equal to at least 25 percent of the total project cost.

- For the Safe Streets Hayward – Tennyson Corridor Project, the City is requesting $3,105,000, requiring a local match of $1,035,000.
- For the A Street Corridor Signal Interconnect & Advanced Traffic Management System (CIP No. 05715), the City is requesting $3,738,000, requiring a local match of $1,248,000
- For the Safe Routes to School Implementation Project (CIP No. 06941), the City is requesting $1,000,000, requiring a match of $334,000.

Staff recommends funding the City match with Measure BB Direct Local Distributions via Fund 212 – Measure BB (Local Transportation) and Fund 213 – Measure BB (Pedestrian & Bicycle). Other potential funding sources for the required matching include Fund 450 – Street System Improvement and Fund 210 – Gas Tax.

If these applications are approved by Council, staff will include funding for these projects in the FY 2027-28 Capital Improvement Program update, which coincides with the earliest year of funding available from the Alameda CTC CIP grant program. If Alameda CTC awards these projects at the requested funding levels, any project cost increase would be the responsibility of the City through local funds or other grants.

**BACKGROUND**

The Alameda CTC maintains programming and allocation authority for federal, state, regional, and local transportation funding programs. Since 2016, Alameda CTC has consolidated the programming and allocation of the fund sources under its purview into a single CIP. Every two years, Alameda CTC opens a call for projects for discretionary grants under the CIP, including Measures B and BB, VRF, and TFCA, I-580 Toll Revenues, and the federal OBAG 4 to improve the county's multimodal transportation system. A total of $200 million is available across six project categories:

- Bicycle and/or pedestrian capital projects and programs
- Complete streets capital and road improvement projects
- Transit-related capital projects
- Shuttle and other program operations
- Technology Projects
- Plans

Each city is limited to three applications across these categories. The grant program requires a Resolution of Local Support for each application. New for this cycle, the Alameda CTC CIP

Call for Projects also includes a Safe Routes to School Capital Grant Pilot Program, which allows cities to submit a fourth application.

**DISCUSSION**

The City proposes to submit applications for three projects as part of this call for projects: the Safe Streets Hayward – Tennyson Corridor Project, the Safe Routes to School Implementation Project, and the A Street Corridor Signal Interconnect & Advanced Traffic Management System. The City's proposed projects are each in different categories and thus will not compete with each other. Attachments II, III, and IV are the individual Resolutions of Local Support for each project.

**The Safe Streets Hayward - Tennyson Corridor Project** includes development of Plans, Specifications, and Estimates (PS&E) for the corridor between Patrick Avenue and Whitman Street. The project, developed in partnership with the community, includes a sidewalk-level bike lane, numerous intersection improvements, enhanced pedestrian crossings, and landscaping. This project represents the first step toward implementing the corridor improvements identified through the City's High Injury Network planning effort that have been developed over the past year and a half through a Federal Safe Streets for All (SS4A) grant. The City separately applied for construction funding from the current cycle of the Federal SS4A program. Award recommendations for the federal grant will be announced in late 2026.

**The A Street Corridor Signal Interconnect & Advanced Traffic Management System** will modernize approximately two miles of traffic signal infrastructure along A Street between Skywest Drive and Watkins Street (Lucky's Driveway). Upon completion, all 11 intersections along the corridor will be interconnected through a continuous fiber optic network, providing enhanced traffic monitoring, improved incident management, greater operational reliability, and coordinated corridor operations while reducing maintenance needs and improving system resiliency.

**The Safe Routes to School Implementation Project** builds upon the work the City has performed over the past two years with a grant from the California Air Resources Board. While the City has developed 100% PS&E for the Safe Routes to School project and has funding in place for partial implementation of the project, increased labor and materials costs have resulted in a higher Engineer's Estimate than the initial planning-level estimate, resulting in a need to identify additional funding sources for construction. The Alameda CTC CIP prioritizes projects on the Countywide High Injury Network (HIN), therefore schools with recommendations on the HIN were selected for this grant application as they are likely to be the most competitive.

The attached Resolutions of Local Support include the certifications and assurances required by Alameda CTC as part of the application process. Among other provisions, the resolutions authorize submission of the applications, commit the City to providing the required local matching funds if a grant is awarded, commit to following Alameda CTC's Local Business

Contract Equity (LBCE) procedures, and acknowledge the City's responsibility for any future cost increases not covered by grant funds.

**ECONOMIC IMPACT**

These projects are likely to have a positive impact on the local economy. The Tennyson Corridor project supports local economic vitality by making it easier for customers, employees, and residents to safely reach businesses, jobs, and the South Hayward BART station using a variety of transportation options. A Street serves as a key gateway to Downtown, and its congestion relief measures will improve access to local businesses.

**STRATEGIC ROADMAP**

This agenda item supports the Strategic Priority of "Invest in Infrastructure." The relevant actions under "Invest in Multi-Modal Transportation" are:

- N1: Continue to implement major corridor traffic calming initiatives
- N4: Implement Safe Routes to School
- N6: Continue to add approximately 10 miles of bike lanes annually

**SUSTAINABILITY FEATURES**

These grant applications will advance implementation of safety improvements on several streets that will benefit people walking, bicycling, and taking transit, potentially facilitating increased use of these modes of transportation. The Safe Streets Hayward – Tennyson Corridor project would fulfill a top priority of the City's 2020 Bicycle and Pedestrian Master Plan. All three projects are consistent with the City's 2023 Local Road Safety Plan.

**PUBLIC CONTACT**

Public engagement played a central role in the development of the preferred corridor concept for Tennyson Road, including two rounds of outreach during the project planning phase. The project team engaged with over 2,000 individuals through pop-up events, community workshops, community canvassing, and online and paper surveys. Among the options presented for the Tennyson Road corridor, this project will advance the alternative that the community supported most broadly.

The A Street project focuses on technological tools, and community engagement was not a substantial component of project development. However, City Council supported a similar (unsuccessful) application to a previous cycle of the Alameda CTC CIP.

The projects recommended in the Safe Routes to School Implementation Project were developed through meetings with school officials, stakeholders, parent champions, and engineering consultants. The City further provided handouts with concept designs to school parents in May 2025. HUSD and school administrators have provided letters of support to the City's application.

**NEXT STEPS**

Approval of the Resolutions of Local Support for these projects will authorize submission of the City's applications for Alameda CTC CIP funding. Award announcements are expected in May, 2027. If any resolution is not approved, the City would withdraw the corresponding grant application.

*Prepared by*: Lucas Woodward, Senior Transportation Engineer

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

Approved by:

________________________________

Jennifer Ott, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 26-____

Introduced by Council Member ________

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR ALAMEDA COUNTY TRANSPORTATION COMMISSION ADMINISTERED FUNDING FOR THE SAFE STREETS HAYWARD – TENNYSON CORRIDOR PROJECT AND COMMITTING ANY NECESSARY MATCHING FUNDS AND STATING ASSURANCES TO COMPLETE THE PROJECT

WHEREAS, the Alameda County Transportation Commission (Alameda CTC) administers funding programs for project and programs that benefit the Alameda County transportation system, consisting of 2000 Measure B, 2010 Vehicle Registration fee (VRF), 2014 Measure BB, I-580 Toll Revenues, Congestion Management Agency Transportation Improvement Program (CMA-TIP) and Transportation Fund for Clean Air Programs, and such funding is collectively defined as and shall be referenced herein as the "Alameda CTC Administered Funds"); and

WHEREAS, the Alameda CTC adopted 2028 Comprehensive Investment Plan (CIP) Guidelines at its Commission meeting on May 28, 2026, which includes procedures governing the 2028 CIP application process, programming guidelines, and eligible uses of Alameda CTC Administered Funds; and

WHEREAS, the City of Hayward (the Applicant) is the project sponsor for the Safe Streets Hayward – Tennyson Corridor Project (the Project); and

WHEREAS, the Project will develop Plans, Specifications, and Estimates for the Tennyson Rd corridor between Patrick Avenue and Whitman Street, including a separated bike lane, intersection improvements, safer pedestrian crossings, and landscaping; and

WHEREAS, as the Project Sponsor, the Applicant has the legal authority to apply for funding for the Project and plans to submit a 2028 CIP application to Alameda CTC for $3,105,000; and

WHEREAS, there are no legal impediments to the Applicant applying for funding and there is not active, pending, or threatened litigation that may adversely affect the proposed Project or the ability of the Applicant to deliver such a Project; and

WHEREAS, the Applicant authorizes its City Manager or designee to execute and file an application with Alameda CTC for discretionary Alameda CTC Administered Funds for the Project as referenced in this resolution; and

WHEREAS, as part of the requirements to apply for and receive Alameda CTC Administered Funds, Alameda CTC requires a resolution adopted by the responsible implementing agency stating the following:

1. Applicant will implement the Project as described in the Application; and
2. Applicant will have adequate staffing resources to deliver and complete the Project within the time period identified in the Application; and
3. Applicant understands it will enter into a Project Funding Agreement (Agreement) with Alameda CTC and will comply with the Agreement's requirements, including adherence to the agreed upon project scope, project delivery milestones, funding deadlines, project reporting, and deliverable deadlines; and
4. Applicant is committed to deliver the Project consistently with the Commission approved CIP Programming Guidelines and CIP policies, as they may change, for the funds awarded by the Commission to the Project; and
5. Applicant is committed to secure matching funds as proposed in the Application required for awarded Alameda CTC Administered Funds, by phase; and
6. Applicant is committed to provide any additional funding that may be required beyond the original proposed Application match amount to deliver the phase of the Project that is awarded with Alameda CTC Administered Funds; and
7. Applicant understands that Alameda CTC Administered Funds awarded to the Project is limited to the Commission approved programmed amount by phase and therefore any cost increases or unexpected funding shortfalls cannot be expected to be funded by shifting funds between phases, or by requesting additional Alameda CTC Administered Funds; and
8. Applicant understands that any cost savings in the Alameda CTC-funded phase(s) will be shared proportionally between the Applicant and Alameda CTC; and
9. Applicant is committed to comply with the applicable requirements set forth in Alameda CTC's Local Business Contract Equity (LBCE) Program and related exhibits, as applicable, for professional services and construction contracts funded with Measure B, Measure BB, and/or VRF funds, such as including LBCE Program goals and provisions in applicable solicitations and resulting contracts, providing timely notification to Alameda CTC of applicable solicitations prior to advertisement, and adhering to reporting requirements.

NOW THEREFORE, BE IT RESOLVED, that the City of Hayward is authorized to file an Application to Alameda CTC for funding the Project; and

BE IT FURTHER RESOLVED, that the Applicant hereby confirms that there is no pending or threatened litigation that might in any way adversely affect Applicant's ability to implement and deliver the proposed Project; and

BE IT FURTHER RESOLVED, that the Applicant authorizes its City Manager or designee to execute the funding Agreement with Alameda CTC; and

BE IT FURTHER RESOLVED, that Applicant shall provide Alameda CTC with a fully-executed copy of this Resolution upon submittal of the Application; and

BE IT FURTHER RESOLVED, that the City Council of the City of Hayward, by adopting this resolution, hereby confirms that:

1. Applicant will implement the Project as described in the Application; and
2. Applicant will have adequate staffing resources to deliver and complete the Project within the time period identified in the Application; and
3. Applicant understands it will enter into a Project Funding Agreement (Agreement) with Alameda CTC and will comply with the Agreement's requirements, including adherence to the agreed upon project scope, project delivery milestones, funding deadlines, project reporting, and deliverable deadlines; and
4. Applicant commits to delivering the Project consistently with the Commission approved CIP Programming Guidelines and CIP policies, as they may change, for the funds awarded by the Commission to the Project; and
5. Applicant will commit matching funds as proposed in the Application against the awarded Alameda CTC Administered Funds by phase in the amount of $1,035,000, anticipated to be from regional sources; and
6. Applicant will provide any additional funding that may be required beyond the original proposed Application match amount to deliver the phase of the Project that is awarded with Alameda CTC Administered Funds; and
7. Applicant understands that Alameda CTC Administered Funds awarded to the Project is limited to the Commission approved programmed amount by phase and therefore any cost increases or unexpected funding shortfalls cannot be expected to be funded by shifting funds between phases, or by requesting additional Alameda CTC Administered Funds; and
8. Applicant understands that any cost savings in the Alameda CTC-funded phase(s) will be shared proportionally between the Applicant and Alameda CTC; and
9. The Applicant is committed to comply with the applicable requirements set forth in Alameda CTC's Local Business Contract Equity (LBCE) Program and related exhibits, as applicable, for professional services and construction contracts funded with Measure B, Measure BB, and/or VRF funds, such as including LBCE Program goals and provisions in applicable solicitations and resulting contracts, providing timely notification to Alameda CTC of applicable solicitations prior to advertisement, and adhering to reporting requirements.

IN COUNCIL, HAYWARD, CALIFORNIA ________________________, 2026

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: ____________________________________
City Clerk of the City of Hayward

APPROVED AS TO FORM:

_______________________________________
City Attorney of the City of Hayward

HAYWARD CITY COUNCIL

RESOLUTION NO. 26-____

Introduced by Council Member ________

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR ALAMEDA COUNTY TRANSPORTATION COMMISSION ADMINISTERED FUNDING FOR THE A STREET CORRIDOR SIGNAL INTERCONNECT AND ADVANCED TRAFFIC MANAGEMENT SYSTEM PROJECT AND COMMITTING ANY NECESSARY MATCHING FUNDS AND STATING ASSURANCES TO COMPLETE THE PROJECT

WHEREAS, the Alameda County Transportation Commission (Alameda CTC) administers funding programs for project and programs that benefit the Alameda County transportation system, consisting of 2000 Measure B, 2010 Vehicle Registration fee (VRF), 2014 Measure BB, I-580 Toll Revenues, Congestion Management Agency Transportation Improvement Program (CMA-TIP) and Transportation Fund for Clean Air Programs, and such funding is collectively defined as and shall be referenced herein as the "Alameda CTC Administered Funds"); and

WHEREAS, the Alameda CTC adopted 2028 Comprehensive Investment Plan (CIP) Guidelines at its Commission meeting on May 28, 2026, which includes procedures governing the 2028 CIP application process, programming guidelines, and eligible uses of Alameda CTC Administered Funds; and

WHEREAS, the City of Hayward (the Applicant) is the project sponsor for the a Street Corridor Signal Interconnect and Advanced Traffic Management System Project (the Project); and

WHEREAS, the Project will modernize approximately two miles of traffic signal infrastructure along A Street between Skywest Drive and Watkins Street, providing enhanced traffic monitoring, improved incident management, greater operational reliability, and coordinated corridor operations; and

WHEREAS, as the Project Sponsor, the Applicant has the legal authority to apply for funding for the Project and plans to submit a 2028 CIP application to Alameda CTC for $3,738,000; and

WHEREAS, there are no legal impediments to the Applicant applying for funding and there is not active, pending, or threatened litigation that may adversely affect the proposed Project or the ability of the Applicant to deliver such a Project; and

WHEREAS, the Applicant authorizes its City Manager or designee to execute and file an application with Alameda CTC for discretionary Alameda CTC Administered Funds for the Project as referenced in this resolution; and

WHEREAS, as part of the requirements to apply for and receive Alameda CTC Administered Funds, Alameda CTC requires a resolution adopted by the responsible implementing agency stating the following:

1. Applicant will implement the Project as described in the Application; and
2. Applicant will have adequate staffing resources to deliver and complete the Project within the time period identified in the Application; and
3. Applicant understands it will enter into a Project Funding Agreement (Agreement) with Alameda CTC and will comply with the Agreement's requirements, including adherence to the agreed upon project scope, project delivery milestones, funding deadlines, project reporting, and deliverable deadlines; and
4. Applicant is committed to deliver the Project consistently with the Commission approved CIP Programming Guidelines and CIP policies, as they may change, for the funds awarded by the Commission to the Project; and
5. Applicant is committed to secure matching funds as proposed in the Application required for awarded Alameda CTC Administered Funds, by phase; and
6. Applicant is committed to provide any additional funding that may be required beyond the original proposed Application match amount to deliver the phase of the Project that is awarded with Alameda CTC Administered Funds; and
7. Applicant understands that Alameda CTC Administered Funds awarded to the Project is limited to the Commission approved programmed amount by phase and therefore any cost increases or unexpected funding shortfalls cannot be expected to be funded by shifting funds between phases, or by requesting additional Alameda CTC Administered Funds; and
8. Applicant understands that any cost savings in the Alameda CTC-funded phase(s) will be shared proportionally between the Applicant and Alameda CTC; and
9. Applicant is committed to comply with the applicable requirements set forth in Alameda CTC's Local Business Contract Equity (LBCE) Program and related exhibits, as applicable, for professional services and construction contracts funded with Measure B, Measure BB, and/or VRF funds, such as including LBCE Program goals and provisions in applicable solicitations and resulting contracts, providing timely notification to Alameda CTC of applicable solicitations prior to advertisement, and adhering to reporting requirements.

NOW THEREFORE, BE IT RESOLVED, that the City of Hayward is authorized to file an Application to Alameda CTC for funding the Project; and

BE IT FURTHER RESOLVED, that the Applicant hereby confirms that there is no pending or threatened litigation that might in any way adversely affect Applicant's ability to implement and deliver the proposed Project; and

BE IT FURTHER RESOLVED, that the Applicant authorizes its City Manager or designee to execute the funding Agreement with Alameda CTC; and

BE IT FURTHER RESOLVED, that Applicant shall provide Alameda CTC with a fully-executed copy of this Resolution upon submittal of the Application; and

BE IT FURTHER RESOLVED that the City Council of the City of Hayward, by adopting this resolution, hereby confirms that:

1. Applicant will implement the Project as described in the Application; and
2. Applicant will have adequate staffing resources to deliver and complete the Project within the time period identified in the Application; and
3. Applicant understands it will enter into a Project Funding Agreement (Agreement) with Alameda CTC and will comply with the Agreement's requirements, including adherence to the agreed upon project scope, project delivery milestones, funding deadlines, project reporting, and deliverable deadlines; and
4. Applicant commits to delivering the Project consistently with the Commission approved CIP Programming Guidelines and CIP policies, as they may change, for the funds awarded by the Commission to the Project; and
5. Applicant will commit matching funds as proposed in the Application against the awarded Alameda CTC Administered Funds by phase in the amount of $1,246,000, anticipated to be from regional sources; and
6. Applicant will provide any additional funding that may be required beyond the original proposed Application match amount to deliver the phase of the Project that is awarded with Alameda CTC Administered Funds; and
7. Applicant understands that Alameda CTC Administered Funds awarded to the Project is limited to the Commission approved programmed amount by phase and therefore any cost increases or unexpected funding shortfalls cannot be expected to be funded by shifting funds between phases, or by requesting additional Alameda CTC Administered Funds; and
8. Applicant understands that any cost savings in the Alameda CTC-funded phase(s) will be shared proportionally between the Applicant and Alameda CTC; and
9. The Applicant is committed to comply with the applicable requirements set forth in Alameda CTC's Local Business Contract Equity (LBCE) Program and related exhibits, as applicable, for professional services and construction contracts funded with Measure B, Measure BB, and/or VRF funds, such as including LBCE Program goals and provisions in applicable solicitations and resulting contracts, providing timely notification to Alameda CTC of applicable solicitations prior to advertisement, and adhering to reporting requirements.

IN COUNCIL, HAYWARD, CALIFORNIA ____________________, 2026

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: ______________________________
City Clerk of the City of Hayward

APPROVED AS TO FORM:

______________________________
City Attorney of the City of Hayward

HAYWARD CITY COUNCIL

RESOLUTION NO. 26-____

Introduced by Council Member ________

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR ALAMEDA COUNTY TRANSPORTATION COMMISSION ADMINISTERED FUNDING FOR THE SAFE ROUTES TO SCHOOL IMPLEMENTATION PROJECT AND COMMITTING ANY NECESSARY MATCHING FUNDS AND STATING ASSURANCES TO COMPLETE THE PROJECT

WHEREAS, the Alameda County Transportation Commission (Alameda CTC) administers funding programs for project and programs that benefit the Alameda County transportation system, consisting of 2000 Measure B, 2010 Vehicle Registration fee (VRF), 2014 Measure BB, I-580 Toll Revenues, Congestion Management Agency Transportation Improvement Program (CMA-TIP) and Transportation Fund for Clean Air Programs, and such funding is collectively defined as and shall be referenced herein as the "Alameda CTC Administered Funds"); and

WHEREAS, the Alameda CTC adopted 2028 Comprehensive Investment Plan (CIP) Guidelines at its Commission meeting on May 28, 2026, which includes procedures governing the 2028 CIP application process, programming guidelines, and eligible uses of Alameda CTC Administered Funds; and

WHEREAS, the City of Hayward (the Applicant) is the project sponsor for the Safe Routes to School Project (the Project); and

WHEREAS, the Project will construct pedestrian safety infrastructure at four school communities throughout the City, including controlled mid-block crossings, curb extensions, high-visibility crosswalks, and signage improvements; and

WHEREAS, as the Project Sponsor, the Applicant has the legal authority to apply for funding for the Project and plans to submit a 2028 CIP application to Alameda CTC for $1,000,000; and

WHEREAS, there are no legal impediments to the Applicant applying for funding and there is not active, pending, or threatened litigation that may adversely affect the proposed Project or the ability of the Applicant to deliver such a Project; and

WHEREAS, the Applicant authorizes its City Manager or designee to execute and file an application with Alameda CTC for discretionary Alameda CTC Administered Funds for the Project as referenced in this resolution; and

WHEREAS, as part of the requirements to apply for and receive Alameda CTC Administered Funds, Alameda CTC requires a resolution adopted by the responsible implementing agency stating the following:

1. Applicant will implement the Project as described in the Application; and
2. Applicant will have adequate staffing resources to deliver and complete the Project within the time period identified in the Application; and
3. Applicant understands it will enter into a Project Funding Agreement (Agreement) with Alameda CTC and will comply with the Agreement's requirements, including adherence to the agreed upon project scope, project delivery milestones, funding deadlines, project reporting, and deliverable deadlines; and
4. Applicant is committed to deliver the Project consistently with the Commission approved CIP Programming Guidelines and CIP policies, as they may change, for the funds awarded by the Commission to the Project; and
5. Applicant is committed to secure matching funds as proposed in the Application required for awarded Alameda CTC Administered Funds, by phase; and
6. Applicant is committed to provide any additional funding that may be required beyond the original proposed Application match amount to deliver the phase of the Project that is awarded with Alameda CTC Administered Funds; and
7. Applicant understands that Alameda CTC Administered Funds awarded to the Project is limited to the Commission approved programmed amount by phase and therefore any cost increases or unexpected funding shortfalls cannot be expected to be funded by shifting funds between phases, or by requesting additional Alameda CTC Administered Funds; and
8. Applicant understands that any cost savings in the Alameda CTC-funded phase(s) will be shared proportionally between the Applicant and Alameda CTC; and
9. Applicant is committed to comply with the applicable requirements set forth in Alameda CTC's Local Business Contract Equity (LBCE) Program and related exhibits, as applicable, for professional services and construction contracts funded with Measure B, Measure BB, and/or VRF funds, such as including LBCE Program goals and provisions in applicable solicitations and resulting contracts, providing timely notification to Alameda CTC of applicable solicitations prior to advertisement, and adhering to reporting requirements.

NOW THEREFORE, BE IT RESOLVED, that the City of Hayward is authorized to file an Application to Alameda CTC for funding the Project; and

BE IT FURTHER RESOLVED, that the Applicant hereby confirms that there is no pending or threatened litigation that might in any way adversely affect Applicant's ability to implement and deliver the proposed Project; and

BE IT FURTHER RESOLVED, that the Applicant authorizes its City Manager or designee to execute the funding Agreement with Alameda CTC; and

BE IT FURTHER RESOLVED, that Applicant shall provide Alameda CTC with a fully-executed copy of this Resolution upon submittal of the Application; and

BE IT FURTHER RESOLVED that the City Council of the City of Hayward, by adopting this resolution, hereby confirms that:

1. Applicant will implement the Project as described in the Application; and
2. Applicant will have adequate staffing resources to deliver and complete the Project within the time period identified in the Application; and
3. Applicant understands it will enter into a Project Funding Agreement (Agreement) with Alameda CTc and will comply with the Agreement's requirements, including adherence to the agreed upon project scope, project delivery milestones, funding deadlines, project reporting, and deliverable deadlines; and
4. Applicant commits to delivering the Project consistently with the Commission approved CIP Programming Guidelines and CIP policies, as they may change, for the funds awarded by the Commission to the Project; and
5. Applicant will commit matching funds as proposed in the Application against the awarded Alameda CTC Administered Funds by phase in the amount of $334,000, anticipated to be from regional sources; and
6. Applicant will provide any additional funding that may be required beyond the original proposed Application match amount to deliver the phase of the Project that is awarded with Alameda CTC Administered Funds; and
7. Applicant understands that Alameda CTC Administered Funds awarded to the Project is limited to the Commission approved programmed amount by phase and therefore any cost increases or unexpected funding shortfalls cannot be expected to be funded by shifting funds between phases, or by requesting additional Alameda CTC Administered Funds; and
8. Applicant understands that any cost savings in the Alameda CTC-funded phase(s) will be shared proportionally between the Applicant and Alameda CTC; and
9. The Applicant is committed to comply with the applicable requirements set forth in Alameda CTC's Local Business Contract Equity (LBCE) Program and related exhibits, as applicable, for professional services and construction contracts funded with Measure B, Measure BB, and/or VRF funds, such as including LBCE Program goals and provisions in applicable solicitations and resulting contracts, providing timely notification to Alameda CTC of applicable solicitations prior to advertisement, and adhering to reporting requirements.

IN COUNCIL, HAYWARD, CALIFORNIA ____________________, 2026

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: ______________________________
City Clerk of the City of Hayward

APPROVED AS TO FORM:

______________________________
City Attorney of the City of Hayward

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

**File #:** CONS 26-293

**DATE:** August 18, 2026

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT**

Adopt a Resolution Approving Addendum No. 1, Awarding a Construction Contract to QLM, Inc., for the Fiscal Year 2026 Sidewalk Rehabilitation and Wheelchair Ramps Project, Project No. 05348 in the Amount of $823,397, and Approving $100,000 in Administrative Construction Contingencies

**RECOMMENDATION**

That the City Council adopts a resolution (Attachment II) approving Addendum 1, awarding a construction contract to the low bidder, QLM, Inc., of San Jose, in the amount of $823,397 for the FY26 Sidewalk Rehabilitation and Wheelchair Ramps Project in Districts 1 and 8, and approving $100,000 in administrative construction contingencies.

**SUMMARY**

On July 7th, 2026, the City received nine (9) bids for the project ranging from $823,397 to $1,219,000. QLM, Inc., of San Jose submitted the lowest bid of $823,397, which is 3.6% lower than the Engineer's Estimate of $854,000. Spektren Engineering, Inc., of Gilroy submitted the second lowest bid in the amount of $886,487, which is 3.8% above the Engineer's Estimate. Staff are recommending that a construction contract be awarded to QLM, Inc., in the amount of $823,397.

**ATTACHMENTS**

| | |
|---|---|
| Attachment I | Staff Report |
| Attachment II | Resolution |
| Attachment III | District Map |

**DATE:** August 18, 2026

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT:** Adopt a Resolution Approving Addendum No. 1, Awarding a Construction Contract to QLM, Inc., for the Fiscal Year 2026 Sidewalk Rehabilitation and Wheelchair Ramps Project, Project No. 05348 in the Amount of $823,397, and Approving $100,000 in Administrative Construction Contingencies

## RECOMMENDATION

That the City Council adopts a resolution (Attachment II) approving Addendum 1, awarding a construction contract to the low bidder, QLM, Inc., of San Jose, in the amount of $823,397 for the FY26 Sidewalk Rehabilitation and Wheelchair Ramps Project in Districts 1 and 8, and approving $100,000 in administrative construction contingencies.

## SUMMARY

On July 7th, 2026, the City received nine (9) bids for the project ranging from $823,397 to $1,219,000. QLM, Inc., of San Jose submitted the lowest bid of $823,397, which is 3.6% lower than the Engineer's Estimate of $854,000. Spektren Engineering, Inc., of Gilroy submitted the second lowest bid in the amount of $886,487, which is 3.8% above the Engineer's Estimate. Staff are recommending that a construction contract be awarded to QLM, Inc., in the amount of $823,397.

## FISCAL IMPACT

This item does not impact the General Fund or Measure C.

The adopted FY27 Capital Improvement Program (CIP) includes an original budget of $1,000,000 for the FY26 Sidewalk Rehabilitation and Wheelchair Ramps Project, Project No. 05348, in the Street System Improvements Fund (Fund 450). An additional $154,000 is available as part of the $600,000 award of Transportation Development Act (TDA) Article 3 Funding through the Metropolitan Transportation Commission, as approved at the June 2, 2026, City Council meeting. Reimbursement from property owners for the sidewalk rehabilitation is estimated to be approximately $100,000.

The breakdown for the project costs is as follows:

| | |
|---|---|
| Contract Construction | $823,397 |
| Trip Hazard Removal (under a separate contract) | $40,000 |
| Design and Administration | $90,000 |
| Construction Survey, Inspection, and Testing | $100,603 |
| Administrative Change Orders | $100,000 |
| **TOTAL** | **$1,154,000** |

The revised funding source are as follows:

| | |
|---|---|
| Street System Improvements Fund (Fund 450) | $1,000,000 |
| Gas Tax Fund (Fund 210) | $154,000 |
| **TOTAL** | **$1,154,000** |

**BACKGROUND**

When the Sidewalk Rehabilitation Program (Program) was initiated, the City was divided into ten districts (Attachment III) to facilitate the selection of sidewalk areas for repairs over a ten-year cycle. Although significant progress was made during the previous cycles, funding was inadequate to complete all the necessary sidewalk repairs in all ten districts. Because there has been significant progress on addressing repair backlogs, recent projects have included two districts. This year, the work will be performed in Districts 1 and 8.

