

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, May 5, 2020

7:00 PM

Remote Participation

City Council

SPECIAL CITY COUNCIL MEETING

This meeting is being conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order No. 29-20 dated March 17, 2020, and Alameda County Health Officer Order No. 20-10 dated April 29, 2020, regarding the COVID-19 pandemic.

How to observe the Meeting:

1. Comcast Channel 15
2. Live stream <https://hayward.legistar.com/Calendar.aspx>

How to submit written Public Comment:

1. Use eComment on the City's Meeting & Agenda Center webpage at <https://hayward.legistar.com/Calendar.aspx>. eComments are directly sent to the iLegislate application used by City Council and City staff. Comments received before 3:00 p.m. the day of the meeting will be exported into a report, distributed to the City Council and staff, and published on the City's Meeting & Agenda Center under Documents Received After Published Agenda. eComments received after 3:00 p.m. through the adjournment of the meeting will be included as a part of the meeting record and published the following day.
2. Send an email to List-Mayor-Council@hayward-ca.gov by 3:00 p.m. the day of the meeting. Please identify the Agenda Item Number in the subject line of your email. Emails will be compiled into one file, distributed to the City Council and staff, and published on the City's Meeting & Agenda Center under Documents Received After Published Agenda.

How to provide spoken Public Comment during the City Council Meeting:

Call the City Clerk at (510) 583-4400 prior to the close of public comment on an item as indicated by the Mayor.

CALL TO ORDER

ROLL CALL

CLOSED SESSION ANNOUNCEMENT

Monday, May 4, 2020

Tuesday, May 5, 2020

PRESENTATION

Statewide Mental Health Awareness Effort

PUBLIC COMMENTS

Public comments are limited only to items on the Agenda as items are called.

ACTION ITEMS

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

CONSENT

1. [MIN 20-045](#) Approve City Council Minutes of the Special City Council Meeting on March 17, 2020

 Attachments: [Attachment I City Council Minutes of 3/17/2020](#)

2. [MIN 20-046](#) Approve City Council Minutes of the Special City Council Meeting on March 24, 2020

 Attachments: [Attachment I City Council Minutes of 3/24/2020](#)

3. [CONS 20-206](#) Adopt a Resolution Awarding a Contract to Joe's Landscape and Concrete, in the Amount of \$103,215, for Vegetation Management of Specific City Owned and Maintained Properties

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

4. [CONS 20-208](#) Adopt a Resolution Awarding a Contract to The Garland Company for the Hayward Executive Airport - Executive Hangars 1 and 2 Roof Repair Project, Project No. 06826, in an Amount Not-to-Exceed \$450,000

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

5. [CONS 20-211](#) Adopt a Resolution Authorizing the City Manager to Negotiate an Amendment and Extend the Exclusive Negotiating Rights Agreement with Eden Housing Inc. and Pacific Companies through June 30, 2021

 Attachments: [Attachment I Staff Report](#)
 [Attachment II Site Plans](#)
 [Attachment III Roundabout Rendering](#)
 [Attachment IV Amenity Map](#)
 [Attachment V Resolution](#)

WORK SESSION

Work Session items are non-action items. Although the Council may discuss or direct staff to follow up on these items, no formal action will be taken. Any formal action will be placed on the agenda at a subsequent meeting in the action sections of the agenda.

6. [WS 20-017](#) Hayward Shoreline Master Plan: Review and Discuss
Preliminary Design Alternatives (Report from Development
Services Director Simpson and Public Works Director Ameri)

Attachments: [Attachment I Staff Report](#)
[Attachment II Summary of Preliminary Design Alternatives](#)

INFORMATION ITEM

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

7. [RPT 20-051](#) Informational Report on the Hayward Youth Commission
Annual Recruitment and Appointment/Reappointment Process

Attachments: [Attachment I Staff Report](#)

CITY MANAGER'S COMMENTS

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

COUNCIL REPORTS AND ANNOUNCEMENTS

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

COUNCIL REFERRALS

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

ADJOURNMENT**NEXT MEETING, May 19, 2020, 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.

CHILDCARE WILL NOT BE PROVIDED UNTIL FURTHER NOTICE DUE TO COUNTYWIDE SHELTER-IN-PLACE ORDER.



CITY OF HAYWARD

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

File #: MIN 20-045

DATE: May 5, 2020

TO: Mayor and City Council

FROM: City Clerk

SUBJECT

Approve City Council Minutes of the Special City Council Meeting on March 17, 2020

RECOMMENDATION

That the City Council approves the Special City Council minutes of March 17, 2020.

SUMMARY

The City Council held a special meeting on March 17, 2020.

ATTACHMENTS

Attachment I Draft City Council Minutes of 3/17/2020



SPECIAL MEETING OF THE CITY COUNCIL
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, March 17, 2020, 7:00 p.m.

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

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 four items: 1) public employment pursuant to Government Code 54957 regarding the City Attorney's annual evaluation; 2) conference with labor negotiators pursuant to Government Code 54957.6 regarding all groups; 3) conference with legal counsel pursuant to Government Code 54956.9(d)(4) regarding anticipated litigation; and 4) conference with Director of Emergency Services pursuant to Government Code 54957(a) regarding consideration of affirmation of Declaration of Emergency based on matters posing a threat to the security of essential public services or a threat to the right of access of public services or public facilities, to wit: COVID-19 (Coronavirus).

Mayor Halliday noted there was no reportable action related to Item 1 and City Attorney Lawson reported there was no reportable action related to Items 2 and 3. Regarding Item 4, City Attorney Lawson noted there was no reportable action but there would be public discussion during the regular meeting related to the resolution ratifying the proclamation of local emergency.

PUBLIC COMMENT

Mayor Halliday announced that due to the Alameda County Shelter-in-Place order and the coronavirus (COVID-19) pandemic, the City Council agenda was revised by removing items that were not time-sensitive or of an emergency nature. Mayor Halliday added that public comment would be limited to Agenda Items 1, 2, 3, 4 and 5.

City Clerk Lens noted the revised agenda provided instructions on submitting written comments prior to the meeting or calling (510) 583-4400 during the meeting.

CONSENT

Consent Item 4 was removed from the Consent Calendar to allow for staff presentation and public comment.

1. Approve City Council Minutes of the City Council Meeting on February 25, 2020 **MIN 20-033**

It was moved by Council Member Márquez, seconded by Council Member Mendall, and carried unanimously, to approve the City Council Minutes of the City Council Meeting on February 25, 2020.

2. Approve City Council Minutes of the City Council Meeting on March 3, 2020 **MIN 20-034**

It was moved by Council Member Márquez, seconded by Council Member Mendall, and carried unanimously, to approve the City Council Minutes of the City Council Meeting on March 3, 2020.

3. Adopt a Resolution Rejecting All Bids, Approving Revised Plans and Specifications, and Calling for Bids for the Sewer Line Replacement Project, Project No. 07694 **CONS 20-165**

Staff report submitted by Public Works Director Ameri, dated March 17, 2020, was filed.

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

Resolution 20-035, "Resolution Rejecting All Bids for the Sewer Line Replacement Project, Project No. 07694, Approval of Revised Plans and Specifications, and Call for Bids."

4. Adopt a Resolution Ratifying the Proclamation of Local Emergency Due to the Spread of a Severe Acute Respiratory Illness Caused by a Novel (New) Coronavirus (COVID-19) **CONS 20-173**

Staff report submitted by Fire Chief Contreras, dated March 17, 2020, was filed.

City Manager McAdoo provided a synopsis of the staff report, updated the Council on measures to slow the spread of the coronavirus (COVID-19) while protecting the health and safety of City staff and the Hayward community and noted modifications to service delivery and limiting non-essential City services in light of the Alameda County Health Officer Shelter-in-Place order issued March 16, 2020.

City Manager McAdoo asked that the proposed resolution be amended by adding a paragraph, at the end of the resolution, that would authorize an appropriation from the City's General Fund in an amount not to exceed \$3 million for emergency-related expenditures and read the proposed language into the record.



**SPECIAL MEETING OF THE CITY COUNCIL
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, March 17, 2020, 7:00 p.m.**

Members of the City Council thanked City Manager McAdoo, her leadership team, and first responders for efforts in helping slow the spread of the coronavirus (COVID-19) and protecting the health and safety of the community.

Discussion and suggestions ensued among Council Members and City staff regarding: Council Member Wahab's "Emergency Stay in Place Ordinance" referral and staff efforts to bring back to Council an ordinance for emergency consideration; a local moratorium on evictions to protect vulnerable residents and ensure landlords are able to pay mortgages; the City's webpage and telephone hotline with language translation capabilities to address questions impacted by the coronavirus; assistance for seniors; City employees' sick and leave balance; payment plans and options for water bills; the City's organization and operation under a state of emergency; available coronavirus updates via Alameda County Public Health by texting 211 211 and typing "coronavirus" in the subject; use of Channel 15 to put out emergency information from the Federal, State, County and City governments and to broadcast the hotline; emergency loan program for low-interest loans to support small businesses; being mindful of City staff and resources; reassurance for the undocumented community; and outreach to local charities.

Mayor Halliday opened the public hearing at 7:45 p.m.

The following speakers participated via telephone:

Ms. Araceli Orozco urged the Council to enact an emergency ordinance on evictions to protect residents who have lost their jobs.

Ms. Sara Prada asked the City and the HPD Community Advisory Panel to put out a statement reassuring the undocumented community that Hayward is a Sanctuary City and to avail from free resources and asked for donations and relief from water bills.

Ms. Elisha Crader urged the Council to enact a strong eviction moratorium and consider the recommendation submitted by The Hayward Collective.

Mayor Halliday closed the public hearing at 7:59 p.m.

Council Mendall offered a motion per staff's recommendation including the revised resolution with added language appropriating \$3 million for emergency expenditures.

Council Member Zermeño seconded the motion.

It was moved by Council Member Mendall, seconded by Council Member Zermeño, and carried unanimously, to approve staff's recommendation, including the additional paragraph at the end of the resolution, regarding authorizing appropriation from the City's General Fund in an amount not to exceed \$3 million for emergency-related expenditures:

Resolution 20-036, "Resolution Ratifying the Proclamation of Local Emergency"

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

LEGISLATIVE BUSINESS

5. FY 2020 Mid-Year Budget: FY 2020 Mid-Year Budget Review and General Fund Long Range Financial Model Update (Report from Finance Director Claussen) **LB 20-010**

Staff report submitted by Finance Director Claussen, dated March 17, 2020, was filed.

Finance Director Claussen provided a synopsis of the staff report.

Discussion ensued among Council members and City staff regarding the Real Property Transfer Tax (RPTT); appropriation of \$4.4 million for the City Center demolition; Other Post-Employment Benefits (OPEB) balance; poll to gauge voter support for Transit Occupancy Tax (TOT); and coronavirus impact on the City's budget and economy.

There being no public comments, Mayor Halliday opened and closed the public hearing at 8:40 p.m.

Members of the City Council offered the following recommendations: consider placing the Transit Occupancy Tax (TOT) on the November 2020 ballot and provide Council with tax rate data from surrounding cities; provide clarification related to Measure C funds prior to the start of FY2021 budget cycle; do not conduct polling for TOT given the current economic climate and results of prior polling; delay consideration of the Business License Tax until 2022; consider similar language to Measure EE (Cannabis Tax-2016) for the TOT related to establishing an increase up to a ceiling; conduct a TOT campaign similar to Measure EE, consider an all-vote-by-mail election in November as regional conversations occur; and start evaluating budgetary reductions for Fiscal Year 2021.

Council Member Lamnin offered a motion per staff's recommendation and consideration for placing the City's Transit Occupancy Tax (TOT) on the November 2020 ballot and authorizing against polling to gauge voter support.



**SPECIAL MEETING OF THE CITY COUNCIL
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, March 17, 2020, 7:00 p.m.**

Council Member Mendall seconded the motion.

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

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

Resolution 20-037, "Resolution Amending Resolution 19-103,
As Amended, the Budget Resolution for the City of Hayward
Operating Budget for Fiscal Year 2020, Relating to an
Appropriation of Funds"

Resolution 20-038, "Resolution Amending Resolution 19-106,
As Amended, the Budget Resolution for the City of Hayward
Capital Improvement Projects for Fiscal Year 2020, Relating to
an Appropriation of Funds"

6. Middle Income Affordable Housing Financing Program: Adopt a Resolution Approving a Financing Model that Supports the Development of Middle-Income Affordable Housing and Authorize the City Manager to Execute Purchase Option Agreements with CalCHA (Report from City Manager McAdoo) *** (CONTINUED UNTIL FURTHER NOTICE) *** **LB 20-012**

COUNCIL REFERRALS

7. Consider an Item for Discussion on a Future City Council Agenda Regarding the "Preserve & Protect Our Neighbors" Annexation of the Unincorporated Areas of Alameda County by the City of Hayward (Report from Council Member Wahab) *** (CONTINUED UNTIL FURTHER NOTICE) *** **RPT 20-039**
8. Consider an Item for Discussion on a Future City Council Agenda Regarding "Emergency Stay in Place Ordinance" During a Declaration of an Emergency (Report from Council Member Wahab) *** (CONTINUED. Staff is already working collaboratively with other agencies to develop an ordinance for Council consideration that balances needs of the stakeholder groups/to be brought back to Council for emergency consideration as soon as practical.) **RPT 20-040**

CITY MANAGER'S COMMENTS

City Manager McAdoo announced the Downtown Library started offering online resources and the City was fast tracking real time electronic comments for City Council meetings.

COUNCIL REPORTS AND ANNOUNCEMENTS

Members of the City Council reiterated their appreciation for all City personnel in their response to the coronavirus pandemic and urged all to take care for one another and vulnerable groups. It was noted that the Alameda County Mosquito Abatement District had now electric vehicle charging stations and Albany became a new member of the District; the Alameda County Housing Authority continued to provide services; the East Bay Dischargers Joint Powers Authority continued to conduct teleconference meetings; South Hayward Parish and Meals on Wheels were in need of donations and volunteers; and Newark, Pleasanton and Tracy joined the East Bay Community Energy. It was recommended to review the 1989 earthquake emergency protocol; and update the City's website with information about food resources and volunteering opportunities.

ADJOURNMENT

Mayor Halliday adjourned the meeting at 9:10 p.m., in memory of individuals who passed due to the COVID-19 and with hope for a soon end to the pandemic.

APPROVED

Barbara Halliday
Mayor, City of Hayward

ATTEST:

Miriam Lens
City Clerk, City of Hayward



CITY OF HAYWARD

Hayward City Hall
777 B Street
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File #: MIN 20-046

DATE: May 5, 2020

TO: Mayor and City Council

FROM: City Clerk

SUBJECT

Approve City Council Minutes of the Special City Council Meeting on March 24, 2020

RECOMMENDATION

That the City Council approves the Special City Council minutes of March 24, 2020.

SUMMARY

The City Council held a special meeting on March 24, 2020.

ATTACHMENTS

Attachment I Draft City Council Minutes of 3/24/2020



SPECIAL MEETING OF THE CITY COUNCIL
Tuesday, March 24, 2020, 7:00 p.m.
Remote Participation

The special City Council meeting was called to order by Mayor Halliday at 7:00 p.m. and conducted via telephone and videoconferencing in accordance with State of California Executive Order No. 25-20 and guidance from the California Department of Public Health related to COVID-19.

ROLL CALL

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

PUBLIC COMMENTS

Public comment was limited to items on the agenda.

CONSENT

1. Adopt an Ordinance Establishing Reach Codes for the City of Hayward, Amending Part 6 (California Energy Code) and Part 11 (California Green Building Standards Code) of the California Building Standards Code (Title 24 of the California Code of Regulations); and Amending Chapter 9, Article 1 of the Hayward Municipal Code **CONS 20-157**

Staff report submitted by City Clerk Lens, dated March 24, 2020, was filed.

It was moved by Mayor Halliday, seconded by Council Member Márquez, and carried by the following roll call vote, to approve the ordinance:

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

Ordinance 20-05, "An Ordinance Establishing Reach Codes for the City of Hayward; Amending Part 6 (California Energy Code) and Part 11 (California Green Building Standards Code) of the California Building Standards Code (Title 24 of the California Code of Regulations)"

LEGISLATIVE BUSINESS

2. Temporary Moratorium on Evictions: Adoption of an Emergency Ordinance Establishing a Temporary Moratorium on Evictions in the City of Hayward for Non-Payment of Rent Caused by the Coronavirus (COVID-19) Pandemic, or for No-Fault Evictions and Providing Tenants and Landlords Mediation Services to Negotiate Payment Agreements and to Provide Direction to Staff to Develop a Financial Assistance Program to Help Stabilize the Rental Housing Market in Hayward **LB 20-014**

Staff report submitted by Deputy City Manager Ott, dated March 24, 2020, was filed.

Housing Manager Morales provided a synopsis of the staff report.

Mayor Halliday opened the public hearing at 7:16 p.m.

Public speakers participated by calling the City Clerk's office at (510) 583-4400.

Ms. Angela Andrews was unable to connect.

The following speakers expressed support for the proposed emergency ordinance establishing a temporary moratorium on evictions.

Ms. Shari Cruz
Ms. Cheryl Cruz
Ms. Shaw
Ms. Ortega, CSUEB student
Ms. Maria
Ms. Ana Navidad
Ms. Mariah

While the following speakers supported the proposed ordinance establishing a temporary moratorium on evictions, they expressed additional concerns and requests.

Mr. Bill Mulgrew, Rental Housing Association president, asked to limit the term of the ordinance to one 90-day extension.

Ms. Dolores Tejada, East Bay Housing Organization representative, supported the Hayward Collective's letter.

Mr. Victor Garcia, via an English-Spanish interpreter, Parents Organized and Dedicated to Reformatory Education representative, did not support requiring documentation or proof of income for undocumented residents.



SPECIAL MEETING OF THE CITY COUNCIL
Tuesday, March 24, 2020, 7:00 p.m.
Remote Participation

Mr. David Stark, Bay East Association of Realtors director, requested changes be incorporated regarding statement of urgency, a sunset provision, and addition of “sale of a tenant-occupied unit” language to the no-fault eviction clause.

Ms. Lacei Amodei requested The Hayward Collective’s recommendations be incorporated.

Ms. Alicia Lawrence, The Hayward Collective representative, asked the moratorium to apply to all causes of evictions and across the board to all tenants.

Mr. Randy Wright requested the ordinance be expanded to include small businesses that lease their spaces.

Mr. John Matthews cautioned the moratorium does not affect prior evictions for cause.

Ms. Araceli Orozco asked protections for the undocumented community and asked to consider the Hayward Collective’s recommendations.

Ms. Kayla Mathis, CSUEB student, asked for provisions to waive late fees.

Ms. Jackie Zaneri, Centro Legal de La Raza attorney, asked for a moratorium on all causes for eviction and to protect against eviction notices that were served before the emergency declaration.

Ms. Elena Lepe, via an English-Spanish interpreter, Leaders in Action by the Community representative, asked protections for undocumented residents.

Ms. Ana Lilia Brizuela, Hayward Collective supporter, asked protections and assistance for undocumented residents.

Mr. Joe Felson noted he and his staff were willing to work with his tenants to keep them safe and secure.

Ms. Alejandra Oliva, via an English-Spanish interpreter, asked for payment plans for residents unable to provide proof of income.

Mr. Richard asked if anything was being done for homeowners.

Mayor Halliday closed the public hearing at 8:33 p.m.

City Manager McAdoo addressed the speakers' concerns and recommended they contact the Rent Stabilization Office, and deferred to the City Council for proposed language changes, cautioning that changes might delay passage of the ordinance which could place residents in jeopardy of losing their homes.

Mayor Halliday offered a motion to approve staff's recommendation. Council Mendall seconded the motion.

Council Member Lamnin offered a friendly amendment to the motion by adding the word "imminent" to "health and safety of tenants, neighbors or landlords" language in the context of no-fault eviction in Section 3(a) of the proposed ordinance.

Mayor Halliday and Council Member Mendall accepted the friendly amendment.

Discussion ensued among Council Members and City staff regarding: commercial rentals; sale of a tenant-occupied unit; revisiting the ordinance in 30 days; having the moratorium retroactive to March 4, 2020 when the state issued a state of emergency; rescinding notices that are going to expire; documentation requirement to support tenant's claim; importance of having the ordinance in place immediately; great demand for mediation services; the importance of reassuring folks that the moratorium protects all residents including undocumented residents; foreclosure property registry; no penalties for late fees; deferral of property taxes for 30 days; protection for the most vulnerable; financial assistance through a bridge loan to landlords or rental subsidy program for tenants; and rent voucher protections after the moratorium is lifted.

There was consensus among Council members for supporting that staff explore a moratorium on commercial evictions and protection for small business owners.

Council Member Wahab offered a friendly amendment to include all evictions. Mayor Halliday and Council Member Mendall did not accept the amendment noting the proposed ordinance had adequate protection and did not want to delay passage of the ordinance.

