

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, September 10, 2019

7:00 PM

Council Chambers

City Council

SPECIAL CITY COUNCIL MEETING**CALL TO ORDER Pledge of Allegiance: Mayor Halliday****ROLL CALL****CLOSED SESSION ANNOUNCEMENT****PRESENTATIONS**

Certificate of Commendation: Downtown Streets Team - Nonprofit of the Year -

Certificate of Commendation: Human Resources Director Nina Collins

PUBLIC COMMENTS

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

ACTION ITEM

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.

1. [APPT 19-007](#) Appointments and Reappointments to the Community Services Commission, Keep Hayward Clean and Green Task Force, Library Commission, Personnel Commission and Planning Commission (Report from City Clerk Lens)

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

CONSENT

2. [MIN 19-105](#) Minutes of the Special City Council Meeting on July 9, 2019
Attachments: [Attachment I Draft Minutes of 7/9/2019](#)
3. [MIN 19-106](#) Minutes of the City Council Meeting on July 16, 2019
Attachments: [Attachment I Draft Minutes of 7/16/2019](#)
4. [MIN 19-107](#) Minutes of the Special City Council Meeting on July 23, 2019
Attachments: [Attachment I Draft Minutes of 7/23/2019](#)
5. [CONS 19-559](#) Allocation of \$379,716 in HOME Investment Partnership Program Funds and Renewal of Rental Housing Grant Subsidy Agreement with Abode Services for Project Independence to Provide Tenant Based Rental Assistance to Emancipated and Former Foster Care Youth
Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
6. [CONS 19-590](#) Adopt a Resolution Approving Addendum Nos. 1 and 2 and Award a Construction Contract to Con-Quest Contractors, Inc. for the Recycled Water Customer Onsite Conversions Project, Project No. 07507
Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)

CITY MANAGER'S COMMENTS

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

COUNCIL REPORTS AND ANNOUNCEMENTS

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

7. [RPT 19-338](#) East Bay Community Energy Update (Presentation from Council Member Mendall)
Attachments: [Attachment I Presentation](#)

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.

8. [RPT 19-340](#) Consider an Item for Discussion on a Future City Council Agenda Regarding Corrective Actions with Reliant Regarding Mass Displacement of Leisure Terrace Tenants (Report from Council Member Wahab)

Attachments: [Attachment I Council Referral Memorandum](#)
[Attachment II Leisure Terrace Apartments](#)
[Attachment III Leisure Terrace Apartments Relocation Plan](#)
[Attachment IV Tenant Transition Narrative](#)

ADJOURNMENT

NEXT MEETING, September 24, 2019, 7:00 PM

PUBLIC COMMENT RULES

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

PLEASE TAKE NOTICE

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

PLEASE TAKE FURTHER NOTICE

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

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

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

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



CITY OF HAYWARD

Hayward City Hall
777 B Street
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File #: APPT 19-007

DATE: September 10, 2019

TO: Mayor and City Council

FROM: City Clerk

SUBJECT

Appointments and Reappointments to the Community Services Commission, Keep Hayward Clean and Green Task Force, Library Commission, Personnel Commission and Planning Commission

RECOMMENDATION

That the City Council adopts the resolution (Attachment II) confirming twenty-five appointments and nine reappointments to the City's Commissions and Task Force as follows: Community Services Commission (5); Keep Hayward Clean and Green Task Force (17); Library Commission (5); Personnel Commission (4); and Planning Commission (3). Table 1 provides information by meeting body.

SUMMARY

The annual recruitment for Commissions and the Keep Hayward Clean and Green Task Force (KHCGTF) was conducted from April 5, 2019 to July 5, 2019. One-hundred seventeen applications were received by the submission deadline and ninety-two applicants qualified to be considered for appointment. Following a process for evaluating requests for reappointment, attendance records, and overall performance of eligible members of the City's Commissions and KHCGTF, the City Council approved nine requests for reappointment as presented in Tables 2 through 6. The City Council also accepted eleven recommendations for KHCGTF service from the KHCGTF Subcommittee. Following a pre-screening process and 33 interviews, the City Council selected thirteen applicants for service on the Community Services Commission, Library Commission, Personnel Commission, and Planning Commission, and additionally, one individual for service on the KHCGTF. The resolution confirming the appointment and reappointment of members (Attachment II) contains the names by meeting body.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution

File #: APPT 19-007



DATE: September 10, 2019

TO: Mayor and City Council

FROM: City Clerk

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BACKGROUND AND DISCUSSION

On July 10, 2019, the KHCGTF Subcommittee, comprising KHCGTF Members Chuck Horner, Ginny Delaney, Ali Divine, and Jeff Haman, interviewed twenty-one applicants who had indicated KHCGTF as their first and only preference for service. Eleven applicants, selected by the Subcommittee, were recommended to the City Council.

During the Special City Council meeting on July 16, 2019, and as provided in the City Council Member Handbook, the City Council reviewed eleven reappointment requests and a report comprising all members' attendance records, completion of mandatory trainings, and overall performance. Based on attendance records and overall performance, the Council directed staff to invite four current members to meet with the City Council on July 23, 2019 and discuss their candidacy and attendance records. The four members were Planning Commission Member Daniel Goldstein, Planning Commission Member Julius Willis Jr., Library Commission Member Pedro Reynoso, and Library Commission Member Luis Prada. The reappointment request of Planning Commission Member Daniel Goldstein was accepted understanding that his attendance record would be carefully reviewed for the upcoming year. The reappointment request of Planning Commission Member Julius Willis Jr. was not accepted. Library Commission Member Luis Prada's seat was also vacated. The Council also accepted Library Commission Member Pedro Reynoso's request to continue to serve the remainder of his term. The two vacated seats were filled with selected members. Table 1 summarizes the filled seats and approved requests for reappointment by meeting body. Tables 1 through 6 summarize information by meeting body.

TABLE 1: SUMMARY OF FILLED VACANCIES AND APPROVED REAPPOINTMENTS

BODY	FILLED SEATS	APPROVED REAPPOINTMENT(S)	TOTAL
CSC ¹	3	2	5
KHCGTF ²	12	5	17
LC ³	5	0	5
Pers C ⁴	3	1	4
PC ⁵	2	1	<u>3</u>
			<u>34</u>

*The KHCGTF has five seats left unfilled while staff evaluates decreasing the number of members.

TABLE 2: COMMUNITY SERVICES COMMISSION (CSC):

#	NAME	APPROVED REAPPOINTMENT	NOT CONTINUING
1	Arvindra Reddy		x
2	Elisha Crader		x
3	Arzo Mehdavi	x	
4	Zachariah Oquenda	x	
5	Julie Roche*		x

¹ [Community Services Commission](#)

² [Keep Hayward Clean and Green Task Force](#)

³ [Library Commission](#)

⁴ [Personnel Commission](#)

⁵ [Planning Commission](#)

*Ms. Julie Roche was selected for service on the Planning Commission.

TABLE 3: LIBRARY COMMISSION:

#	NAME	TERMING OUT	NOT CONTINUING
1	Peter Bufete	x	
2	Kari McAllister	x	
3	Iris Murillo		x
4	Samantha Zhang		x
5	Luis Prada		x

TABLE 4: KEEP HAYWARD CLEAN AND GREEN TASK FORCE (KHCGTF):

#	NAME	APPROVED REAPPOINTMENT	NOT CONTINUING	RESIGNED
1	Jeffrey Haman	x		
2	Chuck Horner	x		
3	Lenora Taylor	x		
4	Jacquelyn Young	x		
5	Sharon Eva	x		
6	Tim Romano-Pugh		x	
7	Anika Patterson		x	
8	Tawana Smith		x	
9	Megha Salpekar		x	
10	Linda Dobb			10/3/17
11	Dwight Turner			2/6/18
12	Jillian Hogan			6/5/18
13	Stephen Ochoa			7/10/18
14	Wandra Williams			7/24/18
15	Arti Garg			9/18/18
16	Rick Solis			9/18/18
17	Lynne Clifton			1/8/19
18	Frederica Brewer			3/19/19
19	Hsieb Lemar			4/02/19
20	Vacancy (Added by Bylaws 3/23/17)			
21	Vacancy (Added by Bylaws 3/23/17)			
22	Vacancy (Added by Bylaws 3/23/17)			

TABLE 5: PERSONNEL COMMISSION:

#	NAME	TERMING OUT	APPROVED REAPPOINTMENT	NOT CONTINUING
1	Rachel Lucas			x
2	Doris Yates	x		
3	Mekia Fields			x
4	Erika Cortez		x	

TABLE 6: PLANNING COMMISSION (PC):

#	NAME	APPROVED REAPPOINTMENT	TERMING OUT	NOT CONTINUING
1	Dianne McDermott		x	
2	Daniel Goldstein	x		
3	Julius Willis Jr.			x

Council Members reviewed ninety-two applications and individually communicated their selections for Commissions to the City Clerk. There were thirty-one applicants who received at least three points and were invited to interview with the City Council on July 23, 2019 during a Special City Council meeting. Following the interviews, the City Council selected individuals for service as outlined in Attachment II.

As the number of impressive candidates was greater than the number of vacancies, City Council asked staff to evaluate the possibility of appointing alternates. Staff's analysis concluded in a recommendation, as a trial basis, of a waitlist of applicants who had been interviewed by the City Council but were not selected for service. The waitlist would be valid for one year and would expire at the beginning of the new recruitment. The process for appointing from the waitlist would follow the resolution accepting the resignation of a member. Any member of the City Council could pull from the consent calendar the report accepting the resignation and recommend that the City Clerk contact applicants on the wait list to confirm their interests in serving and eligibility status. The City Council, at a subsequent Council meeting, could nominate someone from the list to fill the vacated position for the remainder of the unexpired term.

FISCAL IMPACT

There is no fiscal impact associated with this report.

STRATEGIC INITIATIVES

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

PUBLIC CONTACT

Information about the annual recruitment was disseminated via various channels. Table 7 below provides a summary of the outreach efforts related to the recruitment.

TABLE 7: OUTREACH SUMMARY:

2019 Outreach	Date	Attendance/ Reach
Press Release	4/5/19	Citywide
Community Open House (Glide Tidings Church)	4/6/19	57 individuals
36th Annual Citywide Clean-Up & Community Fair	4/27/19	200 individuals
The Pioneer - CSU East Bay Newspaper	5/16/19	18,000 subscribers
The Daily Review, Hayward Newspaper	6/21/19	15,600 subscribers
Water Bill Mailer / Insert	4/16/19	30,000 residents
Water Bill Electronic Service	4/29/19	3,184 residents
Electronic Boards (Southland and Clear Channel)	4/5 - 7/5/19	Citywide
Social Media: Facebook	4/5 - 7/5/19	5,824 followers
Social Media: Twitter	4/5 - 7/5/19	4,146 followers
Social Media: NextDoor	4/5 - 7/5/19	19,372 members
Social Media: Instagram	4/5 - 7/5/19	1,304 followers
Channel 15	4/5 - 7/5/19	Citywide
City Newsletter - The Stack	4/9/19	67,807 subscribers
Cinco de Mayo Festival, Downtown Hayward	5/4/19	~ 5,000 individuals
Downtown Hayward Street Party	6/21/19	6,700 individuals
Email to HPD Community Advisory Panel Applicants	6/25/19	71 applicants
Movie in the Plaza (City Hall)	6/28/19	600 individuals
State of the City Address – Chamber of Commerce	6/27/19	160
Tennyson All America Festival	6/29/19	2,000 individuals
Hayward Chamber of Commerce Email Distribution	6/3/19	1,300 individuals

NEXT STEPS

Following Council's action, the City Clerk will administer the oath of affirmation to the new and reappointed members.

Prepared and Recommended by: Miriam Lens, City Clerk

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 19-_____

Introduced by Council Member _____

RESOLUTION CONFIRMING THE APPOINTMENT AND REAPPOINTMENT OF MEMBERS OF THE COMMUNITY SERVICES COMMISSION, KEEP HAYWARD CLEAN AND GREEN TASK FORCE, LIBRARY COMMISSION, PERSONNEL COMMISSION AND PLANNING COMMISSION

BE IT RESOLVED that the City Council of the City of Hayward does hereby confirm the appointment and reappointment of the following as members of the commissions and task force so designated.

APPOINTMENTS

Community Services Commission

Artavia Berry	(Succeeds Elisha Crader)	September 2022
Varsha Chauhan	(Succeeds Arvindra Reddy)	September 2021
Emily Chow	(Succeeds Julie Roche)	September 2023

Keep Hayward Clean and Green Task Force

Christina Cabrera	(Succeeds Dwight Turner)	September 2023
Carrie Conover	(Succeeds Tim Romano-Pugh)	September 2023
Rodney Hankins	(Succeeds Rick Solis)	September 2023
Patrick Kariuki	(Succeeds Lynne Clifton)	September 2020
Christopher Lopez	(Succeeds Arti Garg)	September 2023
Esther Lopez	(Succeeds Stephen Ochoa)	September 2023
Ly T Mac	(Succeeds Jillian Hogan)	September 2023
Adam Murphy	(Succeeds Hasieb Lemar)	September 2023
Chiemeka Okoronkwo	(Succeeds Linda Dobb)	September 2023
Debra Patton	(Succeeds Frederica Brewer)	September 2020
Jessica Stanley	(Succeeds Anika Patterson)	September 2023
Kenny Wong Many	(Succeeds Wandra Williams)	September 2023

Library Commission

Priscilla Banks	(Succeeds Iris Murillo)	September 2021
Anika Patterson	(Succeeds Kari McAllister)	September 2023
Suresh Sangiah	(Succeeds Luis Prada)	September 2021
Karima Sharifi	(Succeeds Samantha Zhang)	September 2023
Andrea Wong	(Succeeds Peter Bufete)	September 2023

Personnel Commission

Robert Gaumer	(Succeeds Mekia Fields)	September 2023
Denise Thompson	(Succeeds Rachel Lucas)	September 2022
Randy Wright	(Succeeds Doris Yates)	September 2023

Planning Commission

Julie Roche	(Succeeds Dianne McDermott)	September 2023
Robert Stevens	(Succeeds Julius Willis Jr.)	September 2023

REAPPOINTMENTS

Community Services Commission

Arzo Mehdavi	September 2023
Zachariah Oquenda	September 2023

Keep Hayward Clean and Green Task Force

Sharon Eva	September 2023
Jeffrey Haman	September 2023
Chuck Horner	September 2023
Lenora Taylor	September 2023
Jacquelyn Young	September 2023

Personnel Commission

Erika Cortez	September 2023
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Planning Commission

Daniel Goldstein	September 2023
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IN COUNCIL, HAYWARD, CALIFORNIA _____, 2019

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward



CITY OF HAYWARD

Hayward City Hall
777 B Street
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File #: MIN 19-105

DATE: September 10, 2019

TO: Mayor and City Council

FROM: City Clerk

SUBJECT

Minutes of the Special City Council Meeting on July 9, 2019

RECOMMENDATION

That the City Council approves the minutes of the Special City Council meeting on July 9, 2019.