The Program consists of two components; each is performed under a separate construction contract. The first component of the Sidewalk Rehabilitation Program, beginning in January 2027, will remove tripping hazards from sidewalk displacements or offsets up to 1¾ inches. These hazards are removed by saw cutting or grinding each uplifted sidewalk panel across the width of the sidewalk to produce a smooth and uniform surface that meets Americans with Disabilities Act (ADA) slope requirements. Grinding or saw cutting up to 1¾ inches from a short segment of the typical 4" thick sidewalk section is less expensive and more cost effective than the removal and replacement of an entire sidewalk section.

The second component, which is the subject of this report, removes and replaces all sidewalk displacements exceeding 1¾ inches with new concrete. In addition, it includes the repair of offset or raised concrete curb and gutter, tree trimming, root pruning of existing trees, and planting of new trees. In order to minimize damage to City street trees and evaluate the health of any trees that may be impacted by the project, the contractor is required to retain an arborist to examine each street tree adjacent to the work and inspect any root pruning that is part of the project.

**DISCUSSION**

This year's Project will repair damaged sidewalks in the Downtown Area (District 1) and the Sleepy Hollow Area (District 8). The project includes repair of approximately 16,000 square feet of damaged sidewalk, curb, and gutters, installation of 21 new or upgraded wheelchair ramps in various locations, tree trimming, root pruning of existing trees, and planting of new trees. As part of the project, the contractor will retain an arborist to examine the condition of existing trees and inspect all root-pruning work. Based on the preliminary inspection, staff anticipate removing 21 trees and planting 27 new trees in various locations. New trees will be planted where street trees are absent, where an existing tree must be removed due to disease or risk of falling, where extensive root pruning may compromise tree health, or where a more suitable tree species will minimize future maintenance efforts. Twenty-one new wheelchair ramps will also be installed or upgraded to bring wheelchair ramps into compliance with current ADA standards.

After the release of the call for bids, an addendum was issued on July 1st, 2026. The addendum included additional work to construct bus boarding islands, pedestrian refuge islands, and eight curb ramps to improve safety and accessibility for people walking and biking. These elements are funded through a portion of a TDA Article 3 Funding request that City Council approved on June 2nd, 2026, and are estimated to cost $154,000.

On July 7, 2026, nine (9) bids were received. The bids ranged from $823,397 to $1,219,000. The low bid was from QLM Inc. of San Jose in the amount of $823,397, which is 3.6% lower than the Engineer's Estimate of $854,000. Spektren Engineering, Inc., of Gilroy submitted the second lowest bid in the amount of $886,487 which is 3.8% above the Engineer's Estimate.

All bid documents and licenses are in order. Staff recommends award of a construction contract to the lowest responsive bidder, QLM, Inc., of San Jose, in the amount of $823,397.

On November 15, 2016[1], the Council approved a resolution authorizing a Community Workforce Agreement (CWA) with the Alameda County Building Trades Council (BTC), which applied to City projects with construction costs of $1,000,000 or more. This agreement requires contractors to use local union hiring halls, encourages contractors to employ Hayward residents or Hayward Unified School District graduates, and requires hired workers to pay union dues and other benefit trust fund contributions, etc. Because the construction cost estimate for the FY26 Sidewalk Rehabilitation Project is less than $1,000,000, the CWA agreement does not apply to this project.

This project is categorically exempt for environmental review under the California Environmental Quality Act, Section 15301(c) that covers the operation, repair, maintenance or minor alteration of existing streets, sidewalks, and gutters.

**ECONOMIC IMPACT**

The project will have a positive impact on the community as it provides safer and more accessible sidewalks and ramps for pedestrians. Dividing the City into 10 districts allows staff to select and recommend districts to ensure the equitable distribution of this service to all City residents and businesses.

**STRATEGIC ROADMAP**

This agenda item supports the Strategic Roadmap priority to Invest in Infrastructure. It aligns

[1] https://hayward.legistar.com/LegislationDetail.aspx?ID=2882111&GUID=118B2EF9-1D2C-471F-999E- 4BE0929706A0&Options=&Search=

with the implementation of the Invest in Multi-Modal Transportation goal by improving pedestrian mobility, which is a key component of a multi-modal network.

**SUSTAINABILITY FEATURES**

This project requires that all material generated during demolition and construction be sent to designated facilities for recycling. Recycled Portland Cement Concrete will be required for use as aggregate base for the concrete curb, gutter, and sidewalk. The improvements made to the sidewalks will encourage the public to walk more as opposed to driving their vehicles. This reduces both carbon emissions and carbon footprints, which is beneficial for the environment.

**PUBLIC CONTACT**

Owners of the affected properties have received certified letters regarding the Program. A response form was included with the notice to indicate whether property owners of single-family homes will complete the repairs themselves or pay $550 to be included in this project. Property owners have the option of paying the $550 in one lump sum or in twelve monthly installments. The response form also includes a list of trees from which owners may select a replacement tree. Before construction commences, a second notice will be sent to all property owners who did not respond to ensure they are aware of the Program and their available options.

Commercial property owners are responsible for bearing the full cost of construction for repairs adjacent to their properties. Commercial property owners will also be notified of the sidewalk damage fronting their properties and will be given the option of having the repairs completed by the City's hired contractor or completing the repairs themselves.

**NEXT STEPS**

The estimated schedule for this project is as follows:

| | |
|---|---|
| Begin Construction | September 29, 2026 |
| Complete Construction | December 28, 2026 |

*Prepared by*: Mir Ali, Assistant Civil Engineer

*Reviewed by:* Dave Hung, Acting Deputy Director of Public Works - Engineering

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

Approved by:

_____________________________

Jennifer Ott, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 26-____

Introduced by Council Member _________

RESOLUTION APPROVING ADDENDUM NO. 1, AWARDING A CONSTRUCTION CONTRACT TO QLM, INC., FOR THE FISCAL YEAR 2026 SIDEWALK REHABILITATION AND WHEELCHAIR RAMPS PROJECT, PROJECT NO. 05348 IN THE AMOUNT OF $823,397, AND APPROVING $100,000 IN ADMINISTRATIVE CONSTRUCTION CONTINGENCIES

WHEREAS, by Resolution No. 26-085 on June 02, 2026, the City Council approved the plans and specifications for the Sidewalk Rehabilitation FY26, Project No. 05348 and called for bids to be received on July 07, 2026; and

WHEREAS, Addendum No. 1 was issued to include additional work to construct bus boarding islands, pedestrian refuge islands, and eight curb ramps to improve safety and accessibility for people walking and biking; and

WHEREAS, on July 07, 2026, nine bids were received ranging from $823,397 to $1,219,000. QLM, Inc., of San Jose, California, submitted the lowest bid in the amount of $823,397, which is 3.6% lower than the Engineer's Estimate of $854,000.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hayward that Addendum No. 1 is hereby approved and adopted as part of the plans and specifications for the project.

BE IT FURTHER RESOLVED, by the City Council of the City of Hayward that QLM, Inc., is the lowest responsible bidder whose bid complies with the specifications and is hereby awarded the construction contract for the Sidewalk Rehabilitation and Wheelchair Ramps FY26, Project No. 05348, for the amount of $823,397 in accordance with the aforementioned plans and specifications on file in the Office of the City Clerk of the City of Hayward. All other bids are hereby rejected.

BE IT FURTHER RESOLVED, by the City Council of the City of Hayward that the Director of Public Works is authorized to expend up to $1,154,000 for project design, construction, project administration, and contingency costs to complete the project and Administration Change Order (ACO) budget of $100,000.

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized and directed to execute the contract with QLM, Inc., in the name of and for and on behalf of the City of Hayward, in a form to be approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA __________________________, 2026

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

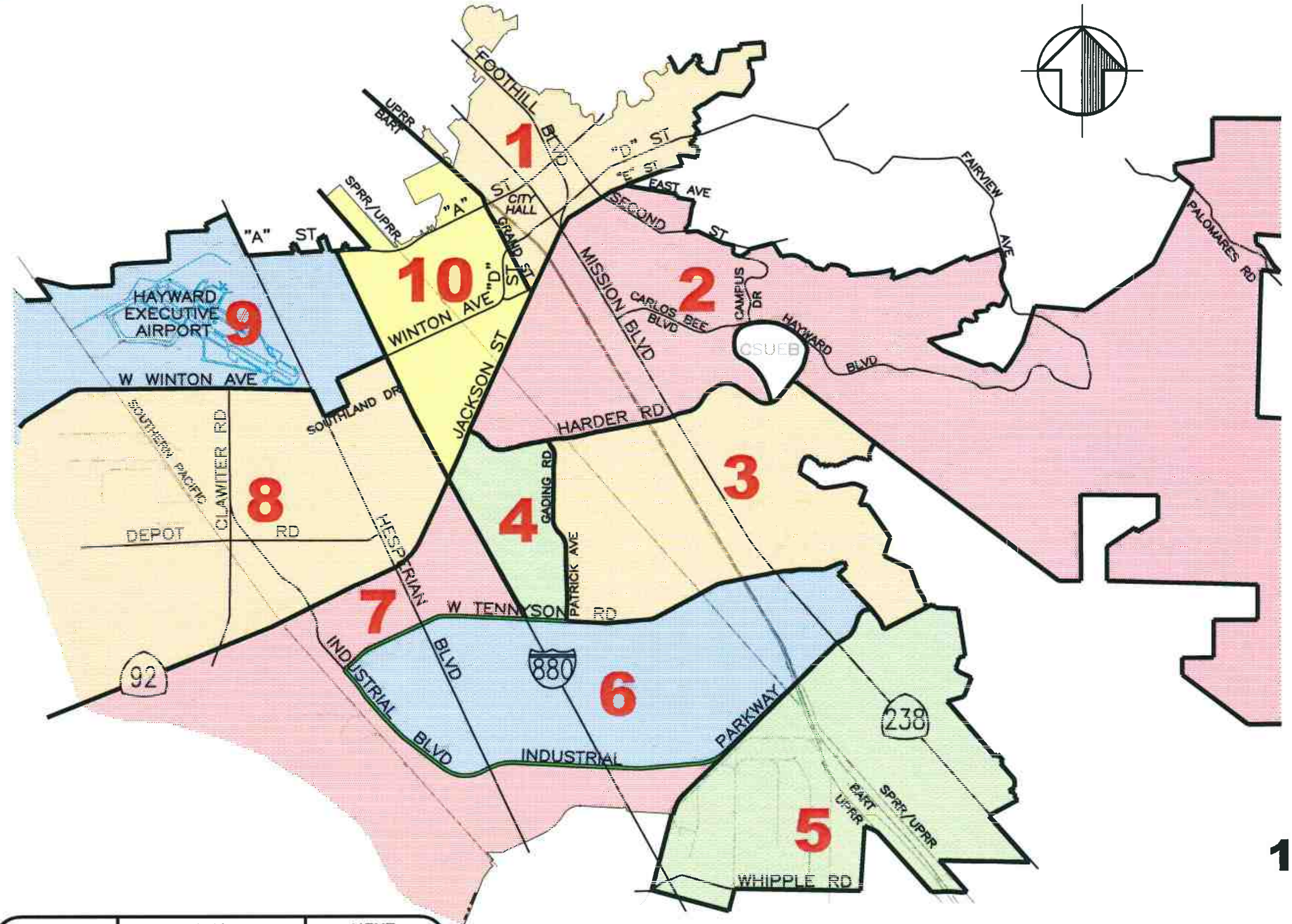
ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: ______________________________________
City Clerk of the City of Hayward

APPROVED AS TO FORM:

__________________________________________
City Attorney of the City of Hayward




**DISTRICTS**

1 DOWNTOWN

2 ORCHARD HAYWARD HILLS

3 HUNTWOOD TYRRELL

4 SCHAFER PARK

5 FAIRWAY PARK RANCHO VERDE

6 TENNYSON RD. S.

7 CALAROGA

8 SLEEPY HOLLOW DEPOT

9 WINTON GROVE THELMA

10 SANTA CLARA

| DISTRICTS | PREVIOUS REPAIRS | NEXT SCHEDULED |
|---|---|---|
| 2 AND 3 | 2001, 2006, 2011 | 2017, 2022 |
| 6 AND 9 | 2002, 2007, 2012 | 2018, 2023 |
| 4 AND 5 | 2003, 2008, 2013 | 2019, 2024 |
| 7 AND 10 | 2004, 2009, 2015 | 2020, 2025 |
| 1 AND 8 | 2005, 2010, 2016 | 2021, 2026 |

SIDEWALK DISTRICT MAP_08312017.DWG

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

**File #:** CONS 26-294

**DATE:** August 18, 2026

**TO:** Mayor and City Council

**FROM:** City Clerk

**SUBJECT**

Adopt an Ordinance of the City Council of the City of Hayward Amending Sections 2-3.90, et seq., of the Hayward Municipal Code, Relating to the Community Services Commission; and Finding that the Action is Exempt from CEQA Review

**RECOMMENDATION**

That the City Council adopts the Ordinance introduced on June 16, 2026.

**SUMMARY**

This item entails the adoption of an Ordinance approving an amendment to the Hayward Municipal Code Chapter 2, Article 3, Section 2-3.90, relating to the Community Services Commission. The Ordinance was introduced on June 16, 2026, by Council Member Bonilla Jr.

**ATTACHMENTS**

| | |
|---|---|
| Attachment I | Staff Report |
| Attachment II | Summary of Published Ordinance |

**DATE:** August 18, 2026

**TO:** Mayor and City Council

**FROM:** City Clerk

**SUBJECT:** Adopt an Ordinance of the City Council of the City of Hayward Amending Sections 2-3.90, et seq., of the Hayward Municipal Code, Relating to the Community Services Commission; and Finding that the Action is Exempt from CEQA Review

## RECOMMENDATION

That the City Council adopts the Ordinance introduced on June 16, 2026.

## SUMMARY

This item entails the adoption of an Ordinance approving an amendment to the Hayward Municipal Code Chapter 2, Article 3, Section 90, relating to the Community Services Commission. The Ordinance was introduced on June 16, 2026, by Council Member Bonilla Jr.

## FISCAL IMPACT

There is no fiscal impact associated with this report.

## BACKGROUND

The Ordinance was introduced by Council Member Bonilla Jr., at the Jue 16, 2026, meeting of the City Council with the following vote:

| | |
|---|---|
| AYES: | COUNCIL MEMBERS: Andrews, Bonilla Jr., Goldstein, Roche, Syrop, Zermeño<br>MAYOR Salinas |
| NOES: | NONE |
| ABSENT: | NONE |
| ABSTAIN: | NONE |

**STRATEGIC ROADMAP**

The agenda item is a routine operational item
.

**PUBLIC CONTACT**

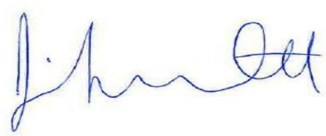
The summary of the Ordinance (Attachment II) was published in the Daily Review c/o Bay Area News Group-East Bay on Friday, August 14, 2026. Adoption, at this time, is therefore appropriate.

**NEXT STEPS**

The Hayward Municipal Code and other related documents will be updated accordingly.

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

Approved by:



______________________________
Jennifer Ott, City Manager

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE
CITY COUNCIL OF THE CITY OF HAYWARD
SUMMARY OF ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAYWARD AMENDING SECTIONS 2-3.90, ET SEQ., OF THE HAYWARD MUNICIPAL CODE, RELATING TO THE COMMUNITY SERVICES COMMISSION; AND FINDING THAT THE ACTION IS EXEMPT FROM CEQA REVIEW

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Section 2-3.90, et seq. of the Hayward Municipal Code is amended to read in full as follows:

COMMUNITY SERVICES COMMISSION

SEC. 2-3.90 POLICY.

SEC. 2-3.91 COMMUNITY SERVICES COMMISSION MEMBERS.

SEC. 2-3.92 THE COMMUNITY SERVICES DIVISION.

SEC. 2-3.93 POWERS AND DUTIES.

Section 2. California Environmental Quality Act. Adoption of this Ordinance is exempt from environmental review as the adoption of this Ordinance does not qualify as a “project” pursuant to the California Environmental Quality Act (“CEQA”), under Public Resource Code Section 21065 and CEQA Guidelines Section 15320, 15378, and 15061(b) (3) as there is no possibility that such action would cause either a direct, or reasonably foreseeable indirect, physical change in the environment.

Section 3. If any section, subsection, paragraph, or sentence of this Ordinance, or any part thereof, is for any reason found to be unconstitutional, invalid, or beyond the authority of the City of Hayward by a court of competent jurisdiction, such a decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance.

Section 4. The effective date of this Article shall be thirty (30) days after its adoption by the City Council.

Introduced at a meeting of the City Council of the City of Hayward, held on the 16th day of June 2026, by Council Member Bonilla Jr.

This Ordinance will be considered for adoption at the regular meeting of the Hayward City Council, to be held on the 18th day of August 2026, at 7:00 p.m. Please note the City Council will hold a hybrid meeting which will allow for participation in the Council Chamber and virtually via the Zoom platform. The full text of this Ordinance is available for examination by the public by contacting the City Clerk's office at cityclerk@hayward-ca.gov or (510) 583-4400.

Dated: August 14, 2026
Miriam Lens, City Clerk
City of Hayward

**File #:** CONS 26-299

**DATE:** August 18, 2026

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT**

Adopt a Resolution Approving Addendums No. 1 and No. 2, Authorizing the City Manager to 1) Award a Contract to Corcus Construction, Inc., in an Amount of $1,262,240 and Approve $126,224 in Administrative Construction Contingency, and 2) Amend the Existing Professional Services Agreement with HydroScience Engineers, Inc., to Increase the Contract Amount by $44,203; and 3) Appropriate Additional Funds in the Amount of $471,275 for the Water Resource Recovery Facility Effluent Return Pump Station Project, Project No. 07806

**RECOMMENDATION**

That City Council adopts the attached resolution (Attachment II):

1. Approving Addendums No. 1 and No. 2, which were issued to make minor revisions to the plans and specifications and to answer bidder clarification questions for the Water Resource Recovery Facility (WRRF) Effluent Channel Return Pump Station Project, Project No. 07806; and
2. Authorizing the City Manager to award a construction contract to Corcus Construction, Inc., for the WRRF Effluent Channel Return Pump Station Project, Project No. 07806, in an amount of $1,262,240 and approving $126,224 in administrative construction contingency; and
3. Authorizing the City Manager to amend the Professional Services Agreement (PSA) with HydroScience Engineers Inc. (HydroScience), to include engineering services during construction, increasing the contract amount by $44,203 to a not-to-exceed limit of $142,811; and
4. Appropriating additional funds in the amount of $471,275 from the Sewer System Replacement Fund (Fund 611) and Sewer System Improvement Fund (Fund 612).

**SUMMARY**

The City of Hayward WRRF treats an average of 11 million gallons per day (MGD) and complies with all current effluent discharge regulations. During storm events, excess treated wastewater is temporarily stored in on-site ponds until it can be returned to the effluent channel for discharge into the San Francisco Bay. To improve wet-weather operations and restore storage capacity more quickly, a new return pumping station at Pond 4 has been designed to increase pumping capacity from 1 MGD to 3 MGD.

On July 21, 2026, Four (4) bids were received. Corcus Construction submitted the lowest bid amount of

$1,262,240, which is approximately 6% above the Engineer's Estimate of $1,190,000. Staff are requesting City Council's approval of Addendum No. 1 and No. 2, which provided minor revisions to clarify the specifications and plans, and awarding the construction contract to the lowest responsible bidder, Corcus Construction, Inc, in the amount of $1,262,240 and, and approving $126,224 in administrative construction contingency (change orders).

HydroScience has performed design and bidding services for the WRRF Effluent Channel Return Pump Station Project. Staff are requesting City Council approval to amend the PSA with Hydroscience to include engineering services during construction.

**ATTACHMENTS**

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

CITY OF HAYWARD
HEART OF THE BAY

**DATE:** August 18, 2026

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT:** Adopt a Resolution Approving Addendums No. 1 and No. 2 and Authorizing the City Manager to 1) Award a Contract to Corcus Construction, Inc., in an Amount not to exceed $1,262,240 and Approve $126,224 in Administrative Construction Contingency, and 2) Amend the Existing Professional Services Agreement with HydroScience Engineers, Inc., to Increase the Contract Amount by $44,203; and 3) Appropriate Additional Funds in the Amount of $471,275 for the Water Resource Recovery Facility Effluent Return Pump Station Project, Project No. 07806

## RECOMMENDATION

That City Council adopts the attached resolution (Attachment II):

1. Approving Addendums No. 1 and No. 2, which were issued to make minor revisions to the plans and specifications and to answer bidder clarification questions for the Water Resource Recovery Facility (WRRF) Effluent Channel Return Pump Station Project, Project No. 07806; and
2. Authorizing the City Manager to award a construction contract to Corcus Construction, Inc., for the WRRF Effluent Channel Return Pump Station Project, Project No. 07806, in an amount of $1,262,240 and approving $126,224 in administrative construction contingency; and
3. Authorizing the City Manager to amend the Professional Services Agreement (PSA) with HydroScience Engineers Inc. (HydroScience), to include engineering services during construction, increasing the contract amount by $44,203 to a not-to-exceed limit of $142,811; and
4. Appropriating additional funds in the amount of $471,275 from the Sewer System Replacement Fund (Fund 611) and Sewer System Improvement Fund (Fund 612).

## SUMMARY

The City of Hayward WRRF treats an average of 11 million gallons per day (MGD) and complies with all current effluent discharge regulations. During storm events, excess treated wastewater is temporarily stored in on-site ponds until it can be returned to the effluent channel for discharge into the San Francisco Bay. To improve wet-weather operations and

restore storage capacity more quickly, a new return pumping station at Pond 4 has been designed to increase pumping capacity from 1 MGD to 3 MGD.

On July 21, 2026, Four (4) bids were received. Corcus Construction submitted the lowest bid amount of $1,262,240, which is approximately 6% above the Engineer's Estimate of $1,190,000. Staff are requesting City Council's approval of Addendum No. 1 and No. 2, which provided minor revisions to clarify the specifications and plans, awarding the construction contract to the lowest responsible bidder, Corcus Construction, Inc, in the amount of $1,262,240, and approving $126,224 in administrative construction contingency (change orders).

HydroScience has performed design and bidding services for the WRRF Effluent Channel Return Pump Station Project. Staff are requesting City Council approval to amend the PSA with Hydroscience to include engineering services during construction.

## FISCAL IMPACT

This item does not impact the General Fund or Measure C.

The WRRF Effluent Channel Return Pump Project is fully funded by wastewater enterprise funds. The Adopted FY 2027 Capital Improvement Program (CIP) includes funding for the Project in the Sewer Replacement Fund (Fund 611) and Sewer Improvement Fund (Fund 612), shown in Table 1 below.

**Table 1**

| Fund | Project No. | Description | Budget |
|---|---|---|---|
| 611 | 07806 | WRRF Effluent Channel Return Pump Station Project | $580,000 |
| 612 | 07806 | WRRF Effluent Channel Return Pump Station Project | $580,000 |
| Total | | | $1,160,000 |

The estimated project costs are as follows:

| <u>Total Project Cost</u> | |
|---|---|
| Engineering Services (Consultant) | $98,608 |
| Engineering Services During Construction (Consultant) | $44,203 |
| Construction Contract | $1,262,240 |
| Construction Contingency (10% of Construction Contract) | $126,224 |
| Administration and Inspection - City Staff | $100,000 |
| Total | $1,631,275 |

The total anticipated project cost is currently higher than the estimate included in the adopted CIP due to refinements that were made during the design process and bids that came in slightly higher than originally anticipated. Staff requests that an additional amount of $471,275 be appropriated to cover these costs. There are sufficient fund balances in both Sewer Replacement Fund (Fund 611) and Sewer Improvement Fund (Fund 612).

**BACKGROUND**

At the western end of the WRRF, the City used to operate seven oxidation ponds. Two of the ponds have been filled, and the remaining five no longer function as active oxidation ponds. The remaining ponds currently function as storage facilities for treated wastewater.
The City is a member of the East Bay Dischargers Authority (EBDA), a joint powers authority that operates a common sewer outfall shared by several other sewer agencies. Under the latest version of EBDA's Joint Powers Agreement, the City is permitted to discharge no greater than 15 MGD to EBDA's pipeline. During the dry season and most of the rainy season, this is sufficient for discharging all of Hayward's wastewater. However, during major storm events, flows exceeding 15 MGD are diverted to the former oxidation ponds for temporary storage. As treatment and discharge capacity becomes available, the stored water is pumped back to the channel, restoring available storage capacity in the ponds for future storm events.

The current total pumping capacity of 1.0 MGD has been demonstrated to be insufficient for drawing down the pond water level between major storm events. In January of 2023, the former oxidation ponds came close to overtopping.

To improve system resiliency, increase wet-weather pumping capacity, and enhance the facility's preparedness for future storm events, an upgrade to the pump station is proposed. The project includes larger-diameter piping and a new pump platform to accommodate the new equipment and associated instrumentation, as well as a new 3MGD pump with a second backup 3MGD pump. The system will include variable frequency drives (VFDs) for adjustable pumping rates. The existing spare buckets in the motor control center (MCC) in the chlorination building will be utilized for new pump breakers, while the VFDs will be installed locally near the pumps. The new pumping system will also be integrated into the plant's Supervisory Control and Data Acquisition (SCADA) system to improve monitoring and operational control.

**DISCUSSION**

On June 16, 2026[1], Council approved the plans and specifications and the use of certain sole source products for the project and authorized the call for bids.

On July 21, 2026, the City received four (4) bids for the project ranging from $1,262,240 to $1,494,483. Corcus Construction submitted the lowest bid in the amount of $1,262,240, which is approximately 6% above the Engineer's Estimate of $1,190,000. The average of the

[1] https://hayward.legistar.com/LegislationDetail.aspx?ID=8070853&GUID=83FF6AED-181D-4389-BBDC-919E75DC5132&Options=ID|Text|&Search=7806

four (4) bids received was $1,321,378, which is approximately 11% above the Engineer's estimate. An additional $126,224 (or 10% of the contract amount) is included for potential administrative construction contingency in the event additional funds are needed for unforeseen conditions and changes during construction.

This project currently has an adopted CIP budget of $1,160,000. This budget is based on an estimate that was prepared in 2023. Several aspects of the project have changed since that time - primarily to enhance operability for WRRF staff and to improve effluent quality - that have increased the total CIP cost to $1,631,275. Some key changes since the original 2023 estimate include:

- A floating intake structure has been added to the project that will allow the pumps to return surface water from the former oxidation ponds to the effluent channel. Surface water has less total suspended solids than water from the bottom of the ponds, which represents an improvement over other intake alternatives as well as existing operations.
- Variable frequency drives have been added to the pumps, which will allow for more gradual stop and start of the pumps, and for reducing flows when appropriate for operational needs. This improves operability and reduces energy use.
- The outlet structure to the effluent channel was modified during design to include several outlet points distributed across the surface of the effluent channel. This revision minimizes the risk of turbulence kicking up sediment in the effluent channel. It will also reduce the rate of buildup of surface scum in the effluent channel, ultimately reducing odors, improving effluent quality, and reducing the need for plant staff to do weekend "channel flushes."
- Construction cost escalation has been substantial since 2023.

This project is categorically exempt from environmental review from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15301, Class 1 – Existing Facilities.

The original agreement with HydroScience did not go through a formal Request for Proposal process, as the original agreement was under $100,000 and it was anticipated that the total design fee would remain below $100,000. As the project progressed, however, additional design effort was required to incorporate improvements that enhance water quality and facility operations, including a floating intake system and modifications to reduce the accumulation of the sludge blanket in the effluent channel. As a result, the consultant's total fee will now increase beyond $100,000. The original contract amount was $74,778. This was amended in August of 2026 for an additional $23,830 for bid phase services and to accommodate design enhancement, bringing the total contract amount to $98,608. Staff have identified that additional engineering services during construction is essential to continue the project. Staff are requesting that this contract be amended to include an additional $44,203, bringing the total contract amount to $142,811.

## STRATEGIC ROADMAP

While this agenda item is not associated with a specific project identified in the Strategic Roadmap, it supports the Invest in Infrastructure priority, specifically:

- Invest in Water Supplies, Sanitation Infrastructure & Storm Sewers

## SUSTAINABILITY FEATURES

Replacing the aging, low-capacity pumping system with a modern 3 MGD system will improve the WRRF's reliability, resilience, and wet-weather operations. The upgrade will reduce the risk of equipment failure and pond overtopping, restore storage capacity more quickly after storms, improve energy efficiency through VFDs, and support regulatory compliance while protecting surrounding environmental resources. This upgrade may also be used to support enhanced wastewater treatment using constructed wetlands.

## PUBLIC CONTACT

Because of the location and size of the project, it does not impose any public impact. Project information is publicly available on the city website's CIP online budget book[2].