It was moved by Council Member Halliday, seconded by Council Member Mendall, and carried with the following roll call vote, to approve the ordinance with an amendment by adding the word "imminent" to language related to "health and safety of tenants, neighbors or landlords" in the context of no-fault eviction in Section 3(a) and other applicable sections:

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

Ordinance 20-06, "An Emergency Ordinance of the City Council of the City of Hayward Establishing a Temporary Moratorium



**SPECIAL MEETING OF THE CITY COUNCIL
Tuesday, March 24, 2020, 7:00 p.m.
Remote Participation**

on Evictions in the City of Hayward for Non-Payment of Rent Caused by the Coronavirus (COVID-19) Pandemic, or for a No-Fault Reason Unless the Eviction is Necessary for the Imminent Health and Safety of the Tenant or Landlord”

Resolution 20-039, “Resolution Authorizing the City Manager to Negotiate and Execute an Amendment to the Agreement with Project Sentinel to Expand Mediation Services, Increasing the Not-to-Exceed Amount to \$150,000”

COUNCIL REFERRALS

3. Consider an item for Discussion on a Future City Council Agenda Regarding Delaying Implementation of the Hayward Minimum Wage Increase Currently Scheduled for July 1, 2020 Due to the COVID-19 Pandemic (Referral from Council Members Mendall, Márquez and Salinas) **RPT 20-046**

Referral submitted by Council Member Mendall, Council Member Márquez and Council Member Salinas, dated March 3, 2020, was filed.

Council Member Salinas introduced the proposed referral.

Mayor Halliday opened public comments at 9:34 p.m.

Public speakers participated by calling the City Clerk’s office at (510) 583-4400.

The following speakers expressed support for directing staff to bring an item to delay implementation of the minimum wage increase until January 1, 2021.

Mr. Kim Huggett, President of the Hayward Chamber of Commerce president and CEO, noted the delay would help businesses recover from the crisis.

The following speakers did not favor directing staff to bring an item to delay implementation of the minimum wage increase.

Ms. Angela Andrews noted the delay would negatively impact workers and residents.
Ms. Shareen Purcell
Ms. Lacei Amodei
Ms. Alicia Lawrence
Ms. Araceli Orozco

Ms. Jasmine Gee alleged that Council Members who authored the referral had a conflict of interest due to a position with a non-profit agency and association with a family business.

City Attorney Lawson addressed the alleged claim of a conflict of interest and noted he did not have any concerns.

Mayor Halliday closed the public comments at 9:46 p.m.

Council Member Márquez expressed concern for the significant impact to Hayward's small businesses given the current economic crisis and added that she has always been transparent about her family business.

Council Member Salinas echoed Council Member Márquez's comments and noted that he is a non-paid executive director of the Kid's Breakfast Club and all workers are volunteers.

Council Member Zermeño noted this was an opportunity to protect small business owners and workers from becoming unemployed.

Council Member Wahab expressed she was concerned for small businesses but did not support delaying the implementation of the minimum wage increase.

Council Member Lamnin supported exploring the referral and assessing how the minimum wage increase would impact different businesses.

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

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

City Manager McAdoo noted staff would be able to bring back the item at the April 7, 2020 City Council meeting.

CITY MANAGER'S COMMENTS

City Manager McAdoo provided resource and contact information, available via the City's COVID-19 Resource Portal, in response to the COVID-19 pandemic; spoke about the upcoming COVID-19 Small Business Resiliency Grant Program of \$5,000 per business for 76 businesses; announced the Hayward Fire Department opened the City's Free COVID-19 Testing Center at Fire Station 7; noted the Matt Jimenez Center was secured as temporary shelter for individuals testing positive; and urged everyone to follow the California State Shelter-in-Place order issued by Governor Newsom.



SPECIAL MEETING OF THE CITY COUNCIL
Tuesday, March 24, 2020, 7:00 p.m.
Remote Participation

COUNCIL REPORTS AND ANNOUNCEMENTS

Members of the City Council acknowledged the quick response demonstrated by the Hayward Fire Department and City staff in response to the pandemic; appreciated the work City staff and first responders continue to do; applauded the dedication of hospital doctors and nurses; appreciated the commitment of school teachers who transitioned to online learning and continuing to feed students.

Mayor Halliday noted that Council referrals had been suspended due to the pandemic and suggested that Council Members email City Manager McAdoo with any ideas or share them during Council Reports and Announcements.

COUNCIL REFERRALS

There were none.

ADJOURNMENT

Mayor Halliday adjourned the meeting at 10:55 p.m., in memory of Ms. Maria Guadalupe Cárdenas Pantoja, a 23-year Hayward resident and mother of Council Member Zermeño. Mayor Halliday asked City staff to work with the Zermeño family to find a suitable place to plant a tree in memory of Ms. Maria Guadalupe Cárdenas Pantoja.

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 20-206

DATE: May 5, 2020

TO: Mayor and City Council

FROM: Director of Maintenance Services

SUBJECT: Adopt a Resolution Awarding a Contract to Joe's Landscape and Concrete, in the Amount of \$103,215, for Vegetation Management of Specific City Owned and Maintained Properties

RECOMMENDATION

That Council adopts a resolution (Attachment II) awarding a Vegetation Management Contract for Route 238 Bypass Surplus Properties to Joe's Landscape and Concrete.

SUMMARY

The Maintenance Services Department conducted an RFQ to solicit quotes for Vegetation Management Services for eight Route 238 Bypass surplus properties, covering 235 acres. A total of seven quotes were received. Staff recommends awarding a contract to the lowest quote, submitted by Joe's Landscape and Concrete, in the amount of \$103,215.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution



DATE: May 5, 2020

TO: Mayor and City Council

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BACKGROUND

The City acquired Caltrans Route 238 Bypass surplus properties in 2016¹. Over the years, the Maintenance Services Department has been maintaining the properties, to include vegetation management, structure maintenance, and homeless camp abatement.

DISCUSSION

This report requests approval of the annual vegetation management service contract. The purpose of the service is to mitigate fire hazards by completing weed abatement activities, reducing fire fuel materials, and creating fire breaks and other fire defensible spaces. The RFQ² was developed based on fire mitigation recommendations from the Hayward Fire

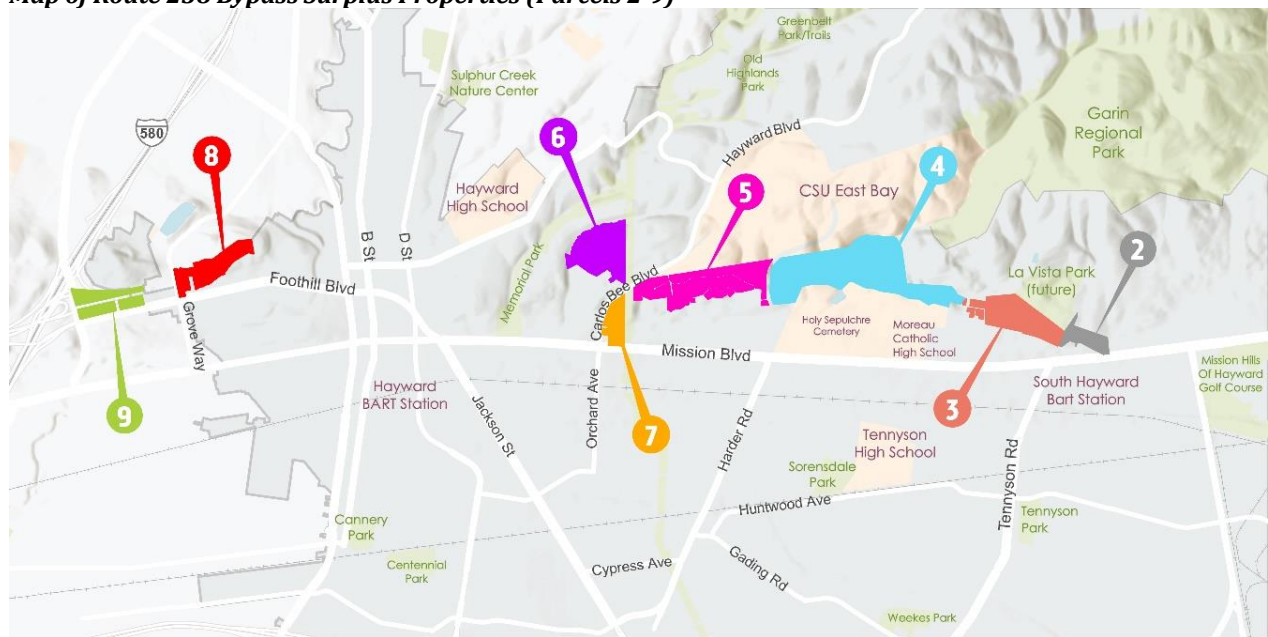
¹ [LB 16-007](#) - Draft Purchase and Sale Agreement with the California Department of Transportation for the City of Hayward to Acquire Excess Property in the 238 Bypass Corridor

² [RFQ 2009-120219.1](#) – Request for Quote, Vegetation and Rubbish Abatement Services Cal Trans Properties.

Department³. The following is a list of Route 238 Bypass surplus properties and their details.

PARCEL GROUP	STATUS	ENTITY	ESTIMATED DISPOSITION TIMELINE	ACRES
2	Executed Purchase & Sale Agreement	The True Life Companies (Mirza)	June 2020	11
3	Under Negotiation	Eden Housing and The Pacific Companies	Winter 2020/2021	28
4	Under Negotiation	Eden Housing and The Pacific Companies	Winter 2020/2021	80
5	Under Negotiation	Trumark Properties, LLC	Fall 2020	39
6	Under Negotiation	City of Hayward	Winter 2021	30
7	Under Negotiation	One Subaru of Hayward	June 2020	10
8	Master Development Planning	City of Hayward	Spring 2021	19
9	Master Development Planning	City of Hayward	Spring 2021	18
				235

Map of Route 238 Bypass Surplus Properties (Parcels 2-9)



Seven quotes were received. After submission, Los Loza withdrew their quote from consideration, leaving six quotes for consideration. A summary of the submittals is below.

VENDOR	BID AMOUNT	AREAS								
		2	3	4	5	6	7	8	9	
1 LOS LOZA LANDSCAPE	\$ 54,600.00	\$ 2,600.00	\$ 7,100.00	\$ 3,500.00	\$ 10,800.00	\$ 10,800.00	\$ 3,500.00	\$ 10,800.00	\$ 5,500.00	Withdrawn
2 JOE'S LANDSCAPE & CONCRETE	\$ 103,215.00	\$ 4,831.00	\$ 12,292.00	\$ 35,120.00	\$ 17,121.00	\$ 13,170.00	\$ 4,390.00	\$ 8,341.00	\$ 7,950.00	
3 WALDEN LANDSCAPES	\$ 117,500.00	\$ 5,500.00	\$ 14,000.00	\$ 40,000.00	\$ 19,500.00	\$ 15,000.00	\$ 5,000.00	\$ 9,500.00	\$ 9,000.00	
4 HN ENTERPRISES	\$ 162,208.70	\$ 8,214.40	\$ 24,082.80	\$ 10,139.00	\$ 32,301.60	\$ 32,528.00	\$ 6,033.00	\$ 38,112.00	\$ 10,797.90	
5 TOPE'S TREE SERVICE	\$ 197,950.00	\$ 8,325.00	\$ 24,050.00	\$ 73,075.00	\$ 34,225.00	\$ 26,825.00	\$ 9,250.00	\$ 17,575.00	\$ 4,625.00	
6 NEW IMAGE LANDSCAPE COMPANY	\$ 223,500.00	\$ 12,500.00	\$ 25,000.00	\$ 75,000.00	\$ 35,000.00	\$ 31,000.00	\$ 11,000.00	\$ 20,000.00	\$ 14,000.00	
7 AQUATIC HARVESTING	\$ 282,257.00	\$ 11,862.00	\$ 34,294.00	\$ 104,201.00	\$ 48,803.00	\$ 38,251.00	\$ 13,190.00	\$ 25,061.00	\$ 6,595.00	

³ [HFD Weed Clearance Information](#) – Hayward Fire Department guidelines for weed abatement.

Joe's Landscape and Concrete provided the lowest quote at \$103,215.

FISCAL and ECONOMIC IMPACT

Staff recommends accepting the lowest quote, submitted by Joe's Landscape and Concrete for \$103,215. The FY 2020 budget for this contact was previously approved by the City Council. No additional appropriation is required.

No economic impact is associated with this item.

STRATEGIC ROADMAP

This agenda item is not directly related to the Council's Strategic Roadmap.

NEXT STEPS

If approved, the City will issue a contract to Joe's Landscape and Concrete in an amount of \$103,215. Completion of this project is estimated by July 15, 2020.

Prepared by: Denise Blohm, Management Analyst

Recommended by: Todd Rullman, Director of Maintenance Services

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 20-

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO ISSUE A CONTRACT TO JOE'S LANDSCAPE AND CONCRETE FOR VEGETATION MANAGEMENT SERVICES FOR \$103,215

WHEREAS, the City of Hayward ("City") manages and maintains eight Caltrans Route 238 Bypass surplus properties; and

WHEREAS, vegetation management is completed annually to mitigate fire hazards; and

WHEREAS, among California's three primary hazards, wildfire, and particularly wildland-urban interface (WUI) fire, has represented the third greatest source of hazard to California, both in terms of recent state history as well as the probability of future destruction of greater magnitudes than previously recorded. More recently, with the catastrophic wildfire events of 2017 and 2018, fire has emerged as an annual threat roughly comparable to floods; and

WHEREAS, a wildfire is defined here as any free-burning vegetative fire that initiates from an unplanned ignition, whether natural (e.g., lightning) or human-caused (e.g., powerlines, mechanical equipment, escaped prescribed fires), where the management objective is full suppression; and

WHEREAS, City Purchasing Policy requires a formal bid solicitation of contracts and services over \$75,001; and

WHEREAS, City Purchasing Policy requires external contracts in excess of \$75,001 to be formally approved by the City Council of the City of Hayward; and

WHEREAS, an RFQ was issued to solicit quotes for the required work; and

WHEREAS, seven companies submitted quotes for said work, with one company later withdrawing their quote; and

WHEREAS, the lowest quote for said work was from Joe's Landscape and Concrete at \$103,215; and

WHEREAS, staff completed a reference check for Joe's Landscape and Concrete to confirm the past work performance for Joe's Landscape and Concrete; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward authorizes the City Manager to issue a contract to Joe's Landscape and Concrete for \$103,215 for vegetation management services for eight Route 238 Bypass surplus properties, totaling 235 acres.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2020

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 20-208

DATE: May 5, 2020

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT

Adopt a Resolution Awarding a Contract to The Garland Company for the Hayward Executive Airport - Executive Hangars 1 and 2 Roof Repair Project, Project No. 06826, in an Amount Not-to-Exceed \$450,000

RECOMMENDATION

That Council adopts a resolution (Attachment II) authorizing the City Manager to execute a contract to The Garland Company to in an amount not-to-exceed \$450,000 for roof repairs to executive hangar buildings 1 and 2.

SUMMARY

During August 2018, a consultant assessed the structural condition of the Airport's nineteen hangar buildings. The resultant summary, which was completed in April 2019, noted that two of the hangar buildings were in immediate need of roof repair. The two structures, which are executive hangar buildings 1 and 2, were found to have leaking roofs that led to rust and corrosion.

After summarizing the findings of the study to the Council Airport Committee (CAC) on September 19, 2019, a decision was made to prioritize executive hangars 1 and 2 for repair during FY 2020. In order to expedite the bidding process and obtain the best pricing on the required work, staff was able to utilize a publicly bid, pre-negotiated agreement through its membership with OMNIA Partners, which specializes in public sector cooperative purchasing opportunities. In order to take advantage of this agreement, staff is requesting that Council authorize the City Manager to execute a contract with The Garland Company in an amount not-to-exceed \$450,000 for this project.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution



DATE: May 5, 2020

TO: Mayor and City Council

FROM: Director of Public Works

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BACKGROUND

Hayward Executive Airport has nineteen hangar buildings which consist of 206 individual hangars, 28 storage rooms, and 4 office spaces. The buildings were constructed between 1950 and 1988, all with a variety of repair needs. On February 1, 2018, the CAC reviewed information, provided comments, and recommended the selection of Kimley-Horn and Associates (Kimley-Horn) as the consultant for the hangar condition assessment (HCA). The

HCA report, which was completed and submitted by Kimley-Horn's subconsultant (Faithful+Gould) in April 2019 and presented to the CAC on September 19, 2019, evaluated nineteen hangar buildings in August 2018 to determine the structural condition, approximate cost, and priority of necessary repairs as well as remaining useful life. The HCA also summarized the condition of each hangar building and recommended repair strategies and timelines. With guidance from the assessment, airport staff prioritized two of the nineteen hangar buildings for roof repair.

DISCUSSION

The vendor selected for the roof repair is The Garland Company, which specializes in turnkey roofing and waterproofing solutions. Vendor selection and pricing is provided under the terms of OMNIA Partners (formerly known as US Communities), which was a publicly bid, pre-negotiated agreement that was awarded to The Garland Company (contract number PW1925 issued pursuant to Request for Proposals with the County of Racine, Wisconsin). The Garland Company, which is the primary contractor, will oversee the work of subcontractors who specialize in this type of work at airports. The process through OMNIA Partners involves the use of a cooperative contract. Cooperative contracts offer both hard cost savings through economies of scale as they are national contracts in addition to soft cost savings by reducing the duration of the process as the solicitation has been completed by another public agency. Since this is a competitive process through another public agency, the City is allowed to utilize this process in lieu of initiating its own bid process. OMNIA Partners is the largest cooperative purchasing organization for public sector procurement at both the state and local levels and is utilized by the City for numerous cooperative contracts, including CDW-G, Fastenal, Knoll, GOJO Industries, W.W. Grainger, and Georgia Pacific.

The Garland Company has completed numerous projects for other airports throughout Northern California, including:

- San Francisco International Airport
- Carmel-Monterey Airport
- Truckee-Tahoe Airport
- Chico Airport

The proposed project from The Garland Company consists of removing and repairing sections of the metal roof that are currently leaking. The entire roof will be washed and prepped to receive a polyurethane coating to ensure the roof is water resistant. In addition, Garland will provide a 10-year warranty on their work. Once completed, the proposed hangar roof repair project would protect the executive hangars from future water damage.

ECONOMIC IMPACT

No economic impact is associated with this item.

FISCAL IMPACT

The Garland Company has provided the City with a roofing material and service proposal in an amount not-to-exceed \$450,000 including taxes, bonds, and permits. This project is fully funded in the Airport's FY 2020 Capital Improvement Fund under project 06828, T-Hangar Improvements.

STRATEGIC ROADMAP

This agenda item supports the Strategic Priority of Improve Infrastructure. Specifically, this item relates to the implementation of the following project:

Project 11d: Designing and Construct Capital Improvement Project to Airport Hangars.

SUSTAINABILITY FEATURES

The Airport is committed to developing projects that are environmentally responsible. Therefore, staff will ensure than the work scope proposed by the contractor incorporates features that are in line with the City's sustainability guidelines.

PUBLIC CONTACT

As noted earlier, the hangar condition assessment was discussed with the CAC during its meetings held on February 1, 2018 and September 19, 2019, as well as with the tenants on August 27, 2018.

NEXT STEPS

If the Council approves this recommendation, the City Manager will execute the contract with The Garland Company for the roof repair of Executive Hangar Building 1 and 2. It is expected that the project will be completed by the end of 2020.

Prepared by: Doug McNeeley, Airport Manager

Recommended by: Alex Ameri, Director of Public Works

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 20-

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A CONTRACT WITH THE GARLAND COMPANY FOR THE HAYWARD EXECUTIVE AIRPORT – EXECUTIVE HANGARS 1 AND 2 ROOF REPAIR PROJECT, PROJECT NO. 06826, IN AN AMOUNT NOT-TO-EXCEED \$450,000

WHEREAS, the City of Hayward (“City”) owns and operates Hayward Executive Airport (“Airport”); and

WHEREAS, a review of the structural condition of each of the nineteen hangar buildings was completed in August 2018; and

WHEREAS, a summary of the assessment, which included a prioritization schedule and expenditure/budget analysis, was completed in April 2019 and submitted to the Council Airport Committee for review on September 19, 2019; and

WHEREAS, the findings revealed that hangar buildings 1 and 2 were experiencing rust and corrosion due to leaking roofs; and

WHEREAS, a decision was reached to prioritize roof repairs for hangar buildings 1 and 2 as the first in a multi-year series of hangar repair projects associated with the assessment; and

WHEREAS, the airport was able to procure a vendor through a publicly bid, pre-negotiated agreement through OMNIA Partners (formerly US Communities), which specializes in public sector cooperative purchasing opportunities, as part of a prior Request for Proposals with the County of Racine, Wisconsin; and

WHEREAS, the vendor selected through this process was The Garland Company.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized to execute a contract with The Garland Company, in an amount not-to-exceed \$450,000, for roof repairs to executive hangar buildings 1 and 2.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2020

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 20-211

DATE: May 5, 2020

TO: Mayor and City Council

FROM: Deputy City Manager

SUBJECT

Adopt a Resolution Authorizing the City Manager to Negotiate an Amendment and Extend the Exclusive Negotiating Rights Agreement with Eden Housing Inc. and Pacific Companies through June 30, 2021

RECOMMENDATION

That the Council adopts a resolution (Attachment V) authorizing the City Manager to negotiate an amendment and extend the Exclusive Negotiating Rights Agreement (ENRA) with Eden Housing Inc. and Pacific Companies through June 30, 2021, to develop conceptual development plans, pursue entitlements, and negotiate a Disposition and Development Agreement (DDA) for former Route 238 Bypass properties: Parcel Groups 3 and 4.