SUMMARY

The City Council held a meeting on July 9, 2019.

ATTACHMENTS

Attachment I Draft Minutes of 7/9/2019



MINUTES OF THE SPECIAL CITY COUNCIL MEETING
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, July 9, 2019, 7:00 p.m.

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

ROLL CALL

Present: COUNCIL MEMBERS Zermeño, Márquez, Mendall, Lamnin, Wahab, Salinas
MAYOR Halliday
Absent: NONE

CLOSED SESSION ANNOUNCEMENT

The City Council convened in closed session at 5:00 p.m., regarding five items: 1) conference with legal counsel pursuant to Government Code 54956.9(d)(1) regarding Olvera v. City of Hayward, et al., Alameda County Superior Court, No. RG19016776 and Nelson v. City of Hayward, et al., U.S. District Court, N.D. CA., No. 3:16-cv-7222-SK; 2) conference with legal counsel pursuant to Government Code 54956.9(d)(2) regarding one anticipated case; 3) conference with real property negotiators pursuant to Government Code 54956.8 regarding Hayward Area Historical Society, 22398-22380 Foothill Boulevard, Hayward, APN: 415-0240-001-02; 4) conference with real property negotiators pursuant to Government Code 54956.8 regarding Caltrans Parcel Group 2: Mission Boulevard and Tennyson Road, APNs: 078C-0461-010-00, 078C-0461-011-00, 078C-0461-012-00, 078C-0461-013-00, Caltrans Parcel Group 3, adjacent to Tennyson Road, East 16th Street and Calhoun Street, APNs: 078C-0626-003-16, 078C-0626-003-09, 078C-0626-001-07; and 5) conference with real property negotiators pursuant to Government Code 54956.8 regarding Caltrans Parcel Group 6: Carlos Bee Boulevard and Overlook Avenue, APN: 455-0180-001-00. City Attorney Lawson announced there was no reportable action related to Items 1 through 4. Item 5 was not discussed and would be agendized at another time.

Mayor Halliday indicated that City staff had requested to move Public Hearing Item 13 to July 16, 2019, and with Council's consensus, the item was moved to July 16, 2019.

PUBLIC COMMENTS

Bishop Macklin, spoke in support of the South Hayward Youth and Family Center Project and introduced his son, Reverend Erin Macklin, associate pastor at Glide Tidings Church.

Ms. Barbara Sacks, Hayward resident, complimented the work done with the medians on Mission Boulevard and the loop.

Mr. Chris Cagurangan, Hayward resident, expressed concern about illegal fireworks and asked staff to enforce the prohibition against fireworks.

Mr. Jim Drake, Hayward resident, spoke about the 4th of July fireworks, price of gas in Hayward, and Conditions of Approval for the Taqueria El Mezcal and removal of project trees.

Mr. George Vogt, attorney for Collins Electrical Inc., thanked the Council for continuing Public Hearing Item 13 to July 16, 2019, and reassured the Council that Collins Electrical was committed to getting the project completed within the given timeline.

The following speakers submitted speaker cards for Public Hearing Item 13 but did not speak due to the item being continued.

Mr. Kevin Gini

Mr. Rick Henry

Mr. Temple Marcee

CONSENT

Mayor Halliday noted that staff had requested to continue Consent Item 5 to July 16, 2019. Consent Item 11 was removed from the Consent Calendar for separate vote.

1. Minutes of the City Council Meeting on June 25, 2019 **MIN 19-092**

It was moved by Council Member Márquez, seconded by Council Member Mendall, and carried unanimously, to approve the minutes of the City Council Meeting on June 25, 2019.

2. Adoption of an Ordinance Amending the City's Downtown Specific Plan and Code Related to the Parking Provisions in the Adopted Plan and Code Documents **CONS 19-509**

Staff report submitted by City Clerk Lens, dated July 9, 2019, was filed.

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

Ordinance 19-15, "An Ordinance of the Council of the City of Hayward Amending the City's Downtown Specific Plan and Code Related to the Parking Provisions in the Adopted Plan and Code Documents"

3. Adopt a Resolution to Terminate the Green Hayward PAYS Pilot Program **CONS 19-471**

Staff report submitted by Public Works Director Ameri, dated July 9, 2019, was filed.

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



MINUTES OF THE SPECIAL CITY COUNCIL MEETING
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, July 9, 2019, 7:00 p.m.

Resolution 19-154, "Resolution Terminating the Green Hayward Pays Pilot Program"

4. Adopt a Resolution Authorizing the City Manager to Execute Amendment No. 1 to Professional Services Agreement with Pavement Engineering, Inc., to Provide Engineering Services for the FY 20 Pavement Rehabilitation and Maintenance and the Winton Avenue Pavement Rehabilitation Projects **CONS 19-487**

Staff report submitted by Public Works Director Ameri, dated July 9, 2019, was filed.

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

Resolution 19-155, "Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Professional Services Agreement with Pavement Engineering, Inc., for the FY 20 Pavement Rehabilitation and Preventive Maintenance Project and the West Winton Avenue (Hesperian Boulevard to Santa Clara Street) Pavement Rehabilitation Project"

5. Adopt a Resolution Approving the Green Infrastructure Plan **CONS 19-493**

The item was continued to July 16, 2019.

6. Adopt a Resolution Authorizing Delinquent Charges for Delinquent Garbage Bills Incurred by Property Owners of Single-Family Residence Households **CONS 19-494**

Staff report submitted by Public Works Director Ameri, dated July 9, 2019, was filed.

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

Resolution 19-156, "Resolution Confirming the Report and Special Assessment List Associated with Delinquent Garbage Bills Incurred by Residential Property Owners with CART Service"

7. Adopt a Resolution Confirming the Report and Special Assessment for Delinquent Sewer Bills and Water Bills Incurred by Property Owners and Authorizing the Delinquent Charges to Become a Special Assessment Against the Properties if Not Paid by August 1, 2019 **CONS 19-495**

Staff report submitted by Public Works Director Ameri, dated July 9, 2019, was filed.

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

Resolution 19-157, "Resolution Confirming the Report and Special Assessment List Associated with Delinquent Water and Sewer Bills and Authorizing the Delinquent Charges to become a Special Assessment Against the Properties if not paid by August 1, 2019"

8. Adopt a Resolution Approving Addendum Nos. 1 and 2, Awarding a Contract with Los Loza Landscaping in the amount of \$198,569, and Authorizing Expenditures of up to \$282,426 for the Fire Stations 2 – 5 Landscape Improvements Project **CONS 19-513**

Staff report submitted by Public Works Director Ameri, dated July 9, 2019, was filed.

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

Resolution 19-158, "Resolution Approving Addendum No. 1 and No. 2 for the Fire Stations 2-5 Landscape Improvements Project, Project Nos. 07476, 07477, 07478, and 07480 and Awarding the Contract to Los Loza Landscaping"

9. Adopt a Resolution Authorizing the City Manager to Increase the Appropriation of Funds and Contract Amount for Elite Landscape Construction by \$55,603 for the Industrial Parkway West Median Landscape Improvement Project for a Not-to-Exceed Amount of \$593,603 and Increase Budget Appropriation by \$21,553 **CONS 19-524**

Staff report submitted by Public Works Director Ameri, dated July 9, 2019, was filed.

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

Resolution 19-159, "Resolution Authorizing the City Manager to Increase the Appropriation of Funds and the Elite Landscape Construction Contract Amount for the Industrial Parkway West



MINUTES OF THE SPECIAL CITY COUNCIL MEETING
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, July 9, 2019, 7:00 p.m.

Median Landscape Improvement Project”

10. Adopt a Resolution Authorizing the Mayor to Sign Letters of Support for Recycling Bills SB 54 and AB 1080 **CONS 19-515**

Staff report submitted by Public Works Director Ameri, dated July 9, 2019, was filed.

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

Resolution 19-160, “Resolution Authorizing the Mayor to Sign Letters of Support for Assembly Bill 1080 and Senate Bill 54, both known as the California Circular Economy and Plastic Pollution Reduction Act”

11. Authorize the City Manager to Negotiate and Execute a Contract Between Cole Pro Media, LLC and the Hayward Police Department to Provide Media Consulting Services in an Amount Not to Exceed \$127,500 **CONS 19-501**

Staff report submitted by Interim Police Chief Matthews, dated July 9, 2019, was filed.

Council Member Márquez requested that information shared by the Police Department also be provided in Spanish, at a minimum.

Council Member Márquez offered a motion per staff’s recommendation and Council Member Zermeño seconded the item.

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

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

Resolution 19-161, “Resolution Authorizing the City Manager to Negotiate and Execute a Contract Between Cole Pro Media, LLC and the Hayward Police Department to Provide Media Consulting Services, in an Amount Not to Exceed \$127,500”

WORK SESSION

12. Update on the South Hayward Youth and Family Center Project (Report from Fire Chief Contreras) WS 19-044

Staff report submitted by Fire Chief Contreras, dated July 9, 2019, was filed.

City Manager McAdoo and Management Analyst Thomas provided a synopsis of the staff report.

There being no public comments, Mayor Halliday opened and closed the public comments section at 7:51 p.m.

Council members agreed with the project goals and highlighted the desire to hold special Council meetings at the center. Council members also offered the following suggestions: evaluate partnering with developers for potential housing above the proposed South Hayward Youth and Family Center and also consider lofts or studios for residential use; consider partnering with the Hayward Adult School for the Café and Lounge use; consider a gymnasium similar to the YMCA model; consider an art gallery; consider a Cesar Chavez mural; evaluate leasing the commercial kitchen at the Matt Jimenez Community Center to a catering business; consider moving the Police substation into the complex and evaluate a floating desk/21st century kiosk as a satellite for City services such as building/license permits; broaden the vision for the proposed Center to include the larger community and create a place where businesses and nonprofit agencies collaborate; consider a craft market; consider services for seniors and job development for adults; focus on programming/use for kids; ensure the space is inviting and the entrance has an open space with benches and trees; ensure retailers are relevant, unified and harmonious with the park; ensure furniture and assets for the center are new; and ensure the use space is HIPAA (Health Insurance Portability and Accountability) compliant to ensure privacy standards. In addition, coordinate with HARD to explore an adult-size soccer field in South Hayward and consider a memorial at the Tennyson Park for “Hearts of Hayward” who were instrumental in the social services community.

Some Council members were in agreement with naming the campus “South Hayward Center” and renaming the Youth and Family Center “The Stack” and others suggested “South Hayward Connect Center”, “South Hayward Engage Center” or “The Campus”; and naming the center “El Centro” or “Family Resource Center”. There was also a suggestion to have one name for both the campus and the center.

Council members asked staff to conduct further research regarding parking options: support of a lease with HARD and against any property acquisition; explore the possibility of sharing parking with the retailers along Tennyson Road and removing the fencing between the park and the retailers to increase visibility and park access; evaluate building the center with less parking spots as long as there was a plan to correct it if needed; plan for meeting the 46 spots gap; and share parking with Tennyson Park through a parking variance.



MINUTES OF THE SPECIAL CITY COUNCIL MEETING
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, July 9, 2019, 7:00 p.m.

Council members offered the following recommendations for funding opportunities to explore: use of a portion of proceeds from Caltrans properties to fund the center; allocate HUD funds through Opportunity Zones; expand the request for proposal and make it broader to also expand the funding mechanism; and create a cohesive plan and design to attract donors willing to fund the remaining project gap.

Council members agreed with the recommended route for the Tennyson Complete Streets Study.

Council members were amenable to the HARD/City land swap and the one-year contract between the City and the Matt Jimenez Community Center.

PUBLIC HEARING

13. 21st Century Library and Community Learning Center and Heritage Plaza: Public Contract Code § 4107 Hearing Regarding Removal and Substitution of the Electrical Subcontractor, Collins Electrical Company, Inc (Report from Public Works Director Ameri and City Attorney Lawson) **PH 19-070**

Mayor Halliday restated that the Public Hearing was continued to July 16, 2019.

14. Approval of a Resolution Certifying an Addendum to the 2014 General Plan Environmental Impact Report, Approval of Master Development Plan, and Authorization for the City Manager to Issue a Request for Proposals for the Disposition and Development of Parcel Group 5: Bunker Hill (Report from City Manager McAdoo) **PH 19-067**

Staff report submitted by Deputy City Manager Ott, dated July 9, 2019, was filed.

Deputy City Manager Ott and Management Analyst II Stefanski provided a synopsis of the staff report.

Discussion ensued among Council members and City staff regarding: the housing affordability crisis, rentals and moderate ownership and the 238 parcels; options to satisfy the City's affordable housing requirements; vehicle circulation improvements, alternative transportation mode and emergency response; Request for Proposal (RFP) for the disposition and development of Bunker Hill; Project Labor Agreement requirements in the RFP; and proposed rezone of Parcel Group 5.

Council Member Márquez suggested that future related staff reports capture the current Regional Housing Needs Allocation (RHNA) numbers and how developments in the pipeline

will help meet affordable housing needs and perhaps a joint work session of the City Council and the Planning Commission.

Mayor Halliday opened the public hearing at 9:27 p.m.

The following neighbors of Bunker Hill provided the following input: develop Bunker Hill while minimizing negative impacts to the neighborhood; maintain the rural character of the neighborhood; consider 15,000 square foot for the average lot size; keep the maximum lot coverage ratio at 30%; consider the development contingent to access to Carlos Bee Boulevard; have a higher gate at the intersection of Central Boulevard and Bunker Hill; opposed high-density housing due to the topography and anticipated traffic impact; be mindful of how the construction process will impact the neighborhood; consider lack of access to the proposal; address saving wildlife and endangered species; address concerns with road and traffic circulation; consider the minimum lot size at 7,000 square foot.

Mr. Matt Hodell, Central Boulevard resident
Ms. Colleen Cagurangan, Westview Way resident
Mr. Chris Cagurangan, Westview Way resident
Ms. Donna Fitzgerald, Westview Way resident
Mr. Eric Morkve, Westview Way resident
Mr. Kevin Ng, Maitland Drive resident
Ms. Peggy Guernsey, Delmar Avenue resident
Ms. Mary Ann Higgs, Westview Way resident
Ms. Debbie Frederick, Bunker Hill Boulevard resident
Mr. Thomas Birt, Bunker Hill Boulevard resident

Mr. Bruce King, Friends of San Lorenzo Creek representative, suggested to establish a creek setback (20 feet from the creek) for the houses; establish ownership, responsibilities and funding for the open space and creek, e.g., permanent conservation easement and endowment; add a trail through the open space and creek area; and conduct debris cleanup in creek areas and conduct limited restoration.