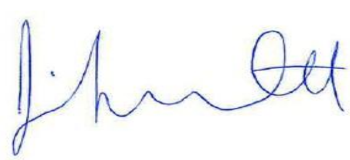
## NEXT STEPS

The following schedule has been developed for this project:

| | |
|---|---|
| Award Construction Contract | August 18, 2026 |
| Notice to Proceed | September 2026 |
| Project Completion | Summer 2027 |

| | |
|---|---|
| *Prepared by*: | Kevin Kaveh, Assistant Civil Engineer |
| *Reviewed by* | Kyle Carbert, Principal Utilities Engineer |
| *Recommended by*: | Alex Ameri, Director of Public Works |

Approved by:



Jennifer Ott, City Manager

[2] https://www.hayward-ca.gov/your-government/documents/capital-improvement-program

HAYWARD CITY COUNCIL

RESOLUTION NO. 26-___

Introduced by Council Member ________

RESOLUTION APPROVING ADDENDUMS NO.1 AND NO.2 TO THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE CITY MANAGER TO 1) AWARD A CONTRACT TO CORCUS CONSTRUCTION, INC., IN AN AMOUNT NOT TO EXCEED $1,262,240 AND APPROVE $126,224 IN ADMINISTRATIVE CONSTRUCTION CONTINGENCY, AND 2) AMENDING THE EXISTING PROFESSIONAL SERVICES AGREEMENT WITH HYDROSCIENCE ENGINEERS, INC., TO INCREASE THE CONTRACT AMOUNT BY $44,203, AND 3) APPROPRIATING ADDITIONAL FUNDS IN THE AMOUNT OF $471,275 FOR THE WRRF EFFLUENT CHANNEL RETURN PUMP STATION PROJECT, PROJECT NO. 07806

WHEREAS, by resolution No. 26-113 on June 16, 2026, the City Council approved the plans and specifications for the WRRF Effluent Channel Return Pump Station Project, Project No. 07806, and called for bids to be received on July 21, 2026; and

WHEREAS, Addendum No.1 and No.2 were issued to make minor revisions to the plans and specifications and to answer bidder clarification questions; and

WHEREAS, on July 21, 2026, four (4) bids were received ranging from $1,262,240 to $1,494,483; and

WHEREAS the City has reviewed the bid forms and determined that Corcus Construction, Inc., is the lowest responsive and responsible bidder with a bid of $1,262,240, which is approximately 6% above the engineer's estimate of $1,190,000; and

WHEREAS, the City has determined that Corcus Construction, Inc., possesses the necessary experience and skills to perform the work; and

WHEREAS, HydroScience Engineers has performed design and bidding services for the project; and

WHEREAS, staff have identified additional engineering services during construction from HydroScience Engineers is essential to continue the project; and

WHEREAS, additional construction budget is needed to cover the construction, design and administration, inspection and construction management for the project; and

WHEREAS, adequate fund balances are available in the Sewer Replacement Fund (Fund 611) and Sewer Improvement Fund (Fund 612), which are both enterprise funds.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that Corcus Construction, Inc. of San Francisco, CA, is hereby awarded the contract for the Effluent Channel Return Pump Station Project, Project No. 07806, in accordance with the plans and specifications adopted therefore and on file in the office of the City Clerk of the City of Hayward, and for the price named and stated in the final proposal of the hereinabove specified bidder, and all other bids are hereby rejected; and

BE IT FURTHER RESOLVED by the City Council of the City of Hayward that Addendums No.1 and No.2 are hereby approved and adopted as part of the plans and specifications for the project; and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to award a construction contract to Corcus Construction, Inc., for the WRRF Effluent Channel Return Pump Station Project, Project No. 07806, in an amount of $1,262,240 and in a form to be approved by the City Attorney, and that the City Council hereby approves $126,224 in administrative construction contingency; and

BE IT FURTHER RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized and directed to execute, on behalf of the City of Hayward, an amendment to the existing professional services agreement (PSA) with HydroScience Engineers, Inc., in a form approved by the City Attorney, to include engineering services during construction, increasing the contract amount by $44,203 to total not to exceed limit of $142,811; and

BE IT FURTHER RESOLVED by the City Council that the City Manager is authorized to appropriate additional funds in the amount of $471,275, split evenly between the Sewer System Replacement Fund (Fund 611) and Sewer System Improvement Fund (Fund 612) and using available fund balance for the WRRF Effluent Channel Return Pump Station Project, Project No. 07806.

IN COUNCIL, HAYWARD, CALIFORNIA ______________________, 2026

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

**File #:** CONS 26-307

**DATE:** August 18, 2026

**TO:** Mayor and City Council

**FROM:** Assistant City Manager

**SUBJECT**

Adopt Resolutions Authorizing the City Manager to Negotiate and Execute 1) An Amendment to the Loan to the Hayward Economic Development Corporation and 2) An Agreement for Staffing Services Between the Two Agencies

**RECOMMENDATION**

That the City Council adopts two resolutions (Attachment II and III):

1. Authorizing the City Manager to negotiate and execute an amendment to the repayment terms of the loan from the City to the Hayward Economic Development Corporation (HEDC), and
2. Authorizing the City Manager to negotiate and execute an agreement with the HEDC for staffing services provided by the City to the HEDC.

**SUMMARY**

The HEDC finished two years of operating actuals at the end of July, 2026. Based on these actuals, the Corporation determined that it is unable to make required loan payments to the City in accordance with the existing loan agreement. Because of this, staff recommends that the City Council adopt the attached resolution (Attachment II) authorizing the City Manager to amend the loan repayment to terms that are more aligned with the operational reality of the HEDC. In addition, staff recommends that the City Council adopt the attached resolution (Attachment III) authorizing the City Manager to negotiate and execute a staffing agreement with the HEDC to reimburse the City for staff services provided in FY 2025, FY 2026, and for each fiscal year moving forward.

At the same time, staff are actively implementing steps to increase operating revenue from the property and preparing for possible disposition, including declaring the property as surplus.

**ATTACHMENTS**

| | |
|---|---|
| Attachment I | Staff Report |
| Attachment II | Resolution Loan Amendment |
| Attachment III | Resolution Staffing Agreement |

Attachment IV Loan Amendment Terms

CITY OF HAYWARD
HEART OF THE BAY

**DATE:** August 18, 2026

**TO:** Mayor and City Council

**FROM:** Assistant City Manager

**SUBJECT:** Adopt Resolutions Authorizing the City Manager to Negotiate and Execute 1) An Amendment to the Loan to the Hayward Economic Development Corporation; and 2) An Agreement for Staffing Services Between the Two Agencies

## RECOMMENDATION

That the City Council adopts two resolutions (Attachment II and III):

1. Authorizing the City Manager to negotiate and execute an amendment to the repayment terms of the loan from the City to the Hayward Economic Development Corporation (HEDC), and
2. Authorizing the City Manager to negotiate and execute an agreement with the HEDC for staffing services provided by the City to the HEDC.

## SUMMARY

The HEDC finished two years of operating actuals at the end of July, 2026. Based on these actuals, the Corporation determined that it is unable to make loan payments to the City according to the existing loan agreement. Because of this, staff recommends that the City Council adopt the attached resolution (Attachment II) authorizing the City Manager to amend the loan repayment to terms that are more aligned with the operational reality of the HEDC. In addition, staff recommends that the City Council adopt the attached resolution (Attachment III) authorizing the City Manager to negotiate and execute a staffing agreement with the HEDC to reimburse the City for staff services provided in FY 2025, FY 2026, and for each fiscal year moving forward.

At the same time, staff are actively implementing steps to increase operating revenue from the property and preparing for possible disposition, including declaring the property as surplus.

## BACKGROUND

On October 10, 2023, the City Council authorized the formation of the HEDC as a Nonprofit Public Benefit Corporation with the goal of supporting economic development activities throughout Hayward. According to the HEDC bylaws, the City Council serves as the Board of the Nonprofit and the City Manager is the Chief Executive Director.

On January 8, 2024, the City Council authorized a loan from the General Fund to the HEDC in the amount of $8.6 million. The loan allowed the HEDC to purchase the lease to the Cinema Place Property, with the goal of helping maintain the existing tax revenue, jobs and anchors downtown and to support the creation of new jobs and opportunities in the future.

On September 9, 2024, the City Council authorized the Interim City Manager to enter into the Economic Development Loan Agreement with the HEDC, which set the terms for the repayment of the $8.6 million to the City.

**DISCUSSION**

*HEDC Financials*
The HEDC finished two years of operating actuals at the end of July, 2026. Based on these actuals, the Corporation is unable to make loan payments to the City in accordance with the current loan agreement, including the payments that were due in FY 2025 and FY 2026. Because of this, staff recommends that the City Council adopt the attached resolution (Attachment II) authorizing the City Manager to amend the loan repayment schedule to terms that are more aligned with the operational reality of the HEDC.

*Proposed Loan Repayment Terms*
Staff recommends amending the repayment terms as outlined in the table below. The proposed terms extend the loan deferment payment by three years to allow the HEDC to build a sustainable operating model. The amendment also extends the repayment period to lower the annual payments and reduces the interest rate so that the total repayment to the City by the end of the term is roughly equal to the current agreement. The goal of this amendment is to set an annual repayment amount that makes the City whole while recognizing the market realities faced by HEDC.

| | **Current Terms** | **Proposed Terms** | **Difference** |
|---|---|---|---|
| Deferment Period | Through January 1, 2025 | Through January 1, 2028 | 3 Years Longer |
| Lenth of Repayment | 15 years (2040) | 22 years (2050) | 7 Years Longer |
| Interest Rate | 5.86% for the first 5 years; then adjusted annually at the City's annual averaged managed portfolio rate + 1% | 3.72% | 2.15% less |
| Annual Payment | $864,384* | $547,933 | $316,451 less |
| Total Principal Payment | $8,600,000 | $8,600,000 | Same |
| Total Interest Payment | $4,523,018* | $4,532,198 | $9,180 more |
| Total Payments to City | $13,123,018 | $13,132,198 | $9,180 more |

*Assumes a 5.86% interest rate for the life of the loan and is an approximation

*Staffing Agreement*
After twenty-four months of operations, staff have a better understanding of the staff hours needed to support the HEDC. While the majority of HEDC work is conducted by Advent, a contract property manager, the City provides staffing for some HEDC activities through regular, full-time City employees. These City positions are listed below, along with the estimated hours spent on HEDC activities:

- Assistant City Manager: 20 hours/year
- Real Estate Manager: 60 hours/year
- Economic Development Officer: 20 hours/year
- Assistant City Attorney: 10 hours/year
- Administrative Secretary: 10 hours/year
- Deputy Director of Finance: 10 hours/year
- Accounting Manager: 10 hours/year
- Accountant: 12 hours/year
- Management Analyst: 10 hours/year

Staff recommend that the City Council adopt the attached resolution (Attachment III) authorizing the City Manager to negotiate and execute a staffing agreement with the HEDC to reimburse the City for staff services provided in FY 2025 and FY 2026 ($38,689 each year) and for each fiscal year moving forward. In the case that HEDC cannot make the reimbursement payment, the agreement would stipulate that the balance be added to the principal of the City's loan to the HEDC.

**FISCAL IMPACT**

The FY 2027 budget already assumes no loan payments from the HEDC to the City this fiscal year. For that reason, this action will not have an impact on the adopted budget.

However, compared to the existing loan agreement, the proposed loan agreement amendment is a negative impact on the City's finances in the near term by deferring the FY 2025 loan payment of $432,192, the FY 2026 payment of $864,384, and the FY 2027 payment of $864,384, totaling $2,160,961. Over the long term, the dollar amount the City will be repaid through loan receivables will be the roughly same as the current agreement ($13.1 Million). However, since the amendment spreads the repayment over 22 years instead of 15 years, the value of those dollars will likely be less due to inflation.

The staffing agreement reimburses the City for staff hours spent on HEDC activities. This agreement offsets costs that are currently covered by the General Fund and therefore has a net positive impact on the General Fund of approximately $39,000 for FY 2026-27.

**NEXT STEPS**

If the City Council adopts the two attached resolutions (Attachment II and III), staff will execute the loan agreement amendment and staffing agreement with the terms outlined above. In addition, as part of the loan monitoring, staff will provide annual updates to the Council Budget and Finance Committee on the finances and activities of the HEDC.

*Prepared by*: Mary Thomas, Assistant City Manager

Approved by:

_____________________________

Jennifer Ott, City Manager

ATTACHMENT II

HAYWARD CITY COUNCIL

RESOLUTION NO. 26-____

Introduced by Council Member ______________

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AMENDMENT TO THE ECONOMIC DEVELOPMENT LOAN AGREEMENT WITH THE HAYWARD ECONOMIC DEVELOPMENT CORPORATION AMENDING THE TERMS FOR REPAYMENT

WHEREAS, the City recognizes the benefits associated with the creation of economic opportunity and community economic development in the city and formed a nonprofit public benefit corporation known as Hayward Economic Development Corporation (the "Corporation") in 2023; and

WHEREAS, to further the City's economic development goals and activities for the downtown area, the Corporation purchased the lease for Cinema Place, which expires in 2056, for the Property located at 22631-228522 Foothill Blvd.; and

WHEREAS, in January of 2024, the City Council agreed to provide a loan from the General Fund in an amount of $8.6 million to facilitate the Corporation's purchase of the lease and in September of 2024, the City Council authorized the terms for the repayment of the loan; and

WHEREAS, due to financial constraints, the Corporation has requested to amend the terms of the loan; and

WHEREAS, the City and the Corporation wish to amend the repayment terms of the Economic Development Loan Agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward, that the City Manager is authorized to negotiate and execute an amendment to the Economic Development Loan Agreement with the Hayward Economic Development Corporation in accordance to the terms outlined in the accompanying staff report and in a form approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA ______________________, 2026

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: ___________________________________
City Clerk of the City of Hayward

APPROVED AS TO FORM:

_______________________________________
City Attorney of the City of Hayward

ATTACHMENT III

HAYWARD CITY COUNCIL

RESOLUTION NO. 26-____

Introduced by Council Member ____________

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH THE HAYWARD ECONOMIC DEVELOPMENT CORPORATION FOR STAFFING SERVICES

WHEREAS, the City recognizes the benefits associated with the creation of economic opportunity and community economic development in the city and formed a nonprofit public benefit corporation known as Hayward Economic Development Corporation (the "Corporation") in 2023; and

WHEREAS, the City of Hayward staffs some Corporation activities through regular, full-time City employees, including financial reporting and oversight of the property management contract; and

WHEREAS, the City and the Corporation wish to continue this staffing arrangement and to reimburse the City for its services.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward, that the City Manager is authorized to negotiate and execute a staffing agreement with the Hayward Economic Development Corporation in accordance with the terms outlined in the accompanying staff report and in a form approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA ______________________, 2026

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

Existing HEDC Loan

**Amortization Schedule**

| **Year** | **Annual Principal** | **Annual Interest*** | **Total Payment** | ***Remaining Principal Balance*** |
|---|---|---|---|---|
| FY 2025 | $182,825 | $251,980 | $434,805 | *$8,417,175* |
| FY 2026 | $381,877 | $487,733 | $869,610 | *$8,035,298* |
| FY 2027 | $404,583 | $465,027 | $869,610 | *$7,630,716* |
| FY 2028 | $428,639 | $440,971 | $869,610 | *$7,202,077* |
| FY 2029 | $454,125 | $415,485 | $869,610 | *$6,747,952* |
| FY 2030 | $481,126 | $388,483 | $869,610 | *$6,266,826* |
| FY 2031 | $509,733 | $359,876 | $869,610 | *$5,757,092* |
| FY 2032 | $540,041 | $329,568 | $869,610 | *$5,217,051* |
| FY 2033 | $572,151 | $297,458 | $869,610 | *$4,644,899* |
| FY 2034 | $606,171 | $263,439 | $869,610 | *$4,038,729* |
| FY 2035 | $642,213 | $227,397 | $869,610 | *$3,396,516* |
| FY 2036 | $589,147 | $280,462 | $869,610 | *$2,807,368* |
| FY 2037 | $720,853 | $148,757 | $869,610 | *$2,086,515* |
| FY 2038 | $763,714 | $105,896 | $869,610 | *$1,322,801* |
| FY 2039 | $809,123 | $60,486 | $869,610 | *$513,678* |
| FY 2040 | $513,678 | $0 | $513,678 | *$0* |
| **TOTAL** | **$8,600,000** | **$4,523,018** | **$13,123,018** | |

# Proposed HEDC Loan
**Amortization Schedule**

| Year | Annual Principal | Annual Interest | Total Payment | *Remaining Principal Balance* |
|---|---|---|---|---|
| FY 2027 | $228,074 | $319,920 | $547,994 | *$8,371,926* |
| FY 2028 | $236,558 | $311,436 | $547,994 | *$8,135,368* |
| FY 2029 | $245,358 | $302,636 | $547,994 | *$7,890,010* |
| FY 2030 | $254,485 | $293,508 | $547,994 | *$7,635,524* |
| FY 2031 | $263,952 | $284,042 | $547,994 | *$7,371,572* |
| FY 2032 | $273,771 | $274,222 | $547,994 | *$7,097,801* |
| FY 2033 | $283,956 | $264,038 | $547,994 | *$6,813,845* |
| FY 2034 | $294,519 | $253,475 | $547,994 | *$6,519,326* |
| FY 2035 | $305,475 | $242,519 | $547,994 | *$6,213,851* |
| FY 2036 | $316,839 | $231,155 | $547,994 | *$5,897,013* |
| FY 2037 | $328,625 | $219,369 | $547,994 | *$5,568,388* |
| FY 2038 | $340,850 | $207,144 | $547,994 | *$5,227,538* |
| FY 2039 | $353,529 | $194,464 | $547,994 | *$4,874,008* |
| FY 2040 | $366,681 | $181,313 | $547,994 | *$4,507,328* |
| FY 2041 | $380,321 | $167,673 | $547,994 | *$4,127,006* |
| FY 2042 | $394,469 | $153,525 | $547,994 | *$3,732,537* |
| FY 2043 | $409,143 | $138,850 | $547,994 | *$3,323,394* |
| FY 2044 | $424,364 | $123,630 | $547,994 | *$2,899,030* |
| FY 2045 | $440,150 | $107,844 | $547,994 | *$2,458,880* |
| FY 2046 | $456,524 | $91,470 | $547,994 | *$2,002,357* |
| FY 2047 | $473,506 | $74,488 | $547,994 | *$1,528,851* |
| FY 2048 | $491,121 | $56,873 | $547,994 | *$1,037,730* |
| FY 2049 | $509,390 | $38,604 | $547,994 | *$528,340* |
| FY 2050 | $528,340 | $0 | $528,340 | *$0* |
| **TOTAL** | **$8,600,000** | **$4,532,198** | **$13,132,198** | |

**File #:** CONS 26-309

**DATE:** August 18, 2026

**TO:** Mayor and City Council

**FROM:** City Manager

**SUBJECT**

Adopt a Resolution Authorizing the City Manager to Execute a Memorandum of Understanding Between the City of Hayward and the County of Alameda for the Administration of the Russell City Redress Fund and Phase 1 Payments and Related Actions

**RECOMMENDATION**

That the City Council adopts the attached resolution (Attachment II) 1) authorizing the City Manager to execute a Memorandum of Understanding (MOU) between the City of Hayward and the County of Alameda for administration and governance of the Russell City Redress Fund and Phase 1 payments; 2) accepting a $100,000 contribution from the Alameda County Office of Education (ACOE) and authorizing its transfer to the Alameda County Auditor-Controller for deposit in the Russell City Redress Fund; 3) authorizing receipt of up to $100,000 in additional contributions from other entities or persons and transfer of those contributions to the Alameda County Auditor-Controller; and 4) authorizing the City Manager to take related budgetary actions.

**SUMMARY**

Russell City was part of unincorporated County of Alameda until its annexation into the City of Hayward in 1964. During the 1950s and 1960s, approximately 1,400 residents were displaced through the acquisition of nearly 700 parcels of land, resulting in lasting economic and community harm.

Following formal apologies by the City and County and an extensive community process, the City of Hayward, County of Alameda, and ACOE committed a combined $1.3 million to the Russell City Redress Fund. On August 4, 2026, the Alameda County Board of Supervisors approved an MOU with the City establishing the administration and governance of the Redress Fund and authorizing the County Auditor-Controller to issue Phase 1 payments consistent with the MOU. Phase 1 prioritizes eligible applicants who personally owned and resided in residential property in Russell City that was acquired by Alameda County through eminent domain between January 1, 1961 and December 31, 1964. Eligible Phase 1 households may receive payments of up to $25,000.

The recommended action would approve the City's participation in the MOU, establish the administrative

and governance framework for the Redress Fund, authorize transfer of the City's and ACOE's committed funds to the County Auditor-Controller, and allow implementation of Phase 1 payments.

The recommended action would approve the City's participation in the MOU, establish the administrative and governance framework for the Redress Fund, authorize transfer of the City's and ACOE's committed funds to the County Auditor-Controller, and allow implementation of Phase 1 payments.

**ATTACHMENTS**

| | |
|---|---|
| Attachment I | Staff Report |
| Attachment II | Resolution |
| Attachment II | Exhibit A MOU |

CITY OF
HAYWARD
HEART OF THE BAY

**DATE:** August 18, 2026

**TO:** Mayor and City Council

**FROM:** City Manager

**SUBJECT:** Adopt a Resolution Authorizing the City Manager to Execute a Memorandum of Understanding Between the City of Hayward and the County of Alameda for the Administration of the Russell City Redress Fund and Phase 1 Payments and Related Actions

## RECOMMENDATION

That the City Council adopts the attached resolution (Attachment II) 1) authorizing the City Manager to execute a Memorandum of Understanding (MOU) between the City of Hayward and the County of Alameda for administration and governance of the Russell City Redress Fund and Phase 1 payments; 2) accepting a $100,000 contribution from the Alameda County Office of Education (ACOE) and authorizing its transfer to the Alameda County Auditor-Controller for deposit in the Russell City Redress Fund; 3) authorizing receipt of up to $100,000 in additional contributions from other entities or persons and transfer of those contributions to the Alameda County Auditor-Controller; and 4) authorizing the City Manager to take related budgetary actions.

## SUMMARY

Russell City was part of unincorporated County of Alameda until its annexation into the City of Hayward in 1964. During the 1950s and 1960s, approximately 1,400 residents were displaced through the acquisition of nearly 700 parcels of land, resulting in lasting economic and community harm.

Following formal apologies by the City and County and an extensive community process, the City of Hayward, County of Alameda, and ACOE committed a combined $1.3 million to the Russell City Redress Fund. On August 4, 2026, the Alameda County Board of Supervisors approved an MOU with the City establishing the administration and governance of the Redress Fund and authorizing the County Auditor-Controller to issue Phase 1 payments consistent with the MOU.[1] Phase 1 prioritizes eligible applicants who personally owned and resided in residential property in Russell City that was acquired by Alameda County through eminent

[1] County of Alameda Board of Supervisors Regular Meeting Agenda, August 4, 2026, item 129: https://www.alamedacountyca.gov/board/bos_calendar/documents/DocsAgendaReg_08_04_26/GENERAL%20ADMINISTRATION/Set%20Matter%20Calendar/Supervisor%20M%c3%a1rquez_409832.pdf

domain between January 1, 1961 and December 31, 1964. Eligible Phase 1 households may receive payments of up to $25,000.

The recommended action would approve the City's participation in the MOU, establish the administrative and governance framework for the Redress Fund, authorize transfer of the City's and ACOE's committed funds to the County Auditor-Controller, and allow implementation of Phase 1 payments.

**FISCAL IMPACT**

There is no new fiscal impact to the recommended action. The City Council previously appropriated $250,000 as part of the FY 2026/27 budget adoption. The recommended action will authorize transfer of these funds to the County's Auditor-Controller for deposit in the Russell City Redress Fund. The recommended action will also allow the City to accept ACOE's $100,000 contribution to the Russell City Redress Fund and transfer of this $100,000 to the County Auditor-Controller. This transfer has been deemed efficient for accounting purposes.

**BACKGROUND**

Russell City was founded in 1853 as an unincorporated community in Alameda County. In the 1950s and 1960s, Russell City residents were displaced as land was acquired for commercial and industrial development. Approximately 700 parcels were acquired and roughly 1,400 residents were forced to relocate. Russell City was annexed into the City of Hayward in 1964.

The City issued its formal apology on November 16, 2021, based on the recommendation of the Community Services Commission, acknowledging the City's role in the atrocities of Russell City. In 2022, the City launched the Russell City Reparative Justice Project, which included the creation of the Russell City Community Advisory Committee which made 26 recommendations to the City Council in March 2024. Following further input from the community, the City Council created the Russell City Redress Fund in 2025 with a commitment of $250,000.

On June 27, 2023, the Board of Supervisors of the County of Alameda issued its formal apology for its role in the displacement and destruction of Russell City during the 1950s and 1960s. Through that action, the County committed to pursuing meaningful redress for former residents and their descendants. Since July 2025, the Board of Supervisors has appropriated $950,000 to be directed to the Russell City Redress Fund.

Along with the City of Hayward and the County of Alameda, the ACOE has appropriated $100,000 in support of the Russell City Redress Fund, for a total of $1.3 million.

**DISCUSSION**

Based on available funding and fiscal constraints, City and County staff have determined that eligible Phase 1 applicants will receive Redress Fund payments of up to $25,000 per household. This payment amount has been derived following consideration of the current appropriations from the three cooperating agencies and the estimated number of qualified recipients. When

Phase 1 disbursements are completed, future City Council and Board of Supervisors will be required to approve subsequent phases of program eligibility and payments.

City Council approval of the recommended resolution and MOU will establish the administrative and governance framework necessary to implement the Russell City Redress Fund and authorize payments through the County Auditor-Controller's office.

The administrative and governance structure includes a Working Group comprising County Supervisor Márquez, City Council Member Andrews, and City Council Member Roche. Pursuant to the MOU, the County representative's vote will be counted as two votes, while each City representative will have one vote. The Working Group will provide policy direction to City and County staff members who will support the project over the two-year duration of the MOU. The Working Group is authorized to make final decisions concerning administration of the Redress Fund.

A separate three-member Eligibility Review Subcommittee will review applications and make final and binding eligibility and payment determinations. The City Manager and County Administrator will each appoint one member to the Subcommittee, and those two members will select a third member as set out in detail in the MOU. The decision-making process is designed to assure fairness and objectivity and avoid political bias or conflicts of interest.

The City Manager will serve as the Authorized Representative for disbursement requests. Following an eligibility determination by the Subcommittee, the Authorized Representative will submit the required documentation and payment request to the County Auditor-Controller. The MOU will be effective from August 18, 2026 through August 17, 2028, unless extended by mutual written agreement.

Phase 1 Eligibility and Payments

Phase 1 prioritizes former Russell City homeowners because of the urgency associated with aging former residents. To qualify for Phase 1, an applicant must have resided in and personally owned residential property in Russell City between January 1, 1961 and December 31, 1964, and the property must have been acquired by Alameda County through eminent domain during that period. Funds are allocated on a per-household basis.

Eligible Phase 1 households may receive payments of up to $25,000. The payment amount was developed after consideration of the current Redress Fund balance and the estimated number of qualified recipients. All payments remain subject to satisfaction of the adopted eligibility criteria, the number of eligible applicants, and availability of funds.

After Phase 1 funds have been distributed, the Working Group may develop preliminary payment amounts and eligibility criteria for future phases. Any eligibility criteria for future phases must be approved by both the City and County through an amendment to the MOU, requiring future action by the City Council and Board of Supervisors.

**STRATEGIC ROADMAP**

This agenda item is associated with a previous project from the FY25 Strategic Roadmap:

- Priority: Cultivate Vibrant Neighborhoods
  - Objective: Support Volunteerism, Civic Leadership, and Community-Led Initiatives
    - Project: Allocate and develop resources to implement approved reparative justice actions resulting from community-led input on the Russell City Reparative Justice Project

**PUBLIC CONTACT**

The Russell City Reparative Justice Project supported the Russell City Community Advisory Committee starting in December 2022, which ultimately made 26 recommendations to the City Council in March 2024. There were numerous workshops conducted online over the summer of 2024 to obtain community input on the 10 priority recommendations among the advisory committee's 26 recommendations. In September 2025, an additional survey was conducted, resulting in over 250 responses from the Russell City community identifying and supporting priorities for how funds could be allocated if appropriated. In February 2026, the City Council took public action to authorize steps towards an agreement with the County of Alameda that culminated in the August 4, 2026 meeting of the Board of Supervisors which was widely attended by both in-person and online members of the Russell City community.

**NEXT STEPS**

If the City Council adopts the recommended resolution, the next steps will include appointment of the Eligibility Review Subcommittee and publication of the application and criteria for potential Phase 1 recipients. These next steps are anticipated to take 60 to 90 days.

*Prepared and*
*Recommended by:* Michael Lawson, City Attorney

Approved by:

Jennifer Ott, City Manager

ATTACHMENT II

HAYWARD CITY COUNCIL

RESOLUTION NO. 26-_____

Introduced by Council Member__________

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAYWARD: 1) AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF ALAMEDA AND THE CITY OF HAYWARD FOR THE ADMINISTRATION OF THE RUSSELL CITY REDRESS FUND AND FIRST PHASE PAYMENTS; 2) ACCEPTING $100,000 FROM THE ALAMEDA COUNTY OFFICE OF EDUCATION FOR ITS PLEDGE TO THE RUSSELL CITY REDRESS FUND AND TRANSFERRING SAID $100,000 TO THE COUNTY OF ALAMEDA AUDITOR-CONTROLLER; 3) APPROVING RECEIPT OF UP TO $100,000 IN ADDITIONAL CONTRIBUTIONS FROM OTHER ENTITIES OR PERSONS AND TRANSFERRING SUCH CONTRIBUTIONS TO THE COUNTY OF ALAMEDA AUDITOR-CONTROLLER; AND, 4) DIRECTING THE CITY MANAGER TO TAKE ANY ASSOCIATED BUDGETARY ACTIONS RELATED HERETO

WHEREAS, Russell City was founded in 1853 as an unincorporated community in Alameda County. In the 1960s, Russell City residents were displaced through an effort to transition the area into industrial and commercial development; and

WHEREAS, both the City of Hayward and Alameda County issued formal apologies acknowledging the 1960s displacement; and

WHEREAS, the City of Hayward, the County of Alameda, and the Alameda County Office of Education (“ACOE”) have committed an aggregate of $1.3 million to the Russell City Redress Fund, consisting of $250,000 from the City, $950,000 from the County, and $100,000 from ACOE; and

WHEREAS, the fund is intended to issue direct payments to eligible applicants, representing a further step in acknowledging and addressing the harm caused by the 1960s displacement of Russell City residents; and

WHEREAS, on June 2, 2026, the City Council authorized the transfer of $250,000 in funds to the Russell City Redress Fund; and

WHEREAS, on August 4, 2026, the Board of Supervisors of the County of Alameda unanimously approved a Memorandum of Understanding (MOU) between the County of Alameda and the City of Hayward establishing the administration and governance of the Russell City Redress Fund and authorized the Alameda County Auditor-Controller, consistent with the MOU, to issue Phase 1 payments to eligible recipients; and

WHEREAS, the MOU establishes a Redress Fund Working Group and an independent Eligibility Review Subcommittee and designates the Alameda County Auditor-Controller to hold and distribute Redress Fund assets; and

WHEREAS, Phase 1 prioritizes individuals who personally owned and resided in residential property in Russell City between January 1, 1961 and December 31, 1964, and whose property was acquired by Alameda County through eminent domain during that period, with payments of up to $25,000 per eligible household.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Hayward herby authorizes the City Manager to execute the Memorandum of Understanding between the City of Hayward and the County of Alameda for the administration and governance of the Russell City Redress Fund, substantially in the form attached hereto as Exhibit A, including the Phase 1 eligibility criteria and payment framework contained therein, in a form approved by the City Attorney.