SUMMARY

The City of Hayward entered into a Purchase and Sale Agreement (PSA) with the California Department of Transportation (Caltrans) in January 2016 to manage the disposition and development of former right of way for the now defunct 238 Bypass. This land is divided into 10 parcel groups and must be disposed of by 2022. This report covers Parcel Groups 3 and 4.

A Request for Proposals (RFP) for developers for Parcel Groups 3 and 4 was issued in April 2018, and in July 2018, Council provided authorization for the City Manager to negotiate and enter into an Exclusive Negotiating Rights Agreement (ENRA) with Eden Housing Inc. and Pacific Companies (Development Team), to develop over 150 units of affordable housing and a school distributed over 14 acres. During the ENRA period, the Development Team has been diligently working towards developing conceptual development plans, pursuing entitlements, and negotiating a Disposition and Development Agreement (DDA) for Parcel Groups 3 and 4. Due to unforeseen delays and significant site planning issues and now the COVID-19 crisis, the Development Team requested an extension of the term of the ENRA until June 30, 2021. Given the importance of developing new affordable housing and the significant constraints faced by the Development Team, staff recommends authorizing the City Manager to enter into an amendment to extend the ENRA with the Development Team until June 30, 2021 with two 90-day administrative extensions at the City's sole discretion.

The proposed Project will add a total of 180 affordable housing units to the City's housing stock, which would help the City to meet over 23% of the RHNA goals for low-income households and 4% of the RHNA goal for very low-income households.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Site Plans
Attachment III	Roundabout Rendering
Attachment IV	Amenity Map
Attachment V	Resolution



DATE: May 5, 2020

TO: Mayor and City Council

FROM: Deputy City Manager

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The proposed Project will add a total of 180 affordable housing units to the City’s housing stock, which would help the City to meet over 23% of the RHNA goals for low-income households and 4% of the RHNA goal for very low-income households.

BACKGROUND

Route 238 Corridor Lands Development

In the mid-1960s, the California State Department of Transportation (Caltrans) purchased more than 400 parcels of property for the construction of a 14-mile Route 238 Corridor Bypass Freeway to run through the City of Hayward and parts of unincorporated Alameda County. In 1971, a lawsuit, filed in federal court on behalf of residents to be displaced by the freeway construction, blocked the project. Caltrans subsequently abandoned the freeway plan and began to individually auction off these properties with the sole purpose of disposing of the land, without any larger land use or community considerations. To ensure the productive development of this land in a manner that maximizes land value while balancing the desires of the surrounding neighborhood and larger community, the City entered into a PSA with Caltrans to manage the disposition and development of these properties. The PSA divides the properties into 10 parcel groups, which must be disposed of by 2022. Table 1 below provides the current status of these parcel groups.

TABLE 1: STATUS OF 238 PARCEL GROUPS

PARCEL GROUP	STATUS	ENTITY	EST. DISPOSITION TIMELINE	ESTIMATED UNIT COUNTS	AFFORDABLE UNIT COUNT
1 & 10	Sold / Under Construction	William Lyon Homes (SOHAY)	August 2018	472 (approved)	48 (approved)
2	Executed Purchase & Sale Agreement	The True Life Companies (Mirza)	June 2020	189 (approved)	20 (approved)
3	Under Negotiation	Eden Housing and The Pacific Companies	Winter 2021	180	180
4	Under Negotiation	Eden Housing and The Pacific Companies	Winter 2021	3	0
5	Under Negotiation	Trumark Properties, LLC	Fall 2020	74	8
6	RFP Process	City of Hayward	Winter 2021	1,000	30-100
7	Under Negotiation	One Subaru of Hayward	June 2020	0	0
8	Master Development Planning	City of Hayward	Winter 2021	0	0
9	Master Development Planning	City of Hayward	Winter 2021	0	0
TOTAL				1,918	356¹

¹ Staff estimates 18% of total Route 238 Corridor Lands Development residential units will be affordable.

Parcel Groups 3 and 4

Parcel Group 3 consists of three parcels located between the Tennyson Road extension on the south and Broadway St. on the north. The parcel group consists of approximately 28.5 acres. The main parcel is primarily open space with barns and corrals for horses. The group also includes two smaller lots between Webster St. and Broadway St. that are currently vacant. Parcel Group 4 consists of approximately 80.7 acres. The majority of the land is open grassland, with a cabin located in the middle of the parcel, and a barn at Calhoun Street.

The Caltrans PSA sets forth an agreed upon methodology to determine the sales price for each parcel group based on the appraised value and approved unit count. Parcel Groups 3 and 4 were assumed to have nominal development value due to topography and fault constraints. Under the PSA, the purchase price for Parcel Group 3 was established at \$2.3 million, and the purchase price for Parcel Group 4 was established at \$1.53 million. These are the amounts the City must pay Caltrans when the parcel groups are sold. Unlike the other parcel groups, these are fixed and are not subject to adjustment based on residential unit count.

In April 2018, the City Council approved the issuance of RFP for Parcel Groups 3 and 4 for the re-sale of the parcels through a competitive process to ensure the best price and land use for the City. When the City issued the RFP, the minimum price included a 5% administrative fee to cover City sales costs, which made the minimum price for Parcel Group 3: \$2.415 million, and for Parcel Group 4: \$1.61 million. In July 2018, the City Council reviewed the summary of proposals from the RFP and provided authorization for the City Manager to negotiate and enter into the ENRA with Eden Housing Inc. and Pacific Companies, to develop conceptual development plans, pursue entitlements, and negotiate a DDA for Parcel Groups 3 and 4. The initial proposal included two and three story buildings, with 150-235 units, distributed across 13-14 acres on Parcel Group 3, and a dedication of open space.

Requests for Extensions

After execution of the initial ENRA, the Development Team engaged in seismic trenching work to better understand the topography and suitability of Parcel Group 3. The trenching took longer than anticipated because of rain and the results raised challenges to the feasibility of the Development Team's initial designs. The site exploration uncovered additional environmental concerns such as fault traces and areas that are prone to landslides. This had the effect of greatly reducing the buildable area of Parcel Group 3 from 13-14 acres to 2-3 acres, as can be seen in Attachment II Site Plans. This necessitated a much more condensed development in order to maintain project feasibility, as seen in the Attachment III Roundabout rendering. As a result, the Development Team requested a 90-day extension of the ENRA in November 2019, and the City administratively approved the request. In December 2019, the Development Team provided the Planning Division with a pre-application and staff provided feedback to them regarding an updated site plan condensed on a much smaller parcel, while still preserving the same amount of development. Given the site challenges of designing the project on a much smaller parcel, the Development Team's design team spent the next month and a half responding to the comments and revising their plans.

At the end of January 2020, the Planning Division convened an interdepartmental working group, including the La Vista Park team, to workshop the revised plans with the Development Team. Attachment IV Amenity Map provides a contextualized visual of the locations of the buildings with the neighboring access points to public transit, La Vista Park, and other amenities. In February 2020, the City administratively agreed to extend the ENRA for an additional 90-day period, ending on May 23, 2020, to allow more time for the Development Team to integrate feedback and recommendations from the workshop into their plans. The Development Team is in the process of finalizing their entitlements package, which will be submitted to the City by the end of May 2020, with an estimated 12-month review and approval period for the entitlements and DDA. The Development Team is now proposing 180 affordable units spreading across two 5-story buildings with a 2-story school building. As there are no further administrative extensions allowed under the existing ENRA, the City Council must authorize an amendment to the ENRA to extend the duration of the ENRA to June 30, 2021. Given uncertainty due to the COVID-19 crisis and how this will impact the development and financing process, City staff is also recommending two 90-day administrative extensions in the event of future unforeseen delay.

DISCUSSION

Key Elements of ENRA Extension Terms

The primary terms of the ENRA remain in place, with the following change in key terms recommended for approval for the ENRA Extension:

1. *Negotiating Period* – Through June 30, 2021; two 90-day administrative extensions by City Manager possible if Developer is showing progress on meeting performance responsibilities, and additional non-refundable negotiating deposits are made per #2.
2. *Extension Payments* – \$10,000 will be required for each 90 day-term extension approved by City Manager, which is applicable to the purchase price if a DDA is adopted and retained by City if the project is terminated.
3. *Schedule of Performance* – A revised schedule of performance, including Planning Commission Review in February 2021, the DDA executed by June 2021, with the close on land and construction financing occurring in October 2021. See Table 5 below for additional dates.
4. *Current Concept* - 180 affordable units targeting individuals or families earning between 40%-80% AMI; these units will be spread across two 5-story buildings with a 2-story school building sitting adjacent on the South side of the Parcel Group next to Tennyson Road.

Parcel Group 4

Parcel Group 4 is zoned for open space with the potential for two-to-three large residential lots. A short-term commercial tenant will be moved from Parcel Group 3 to Parcel Group 4 to allow for the La Vista Park development. While at this time the long-term development plans for this land are undetermined, the details for the development on Parcel Group 4 will be determined as a part of the future DDA negotiations with the Development Team.

Project Financing

The COVID-19 pandemic has highlighted the need for affordable housing, and this is important to continue to move forward. Additionally, this project does not require any of the City’s local housing trust funds or other competitive financing sources. Being able to finance the project without local financing and without potential delays due to the use of competitive financing sources, the Development Team can move quickly upon approval of entitlements.

Housing Component. The Development Team anticipates structuring the housing development as a 4% Low Income Housing Tax Credit (LIHTC) project, eliminating the need to compete for highly competitive 9% tax credits and other public subsidies. Additionally, the 4% LIHTCs do not have a local match component, and, as a result, no City financial assistance is required.

School Component. The school component will be financed with a combination of private capital, private philanthropy, new market tax credits, and customary institutional loan products. No soft public subsidies, including City funding, are needed.

Housing Element Compliance and Progress Reports

Local jurisdictions report their progress meeting their RHNA goals. Table 2 (below) reflects the progress made towards meeting Hayward’s RHNA goal as of the last report year (2019), estimated progress based on number of units entitled, and progress based on projects seeking approval, for the period between 2015-2023. Table 2 provides the income limits associated with each income category for Alameda County. Permits to construct the units must be issued in order to count toward the City’s RHNA goals.

The proposed Project will add a total of 180 affordable housing units to the City’s housing stock, which would help the City to meet over 23% of the RHNA goals for low-income households and 4% of the RHNA goal for very low-income households. Additionally, the project helps the City meet the following goals established in the City’s Housing Element:

- Assist in the development of housing affordable to low- and moderate-income households; and
- Promote equal housing opportunities for all persons.

TABLE 2. 2015 -2023 RHNA GOAL PROGRESS IN THE CITY OF HAYWARD

Income Category	Unit Goal	Reported 2019		Approved		Pending* Approval		Estimated Compliance		Estimated Deficiency	
		Units	% of goal	Units	% of goal	Units	% of goal	Units	% of goal	Units	% of goal
Very low	851	40	5%	339	40%	2	0.2%	381	45%	470	55%
Low	480	39	8%	228	48%	0	0%	267	56%	213	44%
Moderate	608	27	4%	61	10%	3	0.5%	91	15%	517	85%
Above Moderate	1981	1902	96%	1,588	80%	129	7%	3,619	183%	0	N/A

* The project units are not reflected in the above table because the entitlement application is still pending

TABLE 3. INCOME LIMITS BY INCOME CATEGORY AND HOUSEHOLD SIZE FOR ALAMEDA COUNTY AS ESTABLISHED BY CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Household Size								
Income Category	1	2	3	4	5	6	7	8
Extremely Low 30% AMI*	\$26,050	\$29,750	\$33,450	\$37,150	\$40,150	\$43,100	\$46,100	\$49,050
Very low 50% AMI*	\$43,400	\$49,600	\$55,800	\$61,950	\$66,950	\$71,900	\$76,850	\$81,800
Low 80% AMI*	\$69,000	\$78,850	\$88,700	\$98,550	\$106,450	\$114,350	\$122,250	\$130,100
Median 100% AMI	\$78,200	\$89,350	\$100,550	\$111,700	\$120,650	\$129,550	\$138,500	\$147,450
Moderate 120% AMI	\$93,850	\$107,250	\$120,650	\$134,050	\$144,750	\$155,500	\$166,200	\$176,950

* Percent area median income (AMI) is used to identify income and rent levels; however, the method for calculating income limits involves assessment of multiple data points and is not necessarily a percent of the median income. For more information see <https://hcd.ca.gov/grants-funding/income-limits/state-and-federal-income-limits/docs/Income-Limits-2019.pdf>

ECONOMIC IMPACT

No property taxes are currently being paid on these parcel groups. Resale of the parcel groups may partially return them to the tax rolls, provide an opportunity for new residential development needed to address the goals of the Housing Element, and provide a dedication of open space.

STRATEGIC ROADMAP

This agenda item supports the Strategic Priority of Grow the Economy. Specifically, this item relates to the implementation of the following project(s):

Project 5, Part 5.a and 5b: Facilitate disposition and development of Route 238 Corridor lands; Finalize planning on redevelopment of 6 remaining parcel groups; Finalize disposition and development agreements for all parcels.

FISCAL IMPACT

The estimated amount of new tax revenue from the proposed project has not yet been calculated, which will be estimated at the conclusion of the negotiating period when the amount of development has been finalized. Affordable housing owned by a nonprofit developer, like Eden Housing, will be tax exempt. The land sale proceeds are projected in Table 4.

TABLE 4: LAND SALE PROCEEDS

PARCEL GROUP	CALTRANS BASE PRICE	RFP MINIMUM PRICE	EST. PURCHASE PRICE
#3	\$2,300,000	\$2,415,000	\$3,075,000
#4	\$1,533,000	\$1,610,000	\$1,533,000
Total	\$3,833,000	\$4,025,000	\$4,608,000

SUSTAINABILITY FEATURES

The RFP required information on sustainable development features including incorporating green building standards into design and operation of the project. This element continues to be a part of the plans required by the terms of the ENRA.

PUBLIC CONTACT

No public notice is required with this action. As the Development Team finalize their entitlements, community outreach will be conducted by the Development Team and the City throughout the entitlement review and approval process. In addition, there will be standard hearings before the Planning Commission and City Council as the City considers the necessary approvals for the proposed project.

NEXT STEPS**Subsequent Actions and Estimated Timing**

The following Table 5 is a summary of the proposed schedule. These dates will be subject to discussion with the developer and may change during negotiations of a Disposition and Development Agreement.

TABLE 5: PROPOSED DEVELOPMENT SCHEDULE

ITEM	ESTIMATED TIMING
Council Approves Amendment of Exclusive Negotiating Rights Agreement to Extend Agreement	May 5, 2020
Community Outreach	May 2020
Entitlement Submittal	May 2020
Planning Commission Vote on CEQA & Entitlements	February 2021
Submit for Building Permits	April 2021
DDA Executed	June 2021
Funding Commitments	July 2021
City Council Financing Approvals & TEFRA Hearing	August 2021
Plan Check & Permitting Complete	October September 2021
Close on Land & Construction Financing	September October 2021

Prepared by: Monica Davis, Community Services Manager

Recommended by: Jennifer Ott, Deputy City Manager

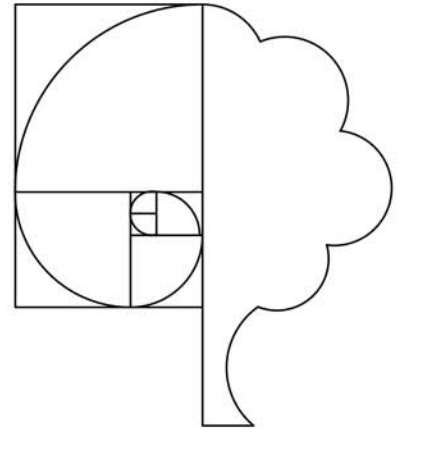
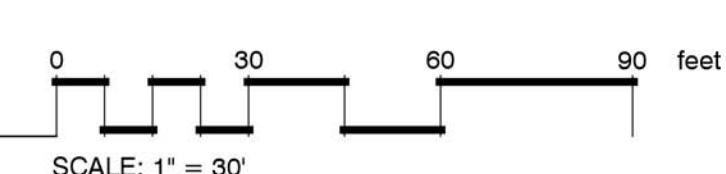
Approved by:

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

Kelly McAdoo, City Manager



LANDSCAPE MASTER PLAN



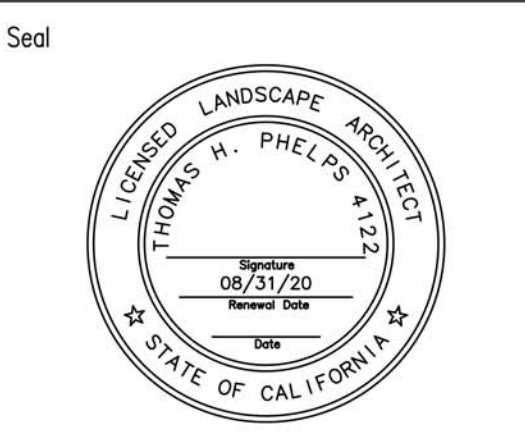
THOMAS H. PHELPS
LANDSCAPE ARCHITECTURE

California Landscape Architect #4122
P.O. BOX 8328
Chico, CA 95927-8328
(530)892-8897 fax (530)892-9588
thphelps@sbcglobal.net
THPLARCH.com

LA VISTA RESIDENTIAL COMMUNITY
THE PACIFIC COMPANIES
HAYWARD, CALIFORNIA

These drawings are instruments of service and are the property of Thomas H. Phelps Landscape Architecture. All designs and other information on the drawings are for the use on the specified project and shall not be used otherwise without the express written permission of Thomas H. Phelps Landscape Architecture.

Sheet Title
LANDSCAPE PLAN



No.	Date	Revision
△		
△		
△		

Project Mgr.: THP Sheet No.:
Drawn By: THP
Scale: 1"=30'
Date: 04.13.2020
File Name: of _____ sheets



LA VISTA RESIDENTIAL
EDEN HOUSING

HAYWARD, CA

CONCEPTUAL 3D VIEWS DATE: 04/24/2020
JOB NO.: 2018-201

AO ARCHITECTS
144 NORTH ORANGE ST., ORANGE, CA 92866
(714) 639-9860





LA VISTA RESIDENTIAL
 PACIFIC WEST COMMUNITIES, INC

HAYWARD, CA

DATE: 04-23-20
 JOB NO.: 2018-201

AO ARCHITECTS
 144 NORTH ORANGE ST., ORANGE, CA 92866
 (714) 639-9860



HAYWARD CITY COUNCIL

RESOLUTION NO. 20-_____

Introduced by Council Member _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAYWARD
AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN
EXTENSION OF THE EXCLUSIVE NEGOTIATING RIGHTS AGREEMENT
BETWEEN THE CITY OF HAYWARD AND EDEN HOUSING/PACIFIC
COMPANIES FOR THE ACQUISITION AND DEVELOPMENT OF FORMER
ROUTE 238 PARCEL GROUPS 3 AND 4

WHEREAS, the State Department of Transportation (Caltrans) purchased over 400 parcels of property in the City of Hayward for the planned construction of the 238 Bypass Freeway project, which was stopped because of a lawsuit filed by La Raza Unida of Southern Alameda County; and

WHEREAS, the City and Caltrans negotiated a Purchase and Sale Agreement for the City to acquire a portion of the properties from Caltrans, that was approved by the City Council and the California Transportation Commission (CTC) in January 2016; and

WHEREAS, the Purchase and Sale Agreement with Caltrans allows the City to buy and dispose of ten different parcel groups for a six-year period that expires in January 2022; and

WHEREAS, the City Council approved a resolution authorizing the City Manager to issue a Request for Proposals ("RFP") for the disposition and development of Parcel Groups 3 and 4; and

WHEREAS, the City Council approved the Exclusive Negotiating Rights Agreement (ENRA) on July 2019, and that is set to expire on May 23, 2020; and

WHEREAS, the approval of this Resolution and the authorization to negotiate an extension of the ENRA in itself does not obligate either party to acquire or convey any property, does not grant Eden Housing or Pacific Companies the right to develop the properties for any use, and does not constitute the approval of a project as defined by the California Environmental Quality Act pursuant to California Public Resources Code Sections 21000 et seq. and California Code of Regulations Sections 15000 et seq. ("CEQA").