The following individuals provided the following input: amend the Master Development Plan to address the need for affordable housing; modify the RFP to include 24 homes as deed-restricted affordable housing units; offer right of first refusal to displaced tenants for the deed-restricted homes; consider the State Surplus Land Act to enable the city to first offer surplus lands to affordable housing developers or have a city policy to guide the disposition of public land; and consider increasing affordable housing across the 238 parcels.

Ms. Lacei Amodei, Hayward resident
Ms. Elisha Crader, Hayward resident
Ms. Alicia Lawrence, Hayward resident



MINUTES OF THE SPECIAL CITY COUNCIL MEETING
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, July 9, 2019, 7:00 p.m.

Mr. Jesus Reynoso, via a Spanish-English interpreter, noted housing was being constructed without a plan to preserve the rural nature of the neighborhood and suggested planting native trees and a forest.

Mayor Halliday closed the public hearing at 10:10 p.m.

Council Members disclosed they had attended the tour of Route 238 properties in August 2018 and had met with community members of Parcel Group 5, Bunker Hill.

Council members acknowledged they had been listening to concerns voiced by community members regarding the development of Parcel Group 5; noted that Council's action was to authorize the City Manager to issue the RFP for the development of Bunker Hill and there would be ample opportunity to provide additional input regarding the development; acknowledged that in response to the regional housing crisis, there was a need to create more housing while preserving the rural character of the neighborhood; had reservations that accessory dwelling units (ADUs) were the solution to address the need for affordable housing; favored having the Bunker Hill community members be a part of vetting the RFP process.

Council Member Mendall acknowledged the specific suggestions regarding trail access, sequencing of road construction, and Mr. King's recommendations, and suggested they be incorporated in the process.

Council Member Mendall offered a motion per staff's recommendation including but not limited to the 5,000 to 20,000 square foot lot size with a 10,000 average and 30% to 40% maximum lot coverage ratio.

Council Member Zermeño seconded the motion and asked for wide access through Carlos Bee Boulevard noting he would be voting against the development if there was no such access.

Council Member Lamnin concurred with the motion and offered a friendly amendment to accomplish the development of on-site affordable units by modifying language in the second option to include a preference to include on-site affordable housing units.

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

Council Member Lamnin recommended that staff ask the developer to work on addressing the need to construct new vehicular access to the development and consider putting all the responsibility for the riparian and other protected areas on the new set of homes.

Council Member Márquez expressed support for the motion on the floor, encouraged staff to include in the RFP weblinks to the pertinent City Council and Planning Commission meetings and require applicants to watch the meetings, and recommended staff consider language that offers right of first refusal to displaced tenants. Council Member Márquez noted the developer would need to use creativity to exceed the City's Affordable Housing Ordinance and build moderate on-site affordable housing to gain her vote.

Council Member Wahab recommended a portion of homes be more consolidated in one area that allows more open space; use trees and natural landscaping in lieu of fences; spoke against 7,000 square foot and above lot sizes in today's housing crisis and shortage of housing; favored development supportive of multigenerational housing; noted the need for multiple transportation paths, more parking, and sidewalks; and disagreed with the proposed 74 maximum number of units.

In response to Council Member Wahab's inquiry about the possibility of designating a portion of the parcel to be higher density, staff noted it would require a General Plan – Environmental Impact Report amendment which would cause a delay on the proposed development.

In an effort to achieve development of on-site affordable units and flexibility, Council Member Salinas suggested the language of the first option be amended by removing "preferred" from the first option to construct deed restricted rental accessory dwelling units (ADUs) and asked staff to draft appropriate language for the RFP.

Council Member Mendall and Zermeño accepted the amendment to the motion.

Council Member Márquez noted it would be important to provide an access point for safety and traffic and added the developer would need to propose two to three options to achieve on-site affordable housing.

Mayor Halliday noted the Council had listened to the community and evaluated the parcel carefully, was looking for creativity and offering flexibility, and was compromising in the development of the RFP.

Mayor Halliday offered an amendment to the motion to indicate a preference for a 30% lot coverage ratio and allowable up to 40% in order to accomplish a denser lot configuration.

Council Member Mendall did not accept the friendly amendment.

It was moved by Council Member Mendall, seconded by Council Member Zermeño, and carried with the following vote, to approve the resolution, including all friendly amendments:



MINUTES OF THE SPECIAL CITY COUNCIL MEETING
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, July 9, 2019, 7:00 p.m.

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

Resolution 19-162, "Resolution Adopting and Certifying an Addendum to the Previously Certified 2014 Hayward General Plan Environmental Impact Report and Mitigation Monitoring and Reporting Program Pertaining to the Route 238 Corridor Lands Development Parcel Group 5: Bunker Hill Master Development Plan"

Resolution 19-163, "Resolution Approving Master Development Plan and Authorizing the City Manager to Issue a Request for Proposals for the Sale of Route 238 Corridor Lands Parcel Group 5: Bunker Hill"

LEGISLATIVE BUSINESS

15. Designation of Voting Delegates and Alternates for the League of California Cities 2019 Annual Conference (Report from City Clerk Lens) **LB 19-038**

Staff report submitted by City Clerk Lens, dated July 9, 2019, was filed.

City Clerk Lens provided a synopsis of the staff report.

There being no public comments, Mayor Halliday opened and closed the public hearing at 11:02 p.m.

Council Member Salinas nominated Mayor Halliday to be Hayward's voting delegate and Council Member Lamnin the alternate to the League of California Cities 2019 Annual Conference. Council Member Márquez seconded the motion.

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

Resolution 19-164, "A Resolution Designating a Voting Delegate and an Alternate Voting Delegate as Hayward's Representatives to the League of California Cities 2019 Annual Conference"

INFORMATION ITEM

16. Informational Report on the Hayward Housing Navigation Center and Policy Approach for Prioritizing Future Navigation Center Residents RPT 19-319

Staff report submitted by Deputy City Manager Ott, dated July 9, 2019, was filed.

City staff noted there would be regular updates to the Council on the status of the Hayward Housing Navigation Center.

Council Member Lamnin noted the community was encouraged to participate in the funding process and information was available on the City's website.

Council Member Márquez respectfully requested, on the proposed and other projects, that any dedications in honor of community members who have passed be vetted by family members before proceeding in order to honor the family's preference.

CITY MANAGER'S COMMENTS

There were none.

COUNCIL REPORTS AND ANNOUNCEMENTS

Council Member Márquez received confirmation from staff that the Community Services Commission will address an item regarding the 2020 census at its meeting in the fall.

COUNCIL REFERRALS

None submitted.

ADJOURNMENT

Mayor Halliday adjourned the special meeting at 11:12 p.m., in memory of Mr. Lester Van Buren. Council Member Mendall noted that Mr. Lester Van Buren was a Hayward resident for 69 years, the last living elder at one of the first African American churches in Hayward, active in the Hayward Unified School District helping pass various funding measures, a mentor to teens, the father of Mr. Obray Van Buren, and had served the community.



MINUTES OF THE SPECIAL CITY COUNCIL MEETING
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, July 9, 2019, 7:00 p.m.

APPROVED

Barbara Halliday
Mayor, City of Hayward

ATTEST:

Miriam Lens
City Clerk, City of Hayward



CITY OF HAYWARD

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

File #: MIN 19-106

DATE: September 10, 2019

TO: Mayor and City Council

FROM: City Clerk

SUBJECT

Minutes of the City Council Meeting on July 16, 2019

RECOMMENDATION

That the City Council approves the minutes of the City Council meeting on July 16, 2019.

SUMMARY

The City Council held a meeting on July 16, 2019.

ATTACHMENTS

Attachment I Draft Minutes of 7/16/2019



MINUTES OF THE CITY COUNCIL MEETING
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, July 16, 2019, 7:00 p.m.

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

ROLL CALL

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

CLOSED SESSION ANNOUNCEMENT

The City Council convened in closed session at 6:00 p.m., regarding two items: 1) conference with real property negotiators pursuant to Government Code 54956.8 regarding Caltrans Parcel Group 6: Carlos Bee Boulevard and Overlook Avenue, APN: 455-0180-001-00; and 2) conference with legal counsel pursuant to Government Code 54956.9(d)(2) regarding one anticipated case. City Attorney Lawson reported there was no reportable action.

PRESENTATIONS

Assembly Member Bill Quirk read a resolution memorializing Former City of Hayward Mayor Roberta “Bertie” Grace Cooper and acknowledged the many contributions to the City of Hayward during her tenure as an elected official from 1994 to 2006. Bertie Cooper served as a council member for the Hayward City Council for six years before serving three-terms as mayor. Bertie Cooper’s son, Mr. Jay Cooper and her grandchildren, Joseph and Shanna, accepted the resolution on behalf of the Cooper family.

Mayor Halliday announced the library redesign contest presentation. The contest had the goal to design the new library card; the contest was divided into four age categories, 6 years of age and under, 7 to 12, 13 to 17, and 18 and over; and five designs were selected by age group with two designs from the 17 and over category. Mayor Halliday, President of the Friends of the Library, Judy Harrison, and Library Director Addleman presented awards and gifts to the five winners.

City Manager McAdoo stated that Public Hearing Item 15 was a hearing regarding removal and substitution of the Electrical Subcontractor, Collins Electrical Company, Inc., from the library project. City Manager McAdoo noted there was significant progress made to obtain a certificate of occupancy but there were several pending items and requested that the hearing be continued until the next Council meeting scheduled for July 23, 2019 at 3:00 p.m.

PUBLIC COMMENTS

Mr. Jim Drake, Hayward resident, spoke about the Conditions of Approval for Taqueria El Mezcal and removal of Eucalyptus trees.

Ms. Debra Collins and Mr. Orlando Samosa, Sun Gallery Board Members, announced the art exhibit “Planet Hayward: The Heart of the Bay” which will be displayed from August 16, 2019 through October 5, 2019.

Mr. Kim Huggett, Hayward Chamber of Commerce President, spoke about the State of the City event at the new library, small business workshops at City Hall, and the third Downtown Hayward Street Parties on July 18, 2019.

Mr. Charlie Peters, Clean Air Performance Professionals representative, shared information about various environmental matters and provided related articles.

Ms. Wynn Grcich, Hayward resident, shared information about prostate and breast cancers, chlorine pesticides and liquified dead bodies, and provided related articles.

Mr. Kevin E. Gini submitted a speaker card but did not speak because Public Hearing Item 15 was continued to July 23, 2019.

Consent Item 4 and Consent Item 7 were removed from the Consent Calendar for separate vote.

CONSENT

1. Minutes of the City Council Meeting on July 2, 2019 MIN 19-096

It was moved by Council Member Márquez, seconded by Council Member Mendall, and carried with Council Member Zermeño absent, to approve the minutes of the City Council Meeting on July 1, 2019.

2. Minutes of the Special City Council Meeting on April 30, 2019 MIN 19-099

It was moved by Council Member Márquez, seconded by Council Member Mendall, and carried with Council Member Zermeño absent, to approve the minutes of the City Council Meeting on April 30, 2019.

3. Adopt a Resolution Approving the Green Infrastructure Plan CONS 19-546

Staff report submitted by Public Works Director Ameri, dated July 16, 2019, was filed.

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

Resolution 19-165, “Resolution Adopting the Green Infrastructure Plan”



MINUTES OF THE CITY COUNCIL MEETING
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, July 16, 2019, 7:00 p.m.

4. Adopt a Resolution Approving an Amendment to the Fiscal Year 2020 Operating Budget for the Development Services Department for Contracted Security Services at the Property Located at Maple Avenue and Main Street **CONS 19-479**

Staff report submitted by Development Services Director Simpson, dated July 16, 2019, was filed.

In response to Council Member Wahab's inquiry regarding language to ensure security of the site, City Manager McAdoo noted staff could investigate adding a requirement for the maintenance and security of buildings that remain onsite.

Council Member Mendall asked staff to include the new requirement in the Conditional Use Permit (CUP) as well as the reimbursement to the City for the security service expense when the developer modifies its application.

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

AYES: COUNCIL MEMBERS Márquez, Mendall, Lamnin, Salinas
MAYOR Halliday
NOES: COUNCIL MEMBER Wahab
ABSENT: COUNCIL MEMBER Zermeño

Resolution 19-175, "Resolution Amending the FY 2020 Operating Budget for the Development Service Department, Code Enforcement Division for Contracted Security Services at the Property Located at Maple Avenue and Main Street"

5. Approve a Resolution Authorizing the City Manager to Negotiate and Execute Two Annual MOUs with the Hayward Unified School District for School Resource Officers and School-Based Counseling Services and Accept and Appropriate Related Funds **CONS 19-507**

Staff report submitted by Interim Police Chief Matthews, dated July 16, 2019, was filed.

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

Resolution 19-166, "Resolution Authorizing the City Manager to Negotiate and Execute Two Annual MOUs with the Hayward Unified

School District for School Resource Officer and School-Based Counseling Services and Accept and Appropriate Related Funds”

6. Adopt a Resolution Authorizing the City Manager to Execute a Utility Service Agreement for Water Service for Twenty-five Single-family Residential Lots Along Five Canyons Parkway within Unincorporated Alameda County and File an Application with Alameda County Local Agency Formation Commission for Approval of an Out-of-Service Area Agreement **CONS 19-526**

Staff report submitted by Public Works Director Ameri and Development Services Director Simpson, dated July 16, 2019, was filed.

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

Resolution 19-167, “Resolution Authorizing the City Manager to Execute a Utility Service Agreement to Provide Water Service for Twenty-Five Single-Family Residential Lots within Tract 6869, Located Along Five Canyons Parkway within Unincorporated Alameda County”

7. Adopt a Resolution to Appropriate \$108,881 and Authorize the City Manager to Execute Professional Services Agreement with CivicMakers to Provide Strategic Planning Services and Create a Three to Five-Year Strategic Plan **CONS 19-533**

Staff report submitted by Deputy City Manager Ott, dated July 16, 2019, was filed.

In response to Council Member Wahab’s concern and inquiry about the process for selecting the consultant, Deputy City Manager Ott explained the process noting the proposal was phase two of the strategic planning process.

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

AYES: COUNCIL MEMBERS Márquez, Mendall, Lamnin, Salinas
MAYOR Halliday
NOES: COUNCIL MEMBER Wahab
ABSENT: COUNCIL MEMBER Zermeño

Resolution 19-176, “Resolution to Appropriate \$108,881 from the General Fund and to Authorize City Manager to Execute Professional Services Agreement with Civic makers to Provide Strategic Planning Services and Create a Three to Five Year Strategic Plan”



MINUTES OF THE CITY COUNCIL MEETING
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, July 16, 2019, 7:00 p.m.

Council Member Marquez asked staff to commend the consultant for the work done with phase one of the strategic planning process.

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

Staff report submitted by Fire Chief Contreras, dated July 16, 2019, was filed.