BE IT FURTHER RESOLVED that City Council hereby accepts the $100,000 contribution from the Alameda County Office of Education for the Russell City Redress Fund and authorizes the City Manager to transfer such contribution to the Alameda County Auditor-Controller in accordance with the MOU.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to transfer the City's previously appropriated $250,000 contribution to the Russell City Redress Fund to the Alameda County Auditor-Controller in accordance with the MOU.

BE IT FURTHER RESOLVED that the City Manager is authorized to accept up to $100,000 in additional contributions from other entities or persons for the Russell City Redress Fund, and transfer such contributions to the Alameda County Auditor-Controller in accordance with the MOU.

BE IT FURTHER RESOLVED that the City Manager is authorized to take such related administrative and budgetary actions as are necessary to implement this Resolution and the MOU, consistent with the City's adopted budget and applicable law.

IN COUNCIL, HAYWARD, CALIFORNIA ________________________, 2026

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

ATTEST: ____________________________________
City Clerk of the City of Hayward

APPROVED AS TO FORM:

______________________________________
City Attorney of the City of Hayward

**MEMORANDUM OF UNDERSTANDING**

*between the*

**COUNTY OF ALAMEDA**

*and the*

**CITY OF HAYWARD**

Re: Administration of Russell City Redress Fund

---

This Memorandum of Understanding ("MOU") is dated for reference this ____ day of August, 2026 by and between the County of Alameda, a municipal corporation of the State of California, and the City of Hayward, a municipal corporation of the State of California ("City"). Together, the County and City are referred to as "Parties." The Alameda County Office of Education ("ACOE") is not a Party to this MOU but has executed this MOU solely to evidence its consent to the use of ACOE's contribution to the Russell City Redress Fund.

**RECITALS**

**WHEREAS**, the Parties have created the Russell City Redress Fund ("Redress Fund") in collaboration with the ACOE; and

**WHEREAS**, the Redress Fund was established to acknowledge the historic harm experienced by approximately 1,400 former residents of Russell City, California, displaced to make way for commercial and industrial development in the 1950s and 1960s; and

**WHEREAS**, the City has agreed to contribute $250,000 to the Redress Fund; and

**WHEREAS**, the County has agreed to contribute a total of $950,000 to the Redress Fund, consisting of individual allocations from each member of the Board of Supervisors ($100,000 from District 1 Supervisor David Haubert; $400,000 from District 2 Supervisor Elisa Márquez; $100,000 from District 3 Supervisor Lena Tam; $250,000 from District 4 Supervisor Nate Miley; and $100,000 from District 5 Supervisor Nikki Fortunato-Bas); and

**WHEREAS**, the ACOE has agreed to contribute $100,000 to the Redress Fund, by donation to the City for inclusion in the Redress Fund, but has declined to participate in the implementation of the Redress Fund and is not a party to this MOU; and

**WHEREAS**, the initial aggregate contribution to the Redress Fund by all parties is $1,300,000; and

**WHEREAS**, the City and County desire for the County Auditor-Controller to hold and distribute the allocated contributions on their behalf as provided in this MOU; and

**WHEREAS**, the Parties seek to memorialize the terms upon which the Redress Fund will be administered and governed in an agreement in this MOU;

**NOW, THEREFORE**, the Parties agree as follows:

**PURPOSE**:

This MOU documents the agreement between the County and City for the administration and governance of the Redress Fund. The Parties will collaborate to implement a coordinated strategy to fairly and efficiently administer the Redress Fund, in which:

- The County and City will establish shared governance responsibility in the form of a three-member ad hoc committee, to be known as the "Redress Fund Working Group" ("Working Group") comprising one member of the Board of Supervisors and two members of the City Council. As a matter of equity, the County member's vote shall be counted as two votes. The Supervisor for District 2 shall be the County representative, and Council Members Angela Andrews and Julie Roche will represent the City of Hayward on the Working Group.
- County and City staff members will support the Working Group as reasonably necessary and appropriate.
- The Working Group is authorized to make final decisions regarding administration of the Redress Fund.
- There shall be a three-member subcommittee, to be known as the "Eligibility Review Subcommittee" ("Subcommittee") with the task of reviewing and deciding on eligibility and amounts of payments from the Redress Fund to be made to eligible applicants. The Subcommittee will include one representative designated by the County Administrator and one representative designated by the City Manager; the Subcommittee will not include elected officials or senior staff from the County or City who directly support the Working Group. The third member shall be an individual who has no conflict or self-interest with the purpose and intent of the Redress Fund and is selected by the designated County and City representatives. The Subcommittee shall strive towards unanimity in its decisions, but majority votes will prevail. Tie votes will be considered denials of applications. Decisions of the Subcommittee will be final and binding.
- The eligibility criteria for the initial phase of funding ("Phase 1") is set forth in Exhibit A to this MOU. Payments to Phase 1 recipients will be up to $25,000 per eligible household.
- The Working Group will announce preliminary payment amounts for future phases once Phase 1 funds have been distributed. Amounts will be subject to change.
- All payments are subject to compliance with eligibility criteria, availability of funds in the Redress Fund, and the number of applicants in each phase. There is no representation, warranty, or guaranty that funds will be available for any or all applicants.
- Official communications will be the responsibility of the Working Group with support from County and City staff. Definition of eligibility for future phases will be provided by the Working Group.

**TERM**

This MOU shall be effective upon execution of this MOU by both Parties and remain in effect for the period: **August 18, 2026 – August 17, 2028**. The term may be extended by mutual written agreement of the Parties.

## TERMINATION

Either party may terminate this Agreement by giving fifteen (15) business days' written notice to the other party. Upon termination, the County Auditor-Controller shall return to each party the remaining balance of their contribution to the Redress Fund, to the extent such Funds have been allocated, but not disbursed, to eligible applicants. Allocated funds will be disbursed to eligible applicants.

## FUNDING AND FISCAL RESPONSIBILITY

The Russell City Redress Fund is a new initiative by the County and the City to provide direct payments to former residents and eligible descendants of former residents of Russell City; a historic community intentionally dismantled in the 1960s through eminent domain. With initial funding from the County, City and ACOE, the Redress Fund aims to offer a form of restitution for the property seizure and displacement, acknowledging a profound injustice and seeking repair for the lasting harm to this community. In connection with the Redress Fund, the Parties desire the County Auditor-Controller to hold and distribute the allocated funds as provided in the Eligibility Criteria and as directed by the Working Group.

A. Donations**:**

- Should the City or County receive additional donations, grants, or other contributions in connection with the Redress Fund, the County Auditor-Controller may receive such funds to be held in the Redress Fund and distributed consistent with this MOU.
- City and County will work together to provide documentation as requested to grantors or donors relating to the federal tax treatment of such donations, grants, or other contributions to the Redress Fund.

B. Disbursements: All disbursements from the Redress Fund will consist of direct payments to former residents, and eligible descendants of former residents, of Russell City, who have been deemed eligible by and selected by the Subcommittee, following screening of their application.

- The Working Group will be responsible for determining the eligibility criteria for disbursements for the Redress Fund which shall be informed by feedback from the community surveys conducted by the City in the Summer of 2024 and the Fall of 2025 as directed by the Working Group, the process for reviewing applications, and the process for selecting recipients for disbursements from the Redress Fund.
- Eligibility criteria for future phases, as defined by the Working Group, must be approved by the City and County by amendment to this MOU. The Subcommittee will have final determination of all recipients who are eligible for disbursements from the Redress Fund.
- When the Subcommittee desires for the County Auditor-Controller to disburse certain funds held in the Redress Fund, the Subcommittee will notify the Authorized Representative (defined in section D below) who will submit a written request for such disbursement to Auditor-Controller.
- The Authorized Representative must provide the Auditor-Controller with sufficient documentation as described in Exhibit A to verify each amount it wishes for the Auditor-Controller to pay, as well as appropriate information regarding the identity of and payment information for the individual payee. Consistent with the requirements of the Auditor-Controller, payment information shall include account chart fields, source of funds, invoice type, payment handling method, payment

amount, and the name, address and social security number of the recipient. Upon receipt of such instruction and information, provided there are sufficient funds in the Redress Fund, the Auditor-Controller will process such request and issue the disbursement as soon as possible.

- Individuals receiving disbursements from the Redress Fund will be required to provide completed W-9 forms to the Subcommittee who will convey the W-9 forms to the Authorized Representative before requesting disbursement of funds from the Auditor-Controller. The Auditor-Controller will then send a 1099 tax form to the recipient of the disbursement.
- Funds contributed by ACOE shall be accepted by the City as a donation to the City, included with and deemed a contribution to the Redress Fund by the City.
- Payment shall first be made using funds contributed by the City, and then by funds contributed by the County.

C. Reporting: Auditor-Controller will provide the Working Group and the City and County quarterly accounting reports detailing donations, grants, or other contributions received for the Redress Fund and the total amount of all disbursements issued from the Redress Fund in the prior quarter and for the duration of the Redress Fund.

D. Authorized Representative: The individual authorized to act on behalf of the Subcommittee with respect to the Redress Fund, including communicating any and all requests for disbursement from the Redress Fund to Auditor-Controller, is the City's City Manager, currently Jennifer Ott (the "Authorized Representative") or her successor in such role. The Working Group may change the Authorized Representative in writing and require an update to the MOU. All communications from the Auditor-Controller regarding the Redress Fund and this MOU shall be made to the Subcommittee via the Authorized Representative. The Auditor-Controller shall be entitled to rely on any communications received from and directions provided by the Authorized Representative with respect to the Redress Fund.

E. Implementation Decisions: The City and County acknowledge that they will be required to determine between themselves how to implement various aspects of this MOU. The Working Group will provide further written instructions to the Auditor-Controller regarding implementation as is necessary and appropriate for implementation of this MOU. For the avoidance of doubt, such written instruction to be provided will include, but not be limited to, the following: (1) the accounting treatment of the funds in the Redress Fund as being held on a custodial basis for either the City or the County, or both jointly and the proportionate amounts; (2) whether the City and County, or both, should be listed as the distributor of each respective distribution from the Redress Fund; (3) instruction as to the distribution of any funds remaining in the Redress Fund upon the termination of the MOU, if any; and (4) whether any additional donations, grants, or contributions to be held for either the City or County, or both jointly and the proportionate amounts. Except as explicitly set forth in this MOU, all references to the Parties shall require joint action of both the City and the County.

F. No Investment: The Auditor-Controller will hold the assets in the Redress Fund in a non-interest-bearing account and will have no obligation or authority to invest, reinvest, or leverage any portion of the funds in the Redress Fund. Neither the Auditor-Controller nor the County shall be liable for any loss of the amounts in the Redress Fund resulting from inflation or the lack of investment yield.

**INDEMNIFICATION**

The City shall defend, indemnify, and hold the County, its Board of Supervisors, and all of their officers, employees, and agents, harmless from and against any and all liability, loss and expense, attorney's fees, or claims for injury or damage arising out of the performance of this agreement, but only in proportion to and to the extent such liability, loss, expense, attorney's fees, or claims for injury or damages are caused by or result from the negligent or intentional acts or omissions of the City, its officers, agents or employees.

The County shall defend, indemnify, and hold the City, its officers, employees and agents, harmless from and against any and all liability, loss and expense, attorney's fees, or claims for injury or damage arising out of the performance of this agreement, but only in proportion to and to the extent such liability, loss, expense, attorney's fees, or claims for injury or damages are caused by or result from the negligent or intentional acts or omissions of the County, its officers, agents, or employees.

The Parties' indemnification obligations set forth in this section shall survive expiration or termination of this MOU. It is the intent of the Parties that, where negligence is determined to have been contributory, principles of comparative fault will be followed, and each Party shall bear the proportionate costs of any loss, damage, expense and liability attributable to the Party's negligence.

**LEGAL CHALLENGES**

In the event of a third-party challenge to the Parties' authority to enter into this MOU, to establish the Redress Fund, or determinations made to grant or deny an application for funds, the Parties shall meet and confer on the defense of such litigation. The Parties hereby agree to reasonably consider entering into a joint defense and common interest agreement as part of the defense of such challenge, but either party may elect to terminate this MOU and dissolve the Redress Fund in lieu of defending or continuing to defend such challenge.

**COMPLIANCE WITH REGULATORY REQUIREMENTS**

The Parties agree to comply with all applicable federal and state statutes, regulations, governance activities carried out under this partnership, including reporting, record retention, and non-discrimination requirements.

**MODIFICATION**

Any modifications to this MOU must be made in writing and signed by authorized representatives of both Parties.

**IN WITNESS WHEREOF,** the Parties have executed this MOU by and through their authorized representatives.

**COUNTY OF ALAMEDA**

**By:________________________________**
Name: David Haubert
Title: President, Board of Supervisors
Date:

Approved as to Form:
Andrea L. Weddle, Interim County Counsel

DocuSigned by:
By: Andrea L. Weddle
658D28A8033A493...

**ALAMEDA COUNTY OFFICE OF EDUCATION**

By: ________________________________
Name:
Title:
Date:

**CITY OF HAYWARD**

By: ________________________________
Name: Jennifer Ott
Title: City Manager
Date:

Approved as to form and procedure:

By: ________________________________
Michael Lawson, City Attorney

## EXHIBIT A

## Russell City Redress Fund Phase 1 Eligibility Criteria

### Phase 1 (Former Homeowners)

- Individuals who resided and personally owned residential properties in Russell City between January 1, 1961 to December 31,1964, and whose properties were taken by Alameda County by eminent domain during that period. Funds are allocated on the basis of each household, not each resident.
- Qualifying housing includes residential structures in Russell City that were subject to County acquisition.
- Multiple homeowners living in the same property location can each apply provided that each applicant independently meets the eligibility criteria, but funds are paid on a per household basis divided equally among qualified Phase 1 individual residents in each household.
- Documentation required:
    - A valid ID and one piece of documentation is required. It must demonstrate home ownership and parcel location/address of the residential property during the relevant timeframe. Examples of documentation include, but are not necessarily limited to the following:
        - Officially Recorded Deed
        - Promissory Note
        - Contract of Sale
        - Evidence of Sale to County
    - A certificate signed under penalty of perjury that to the best of the applicants knowledge there are or are not other living eligible Phase 1 individuals who resided in the household with the applicant.
    - Completed W-9 Form

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

**File #:** CONS 26-313

**DATE:** August 18, 2026

**TO:** Mayor and City Council

**FROM:** Director of Human Resources

**SUBJECT**

Adopt a Resolution Approving Three Side Letters of Agreement for Clarification and Clean-Up Purposes Amending Memoranda of Understanding between the City of Hayward and Both the International Association of Firefighters, Local 1909 and Hayward Fire Officers Association Confirming Previous Agreements and Establishing a Payment for Preceptor Work, and Authorizing Staff to Execute the Agreements

**RECOMMENDATION**

That the City Council adopts a Resolution (Attachment II) approving Side Letters of Agreement for clarification and clean-up purposes amending the Memoranda of Understanding (MOUs) between the City of Hayward and both the International Association of Firefighters, Local 1909 (Local 1909) and Hayward Fire Officers Association (HFOA) confirming previous agreements and establishing a payment for preceptor work and authorizing staff to execute the agreements.

**SUMMARY**

The City has met and conferred in good faith with Local 1909, representative of both the Firefighters and the HFOA regarding three agreements intended to provide clarity and finalize previously agreed-upon terms. These clean-up agreements do not result in additional General Fund appropriations and include confirming language that was previously agreed to for purposes of amending the City's contract with the California Public Employee Retirement System (CalPERS); confirming and clarifying prior agreements to align compensatory time off with the Fair Labor Standards Act (FLSA) and applicable state wage and hour law; and establishing a one-time payment incentive under a Preceptor Program. These changes clarify the parties' respective intention of pensionable contributions for certain pays, align with FLSA and applicable state wage and hour law, and establish compensation for assignment as a paramedic preceptor as part of the Paramedic Internship and Preceptor Program.

**ATTACHMENTS**

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

| | |
|---|---|
| Attachment III | CalPERS Cost-Sharing Side Letter |
| Attachment IV | CTO Side Letter |
| Attachment V | Preceptor Side Letter |
| Attachment VI | Side Letter of Agreement Approved April 2026 |

CITY OF HAYWARD
HEART OF THE BAY

**DATE:** August 18, 2026

**TO:** Mayor and City Council

**FROM:** Director of Human Resources

**SUBJECT:** Adopt a Resolution Approving Three Side Letters of Agreement for Clarification and Clean-Up Purposes Amending Memoranda of Understanding between the City of Hayward and Both the International Association of Firefighters, Local 1909 and Hayward Fire Officers Association Confirming Previous Agreements and Establishing a Payment for Preceptor Work, and Authorizing Staff to Execute the Agreements

## RECOMMENDATION

That the City Council adopts a Resolution (Attachment II) approving Side Letters of Agreement for clarification and clean-up purposes amending the Memoranda of Understanding (MOUs) between the City of Hayward and both the International Association of Firefighters, Local 1909 (Local 1909) and Hayward Fire Officers Association (HFOA) confirming previous agreements and establishing a payment for preceptor work and authorizing staff to execute the agreements.

## SUMMARY

The City has met and conferred in good faith with Local 1909, representative of both the Firefighters and the HFOA regarding three agreements intended to provide clarity and finalize previously agreed-upon terms. These clean-up agreements do not result in additional General Fund appropriations and include confirming language that was previously agreed to for purposes of amending the City's contract with the California Public Employee Retirement System (CalPERS); confirming and clarifying prior agreements to align compensatory time off with the Fair Labor Standards Act (FLSA) and applicable state wage and hour law; and establishing a one-time payment incentive under a Preceptor Program. These changes clarify the parties' respective intention of pensionable contributions for certain pays, align with FLSA and applicable state wage and hour law, and establish compensation for assignment as a paramedic preceptor as part of the Paramedic Internship and Preceptor Program.

## FISCAL IMPACT

If approved, the proposed amendments to the Local 1909 and HFOA MOUs would result in minor fiscal impact which can be absorbed into the Department budget and/or offset by programmatic revenue, as the corrections bring the agreements into alignment with CalPERS regulations, FLSA and applicable state law, establish a Paramedic Internship and Preceptor Program, and align with the intentions of the City and the bargaining units. The FEMA Assistance to Firefighters Grant offsets paramedic preceptor incentive costs for all current Hayward Fire Department firefighter/paramedic students, while non-Hayward Fire Department students or their sponsoring programs are responsible for the incentive cost, consistent with industry practice. These items are cost neutral in the near term as proposed changes resolve for reporting compliance and administration.

**BACKGROUND**

The City and Local 1909 have reached agreement on three Side Letters of Agreement intended to provide clarification and clean-up of existing MOU provisions and previously agreed-upon terms. The Side Letters confirm and finalize prior agreements regarding CalPERS cost-sharing and compensatory time-off, and establish a one-time payment for preceptor work associated with the Paramedic Internship and Preceptor Program.

As part of a review of the MOUs to ensure compliance with CalPERS regulations, the parties previously identified a potential issue with CalPERS cost-sharing language. A side letter was agreed to by the parties and approved by the City Council on April 21, 2026. In addition to amending the MOUs, the City must also amend its contract with CalPERS for these changes to be effective. To do that, CalPERS requires that each impacted bargaining unit conduct a secret ballot vote on these specific changes and the parties are confirming their agreement with an updated side letter.

Additionally, the parties agree to amend the MOUs to ensure compensatory time off compliance with FLSA and applicable state wage and hour law with the intent to align the rate at which accrued but unused compensatory time off is paid upon separation within the requirements of 29 C.F.R. §553.27(b) and not to modify the rate at which any other forms of accrued leave are paid.

Lastly, the creation of a Paramedic Internship and Preceptor Program has reached tentative agreement by the parties which allows the Fire Department to supervise interning paramedics during patient care and field operations. This program creates opportunity for interning paramedics to participate in real-time training and helps create a recruitment pipeline by interacting with aspiring paramedics through participation in the program.

**DISCUSSION**

The discussion below provides additional detail regarding the three Side Letters and the specific provisions being clarified, confirmed, or established through the agreement.

The City and 1909 have met and conferred in good faith and the following provisions for CalPERS cost share and compensatory time off were revised to ensure compliance with CalPERS regulations, FLSA and applicable state wage and hour law align with the original intention of pension-reportable pay, compliance with appliable IRS regulations, and administrative process. In addition, a separate side letter of agreement creates a Paramedic Internship & Preceptor Program and establishes one-time payment for participation in the program.

**Section 6.01 Retirement Plan**

This Side Letter clarifies and confirms the parties existing agreement regarding CalPERS cost-sharing and does not increase the City's employer contribution or result in additional General Fund costs. Consistent with the prior Side Letter (Attachment VI), which was previously approved by the City Council on April 21, 2026 and subject to the results of a secret ballot vote of each impacted bargaining unit as required by CalPERS, the City shall amend its contract with CalPERS to reflect the changes in Attachment III. These amendments clarify the cost-share structure for both "Classic" and "New Members" of CalPERS and are intended to ensure that the City's contract with CalPERS accurately reflects the parties' agreement.

For "Classic" CalPERS members, the amendments clarify that the cost share includes the nine percent (9%) CalPERS published employee rate, plus an additional six percent (6%) contribution to the City's employer rate. For CalPERS "New Members" hired after January 1, 2023, the amendments confirm the total contribution of fifteen percent (15%) is comprised of the CalPERS published employee rate, plus the additional contribution to the City's employer rate; and clarifies that if during the term of the agreement fifty percent (50%) of the total normal cost rate reaches fifteen percent (15%) or higher, the parties agree there will be no additional cost share and the "New Members" will only pay one-half of the total normal cost rate.

**Section 4.02 Overtime**

Consistent with the mutual intention of the City and Local 1909 representatives, the parties reached tentative agreement that confirms prior agreement to amend the MOUs with respect to compensatory time off to ensure compliance with the FLSA and applicable state wage and hour law. The edits in Attachment IV include defining compensatory time rate earned in lieu of overtime at one and one-half (1.5) hours for each hour of overtime worked. The edits also include clarification of hourly rate for unused compensatory time upon separation and affirm that the maximum amount of compensatory time off that can be accrued is no more than four hundred and eighty (480) hours of compensatory time off. These edits clarify and confirm the mutual understanding of the parties and do not create an immediate fiscal impact.

**Paramedic Internship & Preceptor Program**

The parties reached tentative agreement on a Paramedic Internship and Preceptor Program. The Paramedic Internship and Preceptor Program establishes a structured field-training program within the Hayward Fire Department for probationary firefighters and external paramedic students. Interns complete 480-720 hours of supervised field training, including required ambulance ride-ins and a final 120-hour capstone internship. Designated paramedic preceptors provide direct supervision, instruction, mentorship, and evaluations and must meet specified licensing, experience, and training requirements. The program is established as outlined in Attachment V and creates opportunity for the Fire Department to deepen community and professional connections within the paramedic field, including assisting with potential recruitment pipelines and interest with the City through intern participation in the program. Employees assigned as paramedic preceptors will receive a one-time payment equivalent to eight and fifty-two hundredths percent (8.52%) of a Step A Firefighter's monthly salary upon assignment of an intern.

**STRATEGIC INITIATIVES**

This agenda item is a routine operational item and does not relate to one of the Council's Strategic Initiatives.

**NEXT STEPS**

Staff will finalize the side letter agreements and City Manager approval prior to execution. The Human Resources Department will work with the Finance Department to implement these changes.

*Prepared and Recommended by:* Ian Tecson, Director of Human Resources

Approved by:

Jennifer Ott, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 26-____

Introduced by Council Member __________

RESOLUTION APPROVING THREE SIDE LETTERS OF AGREEMENT AMENDING MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF HAYWARD AND BOTH THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 1909 AND HAYWARD FIRE OFFICERS ASSOCIATION AND AUTHORIZING STAFF TO EXECUTE THE AGREEMENTS

WHEREAS, the City of Hayward has met and conferred in good faith with the representative(s) for the Hayward Firefighters Association and the Hayward Fire Officers Association – the International Association of Firefighters, Local 1909; and

WHEREAS, the Parties have reached agreement on language that corrects and clarifies existing language, including confirming language that was previously agreed to for purposes of amending the City's contract with the California Public Employees Retirement System (CalPERS); and

WHEREAS, the Parties have reached agreement on language that confirms and clarifies prior agreements to align compensatory time off with the Fair Labor Standards Act (FLSA) and applicable state wage and hour law; and

WHEREAS the Parties have reached agreement to establish a one-time payment incentive under a Paramedic Internship and Preceptor Program.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized and directed to execute, on behalf of the City of Hayward, amendments to the Memoranda of Understanding through the related side letters of agreement as soon as administratively possible, and authorizes staff to execute said agreements, a copy of which will be on file in the Office of the City Clerk.

IN COUNCIL, HAYWARD, CALIFORNIA ______________________, 2026

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

**CALPERS COST-SHARING**
**SIDE LETTER OF AGREEMENT**
**BETWEEN**
**CITY OF HAYWARD**
**AND**
**INTERNATIONAL ASSOCIATION OF FIREFIGHTERS – LOCAL 1909**

This side letter of agreement is entered into by and between the City of Hayward ("City") and the International Association of Firefighters, Local 1909 ("IAFF, Local 1909"), to confirm the parties' prior agreement to amend the Memoranda of Understanding ("MOUs") with the IAFF, Local 1909, Firefighter and Fire Officers Units with respect to pension cost sharing and to comply with the California Public Employees' Retirement System's ("CalPERS") requirements to implement these changes. The below changes were agreed to by the Parties and were previously approved by the City Council on April 21, 2026. In addition to amending the MOUs, the City must also amend its contract with CalPERS for these changes to be effective. To do that, CalPERS requires that each impacted bargaining unit conduct a secret ballot vote on these specific changes. A sample ballot is attached to this Agreement as Exhibit A.

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1. Consistent with the Parties' prior side letter, which was approved by the City Council on April 21, 2026, and subject to the results of a secret ballot vote of each impacted bargaining unit as required by CalPERS, the City shall amend its contract with CalPERS to reflect the below cost-sharing structure:

**6.01 Retirement Plan**

The City shall continue that contract with the Public Employees' Retirement System (PERS), and all amendments thereto, which provide retirement benefits to members of the representation unit presently in effect. Effective January 1, 2001, the City amended its contract with the PERS to provide Bargaining Unit employees with the 3% @ 50 retirement formula for PERS Classic members. Effective January 1, 2013, the contract was amended to provide a 2% @ 50 or 2.7% @ 57 retirement formula for PERS PEPRA members.

**Optional Benefits, Cost Sharing (PERS Contributions)**

(A) Employees Hired Before January 1, 2013

The provisions described in this Section A apply only to CalPERS eligible employees hired before January 1, 2013, or to eligible employees hired after that date who qualify for pension reciprocity pursuant to Government Code Section 7522.02 (c). Referred to as CalPERS "Classic Members."

The City shall continue to provide CalPERS Classic Members with retirement benefits in accordance with the existing contract with PERS, and all amendments to that contract, including:

1. Section 21362.2 – 3% @ 50 Retirement Formula;
2. Section 20042 – Final Compensation one (1) year;
3. Section 20965 – Unused Sick Leave Credit;

4. Section 21547.7 – Alternative Death Benefit for Local Fire Members Credited with twenty (20) or More Years of Service;
5. Section 21573 – 1959 Survivor Benefits Level three (3);
6. Section 21329 – 2% Annual Cost-of-Living Allowance Increase;
7. Section 20516 – Member Sharing Cost of Optional Benefit;
8. Section 20903 – Additional Service Credit two (2) Years;
9. Section 21551 – Pre Retirement Death Benefit to Continue after Remarriage;
10. Section 21027 – Military Service Credit for Retired Persons;
11. Section 21024 – Military Service Credit for as Public Service;
12. Section 21635 – Post-Retirement Survivor Allowance to Continue after Remarriage;
13. Section 21624/21626 – Post-Retirement Survivor Allowance;
14. Section 21620 – Retired Death Benefit; and
15. Section 20055 – Prior Service.

Upon implementation of this agreement, **"Classic"** employees shall continue to pay a total of fifteen percent (15%) of reportable wages to fund employee pensions until such time that a successor agreement is negotiated. ~~This contribution represents the employee's fifty percent (50%) of normal cost as determined by CalPERS. The balance, if any, of this contribution shall constitute employee payment of a portion of the employer's fifty percent (50%) of normal cost as determined by CalPERS.~~ **The fifteen percent (15%) of reportable wages is comprised of the nine percent (9%) CalPERS published employee rate, plus an additional six percent (6%) contribution to the City's employer rate that the City would otherwise be required to pay to CalPERS for these employees. The additional Cost Sharing contributions will be deposited into the member's account along with the statutory 9% contribution.**

The term "normal cost" is defined in section 7522.04(g) of the Government Code as "the portion of the present value of projected benefits under the defined benefit that is attributable to the current year of service, as determined by the public retirement system's actuary according to the most recently completed valuation."