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Hayward hereby authorizes the City Manager to negotiate and execute an amendment to extend the ENRA with Eden Housing/Pacific Companies, or affiliates thereof, consistent with the terms generally outlined in the accompanying staff report, in a form approved by the City Attorney, and providing for Eden Housing/Pacific Companies to make a \$10,000 non-refundable good faith deposit upon the execution of the amendment to extend ENRA.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2020

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 #: WS 20-017

DATE: May 5, 2020

TO: Mayor and City Council

FROM: Director of Development Services and Director of Public Works

SUBJECT

Hayward Shoreline Master Plan: Review and Discuss Preliminary Design Alternatives

RECOMMENDATION

That Council reviews, discusses, and provides direction on the Preliminary Design Alternatives identified for the Shoreline Master Plan.

SUMMARY

The Hayward Area Shoreline Planning Agency (HASPA) is preparing a Shoreline Master Plan to make the shoreline more resilient to the effects of sea level rise. Staff seeks the Council's comments and direction on the Preliminary Design Alternatives identified for the Plan.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Summary of Preliminary Design Alternatives



DATE: May 5, 2020

TO: Mayor and City Council

FROM: Director of Development Services
Director of Public Works

SUBJECT: Hayward Shoreline Master Plan: Review and Discuss Preliminary Design Alternatives

RECOMMENDATION

That Council reviews, discusses, and provides direction on the Preliminary Design Alternatives identified for the Shoreline Master Plan.

SUMMARY

The Hayward Area Shoreline Planning Agency (HASPA) is preparing a Shoreline Master Plan to make the shoreline more resilient to the effects of sea level rise. Staff seeks the Council's comments and direction on the Preliminary Design Alternatives identified for the Plan.

BACKGROUND

HASPA is a joint powers authority whose mission is to coordinate agency planning activities and plan for sea level rise to ensure the Hayward Regional Shoreline's natural, recreational, and man-made resources are protected for future generations. Established in 1970, HASPA's member agencies are the City of Hayward, the Hayward Area Recreation and Park District (HARD), and the East Bay Regional Park District (EBRPD). Council member Mendall serves as Hayward's representative on the HASPA Board of Trustees. In addition, HARD and EBRPD each have one Board member serving on the Board of Trustees. HASPA's Technical Advisory Committee (TAC) is made up of staff from the three agencies.

HASPA has completed two vulnerability assessments for the shoreline, which identified vulnerable assets and potential adaptation strategies. The *Preliminary Study of the Effect of Sea Level Rise on the Resources of the Hayward Shoreline*, which outlines four long-term adaptation strategies to protect critical assets, was completed in 2010. The *Hayward Resilience Study*, which was an extension of the Adapting to Rising Tides Project led by the San Francisco Bay Conservation and Development Commission (BCDC), was completed in 2014.

Both studies are available on the project webpage¹. The Hayward Shoreline Master Plan will build off these past studies to identify specific adaptation strategies, policies, and design alternatives to protect identified vulnerable assets.

On July 24, 2018², on behalf of HASPA, Council authorized the receipt of grant funds from Caltrans to prepare the Hayward Regional Shoreline Master Plan. On December 18, 2018³, Council authorized, on behalf of HASPA, a contract with SCAPE. SCAPE is a landscape architecture firm with extensive experience preparing adaptation plans to address sea level rise.

SCAPE began work in early 2019 with the preparation of a *Background Report* which identified ecological resources, cultural resources, critical infrastructure, land use patterns, and demographics within the site area. Concurrently, SCAPE produced the *Data Collection and Sea Level Rise Mapping Report*, which gathered data on sea level rise and updated the inundation maps for the Hayward Shoreline Area. Maps exhibited inundation from 2 feet, 4 feet, and 7 feet of sea level rise as well as groundwater emergence and the 100-year storm surge. Both reports are available on the project webpage.

In late 2019, staff from the three HASPA agencies worked with SCAPE to prepare a *Goals and Policies Memo*. The Project Goals outlined in that report were:

- Create a Resilient Shoreline Environment for People and Ecology
- Enhance the Shoreline Environment to Reduce Risk to Critical Infrastructure and Built Assets
- Build Social Resilience in the Community
- Build Capacity for Future Generations to Adapt to climate change

Concurrently, HASPA staff and SCAPE produced the *Adaptation Strategies Report* that outlines potential adaptation strategies including nature-based, engineered, and non-structural strategies. The nature-based strategies include:

- Gravel Beaches to reduce erosion to levees and provide critical nesting habitat for shorebirds.
- Tidal Marsh Restoration to restore tidal action to marshes in order to accrue sediment, create habitat, and adapt with sea level rise.
- Diked Pond Management which identify diked ponds that could be used as marshlands, stormwater storage, and/or endangered species habitat.
- Fine Sediment Augmentation to maximize the potential of marshes to maintain themselves with sea level rise. Various methods were explored including adding sediment through shallow water placement, upland pipelines or barges.

¹ <https://www.hayward-ca.gov/shoreline-master-plan>

² <https://hayward.legistar.com/LegislationDetail.aspx?ID=3582257&GUID=A2889995-AD55-4F83-81BD-A08B5B8C3CE5&Options=&Search=>

³ <https://hayward.legistar.com/LegislationDetail.aspx?ID=3784499&GUID=3BAB6DE9-C3AF-407D-A69A-0DD563977C96&Options=&Search=>

The engineered strategies include:

- Levee Improvements to raise and repair levees therefore providing greater flood protection.
- Horizontal Levees to treat stormwater and wastewater, provide critical infrastructure, and enhance marsh migration space.
- Tide Gate and Water Control Structures to provide flood protection and limit maximum elevation of water.
- Improvements to the San Mateo Bridge Landing to include flood walls, flood protection levees, elevated land, and raising the landing on piles.

The non-structural strategies include:

- Relocation of the Bay Trail to enhance recreational opportunities and adapt the trail to sea level rise.
- Marsh and Mudflat Migration Planning to allow the marsh to migrate inland and adapt over time.
- Relocation of the Hayward Shoreline Interpretive Center to protect against inundation.
- Building Scale Strategies to increase standards for new construction, provide incentives for resilient new construction or retrofits, provide technical support and remove regulatory impediments.

The *Adaptation Strategies report* is available on the project webpage and discusses all strategies in greater detail. These strategies were presented to the HASPA Board of Trustees at their meeting on January 9, 2020⁴ and to the Council Sustainability Committee on January 13, 2020⁵.

DISCUSSION

Building upon the *Adaptation Strategies Report* and the *Master Plan Assumptions*, staff from the three HASPA agencies and SCAPE developed three Preliminary Design Alternatives for the Hayward Shoreline. The Alternatives include three different approaches intended to reduce risk by considering perimeter protection for critical assets and an adaptive approach for shoreline ecosystems. These Alternatives will be implemented over the next 40 to 50 years; a phasing strategy will be identified in the next stage of the Plan.

Staff seeks the Council's input on the three Preliminary Design Alternatives identified by the HASPA TAC and SCAPE. The Preliminary Design Alternatives refine and combine the different adaptation strategies presented in the *Adaptation Strategies Report*, but they are still *preliminary*. Staff has not completed detailed studies about the potential impacts of the alternatives on the City's infrastructure. The three alternatives, labeled *Closer to the Bay*, *Down the Middle*, and *Further Inland*, are summarized in Attachment II and described in more detail in the *Preliminary Design Alternatives* report, which is available on the project webpage.

⁴ <https://hayward.legistar.com/MeetingDetail.aspx?ID=740425&GUID=C0317152-BC90-42F0-A64C-B7DC760F42BD&Options=&Search=>

⁵ <https://hayward.legistar.com/LegislationDetail.aspx?ID=4300976&GUID=BDF0B4F4-E8BA-4A6C-81E4-A75B20B71FC7&Options=ID%7cText%7c&Search=sustainability>

Closer to the Bay considers an alignment that reduces risk for a larger portion of the shoreline with a more conservative line of protection aligned closer to the Bay. In the north end of the project area, the line of protection ties back along the San Lorenzo Creek channel and wraps in front of the Oro Loma Sanitary District wastewater treatment plant to protect it in place. It then cuts through the middle of Oro Loma Marsh and ties back to high ground at the two existing landfills. In the south, the alignment follows the western edge of the City's wet weather storage ponds and cuts immediately south through Hayward and HARD Marsh. A raised access road along Highway 92 ties back to high ground at the intersection of Clawiter Road. This line of protection places a larger extent of marsh inland of the line of protection where it is less vulnerable to inundation from sea level rise.

Down the Middle is an alternative alignment that seeks to balance risk reduction and ecological enhancement with a line of protection that runs through the middle of the shoreline area. The line of protection is pulled back in the north along the rail corridor and ties back to high ground at the San Lorenzo Creek channel. It then ties back to high ground at the two existing landfills and follows the western extent of the wet weather storage ponds to the south. The alignment pulls back in the southern portion of the site and cuts through the middle of the Salt Marsh Harvest Mouse Preserve, then ties back along a new levee along the access road for Highway 92. This alternative maintains a larger extent of tidal marsh, while still reducing risk to critical infrastructure.

Further Inland explores an alignment that is pulled the furthest inland to maximize ecological restoration along the shoreline and layer risk reduction infrastructure. In the north, the line of protection is pulled back along the rail corridor and ties back to high ground at the San Lorenzo Creek channel. It then aligns to the eastern edge of Frank's East and ties back to high ground at the two existing landfills. It is pulled to the east of the wet weather storage ponds, which would eventually be converted to wastewater treatment marsh. The treatment marsh, along with the solar photovoltaic field and biosolid drying beds would be protected by a raised levee. The line of protection then follows the eastern extent of the diked Baylands to the south before tying back to high ground with a levee parallel to Highway 92. This alternative prioritizes a larger extent of connected tidal marsh that is bayward of the line of protection and incorporates ecological and risk reduction infrastructure along a wider extent of Baylands.

The *Further Inland* alternative may not be acceptable in terms of impacts to the City's Water Pollution Control Facility (WPCF) and related infrastructure. Staff is currently evaluating whether the proposed "Levee Raising" would be sufficient to protect the City's solar photovoltaic field and biosolid drying beds. Staff is also evaluating the potential viability of converting the wet weather storage ponds to a treatment marsh in the long term.

The three Preliminary Design Alternatives and their approximate fiscal costs will be presented in detail during the Council meeting.

ECONOMIC IMPACT

The shoreline and the San Francisco Bay Trail provide an estimated \$490,000 in annual revenue to the local and regional economy. The Hayward Shoreline Interpretive Center generates more than \$60,000 in annual revenue for HARD. The Plan will identify strategies to protect these assets and the related economic activity. Furthermore, this plan aims to protect the City's Industrial Technology and Innovation Corridor, ensuring this critical part of Hayward's economy is resilient to climate change

STRATEGIC ROADMAP

This agenda item supports the Strategic Priority of "Combat Climate Change". Specifically, this item relates to the implementation of the following project:

Project 9: Complete Shoreline Master Plan

FISCAL IMPACT

Preparation of the Shoreline Master Plan is funded by a Caltrans Adaptation Planning Grant of \$509,000. The grant requires a local match of \$175,000, which will be provided through in-kind-services and will be shared by the three agencies. The three agencies contributed an additional \$37,000 to expand the Shoreline Master Plan's scope of work to include cost estimation. Also, the three HASPA agencies have committed to contributing \$80,000 each to fund the preparation of an Environmental Impact Report (EIR) pursuant to the California Environmental Quality Act (CEQA). Having an EIR adopted along with the Plan will put HASPA in a more competitive position to pursue grant funding and implement projects identified in the Plan.

SUSTAINABILITY FEATURES

The Hayward Regional Shoreline Master Plan will provide a framework for resiliency to sea level rise and support the following sustainability related General Plan Goals.

NR-1.4 The City shall coordinate with the Hayward Area Shoreline Planning Agency, Bay Conservation and Development Commission, and California Coastal Commission to conserve, protect, and enhance natural and cultural resources along the San Francisco Bay shoreline by balancing uses that support multiple community needs, such as recreation, tourism, cultural resource preservation, and natural resource protection

NR-3.2 The City shall coordinate with Hayward Area Shoreline Planning Agency, East Bay Regional Park District, Bay Conservation and Development Commission, California Coastal Commission, and other Federal, State, and regional agencies to identify methods for acquiring and restoring baylands and marsh habitats, expanding the National Wildlife Refuge, and funding the purchase and restoration of wetland habitats.

- HAZ-4.1 The City shall monitor information from regional, State, and Federal agencies on rising sea levels in the San Francisco Bay to determine if additional adaptation strategies should be implemented to address flooding hazards
- HAZ-4.3 The City shall coordinate with the Hayward Area Shoreline Planning Agency, the Bay Conservation Development Commission, and other agencies involved in the Adapting to Rising Tides Project to develop and implement a Regional Shore Realignment Master Plan.
- HQL-9.9 The City shall support plans, standards, regulation, incentives, and investments to reduce the impacts of climate change on those populations most vulnerable to the impacts of climate change
- HQL-11.1 City shall establish and maintain an integrated recreational corridor system that connects regional trails (e.g., Bay Trail), Baylands (i.e., Hayward Regional Shoreline), local creeks and open space corridors, hillside areas, and EBRPD and HARD parks.

PUBLIC CONTACT

In March of 2019, a survey was conducted to assess the public's general understanding of the Hayward shoreline, sea level rise, potential flooding, and participants' feelings, concerns, and predictions regarding these issues. The survey was completed by approximately 900 people and the results are summarized in the *Background Report*. On October 27, 2019, the public was invited to attend a Shore Tour which highlighted different sea level rise adaptation strategies.

SCAPE and HASPA hosted two stakeholder workshops on May 16, 2019 and October 28, 2019 to gather critical input on the Plan. Additionally, a series of stakeholder meetings were held on the week of January 6, 2020 with Alameda County Flood Control District, Caltrans, East Bay Discharge Authority, Oro Loma Wastewater Treatment Plant, Hayward Public Works, Russell City Energy, and the San Francisco Bay Conservation and Development Commission to discuss different adaptation strategies.

Another series of stakeholder meetings was held virtually during the week of April 6, 2020 to receive input on the three Preliminary Design Alternatives. This included stakeholders from the previous meetings and new stakeholders including California Fish and Wildlife, South Bay Salt Ponds, and the Bay Trail.

NEXT STEPS

Staff will work with HARD, EBRPD, and SCAPE to incorporate the Council's comments into the Shoreline Master Plan. Following the refinement of the Preliminary Design Alternatives, a Preferred Alternative will be prepared. The Preferred Alternative will be a long-term vision to be implemented over the next 40 to 50 years. Once a preferred alternative is

selected, then a series of interim strategies will be identified. The Preferred Alternative will also include a phasing strategy, potential funding sources and an analysis of the Plan over various time scales.

Following the development of the Preferred Alternative, a Request for Proposals for the Environmental Impact Report (EIR) will be prepared. The Preferred Alternative will inform the project description of the Request for Proposals. A draft Plan will be available in late 2020 and is scheduled to be finalized by February 2021. The Environmental Impact Report (EIR) will extend beyond February 2021.

Prepared by: Taylor Richard, Climate Corp Fellow
Damon Golubics, Senior Planner
Erik Pearson, Environmental Services Manager

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

Approved by:



Kelly McAdoo, City Manager

DESIGN ALTERNATIVES

DRAFT

#1: CLOSER TO THE BAY

DRAFT

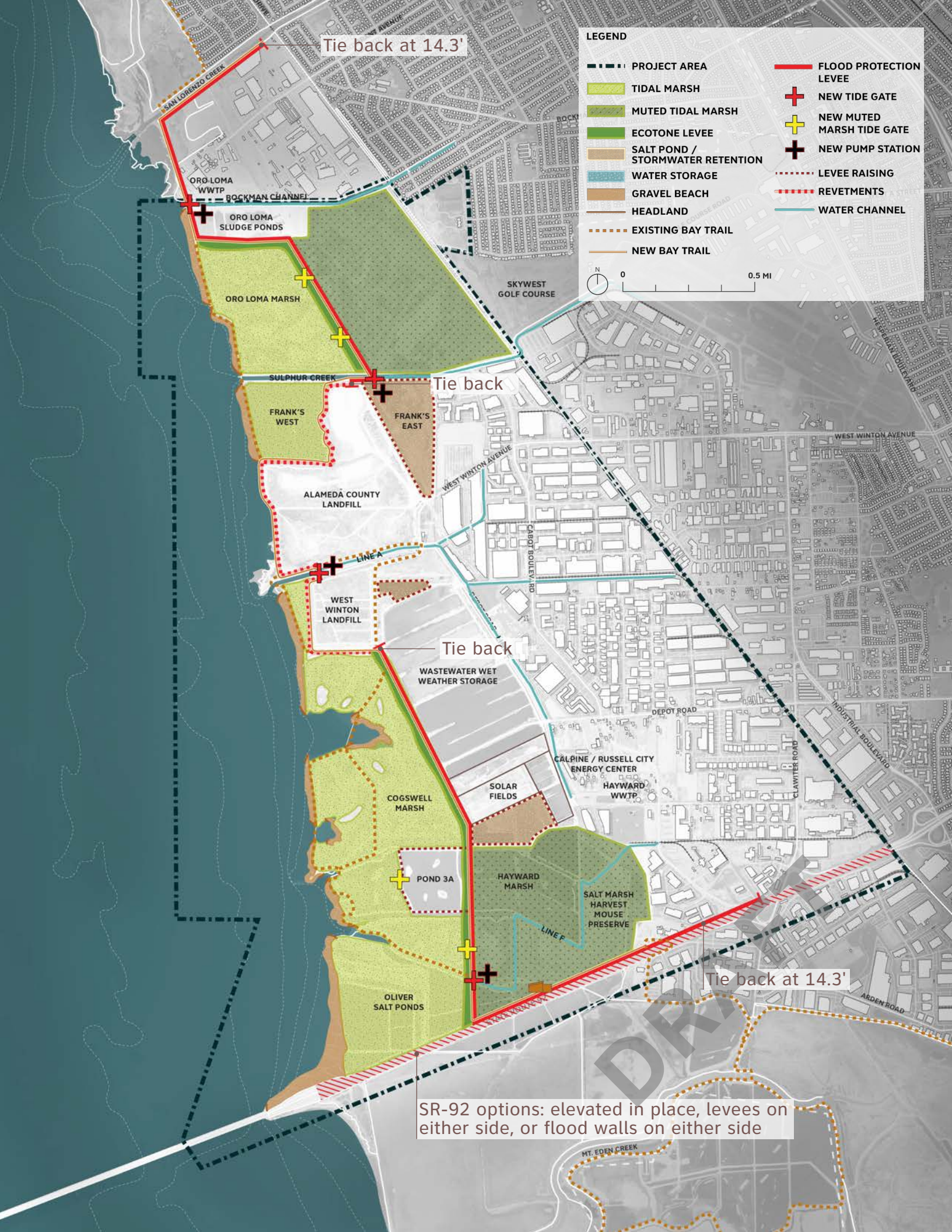
#1: CLOSER TO THE BAY

This alternative looks at an alignment for the line of protection that reduces risk for a larger portion of the shoreline with a more conservative line of protection aligned closer to the Bay.

In the north end of the project area, the line of protection ties back along the San Lorenzo Creek channel and wraps in front of Oro Loma WWTP to protect it in place. It then cuts through the middle of Oro Loma Marsh and ties back to high ground at the two existing landfills. In the south, the alignment then follows the western edge of the oxidation ponds and cuts immediately south through Hayward and HARD Marsh. A raised access road along SR-92 ties back to high ground at the intersection of Clawiter Road.

This line of protection places a larger extent of marsh inland of the line of protection where it is less vulnerable to inundation with sea level rise.

The assumed planning elevation for the line of protection is 14.3' NAVD88. The final design flood elevation will require further study and cost analysis.



Tie back at 14.3'

LEGEND

- PROJECT AREA
- TIDAL MARSH
- MUTED TIDAL MARSH
- ECOTONE LEVEE
- SALT POND / STORMWATER RETENTION
- WATER STORAGE
- GRAVEL BEACH
- HEADLAND
- EXISTING BAY TRAIL
- NEW BAY TRAIL
- FLOOD PROTECTION LEVEL
- + NEW TIDE GATE
- + NEW MUTED MARSH TIDE GATE
- + NEW PUMP STATION
- LEVEE RAISING
- REVETMENTS
- WATER CHANNEL



Tie back

Tie back

Tie back at 14.3'

SR-92 options: elevated in place, levees on either side, or flood walls on either side

#1: CLOSER TO THE BAY

LINE OF PROTECTION

The line of protection aligns closer to the Bay's edge to reduce risk to a greater extent of inland assets and reduce the linear feet of levee and associated construction costs. The assumed planning elevation for the line of protection is 14.3' NAVD88. The final elevation will require further study and cost analysis- this elevation will be used for planning purposes only.