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

Resolution 19-168, "Resolution Authorizing the City Manager to Accept and Appropriate up to \$100,000 from the Fairview Fire Protection District Annually for the Next Five Years for Special Projects"

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

Staff report submitted by Fire Chief Contreras, dated July 16, 2019, was filed.

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

Resolution 19-169, "Resolution Authorizing the City Manager to Negotiate and Execute a Contract Amendment with 3DI Systems for Wildfire Fuel Management Inspection Software to Extend the Agreement through April 30, 2023"

10. Adopt a Resolution to Reject all Bids for the Installation of Trash Capture Infrastructure on Arf Avenue **CONS 19-540**

Staff report submitted by Public Works Director Ameri, dated July 16, 2019, was filed.

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

Resolution 19-170, "Resolution Rejecting all Bids for Installation of a Trash Capture Device at Arf Avenue, Project 07675"

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

Staff report submitted by Public Works Director Ameri, dated July 16, 2019, was filed.

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

Resolution 19-171, “Resolution Authorizing the City Manager to Amend the Agreement with Hydrosience Engineers, Inc., to Increase the Contract Amount for Professional Services Related to Recycled Water by \$50,000 to a Not-to-Exceed amount of \$1,028,000”

12. Adopt a Resolution Approving Plans and Specifications and Call for Bids for the Recycled Water Customer Onsite Conversions **CONS 19-542**

Staff report submitted by Public Works Director Ameri, dated July 16, 2019, was filed.

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

Resolution 19-172, “Resolution Approving Plans and Specifications for the Recycled Water Customer Onsite Conversions Project, Project No. 07507 and Call for Bids”

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

Staff report submitted by Public Works Director Ameri, dated July 16, 2019, was filed.

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

Resolution 19-173, “Resolution Authorizing the City Manager to Execute a professional Services Agreement with St. Francis Electric, Inc., for On-Call Streetlight and Traffic Signal Maintenance Services”

14. Adopt a Resolution Approving Plans and Specifications and Call for Bids for the Sewer Line Replacement Project **CONS 19-544**



MINUTES OF THE CITY COUNCIL MEETING
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, July 16, 2019, 7:00 p.m.

Staff report submitted by Public Works Director Ameri, dated July 16, 2019, was filed.

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

Resolution 19-174, "Resolution Approving Plans and Specifications for the Sewer Line Replacement Project, Project No. 07694, and Call for Bids"

PUBLIC HEARING

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

Mayor Halliday reiterated the item was continued to July 23, 2019.

LEGISLATIVE BUSINESS

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

Staff report submitted by Assistant City Manager Hurtado, City Attorney Lawson and City Clerk Lens, dated July 16, 2019, was filed.

Assistant City Manager Hurtado provided a synopsis of the staff report. Mayor Halliday and Council Member Mendall and Council Member Márquez were acknowledged for their role serving on the Council Ad Hoc Committee for revisions to the Council Member Handbook.

Council Member Mendall clarified that the Council's salary and compensation had not increased for about the last fifteen years and the Council was not proposing increasing it at this time.

Discussion ensued among Council Members and City staff regarding public comments and how speaker cards are handled; notification of special meetings and social media platforms; and the Council Referral section.

There being no public comments, Mayor Halliday opened and closed the public hearing at 8:10 p.m.

Council Member Márquez offered a motion per staff's recommendation including three additional amendments to the Council Member Handbook: 1) ensure consistency when using "Mayor" and "Presiding Officer" in the Addressing the Council section on page 36; 2) add language to the Addressing the Council section to indicate that public speakers will be called in the order received by the City Clerk; and 3) add "digital communications" to the form of notice for special meetings in the Special Meetings/Calling/Notice section.

Council Member Mendall seconded the motion including the three additional amendments.

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

Resolution 19-177, "Resolution Accepting the Revisions and Additions to the Council Member Handbook"

CITY MANAGER'S COMMENTS

City Manager McAdoo wished everyone a happy August recess.

COUNCIL REPORTS AND ANNOUNCEMENTS

Council Member Márquez, serving also as the City's representative to the Alameda County Mosquito Abatement District, reported there were no incidents reported of West Nile virus in 2019.

Council Member Lamnin, serving also as the City's representative to the Housing Authority of the County of Alameda, announced a community meeting with the AC Transit Interagency Liaison Committee on August 1, 2019 at City Hall, regarding service change for bus line 60.

Council Member Mendall, serving also as the City's representative to the Hayward Area Shoreline Planning Agency, announced the Shoreline Master Plan Development was moving forward with the grant received and there would be a request to prefund the Environmental Impact Report in the fall.

Council Member Wahab announced the City was hosting seminars with the first Tenants Educational Seminar on the Residential Rent Stabilization Ordinance at Hayward City Hall on July 24, 2019.

Mayor Halliday announced the City Council would be conducting interviews for service on the City's Commissions on July 23, 2019, starting at 3:00 p.m., and might also convene a special meeting to hear an item regarding the 21st Century Library.



MINUTES OF THE CITY COUNCIL MEETING
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, July 16, 2019, 7:00 p.m.

COUNCIL REFERRALS

None submitted.

ADJOURNMENT

Mayor Halliday adjourned the meeting at 8:23 p.m.

APPROVED

Barbara Halliday
Mayor, City of Hayward

ATTEST:

Miriam Lens
City Clerk, City of Hayward



CITY OF HAYWARD

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

File #: MIN 19-107

DATE: September 10, 2019

TO: Mayor and City Council

FROM: City Clerk

SUBJECT

Minutes of the Special City Council Meeting on July 23, 2019

RECOMMENDATION

That the City Council approves the minutes of the Special City Council meeting on July 23, 2019.

SUMMARY

The City Council held a meeting g on July 23, 2019.

ATTACHMENTS

Attachment I Draft Minutes of 7/23/2019



MINUTES OF THE SPECIAL CITY COUNCIL MEETING
Conference Room 2A
777 B Street, Hayward, CA 94541
Tuesday, July 23, 2019, 3:00 p.m.

The Special City Council meeting was called to order by Mayor Halliday at 3:00 p.m.

ROLL CALL

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

Absent: COUNCIL MEMBER Zermeño

Council Member Wahab arrived during the interviews.

CLOSED SESSION ANNOUNCEMENT

The City Council convened in closed session at 2:30 p.m., regarding conference with legal counsel pursuant to Government Code 54956.9(d)(2) concerning one anticipated case. City Attorney Lawson reported there was no reportable action. City Attorney Lawson added that pursuant to Government Code 54954.2(b)(2), the City Council unanimously, with Council Member Zermeño and Council Member Wahab absent, approved adding two pending litigation cases to the agenda. It was moved by Council Member Mendall and seconded by Council Márquez to add the case Nelson v. City of Hayward, et al., U.S. District Court, N.D. CA., No. 3:16-cv-7222-SK and the case Olvera v. City of Hayward, et al., Alameda County Superior Court, No. RG19016776. City Attorney Lawson noted there was no reportable action.

PUBLIC COMMENTS

Mr. Craig Gini, co-owner of Collins Electrical Company Inc., expressed disappointment that the City was recommending removal of Collins Electrical from the 21st Century Library project, was concerned this had caused a bad reputation for a well-established company in the construction industry, hoped the City would be privy to all related matters, and noted his commitment to completing the project.

PUBLIC HEARING

1. 21st Century Library and Community Learning Center and Heritage Plaza: Public Contract Code § 4107 Hearing Regarding Removal and Substitution of the Electrical Subcontractor, Collins Electrical Company, Inc (Report from Public Works Director Ameri and City Attorney Lawson) (Continued from July 16, 2019) **PH 19-070**

Staff report submitted by City Attorney Lawson and Public Works Director Ameri, dated July 9, 2019, was filed.

City Manager McAdoo noted the City was anticipating receipt of a temporary certificate of occupancy for the library and staff was recommending that the City Council remove the item from the agenda and convene a special meeting in August, if necessary. It was stated that upon receipt of the temporary certificate of occupancy staff could move into the library to start preparing for opening to the public.

There being no public comments, Mayor Halliday opened and closed the public hearing at 3:08 p.m.

It was moved by Council Member Salinas, seconded by Council Member Márquez, and carried with the following vote, to remove Public Hearing Item 1 (21st Century Library and Community Learning Center and Heritage Plaza: Public Contract Code § 4107 Hearing Regarding Removal and Substitution of the Electrical Subcontractor, Collins Electrical Company, Inc PH 19-070) from the agenda.

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

ACTION ITEMS

2. Community Services Commission, Library Commission, Personnel Commission and Planning Commission Interviews (RPT 19-327)

Council Members and City staff discussed the logistics for the interviews.

The City Council interviewed a total of thirty applicants and also met with Planning Commission Member Daniel Goldstein, Planning Commission Member Julius Willis Jr., and Library Commission Member Pedro Reynoso to discuss their reappointment candidacy and attendance record.

At the conclusion of the interviews, the City Council identified fourteen individuals for service on the Council's appointed bodies: Community Services Commission (3); Keep Hayward Clean and Green Task Force (KHCETF) (1); Library Commission (5); Personnel Commission (3); and Planning Commission (2). It is worth noting that the City Council accepted the recommendation of the KHCETF Subcommittee to fill eleven vacancies on the KHCETF. The eleven members had indicated the KHCETF as their first and only preference for service.

The reappointment request of Planning Commission Member Daniel Goldstein was accepted understanding that his attendance record would be carefully reviewed for the upcoming year. The reappointment request of Planning Commission Member Julius Willis Jr. was not accepted. Library Commission Member Luis Prada's seat was vacated. The Council also accepted Library Commission Member Pedro Reynoso's request to continue serving the remainder of his term. The two vacated seats were filled with selected members.



MINUTES OF THE SPECIAL CITY COUNCIL MEETING
Conference Room 2A
777 B Street, Hayward, CA 94541
Tuesday, July 23, 2019, 3:00 p.m.

As the number of impressive candidates was greater than the number of vacancies, the City Council asked staff to evaluate the possibility of appointing alternates.

Formal appointment and swearing-in of selected members was scheduled to occur at the City Council meeting on September 10, 2019.

ADJOURNMENT

Mayor Halliday adjourned the special meeting at 10:35 p.m.

APPROVED

Barbara Halliday
Mayor, City of Hayward

ATTEST:

Miriam Lens
City Clerk, City of Hayward



CITY OF HAYWARD

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

File #: CONS 19-559

DATE: September 10, 2019

TO: Mayor and City Council

FROM: City Manager

SUBJECT

Allocation of \$379,716 in HOME Investment Partnership Program Funds and Renewal of Rental Housing Grant Subsidy Agreement with Abode Services for Project Independence to Provide Tenant Based Rental Assistance to Emancipated and Former Foster Care Youth

RECOMMENDATION

That the City Council adopts a resolution authorizing the use of HOME Investment Partnership Program (HOME) funds for rental assistance to emancipated and former foster care youth through Abode Services' Project Independence and authorizing the City Manager to negotiate and execute a rental housing subsidy grant agreement (Attachment II).

SUMMARY

The recommended resolution authorizes the City Manager to negotiate and execute a rental housing subsidy agreement with Abode Services in an amount not to exceed \$379,716 of HOME funds. These funds will provide monies to Abode Services for Project Independence for rental assistance to emancipated and former foster care youth. The Project Independence Program receives funding from multiple sources. The City of Hayward's entire allocation of HOME funds is used for the direct benefit of program participants through a rent payment subsidy. In addition to the City of Hayward, the program also receives funding from Alameda County Transitional Housing Program-Plus (THP+), which pays for case management, staffing, and other operating costs for the Program. The Program is consistent with priorities set in the Consolidated Plan of the Alameda County HOME Consortium and the Hayward Housing Element. Project Independence has been successful at providing positive outcomes for participants. The Project Independence Program has been supported by the City of Hayward since 2007.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution

File #: CONS 19-559



DATE: September 10, 2019

TO: Mayor and City Council

FROM: City Manager

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BACKGROUND

On July 24, 2007, the City Council first authorized the use of HOME funds to provide rental assistance to emancipated and former foster care youth through Abode Services' Project Independence Program. The Program was implemented in 2008. The primary goal of the Program is to provide case management and rental support to emancipated and former foster care youth who are experiencing homelessness or at risk of experiencing homelessness. Council approved the renewal of the program in 2010, 2013, 2014, 2016, and 2018.

Supported by other funding sources, the Program has provided services to approximately 391 unduplicated households since inception.

DISCUSSION

The Project Independence Program provides a needed service in Hayward. The Program is consistent with priorities set in the Consolidated Plan of the Alameda County HOME Consortium and the Hayward Housing Element. Project Independence has been successful at providing positive outcomes for participants.

Demonstrated Need

Research referenced in the Alameda County's 2019 Homeless Count & Survey Comprehensive Report estimates that one in five former foster youth experience homelessness within four years of exiting the foster care system. Of the total respondents in the 2019 homeless survey, fourteen percent (14%) of respondents reported a history of foster care and, of the youth under the age of 25, eighteen percent (18%) reported that aging out of the foster care system was the primary cause of their current homelessness.¹ Youth who age out of the foster care system face unique challenges such as mental health problems, early or unplanned pregnancies, lack of stable affordable housing, fewer employment opportunities, and substandard medical care. As a result, youth who were formerly in foster care or group homes experience disproportionately higher rates of unemployment, lower educational attainment, incarceration, dependence on public assistance, substance abuse, and other high-risk behaviors.

Consistency with Housing Goals

The Project Independence Program is consistent with the strategies, priorities, and programs in the FY 2014-2019 Consolidated Plan of the Alameda County HOME Consortium, to which the City is a party. The Consolidated Plan outlines needs, strategies, priorities, and programs for the expenditure of federal funds for housing and community development activities as required by the Department of Housing and Urban Development (HUD) for jurisdictions to be eligible to receive federal funding. Additionally, the Program is included in the Housing Element as one of the programs aimed at addressing the housing needs of special populations.

Program Description

The objective of the Program is to assist young adults who are coming out of the foster care or group home system with securing housing, linkages to training and/or education, and social services which will enable them to act with self-determination and ultimately become independent. Program participants are either fully emancipated youth or 18 years or older and have aged out of the foster care system, experiencing homelessness or at risk of experiencing homelessness, and demonstrate the ability to enter into housing, including

¹ 2019 Alameda County Homeless Count & Survey Comprehensive Report: http://everyonehome.org/wp-content/uploads/2019/07/2019_HIRDReport_Alameda_FinalDraft_7.23.19.pdf

signing a lease agreement, abiding by the rules, agreeing to pay the \$75 deposit and first month's rent. Each participant will develop a Transition to Independent Living Plan. This Plan is used to set goals for the participant and monitor progress in achieving the participant's stated goals. Each participant will work with the youth services coordinator to identify and make referrals to any needed resources. Participants will be required to pay the greater of \$75 or 30% of their adjusted income on rent. They are also required to abide by the terms of the lease and the Program.