(B) Employees Hired On or After January 1, 2013

This Section B shall apply to CalPERS eligible employees hired on or after January 1, 2013, who do not qualify for pension reciprocity pursuant to Government Code Section 7522.02(c). Referred to as CalPERS "New Members." The retirement plan for these employees shall be the retirement plan which the City is required to provide for new members pursuant to California Public Employees' Pension Reform Act of 2013.

i. As required by Government Code Section 7522.25, the safety Option Plan Two (2% @ 50 – 2.7% @ 57) pension formula shall apply.

ii. As required by Government Code Section 7522.32, for the purposes of determining a retirement benefit for these employees, final compensation shall mean the highest average annual pensionable compensation earned during thirty-six (36) consecutive months of service.

iii. As required by Government Code Section 7522.30, employees shall have an initial contribution rate of fifty percent (50%) of the total normal cost rate as defined in Section 7522.04 (g).

iv. Other contracted benefits include:

1. Section 20965 – Unused Sick Leave Credit;
2. Section 21547.7 – Alternative Death Benefit for Local Fire Members Credited with twenty (20) or More Years of Service;
3. Section 21573 – 1959 Survivor Benefits Level three (3);
4. Section 21329 – 2% Annual Cost-of-Living Allowance Increase;
5. Section 20516 – Member Sharing Cost of Optional Benefit;
6. Section 20903 – Additional Service Credit two (2) Years;
7. Section 21551 – Pre-Retirement Death Benefit to Continue after Remarriage;
8. Section 21027 – Military Service Credit for Retired Persons;
9. Section 21024 – Military Service Credit for as Public Service;
10. Section 21635 – Post-Retirement Survivor Allowance to Continue after Remarriage;
11. Section 21624/21626 – Post-Retirement Survivor Allowance;
12. Section 21620 – Retired Death Benefit; and
13. Section 20055 – Prior Service.

New members shall continue to pay a total of fifteen percent (15%) of reportable wages to fund their pension until such time that a successor agreement is negotiated. The fifteen percent (15%) of reportable wages is comprised of the CalPERS published employee rate, plus the additional contribution to the City's employer rate that the City would otherwise be required to pay to CalPERS for these employees. **The additional Cost Sharing contributions will be deposited into the member's account along with the statutory 50% of normal cost contribution. If during the term of this agreement 50% of the total normal cost rate reaches 15% percent or higher, the parties agree there will be no additional cost share and the members will only pay one-half of the total normal cost rate.** ~~Under Section 20516, the additional contributions are as follows:~~

~~Effective the pay period including July 1, 2013 3.75%~~

~~Effective the pay period including July 1, 2016 5.25%~~

~~Effective the pay period including July 1, 2020 4.50%~~

~~Following the 2018 Valuation Report, under Section 20516, effective July 1, 2020 employees' contributing will be adjusted to four and one-half percent (4.50%). If CalPERS enacts a change to the employee rate as reflected in the Annual Valuation Report, the parties will amend this section to ensure it accurately reflects new members pay a total of fifteen percent (15%) of reportable wages to fund their pension. This contribution represents the employee's fifty percent (50%) of normal cost as determined by CalPERS. The balance, if any, of this contribution shall constitute employee payment of a portion of the employer's fifty percent (50%) of normal cost as determined by CalPERS.~~

In no event shall the employee contribution be less than fifty percent (50%) of the total normal cost rate, as required by Government Code Section 7522.30.

2. Upon completion of the secret ballot votes, IAFF, Local 1909 will provide confirmation of the results to the City in writing.

3. If the impacted bargaining units vote in favor of amending the City's CalPERS contract to reflect these changes, the City shall report these results to CalPERS within three (3) working days of receiving the results from IAFF, Local 1909 and will take all other necessary steps to implement said changes.

4. The Parties will continue to work collaboratively to finalize implementation of these agreed-upon changes.

**For Local 1909:**

____________________________________
Andrew Ghali, Local 1909 President

____________________________________
Jeff Dimick, Local 1909 Representative

Dated______________________

**For City of Hayward:**

____________________________________
Jennifer Ott, City Manager

____________________________________
Burke Dunphy, Chief Negotiator

____________________________________
Ian Tecson, Director of Human Resources

Dated____________________

**COMPENSATORY TIME OFF**
**SIDE LETTER OF AGREEMENT**
**BETWEEN**
**CITY OF HAYWARD**
**AND**
**INTERNATIONAL ASSOCIATION OF FIREFIGHTERS – LOCAL 1909**

This side letter of agreement is entered into by and between the City of Hayward ("City") and the International Association of Firefighters, Local 1909 ("IAFF, Local 1909"), to confirm the parties' prior agreement to amend the Memoranda of Understanding ("MOUs") with both the IAFF, Local 1909, Firefighter and Fire Officers Units with respect to compensatory time off to ensure compliance with the Fair Labor Standards Act and applicable state wage and hour law. The parties' intent is to align the rate at which accrued but unused compensatory time off is paid upon separation with the requirements of 29 C.F.R. §553.27(b) and not to modify the rate at which any other forms of accrued leave are paid.

---

1. Effective following City Council adoption of this side letter, the following language shall be added to Section 4.02 of the MOUs:

   **As set forth above, compensatory time off may be earned in lieu of overtime compensation at the rate of one and one-half (1.5) hours for each hour of overtime worked. Upon separation from employment, an employee shall be paid for all unused compensatory time at the higher of (1) the average regular rate received by the employee during the last three (3) years of employment, or (2) the employee's final regular rate.**

   **Employees may not accrue more than four hundred and eighty (480) hours of compensatory time off.**

2. Effective following City Council adoption of this side letter, Section 13.07 of the Firefighter Unit MOU and Section 13.06 of the Fire Officers Unit MOU shall be deleted in their entirety.

[remainder of page left intentionally blank]

3. The Parties mutually agree to this Side Letter of Agreement and that it will be incorporated by reference to the current MOU and run with succeeding MOU, unless incorporated into the body of future agreements.

**For Local 1909:**

______________________________________
Andrew Ghali, Local 1909 President

______________________________________
Jeff Dimick, Local 1909 Representative

Dated______________________

**For City of Hayward:**

______________________________________
Jennifer Ott, City Manager

______________________________________
Burke Dunphy, Chief Negotiator

______________________________________
Ian Tecson, Director of Human Resources

Dated____________________

**PARAMEDIC INTERNSHIP & PRECEPTOR PROGRAM**
**SIDE LETTER OF AGREEMENT**
**BETWEEN**
**CITY OF HAYWARD**
**AND**
**HAYWARD FIREFIGHTERS, IAFF LOCAL 1909**

This Side Letter of Agreement ("Agreement") is entered into by and between the City of Hayward ("City") and Hayward Firefighters, IAFF Local 1909 ("Union").

1. PURPOSE

The purpose of this Agreement is to establish the terms and conditions governing the implementation of the Paramedic Internship and Preceptor Program within the Hayward Fire Department, including compensation, expectations, and operational impacts.

2. PROGRAM IMPLEMENTATION

The parties agree to implement the Hayward Fire Department Paramedic Internship and Preceptor Program (the Program) consistent with Department guidelines and Alameda County EMS requirements. This program shall be implemented effective February 10, 2025. The Program may be terminated at any time at the sole discretion of the Fire Chief or their designee.

3. INTERN ASSIGNMENTS AND REQUIREMENTS

Paramedic interns may consist of Hayward Fire Department probationary firefighters or external paramedic students participating through an affiliated training program. Interns shall be assigned to frontline apparatus and integrated into daily operations.

Paramedic Interns must:

- Complete between a minimum of 480 to a maximum of 720 hours of field internship training;
- Capstone Field Internship must be completed in the last 120hrs by the same preceptor with 20 team leads per CoAEMSP.
- Complete the minimum of 10 supervised ambulance ride-ins with a transfer of care to a Registered Nurse or higher;
- Perform duties under the supervision of a designated preceptor; and
- Function as members of assigned companies, with authority remaining with the Company Officer.

4. PRECEPTOR QUALIFICATIONS

Selection of employees to this assignment is at the sole discretion of the Fire Chief or their designee. Employees assigned as paramedic preceptors must:

- Possess a valid paramedic license in good standing; and
- Have a minimum of two (2) years paramedic experience; and
- Successfully complete a County-approved paramedic preceptor training program; and
- Be formally designated by the Fire Chief or designee.

5. PRECEPTOR RESPONSIBILITIES

Paramedic preceptors shall:

- Directly supervise interns during patient care and field operations;
- Provide instruction, mentorship, and evaluation;
- Ensure interns operate within scope of practice and department standards;
- Complete all required documentation and evaluations;
- Maintain final authority and responsibility for patient care decisions; and
- Complete the final one hundred twenty (120) hours of internship evaluation.

6. COMPENSATION

Employees assigned as paramedic preceptors shall receive a one-time payment of 8.52 precent of a Step A Firefighter’s monthly salary after they are assigned a paramedic intern. Compensation shall take place the pay period following their assignment of the intern.The compensation is not reportable compensation to CalPERS. However, if CalPERS regulations change, the City will comply.

7. TERM

This Agreement shall take effect February 10, 2025, and remain in effect until the earlier of (i) modification by mutual written agreement or (ii) termination of the Program by the City.

| **For Local 1909:** | **For City of Hayward:** |
|---|---|
| ______________________________ | ______________________________ |
| Andrew Ghali, Local 1909 President | Jennifer Ott, City Manager |
| Dated________________________ | Dated________________________ |

**SIDE LETTER OF AGREEMENT**

**BETWEEN**

**CITY OF HAYWARD**

**AND**

**THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS (IAFF)**

**LOCAL 1909 & HAYWARD FIRE OFFICERS ASSOCIATION (HFOA)**

Representatives of the City of Hayward and IAFF, Local 1909 have met and conferred in good faith regarding the projected revenue shortfall and budget deficit facing the City of Hayward for FY 2026-27 and temporary measures necessary to address the projected FY2026-27 General Fund shortfall. The parties previously entered into a side letter agreement memorializing efforts to address the City's FY2025-26 General Fund deficit (the "Original Side Letter"). In partnership to stabilize City finances while maintaining essential fire and emergency services, the parties agree to the terms contained in this Side Letter of Agreement ("Agreement"). The Agreement amends specific provisions of the current Memoranda of Understanding between the City and IAFF, Local 1909, Firefighter and Fire Officers Units, through December 31, 2029 (each a "Current MOU" and collectively, the "Current MOUs") and the Original Side Letter.

Except where specifically modified below, all other terms of the Current MOUs remain unchanged. Where conflicts exist between this Agreement and prior side letters or MOU language, this Agreement supersedes them for the duration specified. The terms become effective the first full pay period following City Council approval unless otherwise stated.

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**1. <u>Formal Fiscal Reassessment Process</u>**

To ensure transparency, accountability, and joint planning, the parties agree to the following:

A. Bimonthly Fiscal Review Meetings

Beginning January 2026, the parties shall meet every two months to review:

- Citywide reserve and cash position
- Fire Department sworn overtime expenditures and savings
- Progress in achieving the 2026 temporary savings targets
- New or anticipated revenues

B. Formal Reassessment:

a. No later than March 2027, the Parties will reconvene to discuss options for addressing salary increases in FY2027-28, including
    i. Capping the survey-based salary increases
    ii. Splitting implementation of salary increases over time

    iii. Increasing employee CalPERS contributions
    iv. Extending the minimum staffing reduction.
  b. By written mutual agreement, the parties may extend temporary modifications described herein beyond June 30, 2027.
  c. Nothing in this section waives the Union's right to negotiate over mandatory subjects of bargaining.
  d. The above listed items are topics for discussion and nothing in this section is or shall be construed as an agreement by either Party to any of these options.

2. Temporary Assignment Brownout
   a. In addition to the other temporary measures detailed below, the parties agree to brownout the Public Information Officer (PIO) assignment, effective beginning the pay period following City Council approval of this Agreement. This temporary assignment brownout shall sunset on June 30, 2027.

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3. Section 4.05 of the Current MOUs will be amended as set forth below:

**4.05 Minimum Staffing**

Contingent upon continuation of contractual services with Fairview Fire Protection District, the organization and staffing of the Department shall consist of nine (9) engine companies and two (2) truck companies, and one specialized rescue squad. Each engine company and truck company shall be staffed with a minimum complement of three (3): a Captain, an Apparatus Operator and a Firefighter. The specialized rescue company (squad) shall be staffed with a minimum complement of two (2) Firefighters.

Effective January 1, 2025, daily staffing shall consist of a minimum of thirty-eight (38) personnel and a combined total of twelve (12) companies, and one (1) specialized rescue squad. Each engine and truck company shall be staffed with three (3) personnel qualified to function in the following roles: one (1) Captain, one (1) Apparatus Operator, and one (1) Firefighter. The specialized rescue squad shall be staffed with a minimum complement of two (2) Firefighters.

Notwithstanding any other provision of this Memorandum of Understanding, the Fire Chief or their designated representative may temporarily decrease for any reason the number of engine companies in active service for a portion of any given day provided that no more than two (2) engine companies are out of service at any one time for a period not to exceed eight (8) hours.

The following procedures will be observed on those occasions when Captains' meetings or training sessions for Captains are scheduled by the Department. During the course of such meetings or training sessions two (2) engines may be temporarily taken out of service as provided in paragraph two (2) of this section above. Acting Captains and acting Apparatus Operators shall be designated from the on-duty platoon and moved to fill vacancies and associated temporary re-assignments caused by attendance at the meeting or training session. Acting Captains and acting Apparatus Operators shall be compensated in accordance with Section 7.10 of this Memorandum of Understanding and shall be designated by the Battalion Chief from the respective eligible lists. Off duty personnel will not be recalled to duty on an overtime basis during Captains' meetings and training sessions for Captains except at the discretion of the Fire Chief.

**Before January 1, 2025, i**f the contract with the Fairview Fire Protection District is discontinued, minimum staffing shall revert to eight (8) engine companies and two (2) truck companies and from thirty-three (33) to thirty (30) staff members. There shall be no demotion as a result of any such reduction in staff except by attrition.

Effective January 1, 2025, if the contract with the Fairview Fire Protection District is discontinued, minimum staffing shall revert to a combined total of eleven (11) companies and one (1) specialized rescue squad and from thirty-eight (38) to thirty-five (35) staff members. There shall be no demotion as a result of any such reduction in staff except by attrition.

**Notwithstanding the foregoing, the following provisions shall be effective beginning in the pay period including City Council adoption of this Agreement and shall sunset on June 30, 2027, unless the Parties mutually agree in writing to extend or modify this Agreement:**

1) **The following companies shall be temporarily browned out:**
   a. **Engine 11: One (1) Captain, One (1) Apparatus Operator, One (1) Firefighter**
   b. **Squad 2: Two (2) Firefighters**
2) **Minimum daily staffing shall be thirty-three (33) personnel with a combined total of eleven (11) companies, reflecting the temporary brownouts listed above.**
3) **No promotions will be rescinded, and no employees shall be demoted as a result of the suppression company (Engine 11 and Squad 2) temporary brownouts set forth above.**
4) **All affected personnel will be reclassified for calendar year 2026 into:**
   a. **Route Captain**
   b. **Route Apparatus Operator**
   c. **Route Firefighter**
5) **For the period of January 1, 2026 through June 30, 2027, the Fairview Fire Protection District contingency language will be updated as follows:**

   **If the contract with the Fairview Fire Protection District is discontinued, minimum staffing shall revert to eight (8) engine companies and two (2) truck companies and from thirty-three (33) to thirty (30) staff members. There shall be no demotion as a result of any such reduction in staff except by attrition.**
6) **All other language in this section regarding acting assignments, captains' meetings, and training, contingencies remains unchanged.**

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4. Section 6.01 of the Current MOUs will be amended as set forth below:

**6.01 Retirement Plan**

The City shall continue that contract with the Public Employees' Retirement System (PERS), and all amendments thereto, which provide retirement benefits to members of the representation unit presently in effect. Effective January 1, 2001, the City amended its contract with the PERS to provide Bargaining Unit employees with the 3% @ 50 retirement formula for PERS Classic members. Effective January 1, 2013, the contract was amended to provide a 2% @ 50 or 2.7% @ 57 retirement formula for PERS PEPRA members.

**Optional Benefits, Cost Sharing (PERS Contributions)**

(A) Employees Hired Before January 1, 2013

The provisions described in this Section A apply only to CalPERS eligible employees hired before January 1, 2013, or to eligible employees hired after that date who qualify for pension reciprocity pursuant to Government Code Section 7522.02 (c). Referred to as CalPERS "Classic Members."

The City shall continue to provide CalPERS Classic Members with retirement benefits in accordance with the existing contract with PERS, and all amendments to that contract, including:

1. Section 21362.2 – 3% @ 50 Retirement Formula;
2. Section 20042 – Final Compensation one (1) year;
3. Section 20965 – Unused Sick Leave Credit;
4. Section 21547.7 – Alternative Death Benefit for Local Fire Members Credited with twenty (20) or More Years of Service;
5. Section 21573 – 1959 Survivor Benefits Level three (3);
6. Section 21329 – 2% Annual Cost-of-Living Allowance Increase;
7. Section 20516 – Member Sharing Cost of Optional Benefit;
8. Section 20903 – Additional Service Credit two (2) Years;
9. Section 21551 – Pre Retirement Death Benefit to Continue after Remarriage;
10. Section 21027 – Military Service Credit for Retired Persons;
11. Section 21024 – Military Service Credit for as Public Service;
12. Section 21635 – Post-Retirement Survivor Allowance to Continue after Remarriage;
13. Section 21624/21626 – Post-Retirement Survivor Allowance;
14. Section 21620 – Retired Death Benefit; and
15. Section 20055 – Prior Service.

Upon implementation of this agreement, **"Classic"** employees shall continue to pay a total of fifteen percent (15%) of reportable wages to fund employee pensions until such time that a successor agreement is negotiated. ~~This contribution represents the employee's fifty percent (50%) of normal cost as determined by CalPERS. The balance, if any, of this contribution shall constitute employee payment of a portion of the employer's fifty percent (50%) of normal cost as determined by CalPERS.~~ **The fifteen percent (15%) of reportable wages is comprised of the nine percent (9%) mandated CalPERS published employee rate, plus an additional six percent (6%) employee contribution under Government Code Section 20516 Cost Sharing into the employee's account that will reduce the City contribution by 6% that would otherwise be required to pay to CalPERS for these employees.**

The term "normal cost" is defined in section 7522.04(g) of the Government Code as "the portion of the present value of projected benefits under the defined benefit that is attributable to the current year of service, as determined by the public retirement system's actuary according to the most recently completed valuation."

(B) Employees Hired On or After January 1, 2013

This Section B shall apply to CalPERS eligible employees hired on or after January 1, 2013, who do not qualify for pension reciprocity pursuant to Government Code Section 7522.02(c). Referred to as CalPERS "New Members." The retirement plan for these employees shall be the retirement plan which the City is required to provide for new members pursuant to California Public Employees' Pension Reform Act of 2013.

i. As required by Government Code Section 7522.25, the safety Option Plan Two (2% @ 50 – 2.7% @ 57) pension formula shall apply.

ii. As required by Government Code Section 7522.32, for the purposes of determining a retirement benefit for these employees, final compensation shall mean the highest average annual pensionable compensation earned during thirty-six (36) consecutive months of service.

iii. As required by Government Code Section 7522.30, employees shall have an initial contribution rate of fifty percent (50%) of the total normal cost rate as defined in Section 7522.04 (g).

iv. Other contracted benefits include:

1. Section 20965 – Unused Sick Leave Credit;
2. Section 21547.7 – Alternative Death Benefit for Local Fire Members Credited with twenty (20) or More Years of Service;
3. Section 21573 – 1959 Survivor Benefits Level three (3);
4. Section 21329 – 2% Annual Cost-of-Living Allowance Increase;
5. Section 20516 – Member Sharing Cost of Optional Benefit;
6. Section 20903 – Additional Service Credit two (2) Years;
7. Section 21551 – Pre-Retirement Death Benefit to Continue after Remarriage;
8. Section 21027 – Military Service Credit for Retired Persons;
9. Section 21024 – Military Service Credit for as Public Service;
10. Section 21635 – Post-Retirement Survivor Allowance to Continue after Remarriage;
11. Section 21624/21626 – Post-Retirement Survivor Allowance;
12. Section 21620 – Retired Death Benefit; and
13. Section 20055 – Prior Service.

New members shall continue to pay a total of fifteen percent (15%) of reportable wages to fund their pension until such time that a successor agreement is negotiated. The fifteen percent (15%) of reportable wages is comprised of the CalPERS published employee rate, plus the additional contribution to the City's employer rate that the City would otherwise be required to pay to CalPERS for these employees. Under Section 20516, the additional contributions are as follows:

| | |
|---|---|
| Effective the pay period including July 1, 2013 | 3.75% |
| Effective the pay period including July 1, 2016 | 5.25% |
| Effective the pay period including July 1, 2020 | 4.50% |

Following the 2018 Valuation Report, under Section 20516, effective July 1, 2020, employees' ~~contributing~~ **contribution** will be adjusted to four and one-half percent (4.50%). If CalPERS enacts a change to the employee rate as reflected in the Annual Valuation Report, the parties will amend this section to ensure it accurately reflects new members pay a total of fifteen percent (15%) of reportable wages to fund their pension. This contribution represents the employee's fifty percent (50%) of normal cost as determined by CalPERS. The balance, if any, of this contribution shall constitute employee payment of a portion of the employer's fifty percent (50%) of normal cost as determined by CalPERS.

In no event shall the employee contribution be less than fifty percent (50%) of the total normal cost rate, as required by Government Code Section 7522.30.

5. Section 7.12 of the Current MOU with the IAFF, Local 1909, Fire Officers Unit will be amended as set forth below:

**7.12 Salaries**

In the pay period that includes January 1 of each year, while the Memorandum of Understanding remains in effect, the City shall provide a salary adjustment for the members of the bargaining unit in the amount that results from application of the salary formula below, except for the caps and exceptions that are referenced within this section:

**Except as specified above, b**~~B~~ase salary for all classifications covered by this MOU shall be increased by the difference between the total compensation of a Hayward Firefighter and the average of the total compensation for firefighter of the top four (4) agencies based on a survey of salary and benefits. Hayward may be included in the top four (4) agencies should its total compensation for firefighter so indicate. The percentage increase shall be determined by (Total Compensation average of top four (4) agencies – Total Compensation of Hayward Firefighter)/Base pay of Hayward Firefighter, rounded to the nearest one hundredth of a percent (.01%).

"Total Compensation" shall mean the sum of the following: top step base monthly salary; employer-paid member PERS contributions; education incentive pay applicable to all firefighters; uniform allowance; maximum annual vacation credit; paramedic pay; EMT pay; holiday pay; and health coverage. The amount to be included in the survey for health coverage for the City of Hayward IAFF Local 1909 shall be the amount of the Kaiser Region 1 subscriber +2 premium for the health, dental, and vision plans. For the purpose of this survey, the value of vacation shall be determined as follows: maximum vacation hours divided by twelve (12) multiplied by maximum base hourly rate. For the City of Berkeley only, the longevity pay scale shall be used for the purpose of calculating Total Compensation.

Salary adjustments are to be made annually on the basis of the Survey Formula, the survey shall be completed by November 30th **of each year** and shall include all salaries and benefits effective on January 1 of each year of the adjustment~~,~~ and approved by the agency's board or council. If on July 1 of the year of the adjustment, any of the agencies in the survey reaches a settlement retroactive to January 1, thereby changing the average of the top four (4) agencies, a one-time adjustment will be made to salaries to reflect that change within three (3) months of July 1.

For the term of this agreement, salary adjustments will be based on the following cities: Alameda, Berkeley, Daly City, Fremont, Hayward, Palo Alto, Richmond, Alameda County Fire Department, San Mateo Consolidated, Santa Clara, and Vallejo.

**Notwithstanding the foregoing, the 3.82% salary adjustment to which members of Local 1909 would be entitled effective January 1, 2026, based on the criteria set forth above, will be deferred as follows:**

- **3.82% will be deferred effective January 1, 2026 through and including the last full pay period prior to July 1, 2027;**

**Unless otherwise mutually agreed, the salary survey will be conducted for calendar year 2027 consistent with the terms set forth above and will be the subject of discussions between the City and the Union scheduled for no later than March 2027. Any wage increases resulting from the calendar year 2027 survey will be implemented in the pay period that includes July 1, 2027 unless otherwise mutually agreed. Any other modifications to this section, including any additional salary increase deferrals shall only be effective if they are part of a signed, mutual written agreement that has been approved by both Local 1909's membership and the City Council.**

The base rate for the classification of Battalion Chief shall be fourteen and one half percent (14.5%) greater than the highest-ranking classification within the MOU between the City of Hayward and the Hayward Firefighters IAFF Local 1909, with applicable conversion for forty (40) hour versus fifty-six (56) hour rates.

The base rate for the classification of Fire Training Officer and the Fire Marshal shall be ten percent (10%) greater than the base rate for Battalion Chief (40- hour).

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6. Section 7.12 of the Current MOU with the IAFF, Local 1909, Firefighter Unit will be amended as set forth below:

**7.12 Salaries**

In the pay period that includes January 1 of each year, while the Memorandum of Understanding remains in effect, the City shall provide a salary adjustment for the members of the bargaining unit in the amount that results from application of the salary formula below, except for the caps and exceptions that are referenced within this section:

Except as specified above, base salary for all classifications covered by this MOU shall be increased by the difference between the total compensation of a Hayward Firefighter and the average of the total compensation for firefighter of the top four (4) agencies based on a survey of salary and benefits. Hayward may be included in the top four (4) agencies should its total compensation for firefighter so indicate. The percentage increase shall be determined by (Total Compensation average of top four (4) agencies – Total Compensation of Hayward Firefighter)/Base pay of Hayward Firefighter, rounded to the nearest one hundredth of a percent (.01%).

“Total Compensation” shall mean the sum of the following: top step base monthly salary; employer-paid member PERS contributions; education incentive pay applicable to all firefighters; uniform allowance; maximum annual vacation credit; paramedic pay; EMT pay; holiday pay; and health coverage. The amount to be included in the survey for health coverage for the City of Hayward IAFF Local 1909 shall be the amount of the Kaiser Region 1 subscriber +2 premium for the health, dental, and vision plans. For the purpose of this survey, the value of vacation shall be determined as follows: maximum vacation hours divided by twelve (12) multiplied by maximum base hourly rate. For the City of Berkeley only, the longevity pay scale shall be used for the purpose of calculating Total Compensation.

Salary adjustments are to be made annually on the basis of the Survey Formula, the survey shall be completed by November 30th of each year and shall include all salaries and benefits effective on January 1 of each year of the adjustment and approved by the agency’s board or council. If on July 1 of the year of the adjustment, any of the agencies in the survey reaches a settlement retroactive to January 1, thereby changing the average of the top four (4) agencies, a one-time adjustment will be made to salaries to reflect that change within three (3) months of July 1.

For the term of this agreement, salary adjustments will be based on the following cities: Alameda, Berkeley, Daly City, Fremont, Hayward, Palo Alto, Richmond, Alameda County Fire Department, San Mateo Consolidated, Santa Clara, and Vallejo.

**Notwithstanding the foregoing, the 3.82% salary adjustment to which members of Local 1909 would be entitled effective January 1, 2026, based on the criteria set forth above, will be deferred as follows:**

- **3.82% will be deferred effective January 1, 2026 through and including the last full pay period prior to July 1, 2027;**

**Unless otherwise mutually agreed, the salary survey will be conducted for calendar year 2027 consistent with the terms set forth above and will be the subject of discussions between the City and the Union scheduled for no later than March 2027. Any wage increases resulting from the calendar year 2027 survey will be implemented in the pay period that includes July 1, 2027 unless otherwise mutually agreed. Any other modifications to this section, including any additional salary increase deferrals shall only be effective if they are part of a signed, mutual written agreement that has been approved by both Local 1909's membership and the City Council.**

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7. Section 9.04 of the Current MOU with the IAFF, Local 1909, Firefighter Unit will be amended as set forth below:

**9.04 Scheduling of Vacation Leave for Fifty-Six (56) Hour Employees**

Vacation leave shall start on any scheduled work shift throughout each calendar year, subject to the needs of the service and the approval of the Fire Chief. Consideration shall be given to seniority in actual scheduling of vacation leaves. In the event an employee is transferred between platoons for the convenience of the department, vacation periods previously approved by the Fire Chief shall not be canceled for this reason. Compensatory time off credits may be used in conjunction with vacation leave if found feasible by the Fire Chief. However, total off-duty time for any one (1) period shall not exceed fifty-one (51) calendar days except upon specific approval of the Fire Chief. Five (5) employees of any given rank on the same shift may use vacation leave simultaneously. **Effective January 1, 2028, six (6) employees of any given rank on the same shift may use vacation leave simultaneously.**

***Requesting Compensatory/Vacation Time Off***

The Fire Chief or designated representative must approve any revisions in scheduled vacation and compensatory time off. In the event an employee's remaining vacation leave balance or compensatory time balance is less than twelve (12) hours, the Fire Chief may authorize the employee using a combination of the two (2) to total a twelve (12) hour increment. Requests for the use of vacation or compensatory time off shall normally be made through a Battalion Chief.