Line of protection at the Bay's edge

PROS

- Shortest distance
- Cheapest

CONS

- Power Lines on top of a levee
- Cuts Oro Loma Marsh in half

Ecotone Levee

PROS

- Shortest distance
- Cheapest cost
- Protect Hayward Shoreline Interpretive Center

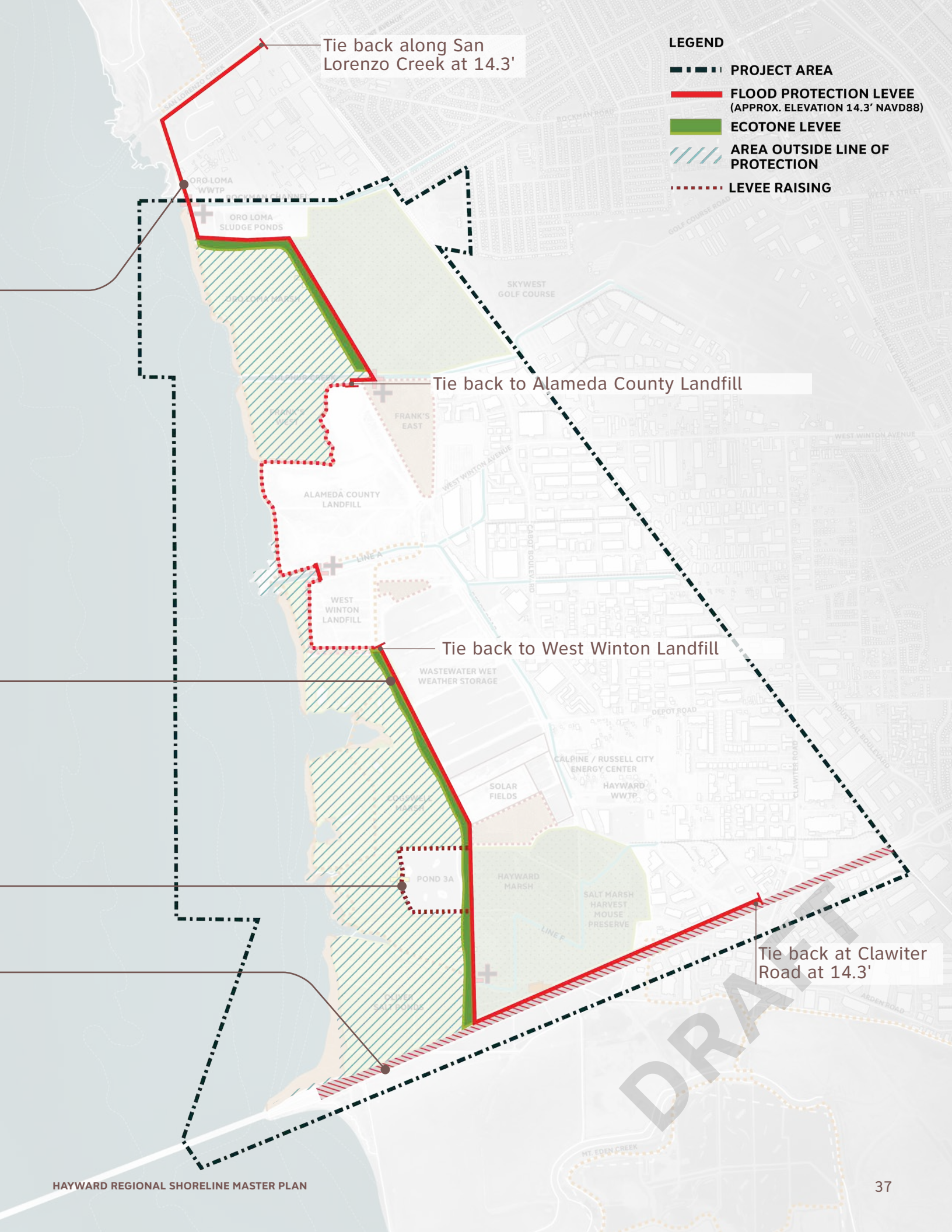
CONS

- Cuts existing tidal habitat in half

Levee Raising

SR-92 Options

- Elevate in place
- Levees on either side
- Flood walls on either side



LEGEND

- PROJECT AREA**
- FLOOD PROTECTION LEVEL (APPROX. ELEVATION 14.3' NAVD88)**
- ECOTONE LEVEL**
- AREA OUTSIDE LINE OF PROTECTION**
- LEVEE RAISING**

Tie back along San Lorenzo Creek at 14.3'

Tie back to Alameda County Landfill

Tie back to West Winton Landfill

Tie back at Clawiter Road at 14.3'

DRAFT

#1: CLOSER TO THE BAY

TIDAL HABITAT

This tidal habitat configuration favors active management of ecosystems through the muting of marshes inland of the line of protection so they are less vulnerable to inundation. A band of tidal habitats exists outboard of the line of protection. Although, this option presents important permitting and regulatory challenges and would impact existing marsh habitat, it might help maintain high marsh habitat behind the line of protection. Habitat that could potentially be lost and transition to mudflat with a rapid and high sea level rise scenario.

Half of Oro Loma Marsh becomes muted

PROS

- High marsh habitat, behind the line of protection, is maintained with SLR and at less risk of inundation

CONS

- Existing marsh becomes muted
- Impacts to existing habitat
- Regulatory issue

Ecotone levee aligns within Cogswell Marsh

PROS

- Some high marsh habitat is maintained with SLR

CONS

- Existing marsh becomes muted
- Impacts to existing habitat
- Regulatory issue

Expanded Salt Marsh Harvest Mouse Preserve

PROS

- Maximize muted tidal habitat that could be maintained with SLR

CONS

- HARD Marsh becomes muted-regulatory issue
- Impacts to existing tidal habitat

LEGEND

-  PROJECT AREA
-  TIDAL HABITAT
-  MUTED TIDAL HABITAT
-  NEW MUTED MARSH TIDE GATE
-  ECOTONE LEVEL
-  POTENTIAL UPLAND SEDIMENT AUGMENTATION



Restored tidal habitat

Restored tidal habitat

DRAFT

#1: CLOSER TO THE BAY

EROSION CONTROL

This alternative proposes a layered system of erosion control measures using gravel beaches that reduce the risk of erosion to levees that shelter the marshes behind. Revetments along the two landfills help to reduce the risk of erosion and seepage.

Gravel beaches in front of all marshes

PROS

- Gravel beaches provide habitat

CONS

- Beaches in front of all marshes requires a numerous groins to preserve existing breaches
- Cost
- Maintenance / replenishment

Revetment and sheet piles along landfill edge with the Bay Trail

PROS

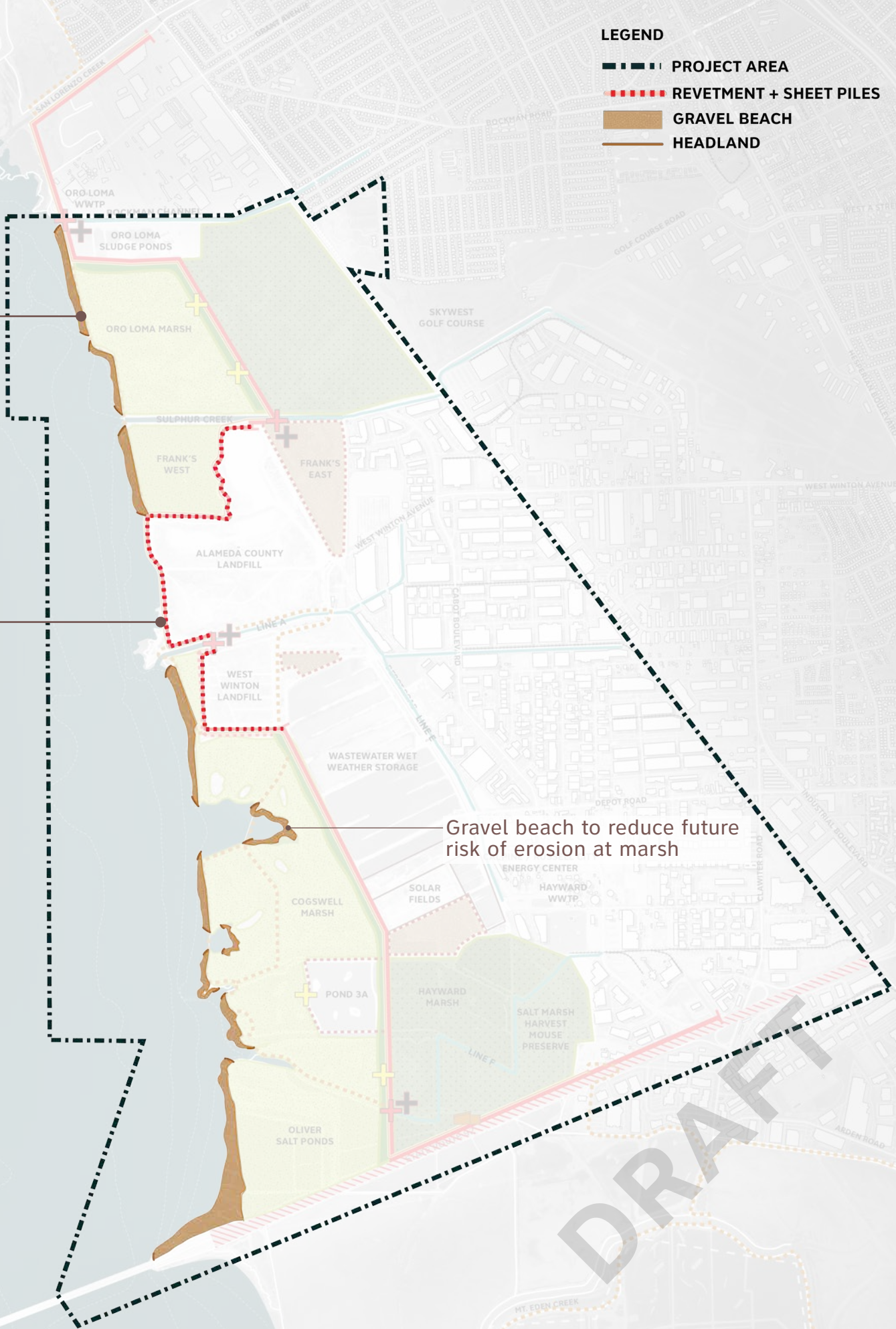
- Increased erosion protection to the landfill
- Possibility to incorporate rocky habitat to enhance ecological value

CONS

- Cost of sheet pile is a concern for the City

LEGEND

-  PROJECT AREA
-  REVETMENT + SHEET PILES
-  GRAVEL BEACH
-  HEADLAND



Gravel beach to reduce future risk of erosion at marsh

DRAFT

#1: CLOSER TO THE BAY

STORMWATER MANAGEMENT

There is a great need for stormwater and groundwater management inland of the new line of protection to reduce the risk of flooding with increased precipitation events and reduce any bathtub effect impacts. Providing storage capacity to temporarily hold large volumes of water before it is discharged into the Bay is an important aspect of the Master Plan. As the Plan moves forward, additional studies will be required to assess the volume needed in relation to the hydrology of the area. If gravity flow discharge is not feasible, pumping stations will be required, which can be extremely costly to maintain and operate.

This alternative presents inland detention ponds that collect and hold stormwater before it is discharged to the Bay. This alternative provides the greatest storage capacity.

Dual Salt Pond / Stormwater Detention

PROS

- Provides salt pond habitat
- Large area for stormwater storage
- Along Sulphur Creek, a natural drainage area
- Enhances bird species habitat- the birds seem to prefer fresh water over salt water

CONS

- Stormwater may impact habitat

Dual Salt Pond / Stormwater Detention








PROS

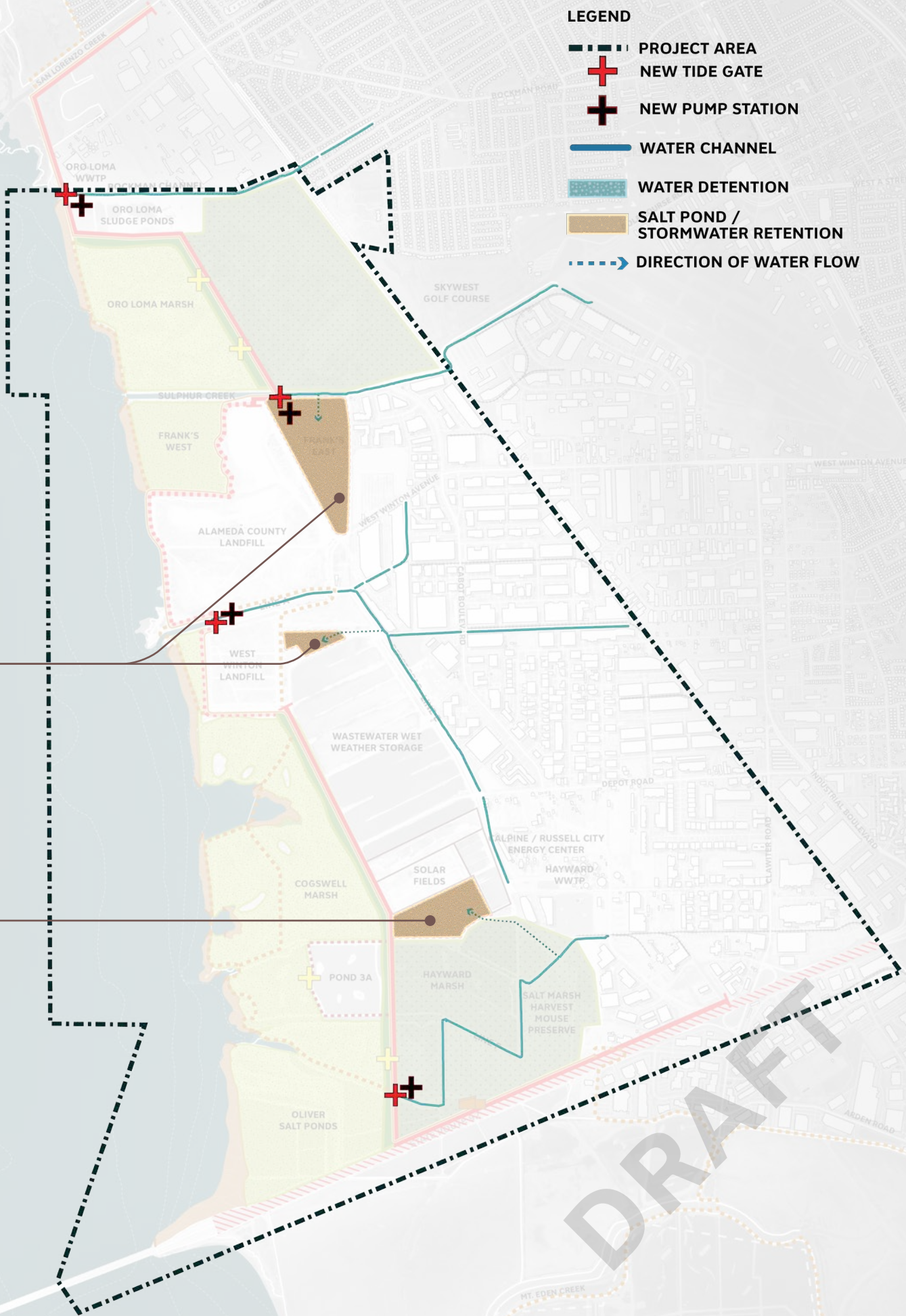
- Provides salt pond habitat
- Enhances bird species habitat- the birds seem to prefer fresh water over salt water

CONS

- Not directly adjacent to substantial flow from a flood control channel
- Stormwater may impact habitat

LEGEND

-  PROJECT AREA
-  NEW TIDE GATE
-  NEW PUMP STATION
-  WATER CHANNEL
-  WATER DETENTION
-  SALT POND / STORMWATER RETENTION
-  DIRECTION OF WATER FLOW



DRAFT

#1: CLOSER TO THE BAY

WASTEWATER TREATMENT

This Alternative presents the smallest local discharge opportunity. Critical wastewater treatment functions are maintained and enhanced at Oro Loma WWTP with a horizontal levee that outlets effluent to Oro Loma Marsh. All of Hayward WWTP's functions and storage capacity are maintained.

Horizontal Levee

PROS

- Discharge some of Oro Loma WWTP's effluent
- Provides transition slope

CONS

- Potential impacts to current habitat
- Would require filling in part of Oro Loma Marsh
- Mosquito abatement regulatory issues

Maintain current use and capacity of Wastewater Wet Weather Storage ponds

PROS

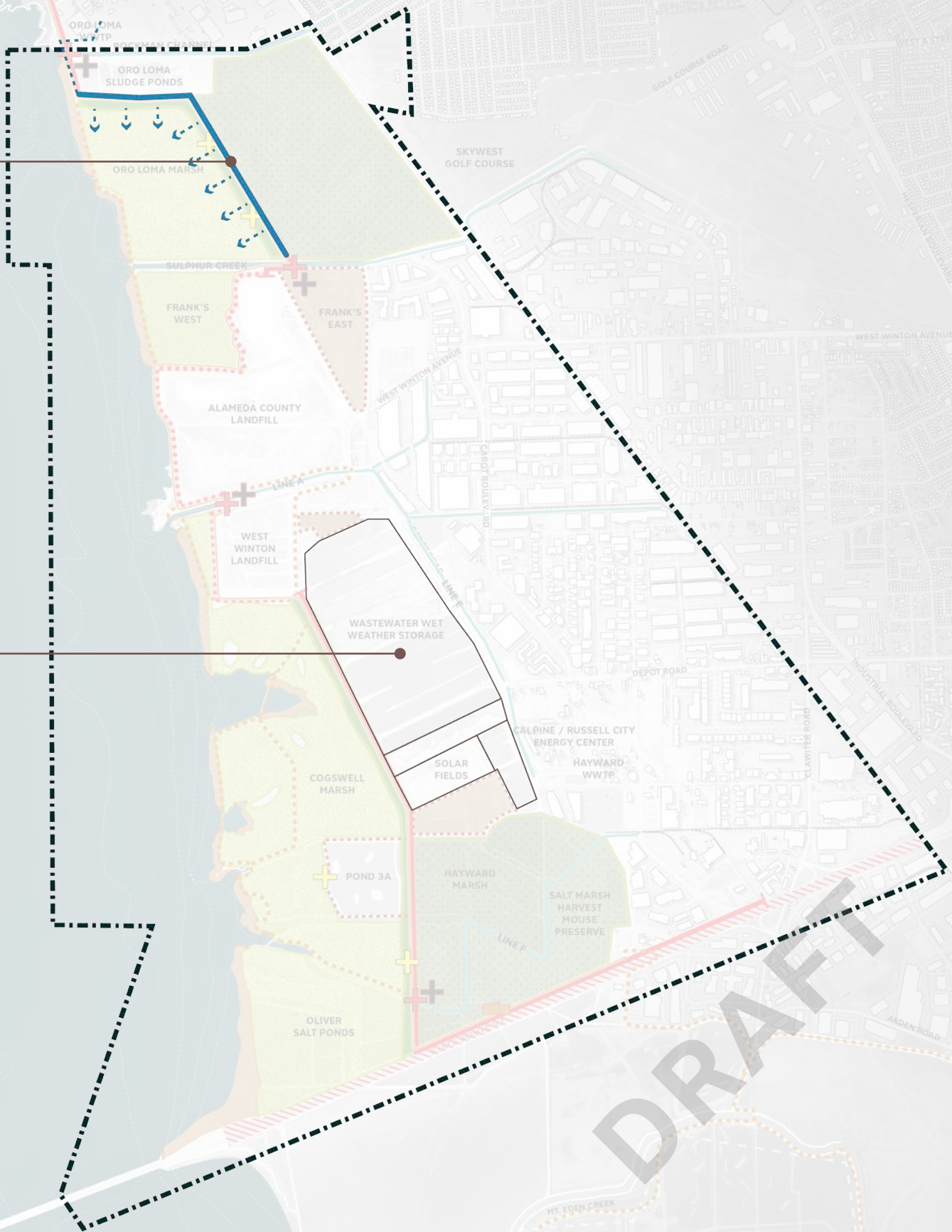
- Maintain wet weather equalization storage capacity
- Maintain biosolids drying / management
- Maintain solar fields

CONS

- Loss of potential space for other uses

LEGEND

- PROJECT AREA**
- DIRECTION OF WATER FLOW**
- HORIZONTAL LEVEL**



DRAFT

#1: CLOSER TO THE BAY

BAY TRAIL

With this alternative, the Bay Trail is aligned closer to blue water where possible and connected to new infrastructure improvements. A phased realignment of the trail will maintain its existing alignment and connect to the new alignment until it is inundated.