Current participants are being housed in ten (10) units located throughout multiple apartment complexes. As required by Federal funding, staff from Abode Services conduct a housing quality inspection of the apartments prior to move-in by participants in order to make sure that they live in a decent, safe, and sanitary environment. The City pays the difference between the fair market rents, as established by the Department of Housing and Urban Development, and the participants' rent payments not to exceed the actual rent for the unit.

Program Funding

The Project Independence Program receives funding from multiple sources. The City of Hayward's entire allocation of HOME funds is used for the direct benefit of program participants through a rent payment subsidy. In addition to the City of Hayward, the program also receives funding from Alameda County Transitional Housing Program-Plus (THP+) which pays for case management, staffing, and other operating costs for the Program.

Program Performance

Since the implementation of the Program in 2008, Hayward's HOME fund contributions have helped house over 391 youth formerly in foster care and at-risk of homelessness. During the current agreement term, Project Independence supported approximately twenty-five (25), emancipated or former foster care youth. Table 1 highlights some of the Program's successes for the 2018/19 program year.

TABLE 1. HIGHLIGHTS OF PROJECT INDEPENDENCES SUCCESS

Enrolled in formal education or vocational training	55%
Earned high school diploma or GED	73%
Secured stable housing after aging out of program	86%

Independent living programs like Project Independence are an effective approach to mitigating and resolving many of the challenges with which youth that were formerly in the foster care system are invariably faced. The supportive housing strategy provides youth with a stable foundation and adult support while they finish their education or job training, find new employment, and/or overcome psychological problems that interfere with their ability to live independently.

ECONOMIC IMPACT

Homelessness and housing crises are not only damaging to the physical, mental, and economic health of individuals and families, but have serious costs to the community as well. The costs to the community include the costs of providing emergency housing, mental health crisis services, emergency medical care, criminal justice, and judicial system involvement. A program such as Project Independence helps avoid these costs by preventing youth aging out of the foster care system from becoming homeless.

FISCAL IMPACT

Implementation and administration of this program would have no impact on the City's General Fund. There are sufficient HOME funds to support this contract.

Should Council approve the attached Resolution, the City will fund Project Independence in the amount of \$379,716 from uncommitted HOME funds for fiscal year 2020.

STRATEGIC INITIATIVES

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

Goal 1: Provide a mix of housing stock for all Hayward residents and community members, including the expansions of affordable housing opportunities and resources.

Objective 2: Conserve and improve the existing housing stock.

Objective 3: Increase supply of affordable, safe and resilient housing in Hayward.

PUBLIC CONTACT

As part of the Housing Element update process, the City implemented the State's Housing Element's public participation requirements. As a goal of the Housing Element, the Project Independence Program was open to public feedback during community/stakeholder workshops, townhall forums, General Plan taskforce meeting, Planning Commission and Council Study Sessions, and through a community survey.

NEXT STEPS

If approved by Council, the City Manager will negotiate and execute a two-year Rental Housing Subsidy Grant Agreement with Abode Services to provide rental assistance to emancipated and former foster care youth.

Prepared by: Doris Tang, Management Analyst

Recommended by: Christina Morales, Housing Division Manager
Jennifer Ott, Deputy City Manager

Approved by:

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

Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE USE OF HOME FUNDS FOR RENTAL ASSISTANCE TO EMANCIPATED AND FORMER FOSTER CARE YOUTH THROUGH ABODE SERVICES' PROJECT INDEPENDENCE AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A RENTAL HOUSING SUBSIDY GRANT AGREEMENT

WHEREAS, The City of Hayward participates in a consortium of cities in Alameda County that share federal HOME Investment Partnership Program (HOME) funds, and which helps provide funding for affordable housing programs;

WHEREAS, The City receives an allocation of federal HOME Investment Partnership funds each year, through the consortium;

WHEREAS, Project Independence is a program implemented by Abode Services that serves emancipated youth or youth ages 18 and older, in Alameda County who have aged out of the foster care system;

WHEREAS, Project Independence provides affordable housing and comprehensive support services, such as education, and vocational training, employment placement, financial literacy training, and mental and physical healthcare services;

WHEREAS, Staff proposes to utilize \$379,716 of HOME program funds that were allocated to the City to help pay for rental subsidies for emancipated and former foster care youth through the Project Independence program;

WHEREAS, The rental subsidies will be used by Abode Services to pay a portion of the Project Independence program participants' rent;

WHEREAS, Staff anticipates that said funds would subsidize rents for a minimum of ten (10) individuals per year provided they comply with the provisions of the Project Independence program.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby authorizes utilizing \$379,716 of the City's HOME program funds to help pay for rental subsidies for emancipated and former foster care youth in Alameda County through the Project Independence program.

ATTACHMENT II

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to take such actions as may be necessary to provide and implement the rental subsidies contemplated by this resolution and to negotiate, have prepared, and execute any and all documents necessary to complete the activities contemplated by this resolution, subject to approval by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA SEPTEMBER ____, 2019

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward



CITY OF HAYWARD

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

File #: CONS 19-590

DATE: September 10, 2019

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT

Adopt a Resolution Approving Addendum Nos. 1 and 2 and Award a Construction Contract to Con-Quest Contractors, Inc. for the Recycled Water Customer Onsite Conversions Project, Project No. 07507

RECOMMENDATION

That Council adopts a resolution (Attachment II) approving Addendum Nos. 1 and 2 and awarding a contract to Con-Quest Contractors, Inc. to construct the recycled water customer onsite conversions, in an amount not to exceed \$1,826,600.

SUMMARY

The City's Recycled Water Project consists of constructing a treatment facility, storage tank, and pump station at the City's Water Pollution Control Facility (WPCF) and installing distribution pipelines and customer connections to deliver recycled water to customers for irrigation and industrial uses. The project is being constructed under multiple contracts. On July 16, 2019, Council approved the plans and specifications for Recycled Water Customer Onsite Conversions and called for bids to be received by August 20, 2019. Only one bid was received from Con-Quest Contractors, Inc. Staff is requesting Council approval to award the construction contract to Con-Quest Contractors, Inc., in an amount not to exceed \$1,826,600, which includes the bid of \$1,739,600 and an \$87,000 administrative change order contingency for unforeseen changes during construction.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution



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BACKGROUND

The City is implementing the Recycled Water Project, which will provide a locally sustainable and drought-proof supply of recycled water to customers for irrigation and industrial uses. The Recycled Water Project consists of constructing a treatment facility, storage tank, and pump station at the City's Water Pollution Control Facility (WPCF) and installing nine miles of distribution pipelines and customer connections to deliver recycled water to customers for irrigation and industrial uses. The City-owned recycled water treatment facility was added to the project in December 2017, after the City was unable to make progress with Russell City Energy Corporation, LLC (RCEC) in finalizing an agreement for the City to obtain recycled water from RCEC's Recycled Water Facility, located adjacent to the WPCF.

Construction of the City's Recycled Water Project is well underway and recycled water deliveries are anticipated to begin in spring 2020. The initial phase (Phase 1) of the project is anticipated to deliver an estimated 290 acre-feet per year, or about 260,000 gallons per day (gpd), of disinfected tertiary treated recycled water for thirty-one customer sites within a three-mile radius of the WPCF. The Phase I customer sites include four parks, six schools, one college, nineteen private businesses, and City street landscaping. Once the initial infrastructure is constructed, there may be opportunities to expand the system and include more customers in future phases.

The Recycled Water Project is being constructed under multiple contracts. The final contract for the Recycled Water Project involves construction of irrigation system retrofits necessary to convert customer sites from the City's potable drinking water system to the new recycled water system. On March 20, 2017, the City entered into an Agreement with HydroScience Engineers, Inc., to provide engineering, design, and construction support services for customer onsite retrofit conversions. On July 16, 2019, Council approved the plans and specifications for the construction of the customer onsite retrofit conversions. The staff report can be accessed on the City's website¹ for additional background and discussion on the Recycled Water Project and customer onsite retrofit work.

DISCUSSION

Following Council approval, the Recycled Water Customer Onsite Conversions Project was advertised for construction. During the bidding phase, two addenda were issued to provide minor clarification to the plans and specifications. On August 20, 2019, the City received only one bid in the amount of \$1,739,600. Con-Quest Contractors, Inc., submitted the only bid in the amount of \$1,739,600, which is approximately 26% above the Engineer's estimate of \$1,376,000.

Retrofitting customer irrigation systems to convert to recycled water is a specialized type of construction work and currently performed by a limited number of contractors. The Engineer's estimate for this project was \$1,376,000, which is above the \$1,000,000 threshold for requiring bidders to comply with the City's Community Workforce Agreement (CWA). The Engineer's estimate was based on similarly sized construction contracts recently completed for other agencies. The Engineer's estimate was not adjusted to account for the CWA, because the effect of these provisions on the construction cost were unknown. Prior to bidding, the City's consultant did advise that the CWA requirement might further limit the bidders to larger contractors who have more experience complying with the provisions of the CWA.

Four firms initially expressed interest in bidding the project. Two contractors who declined to bid provided feedback to staff that the CWA requirements presented some challenges. A larger contractor provided feedback that due to their current high workload, they would not

¹ <https://hayward.legistar.com/LegislationDetail.aspx?ID=4061415&GUID=74E21629-F857-42B2-9C6F-F81697EAE14C&Options=&Search=>

be interested in a project of this size. Given the current bidding climate, size of the project, requirement to comply with the CWA, and limited number of contractors that perform this work, staff considers the bid submitted by Con-Quest Contractors, Inc. to be a fair and competitive bid.

Construction of the recycled water customer onsite conversions is the final contract for implementing the Recycled Water Project. The current schedule anticipates that notice to proceed for this contract would be issued in September 2019. Construction is anticipated to take approximately six months with deliveries to recycled water customers anticipated to begin in spring 2020.

Staff has been successful in signing customers up for the recycled water program. To date, customers representing twenty-nine (out of thirty) non-City sites have signed an agreement with the City, which provides access for construction of the recycled water customer onsite conversions. Staff is in discussions with the remaining customer. If the City is unable to reach agreement with the final customer prior to the start of construction, this site would be removed from the contract at this time. Staff has informed the customer that per the City's Recycled Water Use Ordinance, the City may still require the site to use recycled water in the future for irrigation, and the conversion would need to be made at the property owner's expense.

ECONOMIC IMPACT

The economic impact of the Recycled Water Project on customers will, to some extent, depend on the total costs to implement the City's Recycled Water Project, which includes the capital and operating costs for the storage and distribution system and recycled water treatment facility. To the extent that the project is partially funded by grants, the overall cost impact to customers is reduced. On July 2, 2019, Council adopted a recycled water rate structure that provides a balance between recovering costs over the life the project and offering an incentive to customers who are able to receive recycled water. The community will benefit from this project through greater diversity and reliability of water supplies, especially during periods of drought.

FISCAL IMPACT

The total estimated costs for the Recycled Water Customer Onsite Conversions are as follows:

Construction Contract	\$ 1,739,600
Administrative Construction Contingency (ACO)	\$ 87,000
Meter and Service Line Installation (City)	\$ 75,000
Construction Management, Inspection, Training, Permitting (Consultant)	\$ 281,935
Inspection, Training, and Permitting (City)	\$ 50,000
Horticulture Support (Consultant)	\$ <u>10,000</u>
Total	\$ 2,243,535

Total Phase I Recycled Water Project Cost

The total estimated capital cost to construct all facilities needed for Phase I of the Recycled Water Project, including the Customer Conversions, is shown in Table 1. The total cost for the treatment facility, storage and distribution system, and customer conversions is currently estimated at \$28,535,235.

The Ten-Year Capital Improvement Program (CIP) includes \$27,811,000 for the Recycled Water Storage and Distribution System Project (Project No. 07507) and \$2,300,000 for the Recycled Water Treatment Facility Project (Project No. 07710), for a total funding amount of \$30,111,000 for Phase I of the Recycled Water Project. The Recycled Water Project is currently anticipated to come in under budget, primarily due to the construction of the distribution system pipelines that was completed nearly one year ahead of schedule and under budget. The Recycled Water Project will not utilize any General Fund monies.

The City has also secured outside grant funding and low interest loans to help finance the Recycled Water Project. In May 2017, the City executed a financing agreement with the State Water Resources Control Board for \$5.8 million in California Proposition 1 grant funding and \$13.5 million in the form of a low-interest Clean Water State Revolving Fund loan. The financing agreement was amended in November 2018 to increase the amount of the low-interest loan from \$13.5 million, which had been previously secured for the project, to \$21.2 million, for a total financial assistance package of \$27 million.

Table 1. Phase I Recycled Water Project Capital Cost Estimate

Facility	Estimated Cost
Recycled Water Storage and Distribution System Project (Project No. 07507)	
Administration, Planning and Design	\$ 2,897,616
Construction	
Whitesell Pipeline (completed in 2015)	\$ 513,648
Distribution System Pipelines (completed in June 2019)	\$ 15,290,718
Storage Tank and Pump Station (currently under construction)	\$ 5,290,718
Customer Retrofits (advertised in July 2019)	\$ <u>2,243,535</u>
Total (rounded to nearest thousand)	\$ 26,236,235
Recycled Water Treatment Facility Project – Phase I (Project No. 07710)	\$ 2,299,000
Total Estimated Phase I Recycled Water Project Cost	\$ 28,535,235

STRATEGIC INITIATIVES

Implementation of the Recycled Water Project supports the Tennyson Corridor Strategic Initiative. The purpose of this initiative is to develop an attractive, cohesive, thriving Tennyson Corridor through thoughtful engagement with residents, businesses and community partnerships. There are two sites located in the Tennyson Corridor that are

proposed to be connected to the recycled water system, and would therefore support the following goal and objectives:

Goal 3: Improve Community Appearance

Objective 1: Enhance landscaping

Objective 3: Decrease blight

The use of recycled water will help create attractive outdoor spaces in the Tennyson Corridor. Since recycled water is a sustainable and drought-proof source of supply, customers will be able to maintain their landscaping during water supply shortages when drinking water supplies are limited.

SUSTAINABILITY FEATURES

The use of recycled water will reduce the demand for drinking water and improve the reliability and availability of drinking water, while providing a sustainable and drought-proof water supply for some irrigation uses. It will also reduce the volume of wastewater and associated nutrients and residual pollutants discharged to San Francisco Bay, which is required to meet increasingly stringent discharge regulations.

PUBLIC CONTACT

The City completed an environmental review of the Recycled Water Project in October 2014 and a draft Initial Study/Mitigated Negative Declaration (IS/MND) was circulated for a thirty-day public review from October 24, 2014 through November 24, 2014. The IS/MND was adopted on December 16, 2014, incorporating all the comments that were received. The Recycled Water Ordinance, which includes provisions for mandatory use of recycled water for appropriate irrigation and industrial uses, was introduced at a public hearing of the City Council on December 1, 2015 and adopted on December 15, 2015. Prior to the adoption of the Ordinance, a customer meeting was held on November 20, 2015 at City Hall to inform the customers about the City's proposed Recycled Water Project.