***Number of Employees Allowed Off***

No more than five (5) employees shall be guaranteed the use of vacation leave on any given day. If less than five (5) employees are scheduled off on vacation, employees using compensatory time may also be scheduled off up to a combined total of five (5) persons. **Effective January 1, 2028, this number will increase to no more than six (6) employees shall be guaranteed the use of vacation leave on any given day. If less than six (6) employees are scheduled off on vacation, employees using compensatory time may also be scheduled off up to a combined total of six (6) persons.** There shall be no restriction on the number of persons in each rank who may simultaneously use compensatory time off. The scheduling of compensatory time off will be on a *first come first served* basis, but such time off may not be scheduled less than twenty-four (24) hours in advance, nor more than ninety (90) days in advance. More than five (5) employees may be allowed off simultaneously for the use of vacation or compensatory time in the event staffing levels so permit. The number of employees allowed off on leave at one (1) time shall not be affected by employees who are absent because of non-occupational illness or injury and who are using compensatory time or vacation because of having exhausted sick leave benefits; nor shall absences of management employees requiring bargaining unit members to act in their stead be considered.

***Vacation/Compensatory Leave Increments***

Vacation and/or compensatory time off must be used in increments of twelve (12) hours, either 0800 hours to 2000 hours or 2000 hours to 0800 hours the following day. As an exception to the foregoing, a Battalion Chief may grant the use of leave in excess of twelve (12) hours but less than twenty-four (24) hours if such approval does not prevent other employees from using a twelve (12) hour leave period. In case of such conflicts, the first requesting employee shall be given the choice of extending the leave to a full twenty-four (24) hour period, or having the approved period of leave modified to twelve (12) hours only.

***Vacation Selection Process***

Vacation time off will be selected in advance, and the selection process shall commence in December prior to the calendar year in which the vacation time will be used. Two (2) rounds of vacation selection activity shall be permitted, and selections so made on each shift shall be on the basis of departmental seniority. In each round, employees may select one (1) to six (6) shifts of vacation leave which must fall entirely within one (1) designated vacation period. One (1) vacation period is defined as three (3) contiguous “sets”. An employee’s turn in the selection process is defined as either a PASS, or the selection of from one (1) to six (6) shifts of vacation time off. Once the two (2) rounds of vacation selection have been completed, the remaining days will be made available on a *first come first served* basis.

***Cancellation of Scheduled Vacation***

Scheduled vacation shall not be canceled with less than ten (10) days’ advance notice. Scheduled vacation may be canceled with less than ten (10) days’ advance notice only in the event of illness of the employee, or illness of a family member which qualifies the employee for use of family sick leave (physician’s verification required in both instances); use of funeral leave; or if less than four (4) employees are scheduled off on vacation and/or compensatory time on the day(s) to be canceled. As an exception to the foregoing, vacation may be canceled with twenty-four (24) hours advance notice provided the vacation period in question was approved within the preceding ten (10) calendar days.

***Notification of Canceled Vacation Days***

All stations shall be notified of canceled vacation days within twenty-four (24) hours via station printer or equivalent means of communication. All employees on the same shift, starting with the employee who is next senior to the employee canceling the vacation and proceeding thereafter on the basis of seniority, shall have twenty-four (24) hours within which to select the canceled vacation period or a portion thereof after which the remaining time shall be available on a *first come first served* basis.

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8. Section 10.03 of the Current MOUs will be amended as set forth below:

**10.03 Sick Leave Allowance**

After completing three (3) months of continuous, full-time satisfactory service, full-time employees other than temporary and provisional employees shall be eligible for sick leave according to the following schedule.

Employees who work a forty (40) hour workweek shall accrue three and ninety-six hundredths (3.96) hours of sick leave credit per payroll period.

**Effective the pay period containing January 1, 2028, employees who work a forty (40) hour workweek shall accrue sick leave based on their years of service as follows:**

- **Employees with 0–15 years of service: increase from 3.96 hours per pay period to 4.946 hours per pay period**
- **Employees with more than 15 years of service: increase from 3.96 hours per pay period to 5.94 hours per pay period**

Employees who work a fifty-six (56) hour workweek shall accrue five and fifty-four hundredths (5.54) hours of sick leave credit per payroll period.

**Effective the pay period containing January 1, 2028, employees who work a fifty-six (56) hour workweek shall accrue sick leave based on their years of service as follows:**

- **Employees with Zero (0) to fifteen (15) years of service shall accrue six and ninety-two hundredths (6.92) hours of sick leave credit per payroll period.**
- **Employees with more than fifteen (15) years of service shall accrue eight and thirty-one hundredths (8.31) hours of sick leave credit per payroll period.**

There shall be no limit on the number of unused hours of sick leave which may be accumulated by an employee. Employees who (1) have a balance of six hundred (600) hours or more as of December 31 of each calendar year, and (2) have not used more than two (2) shifts for fifty-six (56) hour employees and twenty-four (24) hours for forty (40) hour employees during the calendar year shall receive an additional twenty-four (24) hours added to their vacation balance on the first paycheck in February of the following year.

Temporary or part-time employees who do not qualify for sick leave under the provisions of this MOU may be entitled to sick leave in accordance with Administrative Rule 2.46, Paid Sick Leave.

Sick leave records shall be maintained on an hourly basis. Sick leave shall be taken in periods of no less than one (1) hour. No sick leave shall be earned during leaves of absence without pay. An employee unable to return to work after a further period allowed on sick leave without pay may be retired for disability or separated.

A new parent may use up to one-hundred and twenty (120) hours of earned sick leave upon the birth of a child or when a child begins residence with an employee who has commenced adoption proceedings. Any leave granted under this provision shall run concurrently with FMLA/CFRA leave and must be used within one (1) year of the birth or placement of the child.

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9. Reopener / Restoration

A. If the March 2027 formal reassessment set forth in Section 1 of this Agreement demonstrates that the City's financial condition has materially improved, the parties agree to a decision-based meet and confer to: (a) restore deferred COLA components; (b) restore staffing as described in the Current MOU; and (c) evaluate reinstatement or expansion of browned-out companies.

B. Nothing in this Agreement waives the Union's right to negotiate over mandatory subjects of bargaining.

C. Any modification to this Side-Letter of Agreement or the MOU shall occur only by mutual written agreement executed by authorized representatives of both parties. In the event of impasse, all existing terms and conditions of the agreements shall remain in full force and effect.

10. Duration/Sunset

A. Unless otherwise specified, the concessionary amendments to Sections 4.05 (Minimum Staffing) and the suspension of the salary adjustments (7.12) will sunset on June 30, 2027 without further action, unless mutually extended through a signed written agreement.

B. The amendments to Section 6.01 (Retirement Plan) Section 9.04 (Scheduling of Vacation and Leave for 56-Hour Employees) and 10.03 (Sick Leave) do not sunset.

11. Miscellaneous Provisions

A. Governing Law/Venue. The formation, construction, and performance of this Agreement, and any dispute arising from the relationship between the parties shall be subject to binding arbitration.

B. Entire Agreement. This Agreement constitutes the entire agreement between the City and the Union pertaining to the subject matters covered and may only be modified in writing signed by both parties.

C. Severability. If any provision of this Agreement is held invalid, illegal, or unenforceable, such invalidity, illegality, or unenforceability shall not affect the remaining provisions.

| For Local 1909 | For City of Hayward |
|---|---|
| Andrew Ghali (Apr 11, 2026 17:06:32 PDT) | Jennifer Ott |
| Andrew Ghali, Local 1909 President | Jennifer Ott, City Manager |
| Jeff Dimick (Apr 2, 2026 19:28:19 PDT) | Burke Dunphy<br>Burke Dunphy (Apr 2, 2026 19:35:56 PDT) |
| Jeff Dimick, HFOA President | Burke Dunphy, Chief Negotiator |
| | Ian Tecson |
| | Ian Tecson, Director of Human Resources |
| Dated 04/11/2026 | Dated 04/02/2026 |

**File #:** CONS 26-314

**DATE:** August 18, 2026

**TO:** Mayor and City Council

**FROM:** Chief of Police

**SUBJECT**

Adopt a Resolution (1) Authorizing the City Manager to Negotiate and Execute a Five-Year Agreement with Axon Enterprises, Inc. for a Real-Time Information Center Technology Package, including "Drone as a First Responder" Equipment, 64 Replacement Automated License Plate Recognition Cameras, and Other Integrated Technologies with a Maximum Not-to-Exceed Compensation Amount of $2,945,000 Consistent with Previous City Council Direction; (2) Authorizing the City Manager to Execute Future Amendments that Result in Reduced Costs or Impacts to the General Fund; and (3) Authorizing Related Budget Actions Contingent on Maintaining or Reducing the General Fund Allocation

**RECOMMENDATION**

That the City Council adopts a resolution (Attachment II) (1) authorizing the City Manager to execute a five-year agreement with Axon Enterprises, Inc. (Axon) for the purchase of a Real-Time Information Center (RTIC) technology package, including "Drone as a First Responder" (DFR) equipment, 64 replacement automated license plate recognition (ALPR) cameras, and other integrated technologies consistent with previous City Council direction on June 16, 2026 with a maximum compensation amount not-to-exceed $2,945,000; (2) authorizing the City Manager to execute future amendments as long as they result in reduced costs or impacts to the General Fund; and (3) authorizing related budget actions contingent on maintaining or reducing the amount of funds allocated from the General Fund.

**SUMMARY**

On June 16, 2026, the City Council adopted a resolution that (1) renewed Hayward Police Department's (HPD) Military Equipment Use Policy No. 706 and Ordinance 22-06, and (2) authorized the purchase of eight DFR units and associated software, subscriptions, licensing, and accessories in an amount not to exceed $589,000 annually or $2,945,000 over five years. Staff was directed to return to Council with a proposed DFR technology contract for approval. This item fulfills that direction.

HPD intends to supplement its existing Unmanned Aerial (UAS) System Program with a DFR program, with the goal of enhancing public safety services and the ability of HPD and the Hayward Fire Department (HFD) to respond to emerging incidents more effectively and efficiently. Given the City's strained financial situation, the use of technology that strategically deploys public safety resources as efficiently as possible is crucial to maintaining a high level of service, especially considering HPD's current 27 sworn officer vacancies.

Additionally, the proposed DFR program is a foundational component of HPD's vision to implement a RTIC concept, which would create a centralized information hub that integrates all live data sources (i.e., DFR, ALPRs, in-car camera systems, Body Worn Camera systems), Computer Aided Dispatch (CAD) information, and records management systems into a single platform that would allow staff to analyze data in real time for emergency response, operational, and investigative purposes.

On June 29, 2026, HPD issued RFP 26-059 seeking a RTIC technology package, including a comprehensive DFR program that would integrate aerial drone response with other existing and proposed RTIC technology solutions. There were three responsive proposals, including one from Axon, who HPD currently contracts with for body worn cameras, digital evidence storage through Evidence.com, transcription software, redaction software, virtual reality training aids, and other accountability tools and products.

Staff recommends awarding an agreement to Axon for the full RTIC technology package due to the strategic interoperability Axon provides with the other services contracted by HPD. Axon has also demonstrated a proven track record of a high level of customer service and privacy protection.

Axon's proposal covers the following components in addition to a comprehensive DFR program, all within the existing budget amounts authorized by the Council for the DFR program: (1) replacement of 64 of the City's ALPR cameras to begin transitioning away from Flock ALPRs in the City; (2) the Axon Fusus platform that unifies information from the HPD's data sources into a single, map-based interface; and (3) "prepared assistive call-taking" software that allows RTIC personnel to see and respond to calls for service before dispatchers finish the call and provides real time translation capabilities.

The proposed agreement is for a five-year period, with a maximum compensation not-to-exceed $2,945,000 and is consistent with previous City Council authorization. Additionally, due to the City's ongoing fiscal challenges, the contract and associated resolutions request Council authorization to provide for flexibility for staff to respond to future needs that specifically reduce funding from the General Fund, including the acceptance of future grant funds for RTIC technologies, including the DFR Program, and the incremental phasing in or downsizing of the DFR program due to future funding availability.

## ATTACHMENTS

| | |
|---|---|
| Attachment I | Staff Report |
| Attachment II | Resolution |
| Attachment III | HPD Policy 611 |

**DATE:** August 18, 2026

**TO:** Mayor and City Council

**FROM:** Chief of Police

**SUBJECT:** Adopt a Resolution (1) Authorizing the City Manager to Negotiate and Execute a Five-Year Agreement with Axon Enterprises, Inc. for a Real-Time Information Center Technology Package, including "Drone as a First Responder" Equipment, 64 Replacement Automated License Plate Recognition Cameras, and Other Integrated Technologies with a Maximum Compensation Amount Not-to-Exceed $2,945,000 Consistent with Previous City Council Direction; (2) Authorizing the City Manager to Execute Future Amendments that Result in Reduced Costs or Impacts to the General Fund; and (3) Authorizing Related Budget Actions Contingent on Maintaining or Reducing the General Fund Allocation

## RECOMMENDATION

That the Council adopts a resolution (Attachment II) (1) authorizing the City Manager to execute a five-year agreement with Axon Enterprises, Inc. (Axon) for the purchase of a Real-Time Information Center (RTIC) technology package, including "Drone as a First Responder" (DFR) equipment, 64 replacement automated license plate recognition (ALPR) cameras, and other integrated technologies with a maximum compensation amount not-to-exceed $2,945,000 consistent with previous City Council direction on June 16, 2026; (2) authorizing the City Manager to execute future amendments as long as they result in reduced costs or impacts to the General Fund; and (3) authorizing related budget actions contingent on maintaining or reducing the amount of funds allocated from the General Fund.

## SUMMARY

On June 16, 2026, the City Council adopted a resolution that (1) renewed Hayward Police Department's (HPD) Military Equipment Use Policy No. 706 and Ordinance 22-06, and (2) authorized the purchase of eight DFR units and associated software, subscriptions, licensing, and accessories in an amount not to exceed $589,000 annually or $2,945,000 over five years. Staff was directed to return to Council with a proposed DFR technology contract for approval. This item fulfills that direction.

HPD intends to supplement its existing Unmanned Aerial (UAS) System Program with a DFR program, with the goal of enhancing public safety services and the ability of HPD and the

Hayward Fire Department (HFD) to respond to emerging incidents more effectively and efficiently. Given the City's strained financial situation, the use of technology that strategically deploys public safety resources as efficiently as possible is crucial to maintaining a high level of service, especially considering HPD's current 27 sworn officer vacancies.

Additionally, the proposed DFR program is a foundational component of HPD's vision to implement a RTIC concept, which would create a centralized information hub that integrates all live data sources (i.e., DFR, ALPRs, in-car camera systems, Body Worn Camera systems), Computer Aided Dispatch (CAD) information, and records management systems into a single platform that would allow staff to analyze data in real time for emergency response, operational, and investigative purposes.

On June 29, 2026, HPD issued RFP 26-059 seeking a RTIC technology package, including a comprehensive DFR program that would integrate aerial drone response with other existing and proposed RTIC technology solutions. There were three responsive proposals, including one from Axon, who HPD currently contracts with for body worn cameras, digital evidence storage through Evidence.com, transcription software, redaction software, virtual reality training aids, and other accountability tools and products.

Staff recommends awarding an agreement to Axon for the full RTIC technology package due to the strategic interoperability Axon provides with the other services contracted by HPD. Axon has also demonstrated a proven track record of a high level of customer service and privacy protection.

Axon's proposal covers the following components in addition to a comprehensive DFR program, all within the existing budget amounts authorized by the Council for the DFR program: (1) replacement of 64 of the City's ALPR cameras to begin transitioning away from Flock ALPRs in the City; (2) the Axon Fusus platform that unifies information from the HPD's data sources into a single, map-based interface; and (3) "prepared assistive call-taking" software that allows RTIC personnel to see and respond to calls for service before dispatchers finish the call and provides real time translation capabilities.

The proposed agreement is for a five-year period, with a maximum compensation not-to-exceed $2,945,000 and is consistent with previous City Council authorization. Additionally, due to the City's ongoing fiscal challenges, the contract and associated resolutions request Council authorization to provide for flexibility for staff to respond to future needs that specifically reduce funding from the General Fund, including the acceptance of future grant funds for RTIC technologies, including the DFR Program, and the incremental phasing in or downsizing of the DFR program due to future funding availability.

**FISCAL IMPACT**

As mentioned above, on June 16, 2026, Council authorized the purchase of eight DFR units and associated items in an amount not to exceed $589,000 annually or $2,945,000 over five years. The funding source is a combination of asset forfeiture funds, grant funds, and HPD's existing supplies and services budget, with no new General Fund allocation.

Based on Axon's competitive proposal, the proposed budget of $589,000 annually, or $2,945,000 over five years, includes the comprehensive DFR program plus 64 replacement ALPRs, and other additional RTIC technologies described in greater detail below. The following table proposes a five-year funding plan using only non-General Fund sources other than Capital Improvement Program (CIP) funds already included in the FY2026/27 approved budget and five-year capital plan:

| Funding Source | Fund # | FY2026/27 | FY2027/28 | FY2028/29 | FY2029/30 | FY2030/31 |
|---|---|---|---|---|---|---|
| CIP - Cameras | 405 | $69,313 | $206,800 | $389,000 | $389,000 | $389,000 |
| Federal Grants | 820 | $120,960 | $0 | $0 | $0 | $0 |
| Federal Appropriations | 220 | $198,727 | $182,200 | $0 | $0 | $0 |
| HPD Asset Forfeiture | 265 | $200,000 | $200,000 | $200,000 | $200,000 | $200,000 |
| **TOTAL** | | **$589,000** | **$589,000** | **$589,000** | **$589,000** | **$589,000** |

The annual funding for this contract, including the General Fund CIP amount, will be subject to City Council approval, as part of future annual budget processes. HPD will continue to seek out and apply for additional grants or other outside funds to reduce the impact to the City's General Fund. As a result, City staff will propose the exact combination of sources of funds for the contract each year, subject to City Council's annual budget approval, with the intent of balancing any restrictions related to grants or other outside funding sources with the goal of minimizing the impact to the City's General Fund.

In order to allow for flexibility to respond to specific grant or other outside funding requirements, City staff requests authorization to (1) negotiate and execute amendments to the agreement in order to modify annual payment amounts if needed in order to meet requirements for external funding that result in the reduction of the overall General Fund allocation to the RTIC and DFR program; and (2) if external sources of funds are awarded, make budget adjustments to increase revenue and appropriations in order to spend funds as required under those funding sources, resulting in the reduction of General Fund funding. For example, some outside funding sources may need to be used within a year of the award date. This may result in spending more than the anticipated $589,000 amount in a single fiscal year, but the five-year total shall not exceed the authorized amount of $2,945,000 and the use of funding sources from the General Fund would be reduced.

**BACKGROUND**

In 2022, the City Council authorized HPD to operate a UAS Program, which allows for the use of UAS to assist in response to Calls for Service (CFS) and emerging incidents as outlined in HPD Policy 611 (Unmanned Aerial System (UAS) Operations) – HPD Policy 611 is attached for reference (Attachment III). HPD created a standalone webpage dedicated to its UAS Program which provides information about the program itself, associated policies and procedures, and a UAS usage log which provides the date, time, location, and reason for each UAS use case. This webpage and the associated information related to the HPD's UAS Program has been available to the public since the program's inception. Since the UAS Program's inception, HPD has conducted a total of 321 UAS flights to assist with a variety of CFS and emerging incidents, including but not limited to offender apprehension, barricaded subjects, and searches for missing persons. To date, the HPD has not received any complaints regarding UAS usage nor have there been any usages that have violated existing laws, policies, or procedures.

HPD intends to supplement its existing UAS Program with a DFR concept, with the goal of enhancing public safety services and the ability of HPD and HFD to respond to emerging incidents more effectively and efficiently. This supplemental concept leverages technological advancements that will allow police officers and firefighters to improve emergency response, enhance situational awareness, and support safer outcomes for police officers, firefighters, and community members, all of which can be achieved despite ongoing fiscal and staffing challenges.

Additionally, the proposed DFR program is a foundational component of HPD's vision to implement an RTIC concept, which would create a centralized information hub that integrates all live data sources (i.e., DFR, ALPRs, in-car camera systems, Body Worn Camera systems), CAD information, and records management systems into a single platform that would allow staff to analyze data in real time for emergency response, operational, and investigative purposes. Given the City's strained financial situation, the use of technology that strategically deploys public safety resources as efficiently as possible is crucial to maintaining a high level of service, especially considering HPD's current 27 sworn officer vacancies.

On May 14, 2026, during HPD's AB 481 public meeting, this supplemental DFR concept was presented and discussed with the members of the Council Public Safety Committee (CPSC). At the conclusion of the CPSC discussion, the members expressed their support for the supplemental DFR program and recommended it be sent to the full City Council for authorization.

On June 16, 2026, the City Council adopted a resolution renewing HPD's Military Equipment Use Policy No. 706 and Ordinance 22-06 and authorized the purchase of additional and/or replacement equipment to supplement HPD's UAS Program with the DFR concept, provided that costs do not exceed $589,000 annually and budget is available in the annual budget process for eight DFR UAS units and associated software, subscriptions, licensing, and accessories. Staff was directed to return to Council with a proposed DFR technology contract for approval. This item fulfills that direction.

City Council provided clear direction that due to the current City budget, no new General Fund allocation or use of salary savings would be available to fund the project. Staff committed that the DFR Program would be funded through other existing funds such as asset forfeiture funds, grant funds, federal congressional appropriations, funds already incorporated into the five-year capital plan, and HPD's existing supplies and services budget.

## DISCUSSION

Following that authorization, on June 29, 2026, HPD issued RFP 26-059 seeking a RTIC technology package, including a comprehensive DFR program that would integrate aerial drone response with other existing and proposed RTIC technology solutions. There were three responsive proposals, including Axon who submitted a responsive proposal on July 13, 2026, covering the following components in addition to a comprehensive DFR program: (1) replacement of 64 of the City's ALPR cameras to begin transitioning away from Flock ALPRs in the City; (2) the Axon Fusus platform that unifies the City's data sources information into a single, map-based interface; and (3) "prepared assistive call-taking" software that allows RTIC personnel to see and respond to calls for service before dispatchers finish the call and provides real time translation capabilities, all within the cost of $589,000 per year consistent with Council direction on June 16, 2026. In addition, this contract results in $120,000 in annual cost savings to the General Fund due to the expiration of the Flock ALPR camera contract for the 64 cameras.

Staff recommends awarding an agreement to Axon for the full RTIC technology package due to the strategic interoperability Axon provides with the other services contracted by HPD with Axon for body worn cameras, digital evidence storage through Evidence.com, transcription software, redaction software, virtual reality training aids, and other accountability tools and products. Axon has also demonstrated a proven track record of a high level of customer service and privacy protection.

This agreement also provides strong safeguards for ALPR data with Axon's proven track record and data governance framework and would be compliant with the information-sharing restrictions set forth in the California Senate Bill 34 and California Senate Bill 54 (California Values Act) as they relate to immigration enforcement.

In summary, staff recommends that Council approve the proposed agreement for the RTIC technology package, including a DFR program with Axon for a five-year period, with a maximum compensation not-to-exceed $2,945,000 consistent with previous City Council direction. Additionally, the contract and associated resolutions request Council authorization for flexibility for staff to respond to future needs that specifically reduce funding from the General Fund, including the acceptance of future grant funds for RTIC technologies, including the DFR Program and the incremental phasing in or downsizing of the DFR program due to future funding availability.

## ECONOMIC IMPACT

While these planned expenditures do not have any direct economic impact on the Hayward community, improvements in public safety response and the strategic allocation of resources, despite ongoing staffing challenges, will have a positive impact on the quality of life of residents and the livelihood of local businesses.

## STRATEGIC ROADMAP

The RTIC, including a DFR program, supports the strategic priority, "Enhance Community Safety & Quality of Life" by optimizing public safety services. It improves the City's response capabilities, including for natural disasters. The capabilities of the DFR concept will also reduce the need to physically deploy staff to some calls for service that can be cleared remotely. That benefit supports the "Invest in Infrastructure" and "Confront Climate Crisis & Champion Environmental Justice" strategic priorities by reducing traffic on City roads and the City's associated carbon footprint.

This item is not specifically related to a particular project identified in the Strategic Roadmap; staff are bringing forth this item to optimize City services and public safety through the deployment of new response technology.

## SUSTAINABILITY FEATURES

The capabilities of the DFR concept will reduce the need to physically deploy staff to some calls for service that can be cleared remotely. That benefit reduces traffic on City roads and the City's associated carbon footprint.

## PUBLIC CONTACT

Prior to City Council approval in 2022 and its inception, HPD did extensive community engagement and outreach in developing the UAS Program, associated training manuals, and associated policies and procedures. One of the primary concerns expressed by some members of the community was regarding authorized use of UAS technology, prohibited use of UAS technology, and individual privacy. In fact, community members and City Council members were engaged in and participated in the development of HPD Policy 611, which has been effective since March 17, 2022, and is available for public review on HPD's website. Additionally, on May 14, 2026, during HPD's AB 481 public meeting, the supplemental DFR concept was presented and discussed with the members of the CPSC. At the conclusion of the CPSC discussion, the members expressed their support for this supplemental concept and recommended it be sent to the full City Council for authorization.

## NEXT STEPS

If Council adopts this resolution, staff will enter into a five-year purchase/service agreement with Axon Enterprises, Inc. for the purchase of a RTIC technology package, including DFR equipment, 64 replacement ALPR cameras, and other integrated technologies in an amount not-to-exceed $2,945,000.

*Prepared by*: Dan Olsen, Police Captain
Garett Wagner, Police Lieutenant
Laura Gomez, Senior Management Analyst

*Recommended by*: Bryan Matthews, Chief of Police

Approved by:

________________________________
Jennifer Ott, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 26-____

Introduced by Council Member ________

RESOLUTION (1) AUTHORIZING THE CITY MANAGER TO NEGOTIATE ANDEXECUTE A FIVE-YEAR AGREEMENT WITH AXON ENTERPRISES, INC. FOR A REAL-TIME INFORMATION CENTER TECHNOLOGY PACKAGE, INCLUDING “DRONE AS A FIRST RESPONDER” EQUIPMENT, 64 REPLACEMENT AUTOMATED LICENSE PLATE RECOGNITION CAMERAS, AND OTHER INTEGRATED TECHNOLOGIES WITH A MAXIMUM COMPENSATION AMOUNT NOT-TO-EXCEED $2,945,000 CONSISTENT WITH PREVIOUS CITY COUNCIL DIRECTION; (2) AUTHORIZING THE CITY MANAGER TO EXECUTE FUTURE AMENDMENTS THAT RESULT IN REDUCED COSTS OR IMPACTS TO THE GENERAL FUND; AND (3) AUTHORIZING RELATED BUDGET ACTIONS CONTINGENT ON MAINTAINING OR REDUCING THE GENERAL FUND ALLOCATION

WHEREAS, the City issued a Request for Proposals seeking a comprehensive Drone as a First Responder (DFR) program; and

WHEREAS, Axon Enterprises, Inc. submitted a responsive proposal, covering all requested DFR components and additional Real Time Information Center (RTIC) components; and

WHEREAS, the City of Hayward selected Axon Enterprises, Inc.’s proposal and intends to enter into a five-year agreement with Axon Enterprises, Inc. for the purchase of a comprehensive DFR equipment and RTIC technology package; and

WHEREAS, the Council Public Safety Committee expressed support and City Council provided authorization for an expanded DFR program provided that no new funding from the General Fund was required; and

WHEREAS, the agreement will be funded by existing internal and external funding sources with no additional impact on the General Fund; and

WHEREAS, due to the City’s ongoing fiscal situation, staff intends to continue to seek sources of outside funding; and

WHEREAS, the City may reduce services or terminate the agreement if sufficient funding is not appropriated or otherwise available during the five-year period; and

WHEREAS, the agreement is not to exceed $2,945,000 over a five-year period.

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 five-year agreement with Axon Enterprises, Inc. for the purchase of comprehensive Drone as a First Responder equipment and real-time information center technology package with a maximum compensation amount not-to-exceed $2,945,000 subject to review and approval by City Attorney as to form; and

NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of Hayward that, in the event that the City needs to (1) reduce or terminate the program or (2) modify payment timelines to meet requirements of external funding sources; the City Manager is hereby authorized and directed to negotiate and execute amendments to the agreement subject to approval by City Attorney as to form; and

NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of Hayward that the City Manager or designee may increase revenue and appropriations for use of grant or other external funding sources for this project.

IN COUNCIL, HAYWARD, CALIFORNIA ______________________, 2026

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

# Unmanned Aerial System (UAS) Operations

## 611.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of an unmanned aerial system (UAS) and for the storage, retrieval and dissemination of images and data captured by the UAS.

### 611.1.1 DEFINITIONS

Definitions related to this policy include:

**Certificate of Authorization (COA)**: Given by the Federal Aviation Administration (FAA) granting permission to fly the UAS within specific boundaries and perimeters.

**Observer**: A member of the Hayward Police Department or Hayward Fire Department who is trained and authorized to maintain visual observation of the UAS while in flight.

**Operator**: A member of the Hayward Police Department or Hayward Fire Department who is trained, certified, and authorized to control a UAS during flight.

**Unmanned Aerial System (UAS)** - An unmanned aircraft of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled (commonly referred to as an unmanned aerial vehicle (UAV), and all of the supporting or attached systems designed for gathering information through imaging, recording, or any other means.

## 611.2 POLICY

Unmanned aerial systems may be utilized to enhance the Hayward Police Department's mission of protecting lives and property when other means and resources are not available or are less effective. Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations. UAS usage shall comply with the City's Statement of Values on Surveillance Technology. UAS will be available for cross-departmental use and requests will be evaluated on a case by case basis in accordance with the provisions set forth in this policy.

## 611.3 PRIVACY

The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to FAA altitude regulations and shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during UAS operations.

## 611.4 PROGRAM COORDINATOR

*Unmanned Aerial System (UAS) Operations*

The Chief of Police will appoint a program coordinator who will be responsible for the management of the UAS program. The program coordinator will ensure that policies and procedures conform to current laws, regulations and best practices and will have the following additional responsibilitie

The Chief of Police will appoint a program coordinator who will be responsible for the management of the UAS program. The program coordinator will ensure that policies and procedures conform to current laws, regulations and best practices and will have the following additional responsibilities:

(a) Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and ensuring that the COA is current.