Bay Trail realigns through the middle of Oro Loma Marsh

PROS

- Closer to the Bay
- Marsh habitat experience

CONS

- Loss of blue water experience

Living revetment education trail

PROS

- Along the Bay's edge
- Raised levee protects landfill
- Educational component

CONS

- Proximity to landfill

Links to the Interpretive Center

PROS

- Raised along FEMA levee to decrease flood risk

CONS

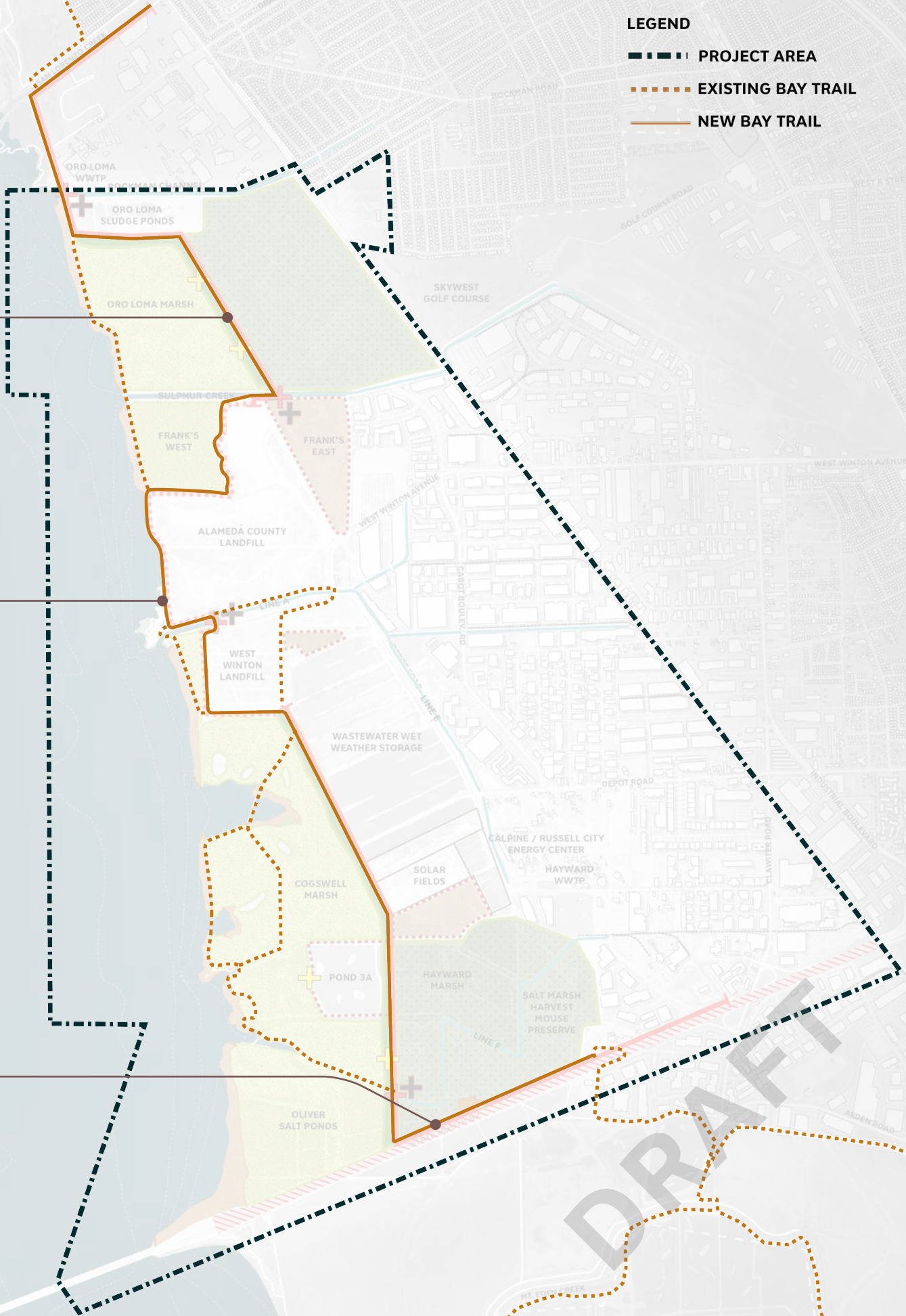
- Cuts off existing marsh

LEGEND

PROJECT AREA

EXISTING BAY TRAIL

NEW BAY TRAIL



#1: CLOSER TO THE BAY

HAYWARD SHORELINE INTERPRETIVE CENTER

Located behind the line of protection, the Hayward Shoreline Interpretive Center is protected in place. An ecotone levee in immediate adjacency to the center presents opportunities for education programming related to future restoration and adaptive management projects.

Access road is elevated in place

PROS

- Reduced risk of flooding
- Potential to tie into CalTrans improvements

CONS

- May impact existing marsh habitat

Interpretive Center is protected in place

PROS

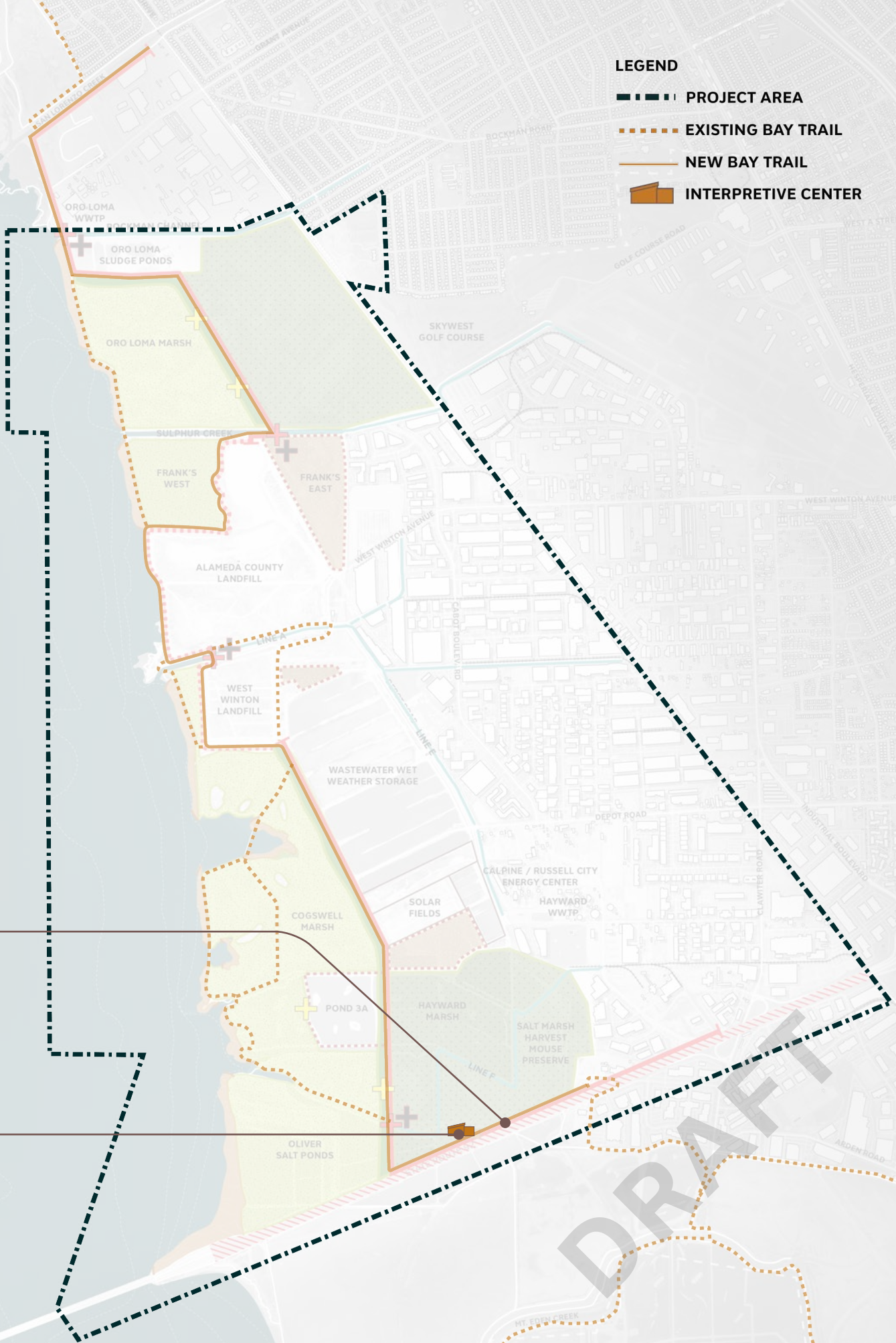
- Interpretive Center is protected in place
- Ecotone levee related educational opportunities

CONS

- Direct visual connection to the Bay is lost

LEGEND

- PROJECT AREA
- EXISTING BAY TRAIL
- NEW BAY TRAIL
- INTERPRETIVE CENTER



#2: DOWN THE MIDDLE

DRAFT

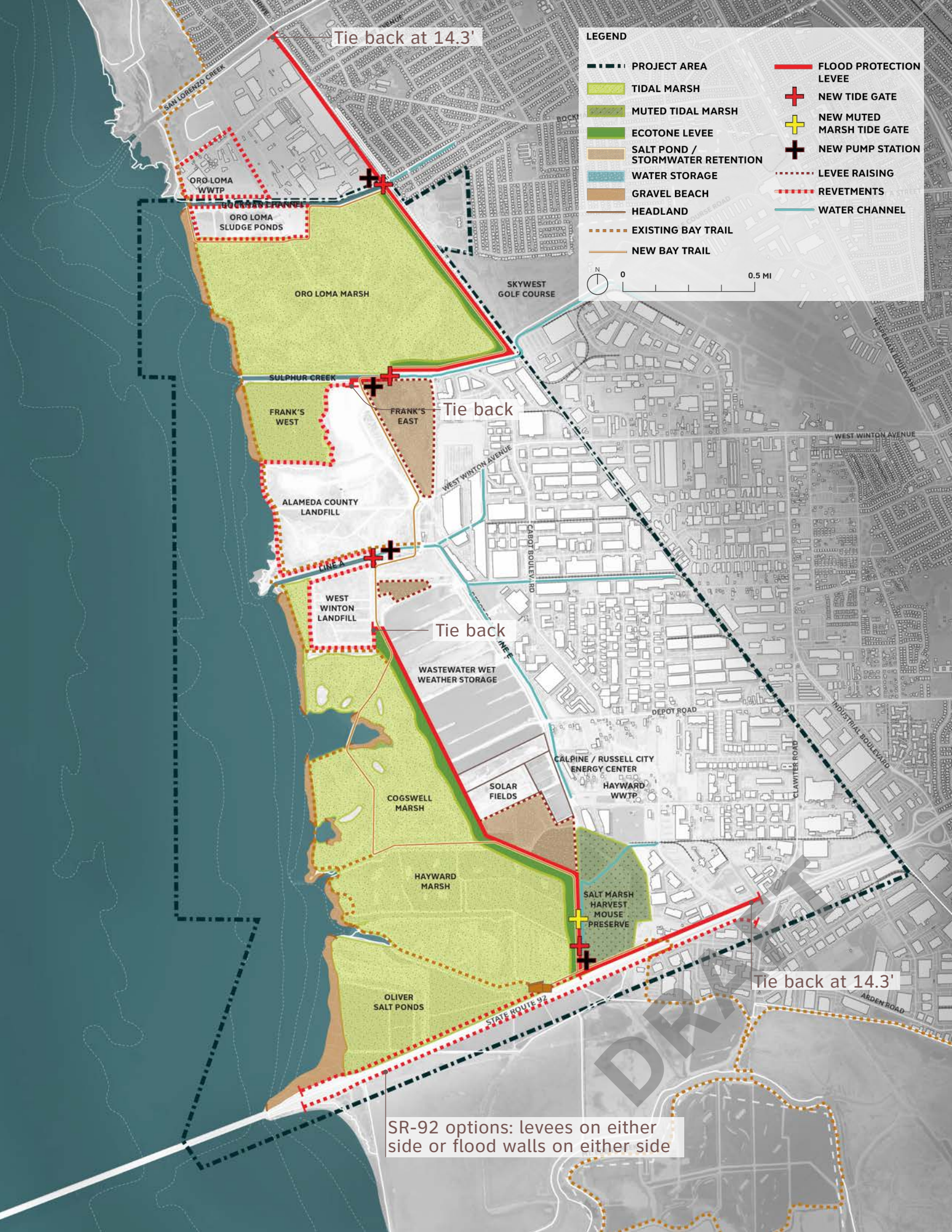
#2: DOWN THE MIDDLE

This alternative looks at an alignment that balances risk reduction and ecological enhancement with a line of protection that runs through the middle of the shoreline area.

The line of protection is pulled back in the north along the Union Pacific Rail Corridor and ties back to high ground at the San Lorenzo Creek channel. It then ties back to high ground at the two existing landfills and follows the western extent of the oxidation ponds to the south. The alignment pulls back in the southern portion of the site and cuts through the middle of the Salt Marsh Harvest Mouse Preserve, then ties back along a new levee along the access road for SR-92.

This alternative maintains a larger extent of tidal habitat, while still reducing risk to critical infrastructure.

The assumed planning elevation for the line of protection is 14.3' NAVD88. The final design flood elevation will require further study and cost analysis.



Tie back at 14.3'

LEGEND

- PROJECT AREA
- TIDAL MARSH
- MUTED TIDAL MARSH
- ECOTONE LEVEE
- SALT POND / STORMWATER RETENTION
- WATER STORAGE
- GRAVEL BEACH
- HEADLAND
- EXISTING BAY TRAIL
- NEW BAY TRAIL
- FLOOD PROTECTION LEVEE
- ⊕ NEW TIDE GATE
- ⊕ NEW MUTED MARSH TIDE GATE
- ⊕ NEW PUMP STATION
- LEVEE RAISING
- REVETMENTS
- WATER CHANNEL

0 0.5 MI

Tie back

Tie back

Tie back at 14.3'

SR-92 options: levees on either side or flood walls on either side

#2: DOWN THE MIDDLE

LINE OF PROTECTION

In this alternative, the line of protection balances risk reduction and ecological enhancement through an alignment that follows the middle of the shoreline. The assumed planning elevation for the line of protection is 14.3' NAVD88. The final elevation will require further study and cost analysis- this elevation will be used for planning purposes only.

Oro Loma perimeter protection

PROS

- Protects existing sludge ponds and WWTP infrastructure

CONS

- Oro Loma WWTP not protected with line of protection
- Access to Oro Loma WWTP will be inundated

Ecotone Levee

PROS

- Medium distance ecotone levee
- Aligns with First Mile project

CONS

- Mosquito abatement issues
- Footprint of levee may impact existing marsh habitat

Ecotone Levee aligns within the oxidation ponds

PROS

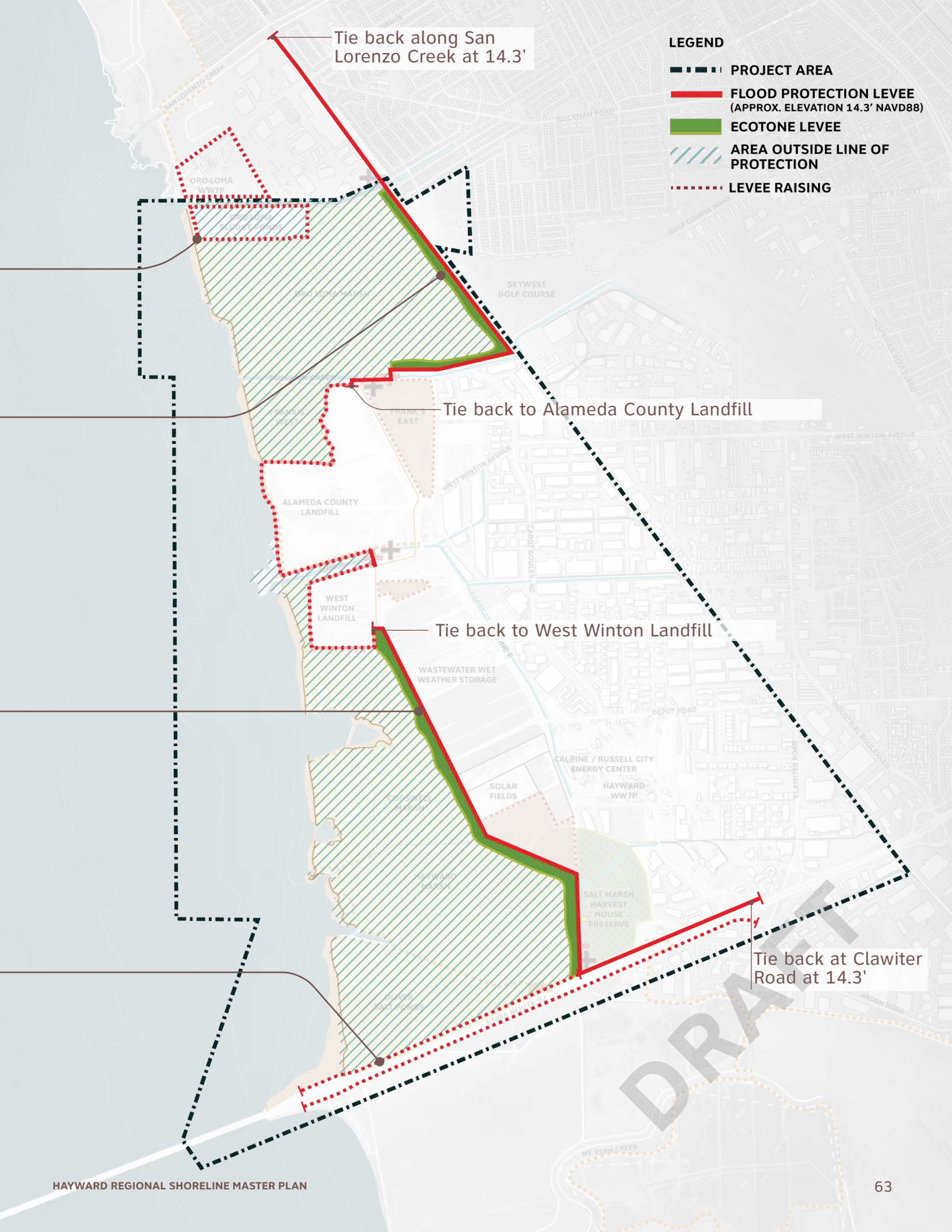
- Ecotone levee aligned within the oxidation ponds preserves marsh habitat

CONS

- Ecotone levee aligned within the oxidation ponds leads to a loss of wastewater wet weather storage capacity
- Mosquito abatement issues
- Footprint of levee may impact existing marsh habitat

SR-92 Options

- Levees on either side
- Flood walls on either side



LEGEND

- PROJECT AREA
- FLOOD PROTECTION LEVEL (APPROX. ELEVATION 14.3' NAVD88)
- ECOTONE LEVEL
- AREA OUTSIDE LINE OF PROTECTION
- LEVEE RAISING

Tie back along San Lorenzo Creek at 14.3'

Tie back to Alameda County Landfill

Tie back to West Winton Landfill

Tie back at Clawiter Road at 14.3'

#2: DOWN THE MIDDLE

TIDAL HABITAT

A larger extent of tidal habitat is enhanced outboard of the line of protection. Through marsh management and sediment placement, the shoreline's ability to accrete sediment is increased