In addition, staff and the City's consultant, HydroScience Engineers, have worked closely with potential customers to design onsite piping modifications that would be required to connect a customer to the new recycled water distribution system. This close coordination with customers will continue throughout the construction, testing, and permitting phase. HydroScience will also be implementing educational efforts to train site supervisors, including City staff, on the use of recycled water to ensure a smooth transition. Informational materials on the Recycled Water Project can be viewed at the following website.²

² <https://www.hayward-ca.gov/your-government/departments/utilities-environmental-services/recycled-water>

NEXT STEPS

If approved, staff will proceed with executing and issuing a notice to proceed for the construction contract. The following schedule has been developed for this project:

Award Construction Contract	September 10, 2019
Notice to Proceed	September 27, 2019
Initiate Recycled Water Service	April 2020
Project Completion	June 2020

Prepared by: Aparna Chatterjee, Associate Civil Engineer

Recommended by: Alex Ameri, Director of Public Works

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 19-_____

Introduced by Council Member _____

RESOLUTION APPROVING ADDENDUM NOS. 1 AND 2, AND AWARDING A CONTRACT TO CON-QUEST CONTRACTORS, INC., FOR THE RECYCLED WATER CUSTOMER ONSITE CONVERSIONS PROJECT, PROJECT NO. 07507, IN AN AMOUNT NOT TO EXCEED \$1,826,600

WHEREAS, by Resolution 19-172 on July 16, 2019 the City Council approved plans and specifications for the Recycled Water Customer Onsite Conversions Project, Project No. 07507 and called for bids to be received on August 20, 2019; and

WHEREAS, Addendum Nos. 1 and 2 were issued to make minor revisions to the plans and specifications; and

WHEREAS, one bid was received on August 20, 2019. Con-Quest Contractors, Inc., submitted the only bid in the amount of \$1,739,600, which is approximately 26% more than the Engineer's estimate of \$1,376,000; and

WHEREAS, based on current bidding climates, size of the project, requirements for complying with the City's Community Workforce Agreement and limited number of contractors that perform this type of work, staff considers the bid submitted by Con-Quest Contractors, Inc. to be a fair and competitive bid; and

WHEREAS, the Capital Improvement Program Sewer Improvement Fund includes sufficient funding for Con-Quest Contractors, Inc., to perform the scope of work required by the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that Addendum Nos. 1 and 2 are hereby approved and adopted as parts of the plans and specifications for the project.

BE IT FURTHER RESOLVED that Con-Quest Contractors, Inc. is hereby awarded the contract for the Recycled Water Customer Onsite Conversions Project – Project No. 07507 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.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute an agreement with Con-Quest Contractors, Inc., in the name of and for and on behalf of the City of Hayward, for a total contract amount not to exceed \$1,826,600 (including administrative change orders), in a form to be approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2019

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward



CITY OF HAYWARD

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

File #: RPT 19-338

DATE: September 10, 2019

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT

East Bay Community Energy Update

RECOMMENDATION

That Council receives and comments on the attached presentation (Attachment I).

SUMMARY

East Bay Community Energy (EBCE) formed in 2016 as a joint powers authority to provide cleaner, greener energy at lower rates to Alameda County customers. EBCE started providing electricity to commercial and municipal accounts in June 2018 and to residential customers in November 2018. As indicated in the attached presentation, EBCE offers three electricity service products: Bright Choice, Brilliant 100, and Renewable 100. Brilliant 100 is the default product for Hayward's municipal, commercial, and most residential accounts. Residential customers that receive discounted rates through the California Alternate Rates for Energy (CARE), Family Electric Rate Assistance (FERA), or Medical Baseline programs are enrolled in Bright Choice and continue to receive the same discounts that were provided by Pacific Gas and Electric (PG&E).

In 2018, the EBCE Board of Directors adopted a Local Development Business Plan, which provides a framework for accelerating the development of clean energy assets within Alameda County while providing for local economic benefits. The presentation, to be made by Council Member Mendall who serves as a Board Member for EBCE, will include brief updates on the development of new renewable energy facilities that will benefit Alameda County and EBCE's customers.

ATTACHMENTS

Attachment I Presentation



EBCE Update: Hayward City Council

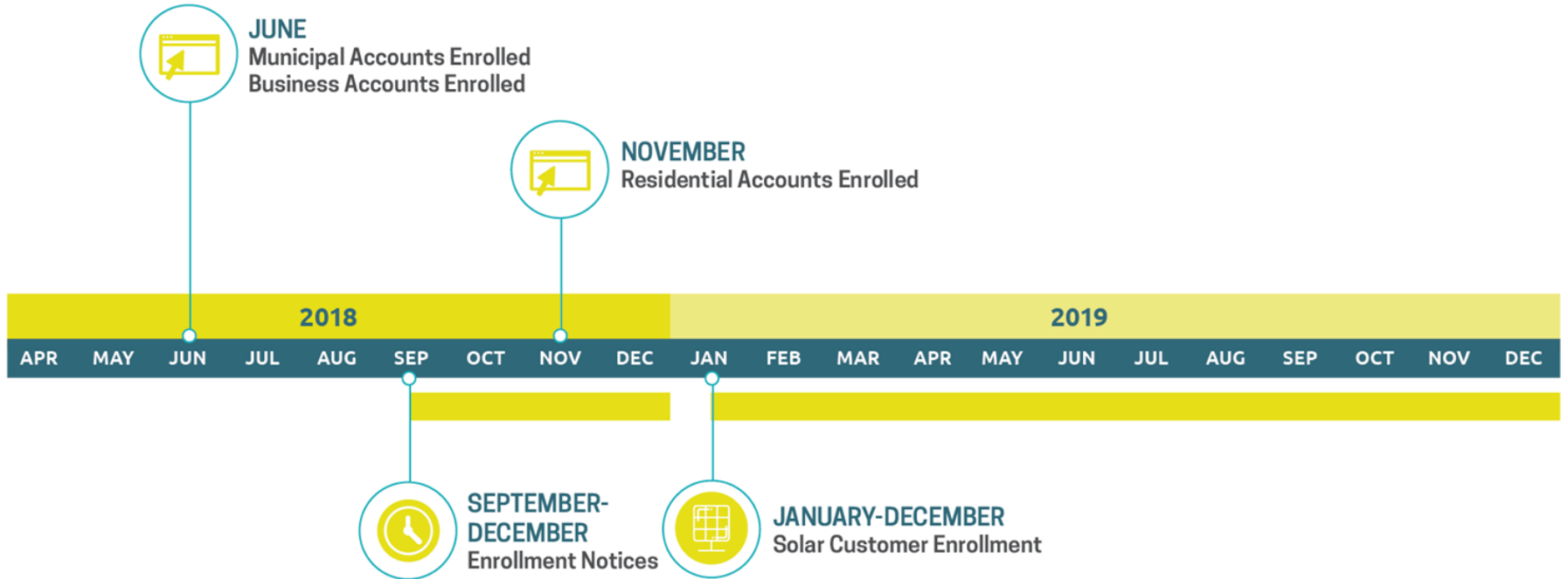
Councilmember Al Mendall
September 10, 2019



HISTORY IN BRIEF



CUSTOMER ENROLLMENT TIMELINE



ELECTRIC SERVICE OPTIONS



More renewables
than PG&E

lower rates
than PG&E

100%
clean energy

same rate
as current PG&E price

100%
renewable

\$0.01/kWh
more than Brilliant 100

EBCE ENROLLMENT STATUS

	Eligible	Opt Out	%	Bright Choice	%	Brilliant 100	%	Renewable 100	%
Hayward	55,906	2,371	4.24%	12,945	23.15%	40,557	72.54%	33	0.06%
All EBCE	567,055	22,480	3.96%	487,443	85.96%	51,233	9.03%	5,899	1.04%

Residents may choose any of the EBCE products or opt out and return to PG&E

PRODUCT AT ENROLLMENT

Hayward City Council voted to enroll residents in the 100% carbon-free product (*Brilliant 100*) to address our climate action goals.

Residents on financial assistance programs were enrolled in the product which was 91% carbon-free in 2018 and priced at a slight discount to PG&E (*Bright Choice*).

	Default Enrollment Service		
Jurisdiction	Commercial Customers	Residential Customers	Customers in CARE, FERA, and Medical Baseline Programs
Albany	Brilliant 100	Brilliant 100	Brilliant 100
Hayward	Brilliant 100	Brilliant 100	Bright Choice
Piedmont	Bright Choice	Renewable 100	Brilliant 100
All other jurisdictions*	Bright Choice	Bright Choice	Bright Choice

*Berkeley, Dublin, Emeryville, Fremont, Livermore, Oakland, San Leandro, Union City, and County of Alameda

EBCE's FINANCIAL STRENGTH

- FY 2019-20 Budget: **\$416.8M**
- Net revenues: **\$68.4M**

Customer cost savings:

- **\$7.05M** (actual to date)
- **\$10.6M** (est. 2018-2019)

EBCE is debt-free as of Aug 2019



NEW RENEWABLE ENERGY PROJECTS

- 1. Oakland Clean Energy Initiative Projects:**
27.5 MW local storage;
replacing W.Oakland jet-fueled power plant
- 2. Summit Wind Project:**
57.5 MW Altamont wind
(Alameda County)

- 3. Rosamund Project (Kern/Alameda):**
112 MW solar + option
for 43 MW local wind
- 4. Luciana Project (Tulare):** 56 MW solar
- 5. Sonrisa Project (Fresno):** 100 MW
solar + 30 MW storage

THANK YOU!



EBCE.org



/EastBayCommunityEnergy



@PoweredbyEBCE



customer-support@ebce.org



833.699.EBCE (3223)



Additional Slides



WHAT IS EBCE?



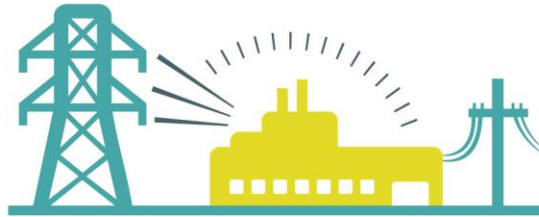
East Bay Community Energy (EBCE) is our new local power supplier committed to providing Alameda County with cleaner, greener electricity at low rates. EBCE reinvests earnings back into the community to create local green energy jobs, local energy programs, and clean power projects.

HOW IT WORKS



Source EBCE

buy and build cleaner
energy



Delivery PG&E

deliver energy, repair lines,
handle billing

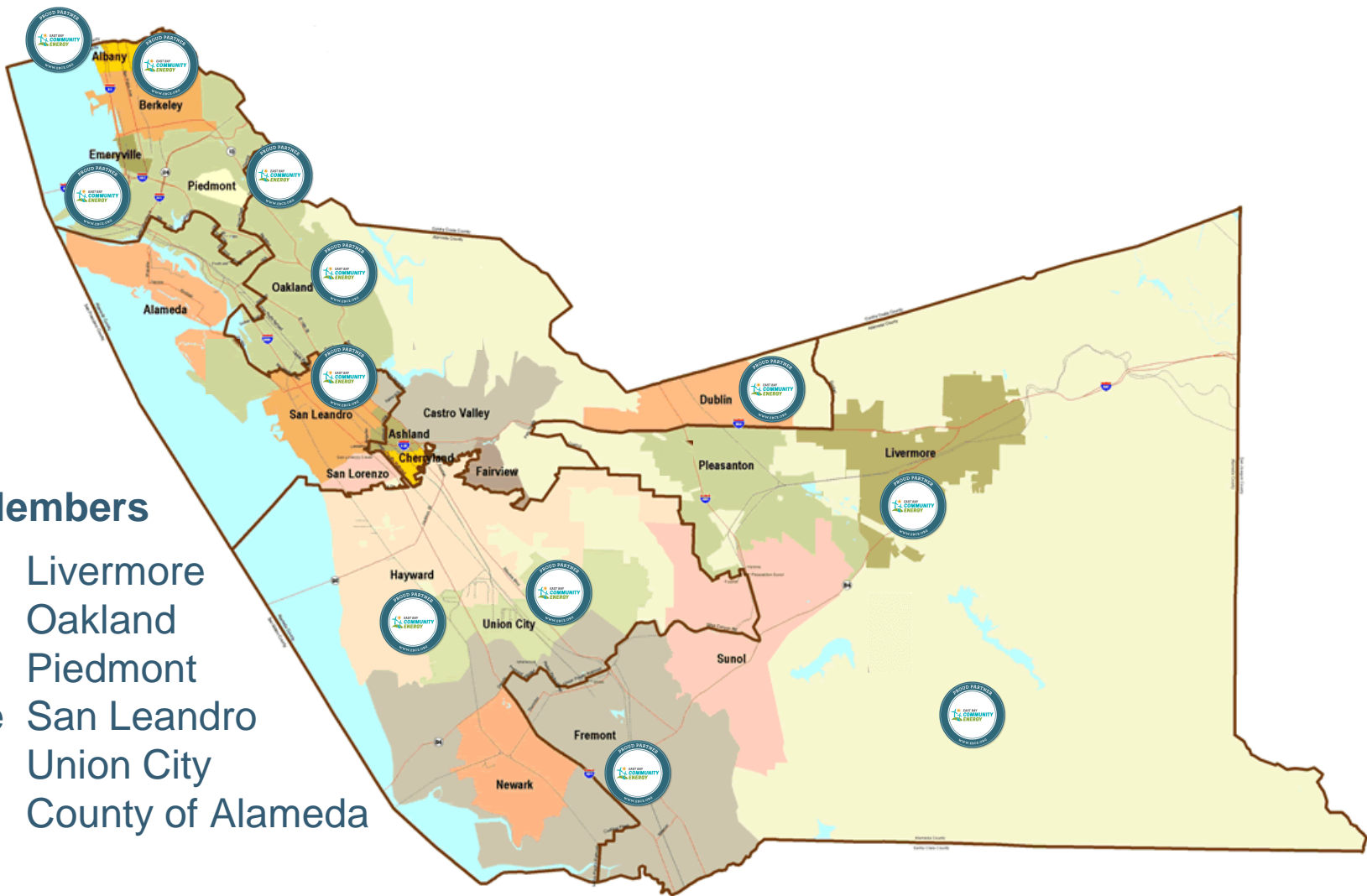


Customer YOU

benefiting from cleaner energy,
local control

EBCE Members

- Albany
- Berkeley
- Dublin
- Emeryville
- Fremont
- Hayward
- Livermore
- Oakland
- Piedmont
- San Leandro
- Union City
- County of Alameda





CITY OF HAYWARD

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

File #: RPT 19-340

DATE: September 10, 2019

TO: Mayor and City Council

FROM: Council Member Aisha Wahab

SUBJECT

Consider an Item for Discussion on a Future City Council Agenda Regarding Corrective Actions with Reliant Regarding Mass Displacement of Leisure Terrace Tenants

RECOMMENDATION

That the City Council discusses whether staff time and City resources should be devoted to researching an item regarding corrective actions with Reliant regarding the mass displacement of Leisure Terrace tenants.