(b) Ensuring that all authorized operators and required observers have completed all required FAA and Hayward Police Department-approved training in the operation, applicable laws, policies, and procedures regarding use of the UAS.

(c) Developing uniform protocol for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents. Deployment of a UAS shall require written authorization of the Chief of Police or the authorized designee, depending on the type of mission.

(d) Developing protocol for conducting criminal investigations involving a UAS, including documentation of time spent monitoring a subject.

(e) Implementing a system for public notification of UAS deployment.

(f) Developing an operational protocol governing the deployment and operation of a UAS including, but not limited to, safety oversight, use of visual observers, establishment of lost link procedures and secure communication with air traffic control facilities.

(g) Developing a protocol for fully documenting all missions.

(h) Developing a UAS inspection, maintenance, and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.

(i) Developing protocols to ensure that all data intended to be used as evidence are accessed, maintained, stored, and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, authenticity certificates and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.

(j) Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules.

(k) Facilitating law enforcement access to images and data captured by the UAS.

(l) Recommending program enhancements, particularly regarding safety and information security.

(m) Ensuring that established protocols are followed by monitoring and providing periodic reports on the program to the Chief of Police.

## 611.5 ROLES AND RESPONSIBILITIES

The roles and responsibilities for UAS Program members are as follows:

Program Coordinator—a Hayward Police Sergeant who manages the UAS Program and ensures the program operates in accordance with all Federal, State, and local laws, and within department policy and guidelines. In addition, the Program Coordinator will:

- Maintain all training flight and maintenance records for each operator and observer, as well as individual airframes.
- Ensure operators and observers stay current with their training and certifications.
- Maintain contact with the FAA and familiarity with the pertinent FAA regulations.
- Evaluate airframes based on mission needs.
- Remain up to date with current UAS case law, best practices, and industry standards.
- Develop and maintain the UAS Operations Manual.

Operator—the Operator's role is to safely operate the UAS in accordance with all applicable law and policy.

- The operator may reject a flight based on personnel safety, violation of FAA regulations, or requests outside of the scope of the authorized uses outlined in this policy.
- The operator shall be responsive to requests and input from the observer in order to accomplish the safe and effective deployment of the UAS.
- Operators are responsible for mission documentation and updating the flight book.

Observer—the Observer's role is to assist in the safe and effective operation of the UAS. The observer shall:

- Assist the Operator in avoiding obstacles.
- Operate any attachments to the UAS.
- Remain alert for safety issues surrounding the Operator and Observer.
- Handle radio communications.

## 611.6 USE OF UAS

The UAS will only be used in situations where reasonable suspicion exists, pursuant to a warrant, or during situations where exigent circumstances exist or where public safety needs outweigh privacy expectations. This policy may not encompass every situation officers will encounter in the field and deviations may be necessary and justified. Any deviations from this policy will be reviewed on a case-by-case basis.

The Chief of Police, Deputy Chief, Captain, or Watch Commander may authorize the deployment of the UAS under the following circumstances:

(a) Public safety and life preservation missions including, barricaded suspects, hostage situations, active shooters, apprehension of armed and dangerous fleeing suspects, and high-risk search warrants;

(b) Mass casualty events;

(c) Lost or missing persons;

(d) Search and rescue events;

(e) Disaster response and recovery;

(f) Suspected explosive devices;

(g) Fire suppression or investigation;

(h) Hazardous material releases;

(i) Post-incident crime scene preservation and documentation;

(j) Pursuant to a search warrant;

(k) Mass gatherings or special events where security concerns exist or criminal activity is occurring;

(l) When there is probable cause to believe that the UAS will record images of a place, thing, condition, or event, and that those images show a felony has been committed, or shows that a particular person has committed a felony.

(m) Anti-UAS operations when a person is operating a UAS in a manner which impedes emergency personnel who, in the course of their duties, are coping with an emergency (refer to Penal Code § 402(a)1);

(n) Training missions;

(o) In support of the Hayward Fire Department when the underlying mission meets the uses outlined in this policy; and

(p) Mutual Aid support when the underlying mission meets the uses outlined in this policy.

(q) A UAS specifically designated to the Drone as First Responder (DFR) program can be deployed to any call for service received by Hayward Police Department's Dispatch requiring a staff member be dispatched, including using the UAS in lieu of dispatching a staff member.

### 611.6.1 CALLOUT PROCEDURE

(a) The Watch Commander shall make a request via dispatch for qualified UAS team members to respond and deploy the UAS.

    (a) Dispatch will call the UAS Program Coordinator, or a designee, who will coordinate the callout details with team members.

(b) If the UAS Program Coordinator is unavailable, or if specified by the Watch Commander, Dispatch will request assistance from and allied agency or the Hayward Fire Department via ACRECC.

(b) The UAS team members will handle all UAS operations, notifications and all necessary pre- flight guidelines as specified in the UAS Operations Manual.

## 611.7 EVIDENCE COLLECTION AND RETENTION

(a) Following a UAS operation by the Hayward Fire Department or the Hayward Police Department, a Hayward PD case agent or officer shall meet with the UAS operator to collect the UAS video(s). The video(s) recorded by the Fire Department and/or the Police Department will be uploaded into the approved digital evidence management system. The collection and uploading of the video(s) will be documented in a report by a Hayward PD case agent or officer.

(b) Data collected by the UAS shall be retained as provided in the established Police Department records retention schedule or retained as evidence of a crime.

(c) Unauthorized use, duplication, and/or distribution of UAS videos are prohibited. Personnel shall not make copies of any UAS videos for their personal use and are prohibited from using a recording device such as a personal camera or any secondary video camera to capture UAS videos. All recorded media, images and audio are the property of the Hayward Police Department and shall not be copied, released or disseminated in any form or manner outside the parameters of this policy without the expressed written consent of the Chief of Police.

(d) Departmental request for a UAS video, including requests from the District Attorney's Office or City Attorney's Office, shall be forwarded as a written request via e-mail, to the Property Unit, with sufficient information to locate the UAS video.

(e) Non-Departmental Requests for a UAS video shall be accepted and processed in accordance with Federal, State, and local laws, and departmental policy (discovery, media inquiries, subpoenas, California Public Records Act requests, etc.).

1. When practical, Department personnel will be advised prior to any release of UAS video under the California Public Records Act.

(f) Request for Deletion or Accidental Recording

1. In the event of an accidental activation and recording of the UAS camera system, the recording employee may request that the UAS video is deleted by submitting an e-mail request to the Special Investigations Bureau Lieutenant with sufficient information to locate the UAS video. The Special Investigations Bureau Lieutenant shall review the video, approve or deny the deletion request, and forward to the System Administrator for action if applicable.

2. Videos made during authorized department training will be viewed and/or retained for training purposes and then may be retained or deleted with the authorization of the Special Investigations Bureau Lieutenant. Retained files will be stored in approved training files or the digital management system.

(g) Copying Procedure

1. A copy of the UAS video can be requested in accordance with the provisions of this policy.

2. Property Officers will be responsible for handling evidence requests for DVD copies and online sharing of videos produced by the UAS camera system for court and other approved requests by the Chief of Police or a designee.

(h) A UAS video may be utilized as a training tool for individuals, specific units, and the department as a whole. A recommendation to utilize a UAS video for such purpose may come from any source outlined below:

1. A person recommending utilization of a UAS video for training purposes shall submit the recommendation through the chain of command to the Watch Commander.

2. The Watch Commander approving the utilization of a UAS video for training will send an email to Property requesting a copy of the video is placed in the UAS Training file on Sharepoint. This file will hold all training videos. Videos may not be moved to other files, copied, or sent beyond this file.

3. If an involved officer or employee objects to the showing of a UAS video, the objection will be submitted to their supervisor to determine if the employee's objections outweigh the training value. The Special Investigations Bureau Lieutenant or Division Commander shall review the recommendation and determine how best to utilize the UAS video file considering the identity of the person(s) involved, sensitivity of the incident, and the benefit of utilizing the video versus other means (e.g., departmental policy, Training Bulletin, Officer Safety Bulletin, briefing or other training).

## 611.8 PROHIBITED USE

The UAS video surveillance equipment shall not be used:

(a) To conduct random surveillance activities, including the manual override of DFR UAS cameras while a UAS is in flight before arriving in the area of a call for service.

(b) To target a person based solely on actual or perceived characteristics, such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.

(c) To harass, intimidate, or discriminate against any individual or group.

(d) To conduct personal business of any type.

(e) The UAS shall not be weaponized.

(f) The UAS shall not have facial recognition technology.

(g) To conduct routine monitoring of a mass gathering, protest, or demonstration where security concerns do not exist or where criminal activity is not occurring.

### 611.9 RETENTION OF UAS DATA

Data collected by the UAS shall be retained as provided in the established records retention schedule. Consistent with data collected by other departmental audio or video recorders (e.g., body worn cameras), recordings shall be retained in a data management system where they are accessible for review and use strict to the guidelines pursuant to this policy. Access to recordings is automatically logged and can be audited.

Recordings that contain evidentiary value shall be retained in the same manner as any other evidence gathered during a criminal investigation. Recordings that contain administrative or evidentiary value shall be retained for up to 5 years or until administrative or criminal proceedings are finalized.

For all non-criminal recordings, the retention of recording media will be 90 days provided it remains unassociated to any criminal or administrative investigations.

### 611.10 REVISIONS

ISSUED: March 17, 2022

Revised: February 19, 2026

Revised: May 21, 2026

Revised: July 16, 2026

**File #:** LB 26-014

**DATE:** August 18, 2026

**TO:** Mayor and City Council

**FROM:** City Clerk and City Manager

**SUBJECT**

Cal Cities 2026 Annual Conference: Adopt Resolutions (1) Designating a Voting Delegate and Alternates for the Conference Scheduled for September 23-25, 2026 , and (2) Directing the City's Voting Delegate to Vote on a Proposed League of California Cities General Assembly Resolution Calling for a Working Group to Consider Actions to Ensure Final Local Authority Over Housing and Land Use Decisions

**RECOMMENDATION**

That the City Council adopts two resolutions (Attachments II and III) 1) Designating a voting delegate and alternates to represent Hayward at the General Assembly during the Cal Cities 2026 Annual Conference, and 2) Directing the City's voting delegate to vote to support the proposed League of California Cities General Assembly resolution calling for the formation of a working group to consider a state constitutional amendment or other form of initiative to ensure final local authority over housing and land use decisions.

**SUMMARY**

The Cal Cities Annual Conference will be held September 23-25, 2026, in Anaheim at the Anaheim Convention Center.

Attending League of Cities conferences provides the Mayor and Councilmembers with the opportunity to defend local authority, shape state policy, and lobby for the City' interests effectively. In addition, the conference provides education and professional growth regarding legal, financial, and ethical duties, successful policy solutions enacted by other agencies, and updates on state regulations as well as the opportunity to network with peers in other local organizations to share best practices and discuss challenges and opportunities.

The Cal Cities Annual Conference includes an Annual Business Meeting (General Assembly), scheduled for Friday, September 25, where voting delegates from municipalities consider and vote on proposed Cal Cities resolutions. To participate in the voting process, the City Council must designate a voting delegate and up to two alternates.

One resolution that the 2026 General Assembly will consider is a resolution calling for a working group to develop potential strategies to strengthen local authority over housing and land use decisions while preserving the State Legislature's authority to establish broad statewide goals, including a state constitutional amendment, legislation, policy changes, or a ballot initiative. Staff recommends that Council support this effort to strengthen local authority.

## ATTACHMENTS

| | |
|---|---|
| Attachment I | Staff Report |
| Attachment II | Resolution Designating Delegates |
| Attachment III | Resolution Regarding Cal Cities Resolution |
| Attachment IV | Cal Cities Annual Conference Information |

**DATE:** August 18, 2026

**TO:** Mayor and City Council

**FROM:** City Clerk and City Manager

**SUBJECT:** Cal Cities 2026 Annual Conference: Adopt a Resolution Designating a Voting Delegate and Alternates for the Conference Scheduled for September 23-25, 2026; and Adopt a Resolution Directing the City's Voting Delegate to Vote on a Proposed League of California Cities General Assembly Resolution Calling for a Working Group to Consider a State Constitutional Amendment or Other Form of Initiative to Ensure Final Local Authority Over Housing and Land Use Decisions

**RECOMMENDATION**

That the City Council adopts two resolutions (Attachments II and III) 1) Designating a voting delegate and alternates to represent Hayward at the General Assembly during the Cal Cities 2026 Annual Conference, and 2) Directing the City's voting delegate to vote to support the proposed League of California Cities General Assembly resolution calling for the formation of a working group to consider a state constitutional amendment or other form of initiative to ensure final local authority over housing and land use decisions.

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One resolution that the 2026 General Assembly will consider is a resolution calling for a working group to develop potential strategies to strengthen local authority over housing and land use decisions while preserving the State Legislature's authority to establish broad statewide goals, including a state constitutional amendment, legislation, policy changes, or a ballot initiative. Staff recommends that Council support this effort to strengthen local authority.

**FISCAL IMPACT**

The estimated expense of attending the conference is approximately $9,500, which is included within the approved Fiscal Year 2027 budget for the Mayor and City Council.

**BACKGROUND AND DISCUSSION**

Consistent with the Cal Cities' bylaws, the City Council must designate the City's voting delegate and up to two alternate voting delegates by formal resolution. All designated delegates must be registered to attend the Annual Conference. To cast a vote at the Annual Business Meeting, at least one designated delegate must be present and in possession of the voting delegate card. The voting delegate card may be freely transferred between the voting delegate and alternates as needed.

Currently, Mayor Salinas is the City's delegate to the Cal Cities East Bay Division and Mayor Pro Tempore Syrop is the City's alternate. Mayor Salinas and Council Members Bonilla Jr., Roche, and Syrop have registered and plan to attend the Cal Cities' Annual Conference and are available to represent the City Council's position on legislative matters at the Annual Business Meeting.

Cal Cities' memo includes the General Assembly Guidelines and Information Sheet for Cal Cities Resolutions and the General Assembly, provided as Attachment IV for the Council's reference. The 2026 Cal Cities Resolution Packet is provided as Attachment V for the City Council's reference.

**Resolution Calling for Working Group on Local Control**

On August 10, 2026, Cal Cities released details of one resolution to be considered by the General Assembly. Submitted by the City of Murrieta, the resolution states that statewide housing mandates can override locally adopted plans, zoning standards, and public review procedures without adequately accounting for local circumstances. It calls for a working group to consider a state constitutional amendment or other legislative, policy, or ballot-based strategy. As summarized by Cal Cities, the working group would seek a framework that preserves the State's role in establishing broad housing goals and enforcing civil rights, fair housing, building, life-safety, and environmental requirements while giving cities greater authority to implement statewide objectives based on local conditions.

The resolution aligns with the City's Strategic Roadmap priority to "Preserve, Produce, and Protect Housing for All" and its legislative program principle of maintaining home rule authority and supporting policies that maintain or improve local regulatory control. Staff also recognizes that statewide housing requirements have developed partly in response to uneven local accommodation of needed housing and that restrictions in one jurisdiction may increase regional housing costs and shift development and infrastructure pressures to jurisdictions such as Hayward that accommodate growth. The proposed working-group process would provide an opportunity to address these concerns.

Attachment III includes a blank to record whether the City Council directs the voting delegate to support or oppose the proposed resolution; staff recommends that "support" be entered.

**STRATEGIC ROADMAP**

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

**PUBLIC CONTACT**

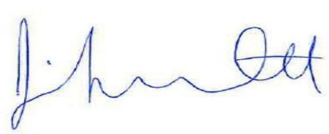
The report does not require public notice.

**NEXT STEPS**

Delegates will attend the Cal Cities 2026 Annual Conference and represent the City Council's position on legislative matters. The City Clerk will submit the City's delegate information through the online submission portal by September 1, 2026.

*Prepared and Recommended by*: Miriam Lens, City Clerk
Ember Padro y Pereira, Management Analyst

Approved by:



______________________________
Jennifer Ott, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO 26-_______

Introduced by Council Member___________

A RESOLUTION DESIGNATING A VOTING DELEGATE AND UP TO THREE ALTERNATE VOTING DELEGATES AS HAYWARD'S REPRESENTATIVES TO THE CAL CITIES 2026 ANNUAL CONFERENCE

WHEREAS, the City of Hayward is a member of Cal Cities, and the Cal Cities Annual Conference is scheduled for September 23-25, 2026, in Anaheim; and

WHEREAS, Attending League of Cities Conferences provides the mayor and council members with the opportunity to defend local authority, shape state policy, and lobby effectively. In addition, the conference provides education and professional growth such as legal, financial, and ethical duties, successful policy solutions enacted by other agencies, and updates on state regulations as well as the opportunity to network with peers in other local organizations to share best practices and discuss challenges and opportunities; and

WHEREAS, during the annual conference, Cal Cities membership considers and acts on resolutions that establish Cal Cities policy; and

WHEREAS, in order for the City of Hayward to participate in voting at the Annual Business Meeting, a voting delegate and alternates must be designated prior to the Annual Conference in accordance with Cal Cities' bylaws; and

WHEREAS, currently, Mayor Salinas is the City's delegate to Cal Cities East Bay Division and Council Member Syrop is the City's alternate; and

WHEREAS, Mayor Salinas and Council Members Bonilla Jr., Roche, and Syrop have registered to attend the conference and are available to represent the City Council's position on legislative matters at the Annual Business Meeting on September 25, 2026.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward hereby designates ________________________________ as the City's voting delegate and ____________________________ as the City's alternate voting delegate for the Cal Cities 2026 Annual Conference.

IN COUNCIL, HAYWARD, CALIFORNIA, _________, 2026

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: ______________________________________
City Clerk of the City of Hayward

APPROVED AS TO FORM:

______________________________________
City Attorney of the City of Hayward

HAYWARD CITY COUNCIL

RESOLUTION NO 26-______

Introduced by Council Member____________

A RESOLUTION SUPPORTING/DISCOURAGING SUPPORT OF THE CALIFORNIA CITIES POLICY RESOLUTION BEING CONSIDERED AT THE CAL CITIES 2024 ANNUAL CONFERENCE

WHEREAS, the City of Hayward is a member of Cal Cities, and the Cal Cities Annual Conference is scheduled for September 23-25, 2026, in Anaheim; and

WHEREAS, as a member in good standing with the League of California Cities, the City of Hayward is entitled to vote on policy matters that come before the League at its Annual Business (General Assembly) Meeting, scheduled to take place on September 25, 2026; and

WHEREAS, one League policy resolution was submitted by the deadline for consideration at the 2026 Annual Conference; and

WHEREAS, the proposed resolution was submitted by the City of Murrieta and is titled "A RESOLUTION OF THE GENERAL ASSEMBLY OF THE LEAGUE OF CALIFORNIA CITIES CALLING FOR A WORKING GROUP TO CONSIDER A STATE CONSTITUTIONAL AMENDMENT OR OTHER FORM OF INITIATIVE TO ENSURE FINAL LOCAL AUTHORITY OVER HOUSING AND LAND USE DECISIONS"; and

WHEREAS, the proposed resolution calls for a working group to evaluate strategies for preserving the State's role in establishing broad housing goals and enforcing statewide legal requirements while providing cities greater authority to implement housing and land use objectives based on local conditions;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby directs the City's voting delegate to vote to __________________ the proposed Cal Cities General Assembly resolution identified above.

IN COUNCIL, HAYWARD, CALIFORNIA, _________, 2026

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

LEAGUE OF CALIFORNIA CITIES

**Council Action Advised by September 1, 2026**

**DATE: Wednesday, May 13, 2026**

**TO: Mayors, Council Members, City Clerks, and City Managers**

**RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES**
**League of California Cities Annual Conference and Expo, Sept. 23-25, 2026**
**Anaheim Convention Center**

Every year, the League of California Cities convenes a member-driven General Assembly at the Cal Cities Annual Conference and Expo. The General Assembly is an important opportunity where city officials can directly participate in the development of Cal Cities policy.

Taking place on Friday, Sept. 25, 2026 the General Assembly is comprised of voting delegates appointed by each member city; every city has one voting delegate. Your appointed voting delegate plays an important role during the General Assembly by representing your city and voting on resolutions.

To cast a vote during the General Assembly, your city must designate a voting delegate and up to two alternate voting delegates, one of whom may vote if the designated voting delegate is unable to serve in that capacity. Voting delegates may either be an elected or appointed official.

**Action by Council Required.** Consistent with Cal Cities bylaws, a city's voting delegate and up to two alternates must be designated by the city council. Please note that designating the voting delegate and alternates **must** be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.

**Following council action, please submit your city's delegates through the online submission portal by Tuesday, Sept. 1, 2026.** When completing the Voting Delegate submission form, you will be asked to attest that council action was taken. You will need to be signed in to your My Cal Cities account when submitting the form.

Submitting your voting delegate form by the deadline will allow us time to establish voting delegate/alternate records prior to the conference and provide pre-conference communications with voting delegates.

**Conference Registration Required.** The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. Conference registration opens June 2.

For a city to cast a vote, one voter must be present at the General Assembly and in possession of the voting delegate card and voting tool. Voting delegates and alternates need to pick up their conference badges before signing in and picking up the voting delegate card at the voting delegate desk. This will enable them to receive the special sticker on their name badges that will admit the voting delegate into the voting area during the General Assembly.

Please view Cal Cities' event and meeting policy in advance of the conference.

**Transferring Voting Card to Non-Designated Individuals Not Allowed.** The voting delegate card may be transferred freely between the voting delegate and alternates, but *only* between the voting delegate and alternates. If the voting delegate and alternates find themselves unable to attend the General Assembly, they may *not* transfer the voting card to another city official.

**Seating Protocol during General Assembly.** At the General Assembly, individuals with a voting card will sit in a designated area. Admission to the voting area will be limited to the individual in possession of the voting card and with a special sticker on their name badge identifying them as a voting delegate.

The voting delegate desk, located in the conference registration area of the Anaheim Convention Center, will be open at the following times: Wednesday, Sept. 23, 8:00 a.m.-6:00 p.m. and Thursday, Sept. 24, 7:30 a.m.-4:00 p.m. On Friday, Sept. 25, the voting delegate desk will be open at the General Assembly, starting at 7:30 a.m., but will be closed during roll calls and voting.

The voting procedures that will be used at the conference are attached to this memo. Please share these procedures and this memo with your council and especially with the individuals that your council designates as your city's voting delegate and alternates.

Once again, thank you for submitting your voting delegate and alternates by Tuesday, Sept. 1. If you have questions, please contact Zach Seals at zseals@calcities.org.

Attachments:

- General Assembly Voting Guidelines
- Information Sheet: Cal Cities Resolutions and the General Assembly

## General Assembly Voting Guidelines

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to Cal Cities policy.

2. **Designating a City Voting Representative.** Prior to the Cal Cities Annual Conference and Expo, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the voting delegate form provided to the Cal Cities Credentials Committee.

3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the voting delegate desk in the conference registration area. Voting delegates and alternates must sign in at the voting delegate desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the General Assembly.

4. **Signing Initiated Resolution Petitions**. Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the credentials committee at the voting delegate desk, may sign petitions to initiate a resolution.

5. **Voting.** To cast the city's vote, a city official must have in their possession the city's voting card and voting tool; and be registered with the credentials committee. The voting card may be transferred freely between the voting delegate and alternates but may not be transferred to another city official who is neither a voting delegate nor alternate.

6. **Voting Area at General Assembly.** At the General Assembly, individuals with a voting card will sit in a designated area. Admission to the voting area will be limited to the individual in possession of the voting card and with a special sticker on their name badge identifying them as a voting delegate.

7. **Resolving Disputes**. In case of dispute, the credentials committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the General Assembly.

LEAGUE OF CALIFORNIA CITIES

# How it works: Cal Cities Resolutions and the General Assembly

**Developing League of California Cities policy is a dynamic process that engages a wide range of members to ensure Cal Cities represents cities with one voice. These policies directly guide Cal Cities' advocacy to promote local decision-making, and lobby against statewide policies that erode local control.**

**The resolutions process and General Assembly is one way that city officials can directly participate in the development of Cal Cities policy. If a resolution is approved at the General Assembly, it becomes official Cal Cities policy. Here's how resolutions and the General Assembly work.**

## Prior to the Annual Conference and Expo

### General Resolutions

Sixty days before the Annual Conference and Expo, Cal Cities members may submit policy proposals on issues of importance to cities. The resolution must have the concurrence of at least five additional member cities or individual members.

### Policy Committees

The Cal Cities President assigns general resolutions to policy committees where members review, debate, and recommend positions for each policy proposal. Recommendations are forwarded to the Resolutions Committee.

## During the Annual Conference and Expo

### Petitioned Resolutions

The petitioned resolution is an alternate method to introduce policy proposals during the annual conference. The petition must be signed by voting delegates from 10% of member cities, and submitted to the Cal Cities President at least 24 hours before the beginning of the General Assembly.

### Resolutions Committee

The Resolutions Committee considers all resolutions. General Resolutions approved[1] by either a policy committee or the Resolutions Committee are next considered by the General Assembly. General resolutions not approved, or referred for further study by both a policy committee and the Resolutions Committee do not go to the General Assembly. All Petitioned Resolutions are considered by the General Assembly, unless disqualified.[2]

### General Assembly

During the General Assembly, voting delegates debate and consider general and petitioned resolutions forwarded by the Resolutions Committee. Potential Cal Cities bylaws amendments are also considered at this meeting.

## Who's who

Cal Cities policy development is a member-informed process, grounded in the voices and experiences of city officials throughout the state.

The **Resolutions Committee** includes representatives from each Cal Cities diversity caucus, regional division, municipal department, and policy committee, as well as individuals appointed by the Cal Cities president.

**Voting delegates** are appointed by each member city; every city has one voting delegate.

The **General Assembly** is a meeting of the collective body of all voting delegates —one from every member city.

Seven **policy committees** meet throughout the year to review and recommend positions to take on bills and regulatory proposals. Policy committees include members from each Cal Cities diversity caucus, regional division, and municipal department, as well as individuals appointed by the Cal Cities president.

[1] The Resolution Committee can amend a general resolution prior to sending it to the General Assembly.
[2] Petitioned Resolutions may be disqualified by the Resolutions Committee according to Cal Cities Bylaws Article VI. Sec. 5(f).

For more information visit www.calcities.org/general-assembly

CITY OF HAYWARD

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

**File #:** RPT 26-057

**DATE:** August 18, 2026

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT**

Fiscal Year 2026 Q3 and Q4 Semiannual Capital Improvement Program Progress Report

**RECOMMENDATION**

That the City Council reviews the FY26 Q3 and Q4 Semiannual Capital Improvement Program (CIP) Progress Report.

**SUMMARY AND BACKGROUND**

The CIP is a planning document intended to guide the City's capital project expenditures for the upcoming ten-year period. The purpose of the CIP Semiannual Progress Report (Report) is to update City Council and the public on the status of CIP projects, as well as to highlight the accomplishments that occurred in each semiannual period. In recent years, staff have presented the report in a PDF format as an attachment to the corresponding staff report for that reporting period.

To increase accessibility and ease of navigation, staff transitioned the report to a new online dashboard, utilizing Clearpoint Strategy, in early 2026. The online dashboard provides users with access to budget information for each CIP project being reported on and details any General Fund or Measure C impact where applicable. Further, the Report details activities completed within the reporting period; status, such as completed, on track, delayed, etc.; percent complete, and target completion date. The Reportcan be found on the CIP homepage posted on the City's website, under the CIP Progress Report section. A PDF version of the report is also included in Attachment II for active projects and Attachment III for completed projects.

**ATTACHMENTS**

| | |
|---|---|
| Attachment I | Staff Report |
| Attachment II | In-Progress Projects |
| Attachment III | Completed Projects |

**DATE:** August 18, 2026

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT:** FY26 Q3 and Q4 Semiannual Capital Improvement Program Progress Report

## RECOMMENDATION

That the City Council reviews the FY26 Q3 and Q4 Semiannual Capital Improvement Program (CIP) Progress Report.

## SUMMARY AND BACKGROUND

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## FISCAL IMPACT

This item has no impact on General Fund or Measure C.

[1] https://ciphayward.clearpointstrategy.com/
[2] https://www.hayward-ca.gov/your-government/documents/capital-improvement-program

The effort to provide a Progress Report semiannually is absorbed in the Department's existing budget. The adopted capital budget for FY26 totals about $161 million, with a total of approximately $1.3 billion tentatively programmed for the entire ten-year period from FY26 through FY35. An additional $709 million in unfunded needs were identified for the same period.

**DISCUSSION**

The FY26 Quarter 3 and Quarter 4 CIP Progress Report covers the period between January 1, 2026, to June 30, 2026. While the Adopted FY26 CIP contains almost two hundred capital projects, the progress report only includes major projects of interest with activities occurred in FY26 Quarter 3 and Quarter 4, or projects of high interest to the public. To not inundate City Council and the public with progress updates on CIP projects related to routine maintenance, replacements, repairs, or projects performed on an as needed basis, the number of projects reported has been reduced. An example of a routine project not included in the report for this period is Project No. 07679, Cogeneration System Maintenance, which is an annual project to maintain the energy-generating cogeneration facility located at the Water Resource Recovery Facility.

Significant ongoing vacancies in several key positions within the Public Works and Utilities Department, including Assistant Director – Utilities and Deputy Director – Engineering, among dozens of others, have impacted staff's ability to make significant progress on some CIP projects. However, active recruitments are in place to address some staffing shortages and fill vacancies. Nevertheless, significant progress continues to be made on design and construction of major CIP projects such as annual Pavement Rehabilitation projects and multi-year water line and sewer line improvement projects.

**ECONOMIC IMPACT**

Maintaining and improving the City's infrastructure, fleet, and equipment will have an unquestionable impact on maintaining and improving the economic health and vitality of the City. However, providing a Semiannual Progress Report will not have a direct economic impact.