Ecotone levee is aligned within the oxidation ponds

PROS

- Preserves Cogswell Marsh habitat

CONS

- Reduces storage capacity at Wastewater Wet Weather Storage ponds

Maximize amount of connected tidal habitat

Salt Marsh Harvest Mouse Preserve is cut in half

PROS

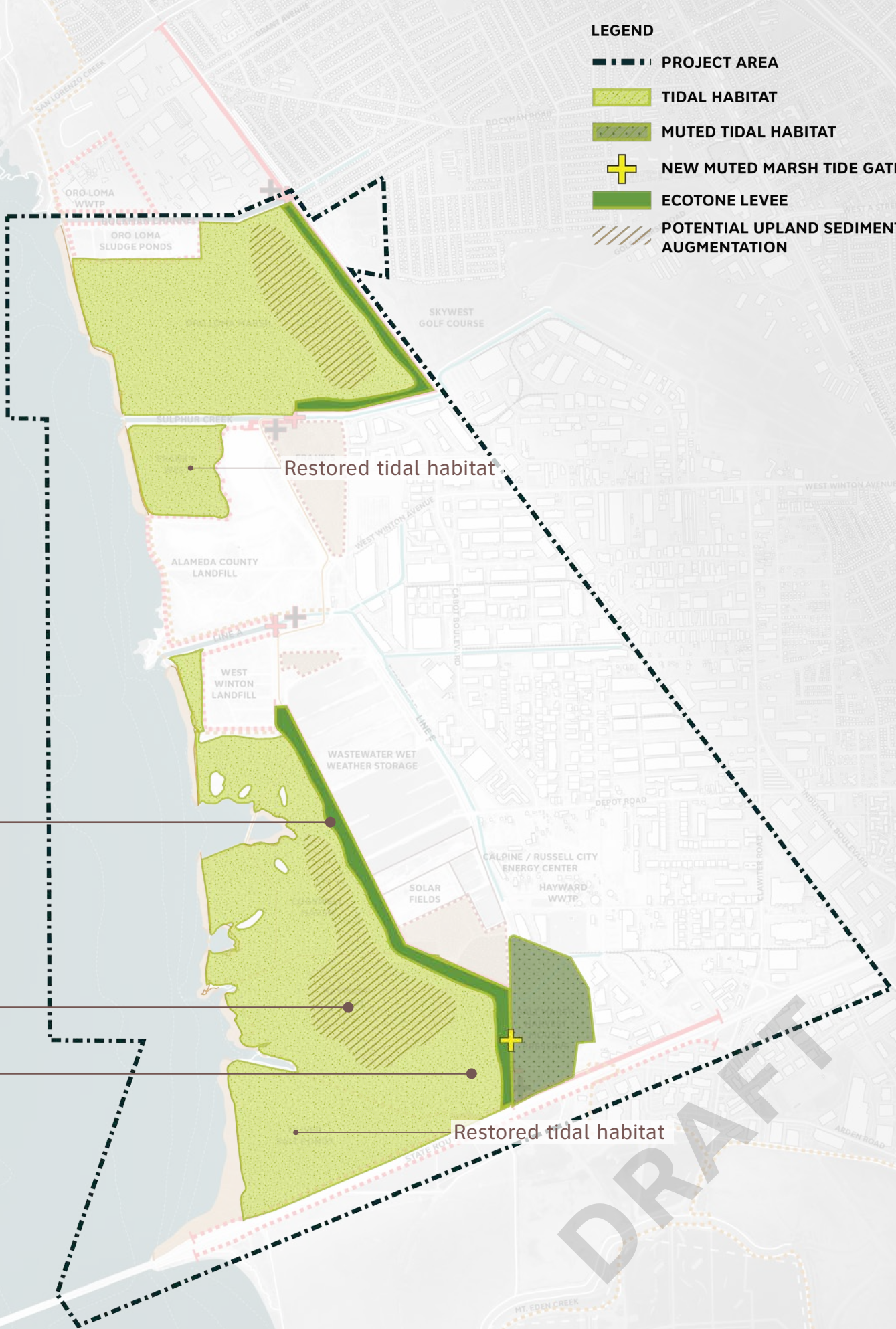
- May help half of the Salt Marsh Harvest Mouse Preserve to accrete more tidal sediment

CONS

- Impacts to existing tidal habitat
- Regulatory issue

LEGEND

- PROJECT AREA
- TIDAL HABITAT
- MUTED TIDAL HABITAT
- NEW MUTED MARSH TIDE GATE
- ECOTONE LEVEL
- POTENTIAL UPLAND SEDIMENT AUGMENTATION



Restored tidal habitat

Restored tidal habitat

DRAFT

#2: DOWN THE MIDDLE

EROSION CONTROL

This alternative presents a layered system of erosion control measures using gravel beaches that reduce the risk of erosion to levees that shelter the marshes behind. Revetments along the two landfills to reduces the risk of erosion and seepage.

Revetment and sheet pile along landfill edge

PROS

- Increased erosion protection for the landfill
- Possibility to incorporate rocky habitat

CONS

- Cost of sheet pile is a concern for the City

Gravel beaches in front of all marshes

PROS

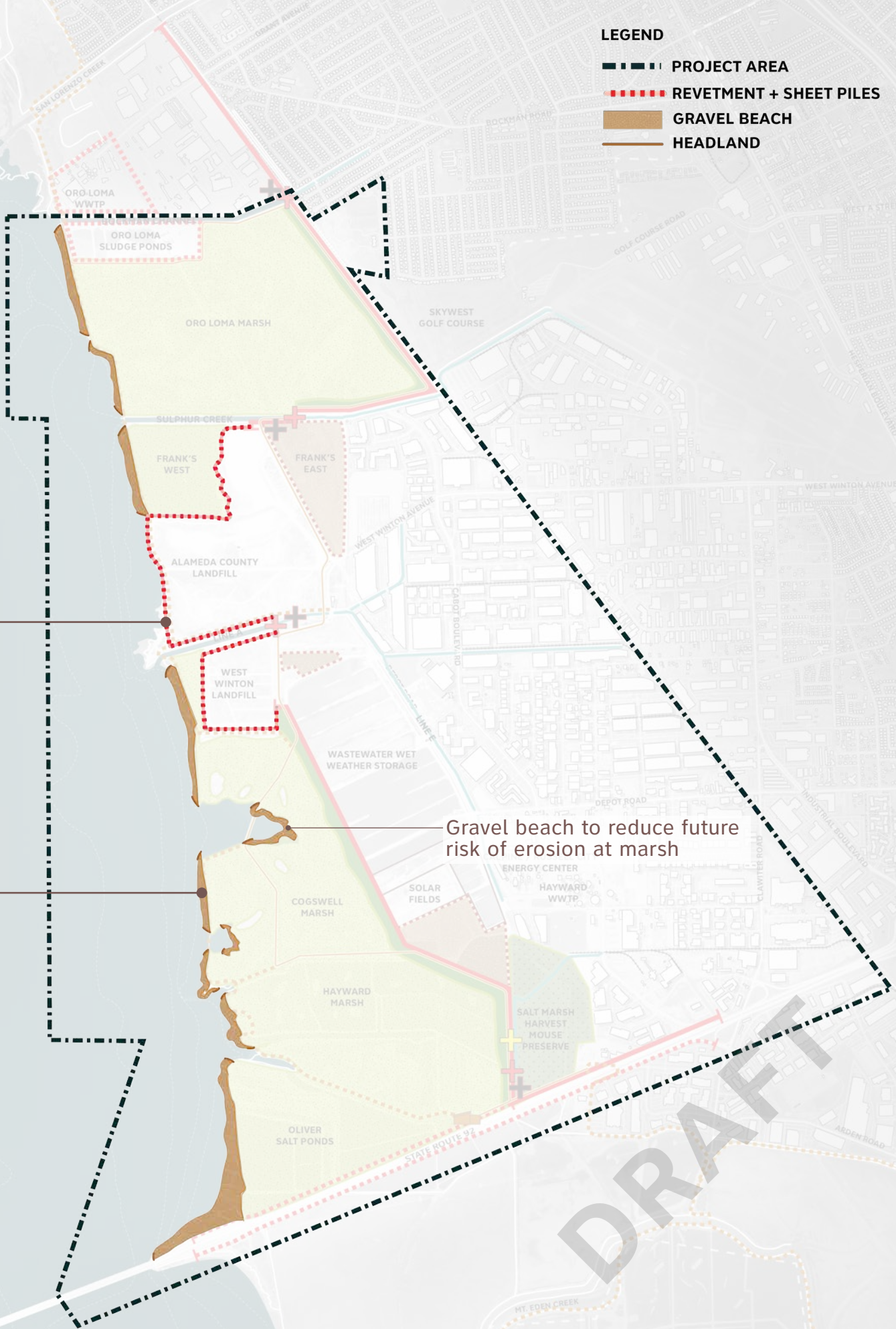
- Gravel beaches provide habitat

CONS

- Beaches in front of all marshes requires a numerous groins to preserve existing breaches
- Cost
- Maintenance / replenishment

LEGEND

- PROJECT AREA
- REVETMENT + SHEET PILES
- GRAVEL BEACH
- HEADLAND



Gravel beach to reduce future risk of erosion at marsh

#2: DOWN THE MIDDLE

STORMWATER MANAGEMENT

There is a great need for stormwater and groundwater management inland of the new line of protection to reduce the risk of flooding with increased precipitation events and reduce any bathtub effect impacts. Providing storage capacity to temporarily hold large volumes of water before it is discharged into the Bay is an important aspect of the Master Plan. As the Plan moves forward, additional studies will be required to assess the volume needed in relation to the hydrology of the area. If gravity flow discharge is not feasible, pumping stations will be required, which can be extremely costly to maintain and operate.

In this alternative, inland detention ponds are utilized to hold stormwater before it is pumped to the Bay.

Dual Salt Pond / Stormwater Detention

PROS

- Provides salt pond habitat
- Large area for stormwater storage
- Along Sulphur Creek
- Enhances bird species habitat- the birds seem to prefer fresh water over salt water

CONS

- Stormwater may impact habitat

Dual Salt Pond / Stormwater Detention








PROS

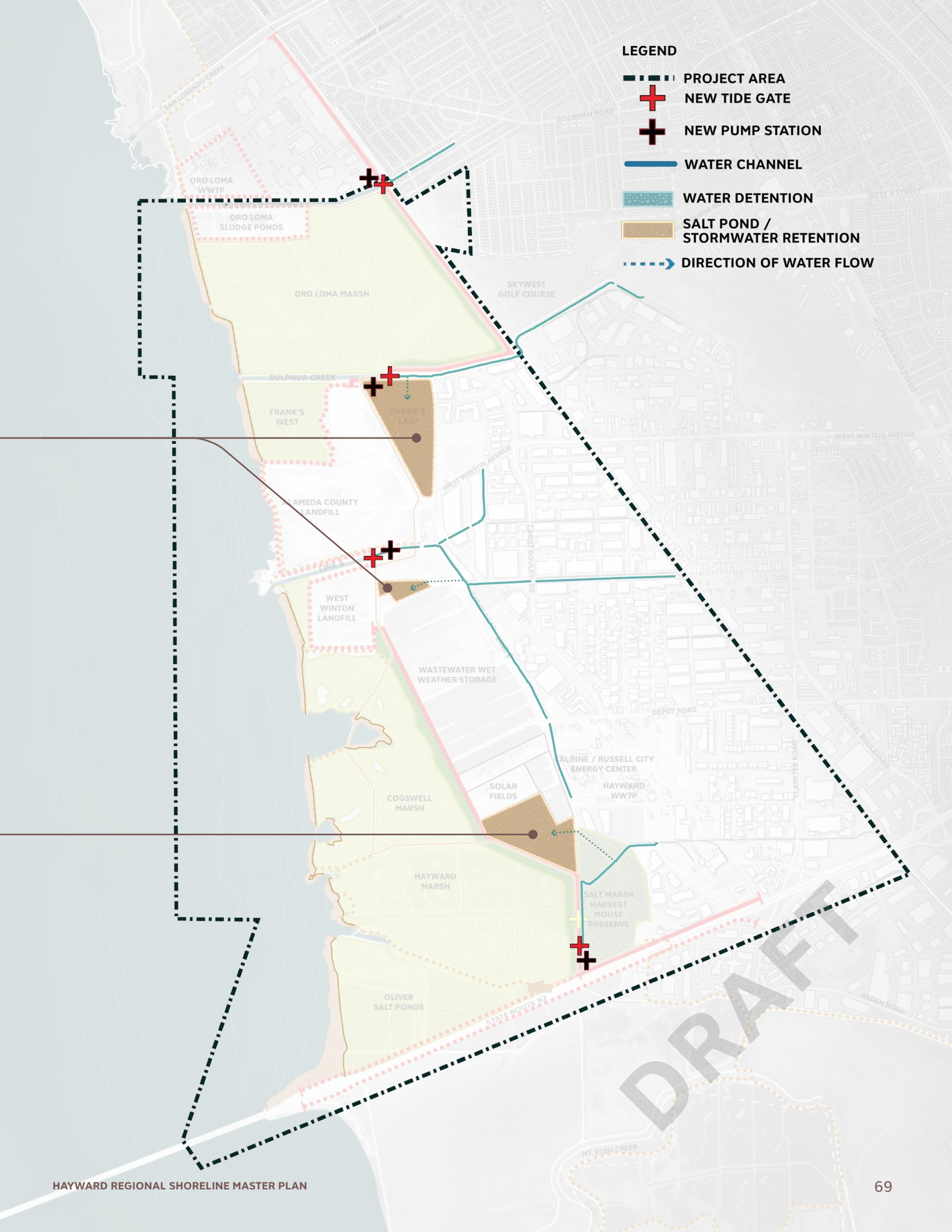
- Provides salt pond habitat
- Large area for stormwater storage
- Along Sulphur Creek
- Enhances bird species habitat- the birds seem to prefer fresh water over salt water

CONS

- Stormwater may impact habitat
- Not directly adjacent to a flood control channel

LEGEND

-  PROJECT AREA
-  NEW TIDE GATE
-  NEW PUMP STATION
-  WATER CHANNEL
-  WATER DETENTION
-  SALT POND / STORMWATER RETENTION
-  DIRECTION OF WATER FLOW



#2: DOWN THE MIDDLE

WASTEWATER TREATMENT

Critical wastewater treatment functions are maintained and enhanced at Oro Loma and Hayward WWTP's with horizontal levees that outlet effluent to Oro Loma and Cogswell Marsh. Most of Hayward WWTP's existing function and storage capacity is maintained.

Horizontal Levee only along Union Pacific Rail Corridor

PROS

- Discharge some effluent from Oro Loma
- Aligns with First Mile project
- Provides transition slope

CONS

- Potential impacts to current habitat
- Would require filling in part of Oro Loma Marsh
- Mosquito abatement regulatory issues

Most of the Wastewater Wet Weather Storage ponds to remain

Horizontal Levee built into the oxidation ponds for Hayward WWTP local discharge

PROS

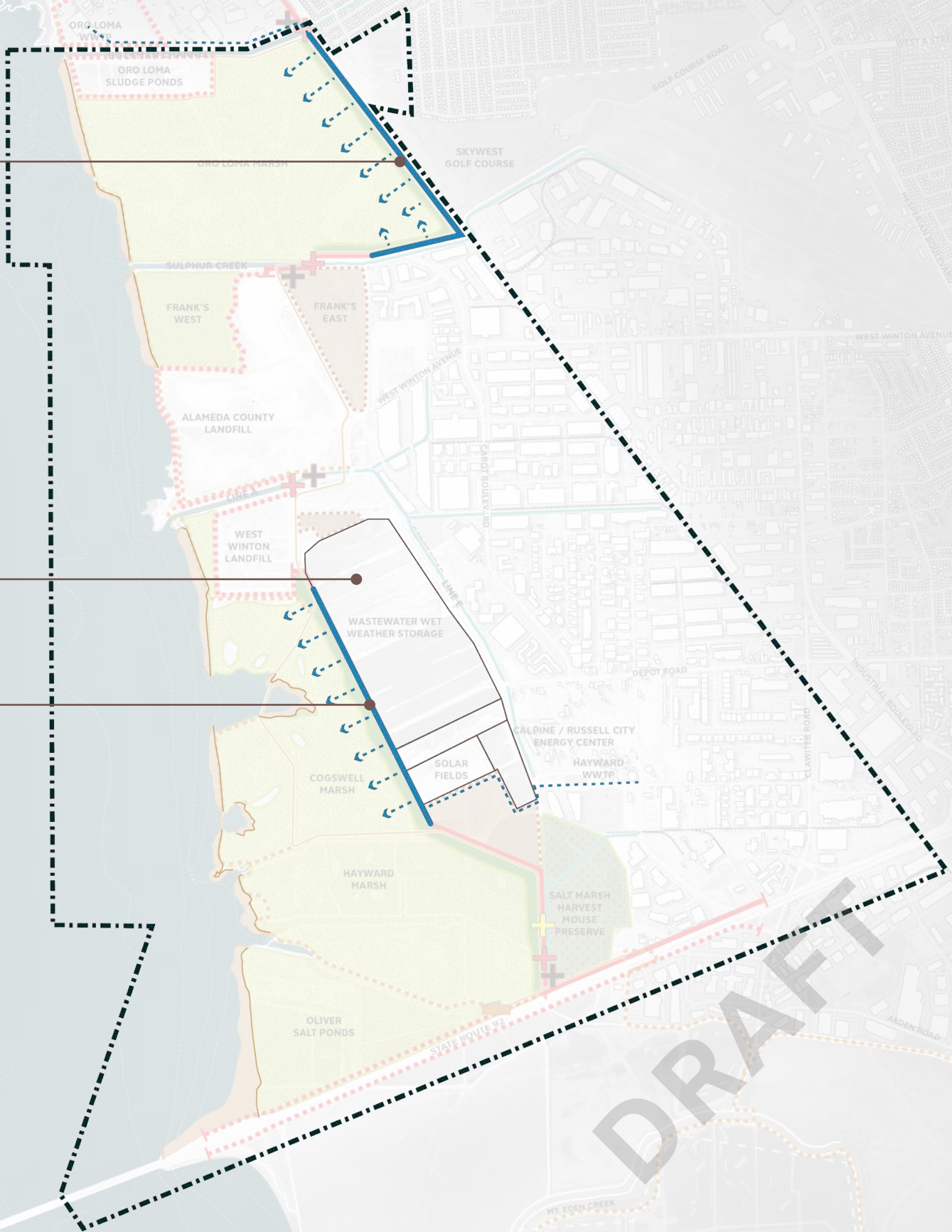
- Local Discharge for Hayward WWTP

CONS

- Loss of Wastewater Wet Weather Storage space with ecotone slope built into them
- Mosquito abatement regulatory issues
- Hayward WWTP is not currently planning for the level of treatment that may be required to discharge into protected species habitat

LEGEND

- PROJECT AREA**
- DIRECTION OF WATER FLOW**
- HORIZONTAL LEVEL**



#2: DOWN THE MIDDLE

BAY TRAIL

The Bay Trail is aligned to promote a diversity of experiences while reducing the risk of flooding. A phased realignment of the trail will maintain its existing alignment and connect to the new alignment until it is inundated.

Aligns to the back of Oro Loma Marsh and Alameda County Landfill

CONS

- Further from the Bay
- No blue water experience

Bay Trail is elevated on structure

PROS

- Alignment is closer to the Bay
- Pulled away from wastewater treatment uses

CONS

- Costly to maintain bridges outside the line of protection
- Existing bridge is only at 9.75' elevation

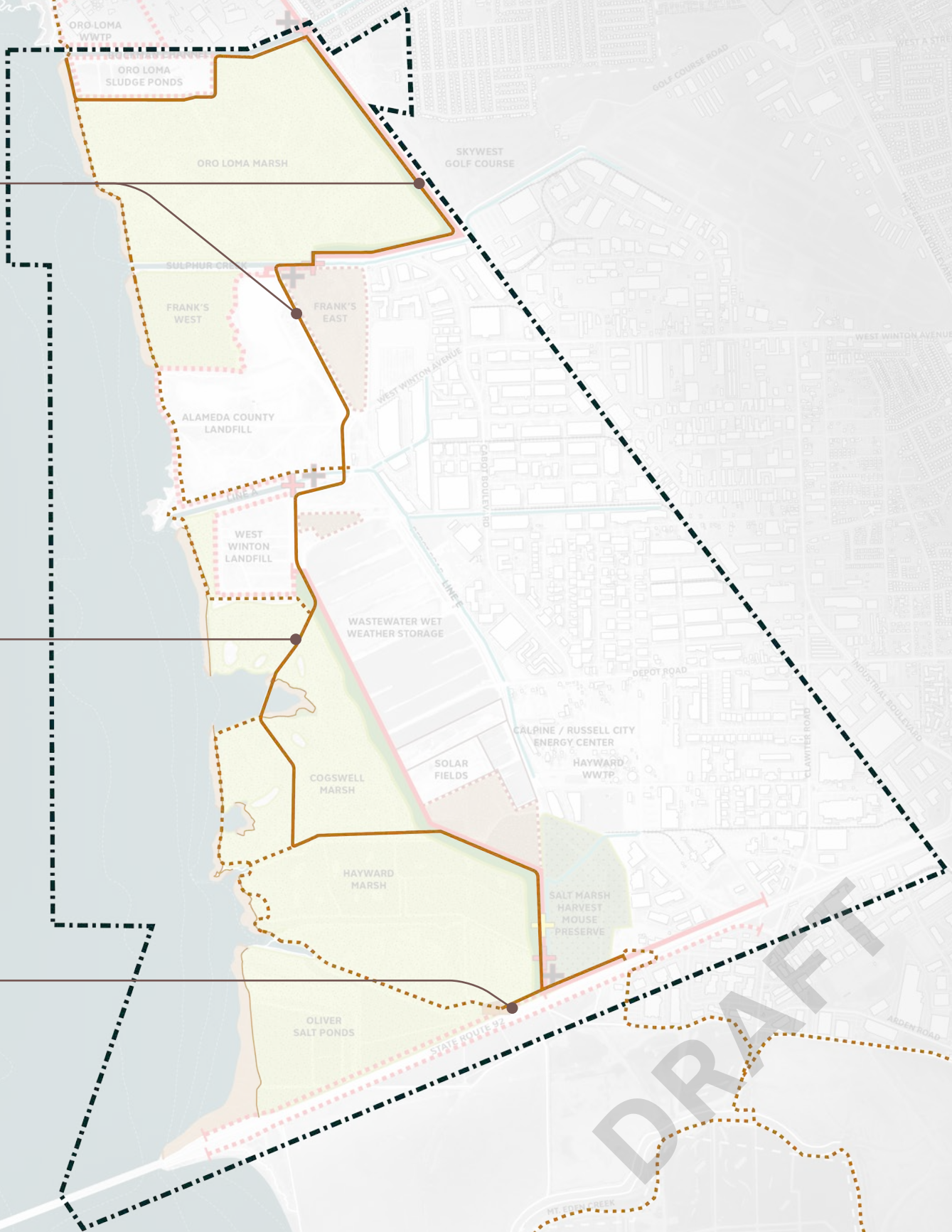
Spur to the Interpretive Center

LEGEND

PROJECT AREA

EXISTING BAY TRAIL

NEW BAY TRAIL



#2: DOWN THE MIDDLE

HAYWARD SHORELINE INTERPRETIVE CENTER

The Hayward Shoreline Interpretive Center is adapted in place through the elevation of the building itself or retrofit to a floating structure. Its location within a marsh maintains direct connection to shoreline ecosystems.