SUMMARY

Council Member Wahab requests that the Council consider an item for discussion on a future City Council Agenda regarding corrective actions with Reliant regarding the mass displacement of Leisure Terrace tenants. The purpose of this agenda item is to discuss whether staff time and City resources should be devoted to researching this item and to determine whether this item should be placed on a future City Council agenda for discussion.

ATTACHMENTS

- | | |
|----------------|--|
| Attachment I | Council Referral Memorandum |
| Attachment II | Leisure Terrace Apartments |
| Attachment III | Leisure Terrace Apartments Relocation Plan |
| Attachment IV | Tenant Transition Narrative |

Date: 9/10/19

To: Mayor & City Council of Hayward

From: Aisha Wahab, City Council Member

Referral: The City Council should proceed and discuss corrective actions with Reliant, in regards to the mass displacement of Leisure Terrace tenants in the areas of:

- 1.) Appropriate compensation for tenants already displaced and for tenants that still remain but are not income eligible under LIHTC program or who will be forced to leave due to rent increases they are unable to afford.
- 2.) Work with Reliant to stop all efforts to remove the existing tenants (including evictions), raise rents on existing tenants, until the parties are able to meet to discuss the appropriate steps to ensure that no additional Hayward residents are unfairly and illegally displaced.
- 3.) Remove the exemption of the Just Cause Ordinance that would allow for conversion units to evict tenants without good cause.

Background: Reliant acquired Leisure Terrace Apartments in 2018 with the intent of converting it to a LIHTC property. As part of an application to the California Tax Credit Allocation Committee (“CTCAC”), Reliant was required to submit a relocation plan to address tenants who would be economically displaced by the conversion. Reliant prepared a relocation plan, but represented that no tenants were likely to be economically displaced. At the time that Reliant submitted this statement to CTCAC, Reliant's own analysis demonstrated that Reliant intended to substantially increase rents on most units on the property and bar many of the residents from remaining – thus causing economic displacement.

In several emails to Reliant in early 2019, CTCAC stated that the relocation plan lead them to believe that “most or all of the existing tenants would be staying at the property” and that they wanted to see confirmation in the form of current rent rolls and existing tenant income levels. However, it appears that this information was never provided.

This displacement was also aided by the City of Hayward’s March 26th amendment to the newly approved “Just Cause for Eviction Ordinance.” In its original iteration, the ordinance would have barred Reliant from evicting any of Leisure Terrace’s tenants (even those not income qualifying under the LIHTC program) without good cause. However, Reliant petitioned the Hayward City Council to pass a midnight amendment that created an exemption to the ordinance specifically for them. The amendment states that during a LIHTC conversion, units "not occupied by tenants meeting the eligibility requirements of the program under which such subsidy or funding is made" are not subject to the requirements of just cause.

California’s Relocation Assistance Act mandates that adequate relocation assistance be administered to affected tenants who have been displaced as a result of an action by a public entity. (CA Govt. § 7260). Given the City of Hayward’s significant public action of stripping Leisure Terrace’s tenants from just cause protections and approval of the bonds to support Reliant’s rehabilitation of the property, the law mandates that the City of Hayward provide relocation assistance to all displaced tenants. This includes

reasonable moving expenses and a payment to allow them to lease a comparable replacement dwelling. (CA Govt. § §7262; 7263). Most of the previous residents of Leisure Terrace have not received any such compensation.

Goal: The City of Hayward should initiate corrective action with regards to Reliant's handling of Leisure Terrace, and provide appropriate compensation to tenants, and strengthen the Just Cause Ordinance.

Timeline: 2- 3 months

Stakeholders: Tenants, Reliant, City, and others.

Aisha Wahab

Aisha Wahab,

Hayward City Council Member

Concerns, Notes & Additional Points of Reference:

- <https://www.sfchronicle.com/bayarea/article/East-Bay-tenants-face-eviction-as-developer-14404867.php>
- California's Relocation Assistance Act mandates that adequate relocation assistance be administered to affected tenants who have been displaced as a result of an action by a public entity.

Information Provided by the National Housing Law Project:

- Reliant displaced low income, fixed income, and working class tenants to create "affordable housing". Roughly 106 tenants to date were displaced in Hayward, whereas roughly 1000 tenants have been displaced with Reliant's conversion project in other cities (Napa, Antioch, etc.)
- Tenants who were told that they did not income qualify and were subsequently evicted or forced out, actually did income qualify and should have been allowed to stay. Reliant's income verification forms are questionable. There were 3 tenants who income qualified but were all told to leave or that they can address the city council.
- Incorrect notices being given to tenants and translation of legal documents were not provided to monolingual tenants.
- Construction, which is about to start, will keep tenants out of their homes for 8 hours of the day for over a month straight. There is currently no plan to relocate senior, disable or at risk tenants. Also there is no plan to address if the units will be contaminated with lead or asbestos. And tenants are expected to enter into the units after massive construction work is being done, on a

daily basis. Currently, tenants do not know if they will be without a bathroom or kitchen during construction, or if their items will be at risk of damage.

- Attached Documents

EXECUTIVE SUMMARY & CONCLUSIONS

A. Project Summary

The Subject (Leisure Terrace Apartments) is located at 1638 E Street, Hayward, Alameda County, California 94541. Currently, the Subject is a 68-unit market rate property, with studio, one, and two-bedroom units. The Subject will be renovated with LIHTC equity with proposed rents at the 2018 maximum allowable limits. The client was unsure of the number of tenants that are anticipated to remain income-qualified post-renovation due to a current lack of mandate for income verification. However, post-renovation it is assumed that some of the existing tenants will be income-qualified.

PROPOSED RENTS

Unit Type	Unit Size (SF)	Number of Units	Asking Rent	Utility Allowance (1)	Gross Rent	2018 LIHTC Maximum Allowable Gross Rent
@50%						
1BR / 1BA	700	2	\$1,090	\$0	\$1,090	\$1,090
2BR / 2BA	896	4	\$1,307	\$0	\$1,307	\$1,307
@60%						
0BR / 1BA	700	3	\$1,221	\$0	\$1,221	\$1,221
1BR / 1BA	700	16	\$1,308	\$0	\$1,308	\$1,308
1BR / 1BA	800	2	\$1,308	\$0	\$1,308	\$1,308
2BR / 2BA	896	<u>4</u>	\$1,569	\$0	\$1,569	\$1,569
		68				

Notes (1) According to the developer, all utilities are included in the asking rent.

Overall, the Subject improvements appear in average overall condition. According to the client, the total renovation cost is estimated to be approximately \$3,060,000, or \$45,000 per unit. According to information provided by the developer, the Subject's scope of renovation will include, but will not be limited to the following: roof replacement, window replacement, stucco repair and exterior paint, landscaping upgrades, concrete repairs, fencing/gate repairs and replacement, pool repairs, renovation of clubhouse, new signage, new kitchen cabinets, new bathroom vanities, new countertops, new appliances, new flooring, new lighting fixtures, new plumbing fixtures, and new door hardware. Post-renovation the Subject will exhibit good condition.

B. Description of Site and Adjacent Parcels

The development is located at 1638 E Street, Hayward, Alameda County, California 94541, within census tract 4364.01, which is not a 2018 or 2019 Qualified Census Tract. The site is 2.7 acres, irregular in shape, slopes downward from south to north, then levels out, zoned High-Density Residential (RH), and has frontage along the north side of E Street.

The Subject is located in the Upper B Street neighborhood in northern Hayward, which is a mixed-use neighborhood primarily consisting of residential, commercial, and recreational uses. Land use to the north of the Subject consists of single-family homes and scattered multifamily developments including Ridgecrest Apartments, all of which are in average condition. Ridgecrest Apartments is a 103-unit market rate development in average condition and is 99 percent occupied; thus, we have utilized it as a rental comparable in our analysis. Land use south is single-family homes in fair to average condition. Land use to the east of the Subject is wooded land, followed by single-family homes in average condition. Further east is the Don Castro Regional Recreation Area. Land uses to the west of the Subject consist of wooded land and single-family homes in average to good condition. Overall, surrounding land uses range in condition from fair to good, with the majority in average condition. According to Zillow.com,

single-family and condominium residences in the Subject's zip code are for sale for between \$407,000 and \$1,099,950, with a majority between \$600,000 and \$700,000.

Surrounding land immediately to the north is zoned RH (Medium Density Residential) and RS (Single-family Residential). Land use to the immediate south, east, and west is zoned RS.

C. Primary Market Area

For the purpose of this study, it is necessary to define the market area, or the area from which potential tenants for the project are likely to be drawn. In some areas, residents are very much “neighborhood oriented” and are generally very reluctant to move from the area where they have grown up. In other areas, residents are much more mobile and will relocate to a completely new area, especially if there is an attraction such as affordable housing at below market rents. The primary market area (PMA) for the Subject generally consists of the cities of Hayward, Castro Valley, Ashland, Carpenter, and parts of San Leandro and Union City. The approximate PMA boundaries for the Subject are defined as follows:

North: Davis Street/Lake Chabot Regional Park
South: Alvarado Niles Road
East: Crow Canyon Road, Grove Way, Maud Avenue, Fairview Avenue, and Mission Boulevard
West: Hesperian Boulevard and Interstate 880 to the west

The PMA boundaries and overall market health assessment are based upon an analysis of demographic and socioeconomic characteristics, target tenant population, political jurisdictional boundaries, natural boundaries, experience of nearby comparable developments, accessibility to mass transit or key transportation corridors and commute patterns, and market perceptions. We recognize several sub-markets exist within this PMA; however, market data demonstrates that a significant amount of the renter base considers housing opportunities within these boundaries. Given the opportunity to locate good quality affordable housing, the renter base will move within these areas. We anticipate the majority of demand will be generated from this geographic area. However, leakage is expected from outside the PMA from other parts of the greater metropolitan area, and surrounding communities.

There are no natural boundaries in Hayward that would inhibit anyone from relocating to the Subject. The market area boundaries identified are a reasonable approximation regarding the potential renter market for the Subject. Rental housing of all types is in strong demand. Housing in this market is at a premium, with few vacancies.

The secondary market area (SMA) for the Subject is the San Francisco-Oakland-Hayward, CA Metropolitan Statistical Area (MSA), which consists of Alameda, Contra Costa, San Francisco, San Mateo, and Marin Counties. A map outlining the PMA can be found following, along with maps of the MSA, comparable properties, and locational amenities.

Photographs of Subject Site and Neighborhood:



Exterior of Subject



Exterior of Subject



Exterior of Subject and typical tuck-under tenant parking



Exterior of Subject and typical tenant parking



Exterior of Subject



Exterior of Subject



Ridgecrest Apartments north of the Subject



View north from Subject



Single-family home south of the Subject and Subject signage



Single-family home south of the Subject site



Single-family homes east of the Subject along E Street



Single-family homes east of the Subject along E Street



Single-family home west of the Subject along E Street



Single-family homes west of the Subject along E Street

Access and Traffic Flow

The Subject is accessed via the north side of E Street, which is a two-lane lightly traveled neighborhood street traversing east and west. E Street provides access to 2nd Street located 0.4 miles to the west of the Subject. 2nd Street is also a two-lane lightly traveled neighborhood street traversing north and south providing access to D Street. D Street is a two-lane moderately traveled road traversing east and west which provides access to Foothill Boulevard located 0.6 miles west of the Subject. Foothill Boulevard is a four-lane major thoroughfare that generally traverses north throughout the region and provides access to Interstates 238 and 580 located 1.8 miles to the northwest. Overall, access is considered good, and traffic flow is light in the Subject's immediate area.

Visibility/Views

The site has fair visibility from E Street. Views to the north include single-family homes in average condition and Ridgecrest Apartments. Views to the south include single-family homes in fair to average condition. Views to the east of the Subject include wooded land, followed by single-family homes in average condition. Views to the west include single-family homes in average to good condition. Overall, visibility is considered fair and views are considered average.

LEISURE TERRACE APARTMENTS HAYWARD, CALIFORNIA



Relocation Plan

January 2019

**Prepared for:
Reliant Group Management**

**Prepared by:
Laurin Associates,
a Division of Raney Planning and Management, Inc.**

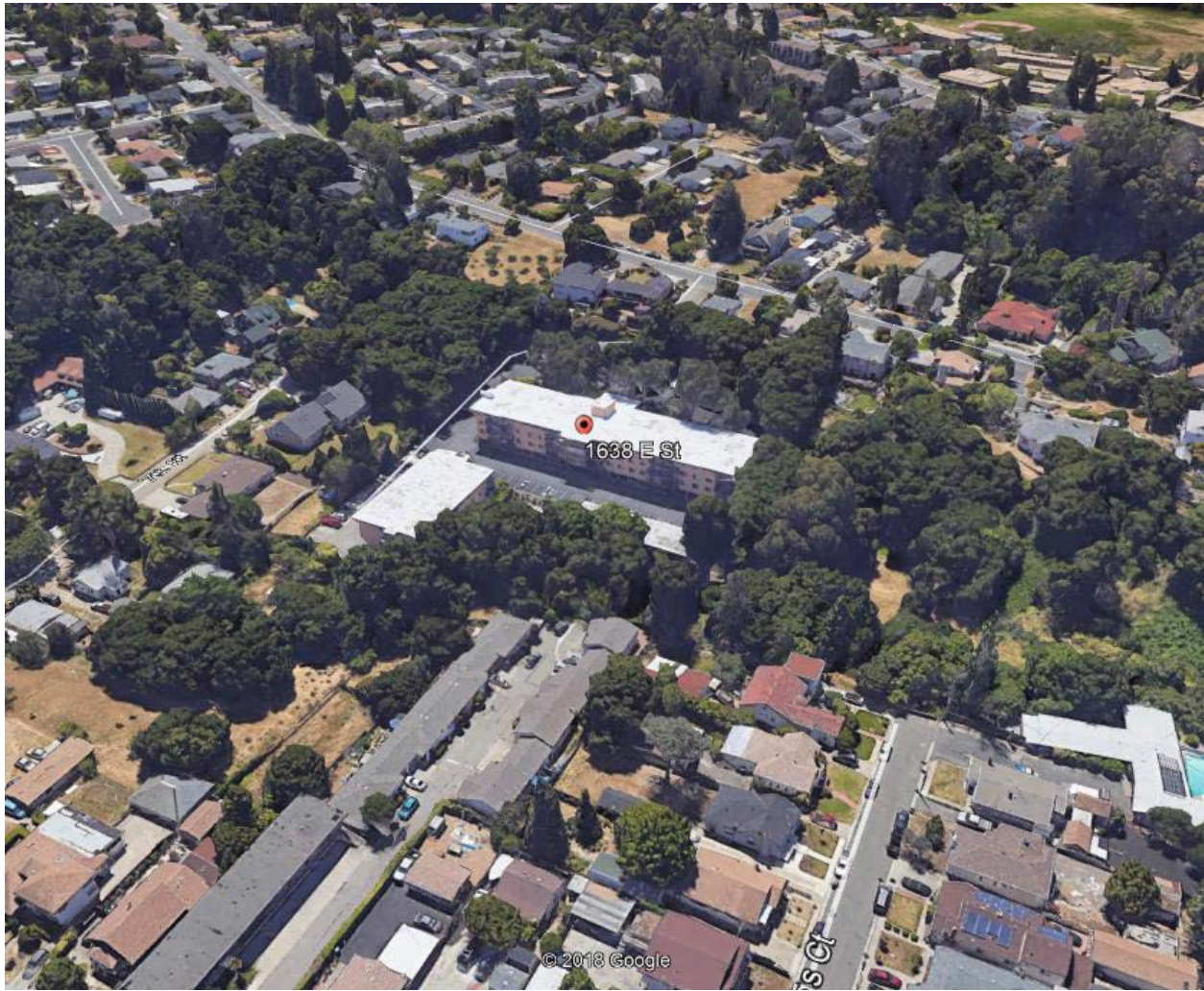
INTRODUCTION

Reliant Group Management (Reliant) is submitting an application for a bond allocation from the California Debt Limit Allocation Committee (CDLAC) and an allocation of tax credits from the California Tax Credit Committee (CTCAC) to acquire and renovate a market rate multifamily housing complex in the City of Hayward. Leisure Terrace Apartments is a 68-unit general occupancy apartment complex located at 1638 E Street. Renovations are expected to take place April 2019 through December 2019.