**STRATEGIC ROADMAP**

The 2026 Strategic Roadmap updated in 2025 is at the forefront of the City's capital project planning efforts. As City Council adopts updates the Strategic Roadmap, staff will continue to ensure that CIP Projects align with the priorities set forth. CIP Projects touch the Confront Climate Crisis & Champion Environmental Justice, Enhance Community Safety & Quality of Life, Grow the Economy, and Strengthen Organizational Health Priorities. However, they predominantly support the Invest in Infrastructure Priority.

## SOCIAL EQUITY

Consideration of social equity has been an important element of selecting projects, such as roadway improvements, sidewalk improvements, traffic calming, complete streets, and landscaping.

## SUSTAINABILITY FEATURES

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

## PUBLIC CONTACT

The purpose of the Progress Report is to provide regular updates to City Council and the public on the status of CIP projects. The Progress Report[3] is posted for public view and can be found on the CIP homepage posted on the City's website[4], under the CIP Progress Report section.

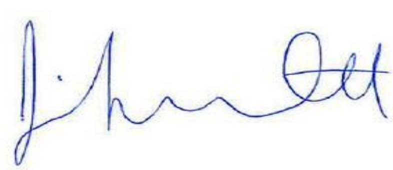
## NEXT STEPS

Staff will continue to provide semiannual reports on the status of selected projects within the City's adopted Capital Improvement Program.

*Prepared by*: Marissa Matta, Management Analyst

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

Approved by:



Jennifer Ott, City Manager

[3] https://ciphayward.clearpointstrategy.com/
[4] https://www.hayward-ca.gov/your-government/documents/capital-improvement-program

**Capital Improvement Program (CIP) Progress Report**
**FY26 Quarter 3 & 4 In Progress Projects (January 1, 2026 - June 30, 2026)**

| Project | Fund | Project Number | Percent Complete | Status | Target Completion Date | Activities | General Fund/Measure C Impact |
|---|---|---|---|---|---|---|---|
| Active Transportation Incentive and Promotion Program | 460 | 06937 | 50% | On track | April 30, 2027 | The City is continuing to distribute free bikes and safety accessories to Hayward residents through the Hayward Rides program, with over 500 bikes given out thus far. This City is continuing collaboration with Eden Youth for program management and promotion and Bike East Bay for free bike repairs and workshops every month. The City is working with Bike East Bay on deciding the locations for bike parking throughout the City and HUSD on upgrading bike racks at the school sites | This project is mainly supported by the California Air Resource Board's Clean Mobility in Schools and Sustainable Transportation Equity Project Grant, and partially funded by Fund 460 - Transportation Improvement Fund in the amount of $4,000, which does include transfers from the General Fund and Measure C. |
| Airport Layout Plan Update with Narrative | 621 | 06851 | 75% | Delayed | TBD | Airport staff have been working with a consultant to develop the Airport Layout Plan (ALP). There have been ongoing discussions with the Federal Aviation Administration (FAA) to ensure compliance with FAA policies and regulations. Updates to FAA forecasting, changes to FAA Design Standards, and the Federal Government shutdown have delayed the project. Negotiations with Hayward Area Recreational District (HARD) and the FAA are ongoing for the recreational use area of the former Skywest Golf Course. | This project has no General Fund or Measure C impact. |
| Airport Pavement Rehabilitation | 621 | 06890 | 0% | Ongoing | Ongoing | Several spot repairs were done on taxiways and ramp areas on the airfield, including the Green Ramp and Taxilane E and Taxiway F and A1. | This project has no General Fund or Measure C impact. |

| Project | Fund | Project Number | Percent Complete | Status | Target Completion Date | Activities | General Fund/Measure C Impact |
|---|---|---|---|---|---|---|---|
| Annual Sewer Line Replacements FY24 | 611 | 07789 | 10% | On track | October 2027 | Project bidding completed and is currently in the award phase | This project has no General Fund or Measure C impact. |
| Annual Sewer Line Replacements FY25 | 611 | 07799 | 0% | Not started | TBD | Not yet started. Engineering staff is working with Utilities Operations and Maintenance staff to review maintenance data and identify utilities to be included in the project. Design is anticipated to start in winter 2026. | This project has no General Fund or Measure C impact. |
| Annual Sewer Line Replacements FY26 | 611 | 07820 | 0% | Not started | TBD | Not yet started. Engineering staff is working with Utilities Operations and Maintenance staff to review maintenance data and identify utilities to be included in the project. Design is anticipated to start in winter 2026. | This project has no General Fund or Measure C impact. |
| Annual Water Line Improvements FY25 | 604 | 07077 | 0% | Not started | TBD | Design starting July 2026 | This project has no General Fund or Measure C impact. |
| Annual Water Line Improvements FY26 | 603 | 07121 | 0% | Not started | TBD | Not yet started. Engineering staff is working with Utilities Operations and Maintenance staff to review maintenance data and identify utilities to be included in the project. Design is anticipated to start in winter 2026. | This project has no General Fund or Measure C impact. |
| Annual Water Line Replacements FY24 | 603 | 07072 | 10% | On track | July 2027 | Construction scheduled to start August 2026 | This project has no General Fund or Measure C impact. |
| Annual Water Line Replacements FY25 | 603 | 07028 | 0% | Not started | TBD | Design started July 2026 | This project has no General Fund or Measure C impact. |
| Annual Water Line Replacements FY26 | 603 | 07022 | 0% | Not started | TBD | Not yet started. Engineering staff is working with Utilities Operations and Maintenance staff to review maintenance data and identify utilities to be included in the project. Design is anticipated to start in winter 2026. | This project has no General Fund or Measure C impact. |

| Project | Fund | Project Number | Percent Complete | Status | Target Completion Date | Activities | General Fund/Measure C Impact |
|---|---|---|---|---|---|---|---|
| Bicycle and Pedestrian Master Plan Implementation and Update | 213 | 05352 | 5% | On track | December 31, 2027 | RFP for the Bicycle and Pedestrian Plan Update was published and awarded to Alta Planning + Design. Project is expected to kick off in July 2026 beginning with the Public Engagement Plan. | This project has no General Fund or Measure C impact. |
| Campus Drive Sidewalk Improvement Construction Phase | 212 | 05350 | 0% | Not started | January 2027 | Construction has not yet started. Estimated 100% Set September 2026. Estimated Bid Advertisement to follow. | This project has no General Fund or Measure C impact. |
| Campus Drive Sidewalk Improvements - Phase I 2nd St to Oakes Dr | 212 | 05344 | 95% | On track | September 30, 2026 | Project progressed from 65% to approximately 95% PS&E (project specifications and estimate). Outstanding items C-3, Right of Way, and public outreach have been successfully completed. Staff anticipates 100% set ready by September 30, 2026 with advertisement and construction of the project to follow. | This project has no General Fund or Measure C impact. |
| Campus Drive Sidewalk Improvements - Phase II Oakes Dr to Highland Blvd | 212 | 05345 | 95% | On track | September 30, 2026 | Project progressed from 65% to approximately 95% PS&E (project specifications and estimate). Outstanding items C-3, Right of Way, and public outreach have been successfully completed. Staff anticipates 100% set ready by September 30, 2026 with advertisement and construction of the project to follow. | This project has no General Fund or Measure C impact. |
| Cast Iron Water Pipeline Replacement - Local Streets FY25 | 603 | 07080 | 0% | Not started | N/A | Not moving forward with this project. Funds will be released back into the fund balance. | This project has no General Fund or Measure C impact. |
| Cast Iron Water Pipeline Replacement - Local Streets FY26 | 603 | 07023 | 0% | Not started | N/A | Not moving forward with this project. Funds will be released back into the fund balance. | This project has no General Fund or Measure C impact. |

| Project | Fund | Project Number | Percent Complete | Status | Target Completion Date | Activities | General Fund/Measure C Impact |
|---|---|---|---|---|---|---|---|
| Citywide EV Charging Upgrades | 405 | 06923 | 10% | Ongoing | TBD | Eight EV Capable charging spaces were installed in May 2026 - four at the Corp Yard and four at Fire Station 1 as part of the solar and battery projects that were installed. Additional EV charging spaces and EV vehicle purchases are on hold pending funding. | This project is funded by Fund 405 - Capital Projects (Governmental) in the amount of $250,000. Fund 405 includes transfers from the General Fund and Measure C. |
| Clawiter Bike Lane | 450 | 05713 | 80% | Ongoing | Ongoing | Funds mostly expended. Staff is currently looking for opportunities to expend remaining funds. | This project has no General Fund or Measure C impact. |
| Community Based Transportation Plan | 460 | 06940 | 50% | On track | December 31, 2026 | The second steering committee meeting with community stakeholders was conducted to review outreach conducted thus far and to prepare for the final outreach push for late summer. The background and existing conditions chapters of the plan have been drafted and development is on track for a final draft in December 2026. | This project has no General Fund or Measure C impact. |
| Construct La Vista Park | 405 | 06914 | 30% | On track | Q3 2027 | The project is on track. Construction work started at the end of March with grading and underground utilities installation. | This project is funded by Fund 405 - Capital Projects (Governmental); however, the originally budgeted Measure C contribution of $5,200,000 has recently been removed from this project. |
| Corporation Yard Needs Assessment | 604 | 07103 | 90% | On track | Q3 2026 | Project is on track. The Consultant has completed the needs assessment and presented the preliminary project cost estimates and proposed phasing plan for the City's review. | This project has no General Fund or Measure C impact. |

| Project | Fund | Project Number | Percent Complete | Status | Target Completion Date | Activities | General Fund/Measure C Impact |
|---|---|---|---|---|---|---|---|
| D Street Traffic Calming & Implementation | 212 | 05225 | 60% | On track | June 30, 2027 | Request for Proposal (RFP) for PS&E was published and awarded to Bennett Engineering. Project design has kicked off and is expected to be completed towards the end of 2026 | This project has no General Fund or Measure C impact. |
| Design and Construct Water Pollution Control Facility Phase II upgrade | 612 | 07760 | 20% | Delayed | 2032 | Administration building and laboratory is under construction, with anticipated completion in 2027. Phase 2 Improvements design is complete but bidding and construction are on hold pending execution of federal WIFIA loan. | This project has no General Fund or Measure C impact. |
| Develop a Recycled Water Master Plan | 612 | 07709 | 90% | On track | August 31, 2026 | A draft version of the Recycled Water System Plan document is currently in progress. The final document will include potential projects the City can elect to implement to increase recycled water use involving the expansion of the existing recycled water treatment facilities, and the storage and distribution infrastructure. | This project has no General Fund or Measure C impact. |
| Downtown Bike Loop | 213 | 05353 | 5% | On track | October 31, 2027 | Some outreach has been performed, with additional outreach events scheduled throughout the summer. Design activities have started and the project is expected to be complete within a year. | This project has no General Fund or Measure C impact. |

| Project | Fund | Project Number | Percent Complete | Status | Target Completion Date | Activities | General Fund/Measure C Impact |
|---|---|---|---|---|---|---|---|
| Downtown Parking Implementation | 405 | 06971 | 10% | On track | Fall 2027 | The City has coordinated across departments to begin a pilot parking enforcement program in the Downtown area, with plans to implement a temporary residential parking permit program in late summer. Enforcement steps in Q3/Q4 included allocating vehicles, technology, and staff to enforcement, and messaging the public about the process. Adaptive changes also included creation of long-term parking in key municipal lots, which created additional off-street parking opportunities for employees at business that do not have adequate off-street facilities of their own. | This project is funded by Fund 405 - Capital Projects (Governmental), in the amount of $100,000, which does include transfers from the General Fund and Measure C. |
| Downtown Parking Program | 405 | 06913 | 60% | On track | Summer 2027 | The City has coordinated across departments to begin a pilot parking enforcement program in the Downtown area, with plans to implement a temporary residential parking permit program in late summer. Enforcement steps in Q3/Q4 included allocating vehicles, technology, and staff to enforcement, and messaging the public about the process. Adaptive changes also included creation of long-term parking in key municipal lots, which created additional off-street parking opportunities for employees at business that do not have adequate off-street facilities of their own. | This project is funded by Fund 405 - Capital Projects (Governmental), in the amount of $188,000, which does include transfers from the General Fund and Measure C. |

| Project | Fund | Project Number | Percent Complete | Status | Target Completion Date | Activities | General Fund/Measure C Impact |
|---|---|---|---|---|---|---|---|
| Downtown Specific Plan Implementation (Foothill Blvd., A St., B St., and C St.) | 215 | 05237 | 90% | On track | June 30, 2026 | Mission Blvd on-street parking pilot program has been installed, helping the City to study the feasibility of a road diet on Mission Blvd. City staff have performed post-project data analysis and outreach and considers the pilot project to be successful. Modifications to the pilot project to address minor issues may still occur in the next six months. The Downtown Specific Plan Implementation project also supports traffic modeling and analysis work for the downtown area. | This project has no General Fund or Measure C impact. |
| Evaluate Alternatives to Downtown Loop | 460 | 06945 | 65% | On track | March 2027 | Completed 2nd round of outreach and presented alternatives to Council on June 2nd. | This project has no General Fund or Measure C impact. |
| Finish a preliminary feasibility report on a new Police Building | 406 | 07423 | 100% | | Complete | Programming, space needs, conceptual design and site assessment for the new Public Safety Center are completed. This included a final study report which was presented to the CIAC on 2/25/26. | This project is funded by Fund 406 - Measure C Capital, in the amount of $625,000. |
| GIS Data Development and Conversion | 604,612 | 07177 | 70% | On track | August 2026 | Completed draft of water valves labeling. Completed pilot study of hyperlinks to record drawings. Working on draft of field notes and observation application. | This project has no General Fund or Measure C impact. |
| Harder Corridor Median Improvement | 406 | 07498 | 10% | On hold | June 2030 | Due to the City's current financial situation, the project scope was reduced by roughly 20% and put on hold in FY26 and FY27. This project is expected to recommence in FY28 and end in FY30. | This project is currently funded by Fund 406 - Measure C Capital in the amount of $1,000,000. |

| Project | Fund | Project Number | Percent Complete | Status | Target Completion Date | Activities | General Fund/Measure C Impact |
|---|---|---|---|---|---|---|---|
| Hayward Boulevard Safety Improvements | 212 | 05310 | 10% | On track | September 2027 | Phase 1 improvements completed September/October 2025. Phase 2 (pedestrian improvements) are under design. The City is currently developing topographic survey, which is the first step in developing project Plans, Specifications, and Estimates. | This project has no General Fund or Measure C impact. |
| Hesperian Frontage Road Improvement - Sueirro St to Phillips Way | 450 | 05742 | 100% | | Complete | Substantial completion on December 31, 2025. Final completion on January 30, 2026. Acceptance of Work on March 24, 2026. | This project has no General Fund or Measure C impact. |
| Hesperian Median Streetlight Improvement Project | 450 | 05349 | 5% | Delayed | June 2027 | Delayed due to Federal Aviation Administration (FAA) review and consideration of streetlight location and height. | This project has no General Fund or Measure C impact. |
| High Injury Network Safety Plan | 460 | 06942 | 50% | On track | November 2027 | Completed round 2 outreach and selected preferred alternatives for A Street, B Street, Tennyson Road (Phase 1). Kicked off and collected data and information for Hesperian Boulevard, Mission Boulevard, and Jackson Street (Phase 2). | Originally, this project was partially funded by Fund 460 - Transportation System Corridor which does include transfers from the General Fund and Measure C. In order to minimize the impact on General Fund, staff received City Council approval to remove the entire General Fund contribution of $264,000 for the required matching portion of the project and replace with an appropriation from Fund 213, Measure BB (Pedestrian& Bicycle). |
| Industrial Parkway/Ruus Road Bicycle Network and Intersection Improvements | 213 | 05716 | 7% | On track | October 2027 | City has been selected for HSIP funding and is currently developing the Project Plans, Specifications, and Estimate. RFP for design services will be issued in July 2026. Construction is expected in 2027. | This project has no General Fund or Measure C impact. |

| Project | Fund | Project Number | Percent Complete | Status | Target Completion Date | Activities | General Fund/Measure C Impact |
|---|---|---|---|---|---|---|---|
| Main Street Complete Street Project | 219,450 | 05283 | 100% | | Complete | Project complete. | This project has no General Fund or Measure C impact. |
| Mission Blvd Southend Frontage Island Improvement | 410 | 05839 | 0% | On hold | TBD | Project is indefinitely on hold. Caltrans is conducting capital improvements in this location which incorporate COH's intended improvements. | This project has no General Fund or Measure C impact. |
| Nature-Based Solution Feasibility Study | 612 | 07809 | 80% | On track | Fall 2026 | The project is approximately 80% through the schedule. Preliminary studies are complete, and 30% design documents are currently in progress. The project team has also participated in two community engagement events. | This project has no General Fund or Measure C impact. |
| New Fire Station No. 6 | 406 | 07481 | 99% | Delayed | November 30, 2026 | While buildings have been occupied, contractor still has remaining items in order to close out the project. | This project is funded by Fund 406 - Measure C Capital in the amount of $18,971,000. |
| New Fire Training Center | 406 | 07482 | 99% | Delayed | November 30, 2026 | While buildings have been occupied, contractor still has remaining items in order to close out the project. | This project is partially funded by Fund 406 - Measure C Capital in the amount of $41,866,000. |
| New Sidewalks - FY23 | 213 | 05305 | 95% | On track | January 29, 2027 | Waiting on 1 year landscape maintenance period to complete. | This project has no General Fund or Measure C impact. |
| New Sidewalks - FY24 | 213 | 05331 | 95% | On track | January 29, 2027 | Waiting on 1 year landscape maintenance period to complete. | This project has no General Fund or Measure C impact. |
| New Sidewalks - FY25 | 213 | 05339 | 10% | On track | December 31, 2026 | Performing in house design using survey data | This project has no General Fund or Measure C impact. |
| New Sidewalks - FY26 | 213 | 05355 | 10% | On track | December 31, 2026 | Conducting in house design using survey data. | This project has no General Fund or Measure C impact. |

| Project | Fund | Project Number | Percent Complete | Status | Target Completion Date | Activities | General Fund/Measure C Impact |
|---|---|---|---|---|---|---|---|
| Nighttime Safety Enhancement Plan | 215,460 | 05359 | 5% | On track | March 2028 | The Nighttime Safety Enhancement Plan will assess and recommend streetlight conditions and illuminance level to improve the nighttime travel safety and reduce any collisions happen in the dark conditions. The project just have began and the City is working with the consultant to collect and assess the existing streetlight conditions and preparing a listening session with Public Works staff to discuss streetlight maintenance, installations, and operations. | This project has no General Fund or Measure C impact. |
| Orchard Avenue Traffic Calming | 213 | 05312 | 25% | Delayed | July 2028 | Quick build project has been completed. Planning for permanent improvements not started. | This project has no General Fund or Measure C impact. |
| Patrick/Gading Complete Street Project | 210 | 05307 | 90% | On track | September 2026 | The Patrick Avenue component of the project is complete. Gading Road was repaved and a road diet and new bike lanes were implemented. However, there are some traffic calming measures still to be installed. The City has received responsive bids for this work and will proceed in Summer 2026 | This project has no General Fund or Measure C impact. |
| Pavement Improvement of Hesperian Frontage Road | 212 | 05346 | 75% | On track | November 2026 | This project has been incorporated into larger pavement improvement project and is scheduled to be paved in Summer 2026. | This project has no General Fund or Measure C impact. |
| Pavement Rehabilitation - FY26 | 210,211,212,218 | 05347 | 75% | On track | November 2026 | Construction started on 5/26/26 | This project has no General Fund or Measure C impact. |
| Pedestrian Crossing Upgrades on Minor Arterials | 213,460 | 05308 | 30% | On track | December 31, 2027 | The project's current stage is 30% plan set design (PS&E) has been completed. The 60% PS&E design will be completed at the end of July-26. | This project has no General Fund or Measure C Impact. |

| Project | Fund | Project Number | Percent Complete | Status | Target Completion Date | Activities | General Fund/Measure C Impact |
|---|---|---|---|---|---|---|---|
| Pedestrian Traffic Signal Modifications and Improvements | 216 | 05175 | 5% | Ongoing | September 2028 | The project will upgrade pedestrian safety related infrastructure at the 27 signalized intersections in the City. The improvements include pedestrian countdown heads, accessible pedestrian signals, safety lights, curb ramp upgrades, and signal head upgrades such as yellow backplate and 8inch to 12 inch signal lights. City staff is working on Request for Proposal to procure engineering consultant. | This project is mainly supported by a $1,580,220 grant from Caltrans, and partially funded by Fund 460 - Street System Improvements in the amount of $76,000, which is funded by General Fund transfer. |
| Public Art Crosswalk Project | 405 | 06925 | 100% | | Complete | Project complete. | This project has a budget of $50,000 (Fiscal Year 2025) and is by funded by Fund 405 - Capital Projects (Governmental), which includes transfers from the General Fund. |
| Recycled Water Phase II | 604 | 07066 | 0% | On hold | TBD | Following completion of the Recycled Water System Plan, the City will identify and implement planning, design and construction of a project(s) to expand the existing recycled water treatment facility, and storage and distribution infrastructure. | This project has no General Fund or Measure C impact. |
| Route 238 Corridor Improvement Project - Phase 3 Final Design and Construction | 410 | 05287 | 100% | | Completed | The construction contract was completed on November 13, 2025 and was accepted as complete on January 7, 2026. | This project has no General Fund or Measure C impact. |
| Rt 238 Parcel Group 3 & 4 | 411 | 7721 | 25% | Ongoing | TBD | Project is still in progress. City Council has declared the property surplus. | This project has no General Fund or Measure C impact. |
| Rt 238 Parcel Group 5 | 411 | 07722 | 25% | Ongoing | TBD | Project under review with Developer | This project has no General Fund or Measure C impact. |
| Rt 238 Parcel Group 6 | 411 | 07723 | 35% | Ongoing | TBD | Property has been declared for surplus per the Surplus Lands Act. | This project has no General Fund or Measure C impact. |

| Project | Fund | Project Number | Percent Complete | Status | Target Completion Date | Activities | General Fund/Measure C Impact |
|---|---|---|---|---|---|---|---|
| Rt 238 Parcel Group 8 - FMV Parcels | 411 | 07725 | 40% | Ongoing | TBD | Property has been declared surplus by City Council. Surplus Lands Act process is in progress. | This project has no General Fund or Measure C impact. |
| Rt 238 Parcel Group 9 | 411 | 07726 | 27% | Ongoing | TBD | The property has been declared surplus by City Council. Surplus Lands Act in process. | This project has no General Fund or Measure C impact. |
| Safe Routes for Seniors - Tennyson | 219 | 05323 | 30% | On track | December 2026 | City has received final construction documents and will be heard at City Council in early Fall 2026. Construction expected Fall 2026 | This project has no General Fund or Measure C impact. |
| Safe Routes to School Implementation Project | 460 | 06941 | 25% | On track | June 30, 2027 | City has received and reviewed 90% Project Plans, Specifications, and Estimates, and is currently awaiting 100% submittal. Construction will occur in 2026 and 2027. | This project has no General Fund or Measure C impact. |
| Santa Clara Street Traffic Calming Study and Implementation | 213 | 05313 | 40% | On track | March 2027 | Santa Clara St Safety Improvements Plan was prepared to increase travel safety and slow overall speed. The improvements plan has been presented through the survey and feedback has been collected from the residents and stakeholders. The Plan has been finalized and ready for for construction in August-September 2026. | This project has no General Fund or Measure C impact. |
| Sewer Collection System Master Plan | 612 | 07819 | 55% | On track | February 2027 | Completed flow monitoring. 24 flow meters were installed at various locations throughout the City for 2 months. Reviewed and processed water/sewer billing data to help calibrate the sewer model. Selected design and capacity criteria. | This project has no General Fund or Measure C impact. |
| Sewer Trunkline Condition Assessment & Repair Scope | 611 | 07823 | 20% | Ongoing | TBD | Inspection completed for 39-inch Valley View line | This project has no General Fund or Measure C impact. |
| Sidewalk Rehabilitation + Wheelchair Ramps FY25 | 450 | 05340 | 100% | | Complete | Project complete. | This project has no General Fund or Measure C impact. |

| Project | Fund | Project Number | Percent Complete | Status | Target Completion Date | Activities | General Fund/Measure C Impact |
|---|---|---|---|---|---|---|---|
| Sidewalk Rehabilitation + Wheelchair Ramps FY26 | 450 | 05348 | 0% | Not started | December 2026 | Project to start August 2026. | This project has no General Fund or Measure C impact. |
| Simme Seat Project | 215 | 05356 | 60% | On track | June 2027 | About 124 simme seats has been installed throughout the bus stops in the City so far. Remaining bus stops will be assessed and selected for simme seat installations. Simme seats are expected to install at additional 70-80 additional bus stops. | This project has no General Fund or Measure C impact. |
| Speed Management Plan | 460 | 06943 | 100% | | Complete | Completed. Plan approved by City Council. | Originally, this project was partially funded by Fund 460 - Transportation System Corridor which does include transfers from the General Fund and Measure C. In order to minimize the impact on General Fund, staff received City Council approval to remove the entire General Fund contribution of $264,000 for the required matching portion of the project and replace with an appropriation from Fund 213, Measure BB (Pedestrian& Bicycle). |
| Stack Center Construction | 405 | 06960 | 36% | Ongoing | TBD | Phase 2 target completion is 9/30/28. Phase 3 target completed is TBD. | This project is funded by Fund 405 - Capital Projects (Governmental);however, the originally budgeted Phase 2 Measure C contribution of $14,500,000 has recently been removed. |

| Project | Fund | Project Number | Percent Complete | Status | Target Completion Date | Activities | General Fund/Measure C Impact |
|---|---|---|---|---|---|---|---|
| Taxiway Zulu West Pavement Rehabilitation Construction | 621 | 06864 | 2% | On track | Q1 of 2027 | The construction contract has been signed. Request for Quote (RFQ) was developed for Construction Management services, and a consultant has been selected. Construction will begin in August 2026. | This project has no General Fund or Measure C impact. |
| Tennyson Rd and Winton Ave Adaptive Signal Coordination Project | 212,460 | 05342 | 90% | On track | December 2027 | Infrastructure and signal timing portion of project completed. Currently in monitoring phase. | This project has no General Fund or Measure C impact. |
| Tennyson Road Crossing Safety Improvements | 460 | 06944 | 20% | On track | December 2028 | Working on 35% design plans and resolving comments from Diagnostic Team. | This project has no General Fund or Measure C impact. |
| Traffic Calming Implementation Program | 460 | 05734 | 90% | Ongoing | Ongoing | Ongoing implementation of the Neighborhood Traffic Calming Program and responding to resident requests. | This project is funded by Fund 460 - Transportation Improvement Fund in the amount of $150,000 for FY26. Fund 460 includes transfers from the General Fund and Measure C. |
| Traffic Signal & Intelligent Transportation System Master Plan | 212 | 05351 | 0% | Not started | June 2028 | Project not yet started. | This project has no General Fund or Measure C impact. |
| WPCF (WRRF) Main 480V MCC Electrical Distribution Rehabilitation | 611 | 07656 | 90% | On track | October 2026 | All electrical installation items in the Main Switchboard (MSB) building have been completed, with only punch list items remaining open. Painting, flooring, other finishes, electrical cable routing, and programming are currently in progress at the Site Waste Pump Station. | This project has no General Fund or Measure C Impact. |
| WPCF (WRRF) New Administration Building & Lab Project | 612 | 07786 | 40% | On track | October 2027 | Ongoing activities include exterior and interior framing, gypsum board installation, MEPF (mechanical, electrical, plumbing, and fire service) installations, and underground electrical works. | This project has no General Fund or Measure C Impact. |

| Capital Improvement Program (CIP) Progress Report<br>FY26 Quarter 3 & 4 Completed Projects (January 1, 2026 to June 30, 2026) | | | | |
|---|---|---|---|---|
| **Projects** | **Fund** | **Project Number** | **Activities** | **General Fund/Measure C Impact** |
| Finish a preliminary feasibility report on a new Police Building | 406 - Measure C Capital Projects | 07423 | Programming, space needs, conceptual design and site assessment for the new Public Safety Center are completed. This included a final study report which was presented to the CIAC on 2/25/26. | This project is funded by Fund 406 - Measure C Capital Projects - Measure C Capital, in the amount of $625,000. |
| Hesperian Frontage Road Improvement - Sueirro St to Phillips Way | 450 - Street System Improvements | 05742 | Substantial completion on December 31, 2025. Final completion on January 30, 2026. Acceptance of Work on March 24, 2026. | This project has no General Fund or Measure C impact. |
| Public Art Crosswalk Project | 405 - Capital Projects (Governmental) | 06925 | Project complete. | This project has a budget of $50,000 (Fiscal Year 2025) and is by funded by Fund 405 - Capital Projects (Governmental) - Capital Projects (Governmental), which includes transfers from |
| Route 238 Corridor Improvement Project - Phase 3 Final Design and Construction | 410 - Route 238 Corridor Improvement | 05287 | The construction contract was completed on November 13, 2025 and was accepted as complete on January 7, 2026. | This project has no General Fund or Measure C impact. |
| Sidewalk Rehabilitation + Wheelchair Ramps FY25 | 450 - Street System Improvements | 05340 | Project complete. | This project has no General Fund or Measure C impact. |

| Projects | Fund | Project Number | Activities | General Fund/Measure C Impact |
|---|---|---|---|---|
| Speed Management Plan | 460 - Transportation Improvement | 06943 | Completed. Plan approved by City Council. | Originally, this project was partially funded by Fund 460 - Transportation Improvement - Transportation System Corridor which does include transfers from the General Fund and Measure C. In order to minimize the impact on General Fund, staff received City Council approval to remove the entire General Fund contribution of $264,000 for the required matching portion of the project and replace with an appropriation from Fund 213, Measure BB (Pedestrian& Bicycle). |