Once the project receives an allocation of tax credits and tax-exempt bonds, all tenants residing at the subject property must have incomes at or below 60 percent of the Area Median Income (AMI) for Alameda County. Current tenant with incomes above 60 percent of AMI will be given a 60-day notice that their lease will not be renewed at that time; all tenants are on month-to-month leases.

Due to the scope of rehabilitation work and the concern for each tenant's health, safety, and welfare, income-qualified residents who choose to remain at the subject property will be required to vacate their unit temporarily during the work day. Unit renovations will be phased with 6-10 units being renovated at a time for up to five consecutive weekdays. During this time, tenants will need to vacate their units from 9:00 a.m. to 5:00 p.m. Some belongings will need to be packed and moved to the center of the room. Reliant will provide tenants with packing materials, meal stipends, and assistance with packing as needed. Management will ensure that two onsite "host" units are available for the households to utilize while they are required to be out of their unit.

Project Location/Description



Leisure Terrace Apartments is an existing is a 68-unit market rate apartment complex located at 1638 E Street, Hayward, CA. The project sponsor is Reliant Group Management. The subject property was originally built in 1974. The property is improved with 3 two- three-, and four-story garden-style residential buildings with the following unit mix:

Unit Mix

Unit Mix	# Units	Average SF
Studio	3	700
1 BR / 1 BA	18	700
1 BR / 1 BA	2	800
2 BR / 2 BA	45	900

Unit amenities include blinds, carpet, ceiling fan, storage closet, walk-in closet, refrigerator, stove, disposal, dishwasher, and patio/balcony. Project amenities include swimming pool and

**Relocation Plan
Leisure Terrace Apartments**

January 2019

spa, laundry room, onsite management, carports, elevator, surveillance camera, and courtesy patrol. A community building and business center will be added as part of the renovations.

Current rents are below the maximum allowable 2018 LIHTC rents. As tenant income certifications are completed post acquisition, rents will be raised to the maximum allowable rents for tenants who are income qualified to remain at the property; the sponsor believes that the rent increases will not cause any economic displacement due to current market conditions. New tenants will be charged the maximum allowable LIHTC rents.

The property will undergo interior and exterior renovations totaling approximately \$45,000 per unit. The renovation work is expected to start in April 2019 and to take 8 months. The renovation scope is currently being developed but is expected to include the following, as needed:

EXTERIOR / COMMON AREA AMENITIES

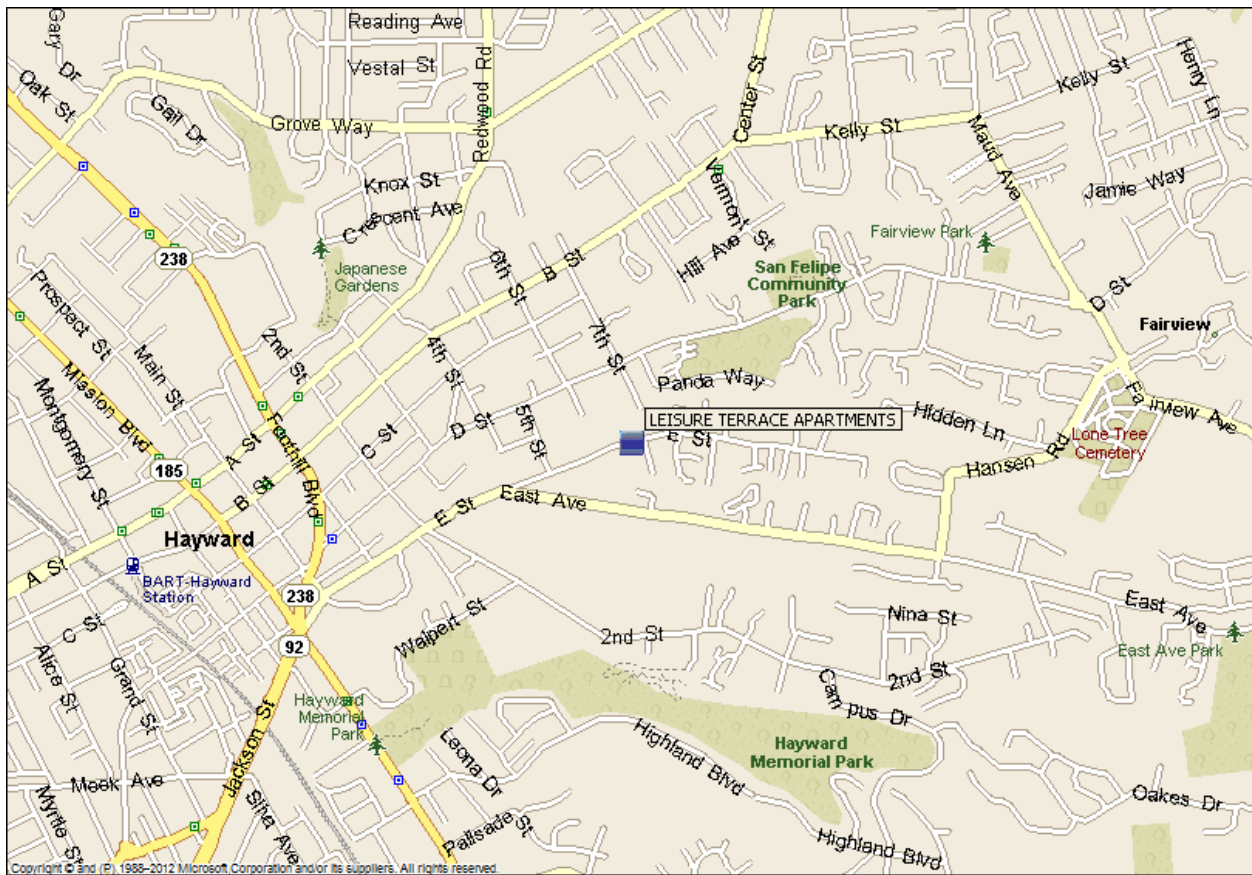
- New roofs
- New energy efficient windows
- Renovation of existing leasing office
- Upgraded, energy efficient lighting fixtures throughout
- Full exterior paint
- Extensive landscaping upgrades, including drought tolerant plants and irrigation retrofit
- Upgraded pool areas and installation of barbecue space
- New building and monument signs
- Parking lot repairs, slurry seal and striping
- New community building and business center

UNIT INTERIORS

- New cabinets and countertops in kitchens and baths
- New vinyl plank flooring in kitchen, hallways, and baths
- New energy efficient appliances in all units
- Low Flow toilets, showerheads and faucet aerators throughout
- Energy efficient lighting and new fixtures throughout
- Microwaves and ceiling fans as necessary

RELOCATION PLAN

1. The Project Map:



2. **Projected Dates of Displacement:** No relocation will take place before all funding sources have been approved, construction financing closes, and all required noticing has been issued. Renovations are expected to take place April 2019 – December 2019.

3. **Aggregate Relocation Needs/How Needs Will Be Met:**

- a. **Aggregate Relocation Needs:** Once the project receives an allocation of tax credits and tax-exempt bonds, all tenants residing at the subject property must have incomes at or below 60 percent of the Area Median Income (AMI) for Alameda County. Tenants with incomes above 60 percent of AMI will be given a 60-day notice that their lease will not be renewed at that time; all tenants are on month-to-month leases.

- b. Method of Notification: Once Reliant has closed the construction financing and acquired the subject property, all household residing at the property will immediately be issued a 60-day notice that:
- Informs tenants of the new ownership and new income restrictions and that their current month-to-month lease will not be renewed
 - States that all residents need to meet with management within 30 days and provide proof of income
 - Lists what documents will need to be provided to management
 - Explains that if residents are income qualified to remain at the property, they will need to execute a new six-month lease under the requirements of the LIHTC program
 - Informs residents that if they are over-income that they will need to relocate by the date specified in the 60-day notice

At least 30 days prior to renovations, management will issue all tenants a Notice of Temporary Relocation Assistance. The notice will provide each household with information regarding the temporary relocation process, general schedule, and what to expect. This notice will include:

- Date and duration of temporary relocation
- Packing instructions
- Availability of a “host” unit and community room
- Lunch stipend to be provided

Seven days before any temporary displacement, tenants will receive a reminder notice that will summarize the information contained in the 30-day notice. Finally, the night before any temporary displacement, the resident manager will visit each of the tenants to ensure that they are properly packed and ready for the renovation of their units.

- c. Temporary Relocation Detail: Due to the scope of rehabilitation work and the concern for each tenant’s health, safety, and welfare, residents will be required to vacate their unit temporarily during the work day. Unit renovations will be phased, with 6-10 units being rehabilitated at one time for 5 consecutive weekdays. During this time, tenants will need to be out of their unit from 9:00 a.m. to 5:00 p.m.

Reliant will fully furnish two vacant units to be available during the rehabilitation. Residents may choose to use the units during the days that their unit is being renovated. Tenants will be able to prepare their lunches, watch TV, or just relax.

Tenants will need to pack kitchen and bathroom belongings; they will be provided packing materials and packing instructions prior to renovation of their unit. Tenants will be responsible for packing their own belongings, except for those identified as needing assistance.

Residents will have access to their kitchens and bathroom when they return to their unit each night. They will be provided a \$10/day/person lunch stipend for the 5 days that their unit is under renovation. In the unlikely event that a tenant’s unit is not fully functional during the renovation, Reliant will pay for a room(s) in a nearby hotel plus a \$20 per person per day meal stipend.

- 4. Cost Estimate and Sources:** The total estimated cost to temporarily relocate up to 68 households for 5 days is \$23,155, which includes a 10 percent contingency. The methodology and estimate calculations are outlined below.

The cost for the packing material assumes tenants will be responsible for packing and unpacking their belongings. The contingency cost will cover any households that need assistance with packing or who may need to stay in a hotel for a night if construction runs into problems.

Leisure Terrace Apartments

Temp Relocation	Units	Days	Cost/Day	Cost/Unit	Total
Lunch Stipend Studio	3	5	\$10		\$150
Lunch Stipend 1BR	20	5	\$15		\$1,500
Lunch Stipend 2BR	45	5	\$30		\$6,750
Packing Material Studio	3			\$30	
Packing Material 1BR	20			\$40	\$800
Packing Material 2BR	45			\$50	\$2,250
Rental Furniture Cost Per Month		12		\$800	\$9,600
Total					\$21,050
10% Contingency					\$2,105
TOTAL					\$23,155

Assumptions

- Studio = 1 person
- 1BR = 1.5 persons
- 2BR = 3 persons

- 6. Citizen Participation:** Tenant meetings will be scheduled before renovations take place. Written information will be provided to tenants explaining the timing of the project. Additional tenant meetings will be held as needed; translators will be available as needed. Upon request, tenants will be provided timely and full access to all non-confidential documents relevant to the relocation.

RELIANT GROUP MANAGEMENT

February 21, 2019

Ms. Diane SooHoo
California Tax Credit Allocation Committee
915 Capitol Mall, Room 110
Sacramento, CA 95814

Re: Leisure Terrace Apartments Tenant Transition Narrative

Dear Diane SooHoo:

Reliant Group Management and its affiliate, Reliant Property Management (together “Reliant”), are an experienced affordable housing developer and manager, having acquired and renovated 4,122 units under the Section 42 Low Income Housing Tax Credit (the “LIHTC”) program. As such, Reliant understands the critical need for tenant outreach when undertaking a 4% syndication of a property.

As part of the acquisition of the Leisure Terrace Apartments in Hayward, California, notices were sent out via mail and posted on each tenant’s door on the day of the closing, informing them of the ownership change, the new management company and the conversion to an affordable LIHTC community. The notices included the income eligibility and programmatic requirements for qualification under the program, the new management contact information for tenants, times management would be available to meet with individual families to discuss the conversion and income qualifications dependent on their particular family size. If a family is determined to be over-income, Reliant’s qualified affordable housing specialists will be there to help them navigate their transition to a new community. Initially, Reliant will offer residency, where available, in a Reliant-owned and managed community in the greater Bay Area and Sacramento. Transfer fees will be waived, and deposits refunded if they do decide to relocate to one of these communities. If they choose to look elsewhere, Reliant staff will recommend other potential avenues for them to explore. As most residents reside under a month-to-month lease, residents that are over-income will be provided with a 60-day notice to vacate. Understanding that there may be particular issues that don’t allow for a resident to move out within that time frame, Reliant will make for reasonable accommodation as necessary.

Reliant understands that the opportunity to find apartment communities within California that can be converted from market rate to LIHTC housing is extremely rare. Rents have increased substantially across the state since the Great Recession, forcing low-income and very low-income families further and further out from major MSA’s throughout the state. Many of these families have been forced out of the state entirely, likely never to return. Our goal is to protect these families by acquiring, substantially renovating and converting these communities to LIHTC, thus providing safe and affordable homes for families in these communities for years to come.

We look forward to continuing our successful relationship working with CTCAC on these conversions and many more in the future.

Sincerely,



Jason Snyder
VP of Acquisitions