Access road is elevated in place

PROS

- Reduced risk of flooding
- Potential to tie into CalTrans improvements

Interpretive Center becomes elevated / floating in place

PROS

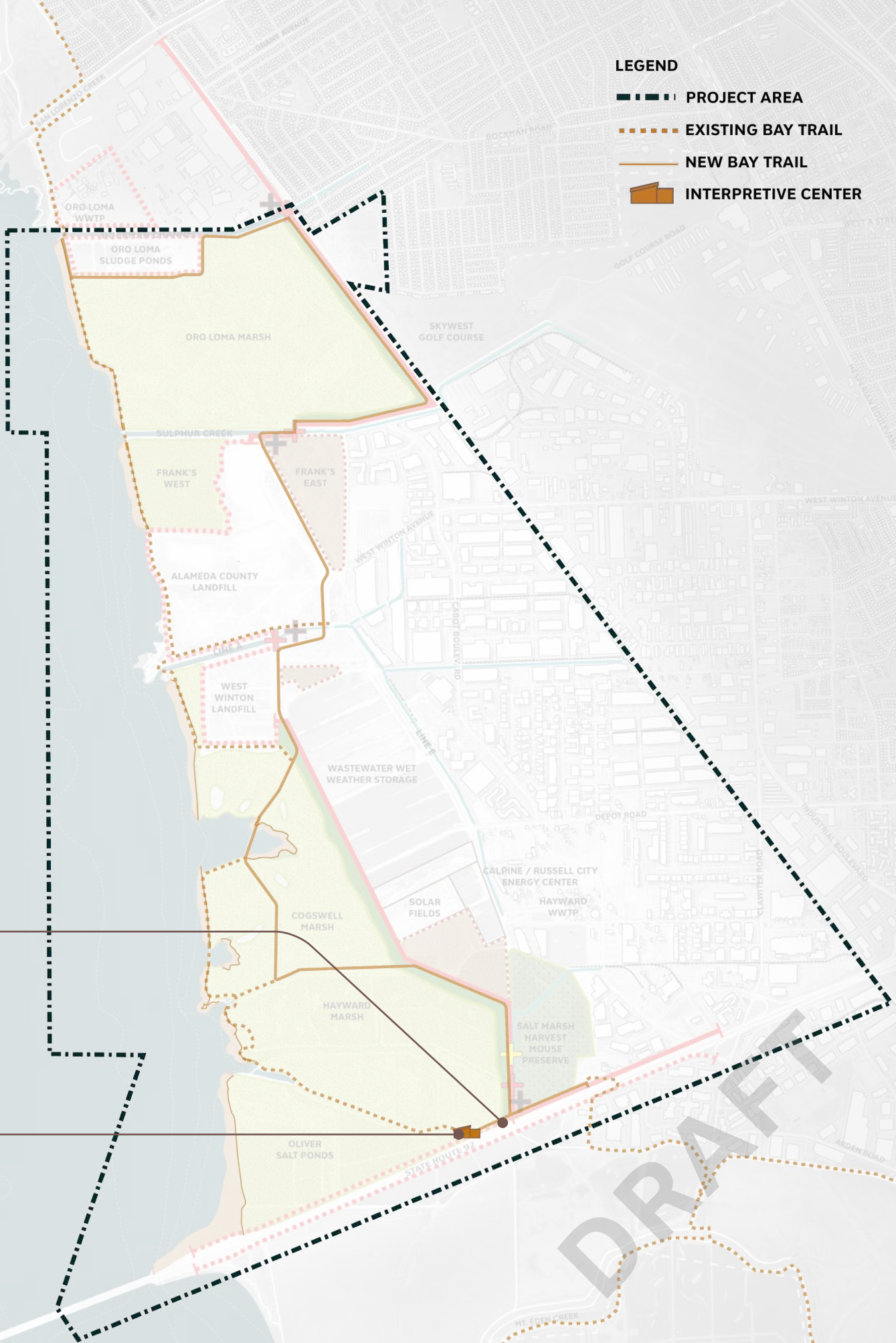
- Closer to the Bay- maintain marsh connection

CONS

- Building elevation may be costly

LEGEND

- PROJECT AREA** (dashed black line)
- EXISTING BAY TRAIL** (dotted orange line)
- NEW BAY TRAIL** (solid orange line)
- INTERPRETIVE CENTER** (orange square icon)



#3: FURTHER INLAND

DRAFT

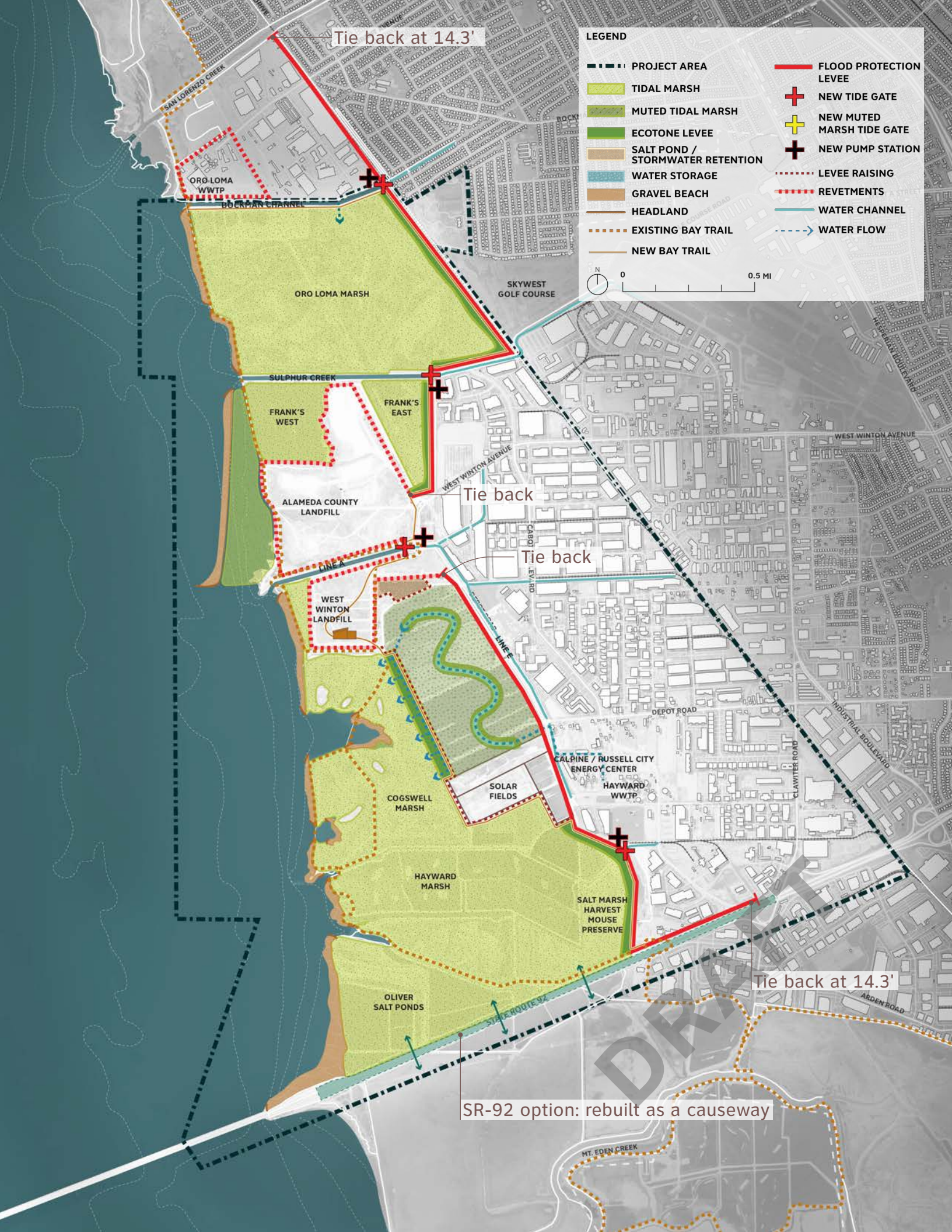
#3: FURTHER INLAND

This alternative explores an alignment that is pulled the furthest inland to maximize ecological restoration along the shoreline and layer risk reduction infrastructure.

In the north, the line of protection is pulled back along the Union Pacific Rail Corridor and ties back to high ground at the San Lorenzo Creek channel. It then aligns to the eastern edge of Frank's East and ties back to high ground at the two existing landfills. It is pulled to the east of the oxidation ponds and follows the eastern extent of the diked Baylands to the south before tying back to high ground with a levee parallel to SR-92 along Clawiter Road.

This alternative prioritizes a larger extent of connected tidal habitat that is Bayward of the line of protection and incorporates ecological and risk reduction infrastructure along a wider extent of Baylands.

The assumed planning elevation for the line of protection is 14.3' NAVD88. The final design flood elevation will require further study and cost analysis.



Tie back at 14.3'

LEGEND

	PROJECT AREA		FLOOD PROTECTION LEVEE
	TIDAL MARSH		NEW TIDE GATE
	MUTED TIDAL MARSH		NEW MUTED MARSH TIDE GATE
	ECOTONE LEVEE		NEW PUMP STATION
	SALT POND / STORMWATER RETENTION		LEVEE RAISING
	WATER STORAGE		REVETMENTS
	GRAVEL BEACH		WATER CHANNEL
	HEADLAND		WATER FLOW
	EXISTING BAY TRAIL		
	NEW BAY TRAIL		

0 0.5 MI

Tie back

Tie back

Tie back at 14.3'

SR-92 option: rebuilt as a causeway

DRY

#3: FURTHER INLAND

LINE OF PROTECTION

In this alternative, the line of protection moves inland, opening a larger extent of shoreline for ecological restoration. The assumed planning elevation for the line of protection is 14.3' NAVD88. The final elevation will require further study and cost analysis- this elevation will be used for planning purposes only.

Oro Loma perimeter protection

PROS

- Protects existing sludge ponds and WWTP infrastructure

CONS

- Oro Loma WWTP not protected with line of protection
- Access will be inundated

Oro Loma sludge ponds restored to marsh

Ecotone Levee wraps the east of Oro Loma Marsh and Frank's East

PROS

- Increase effluent discharge

CONS

- Longer distance
- More cost

Levee raising

PROS

- Multi-step layered protection
- Solar fields were raised

CONS

- Building 2 levees costs more

Line of protection moves to the east of the oxidation ponds

PROS

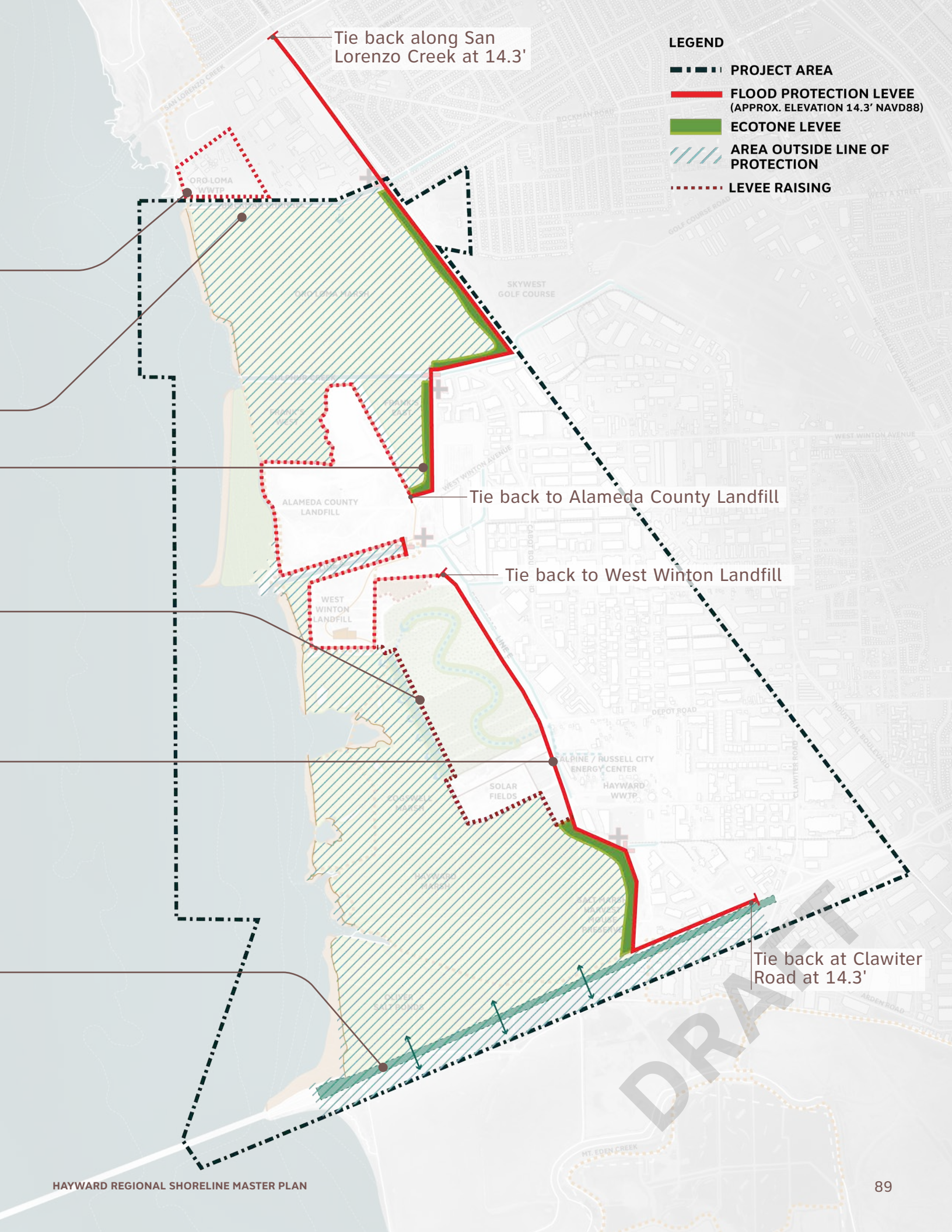
- Line of protection further inland

CONS

- Minimal space between Line E and the oxidation ponds for levee construction

SR-92 Option

- Rebuilt as a causeway



LEGEND

- PROJECT AREA
- FLOOD PROTECTION LEVEL (APPROX. ELEVATION 14.3' NAVD88)
- ECOTONE LEVEL
- AREA OUTSIDE LINE OF PROTECTION
- LEVEE RAISING

#3: FURTHER INLAND

TIDAL HABITAT

In the most expansive tidal habitat system, connectivity is restored between existing and restored marshes. Through marsh management and sediment placement, the shoreline's ability to accrete sediment is also increased.

Breach at Bockman Channel

PROS

- Tributary connection to Baylands

CONS

- Bockman water quality may impact marsh health

Fringe marsh restoration

PROS

- Fringe marsh may buffer landfill

CONS

- May be hard to restore fringe marsh

Breach into Triangle Marsh

PROS

- Breaching into Triangle Marsh may help it accrete more tidal sediment

CONS

- Breaching into Triangle Marsh may impact landfill protection
- Impacts to existing habitat

Transition Salt Marsh Harvest Mouse Preserve to tidal habitat

PROS

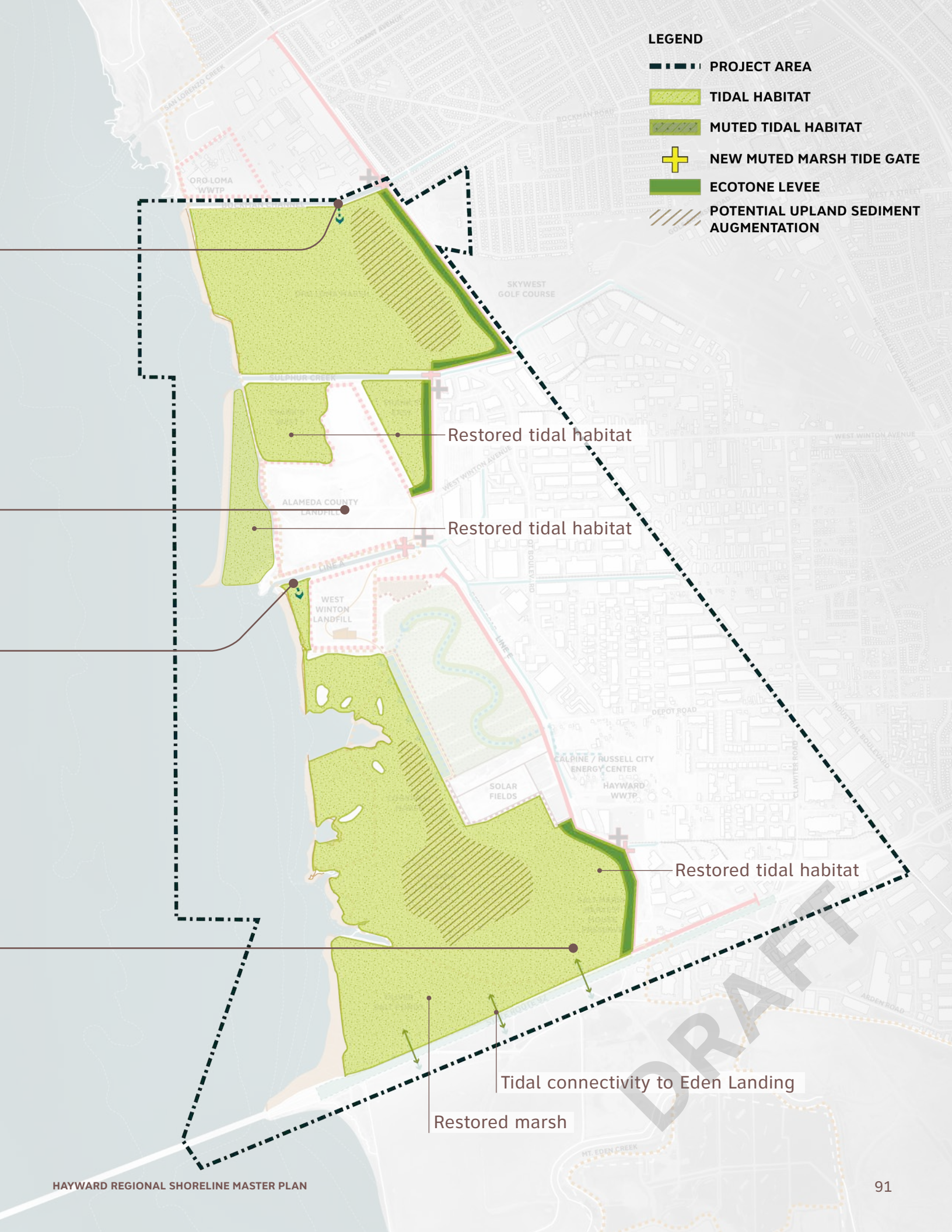
- Maximize muted tidal habitat that could be maintained with SLR
- Large, connected tidal habitat system
- Connection to Eden Landing through causeway

CONS

- Impacts to existing Salt Marsh Harvest Mouse Preserve habitat
- May be a regulatory issue

LEGEND

-  PROJECT AREA
-  TIDAL HABITAT
-  MUTED TIDAL HABITAT
-  NEW MUTED MARSH TIDE GATE
-  ECOTONE LEVEL
-  POTENTIAL UPLAND SEDIMENT AUGMENTATION



#3: FURTHER INLAND

EROSION CONTROL

A layered system of erosion control measures utilizes gravel beaches that reduce the risk of erosion to levees that shelter the marshes behind. Revetments along the two landfills to reduces the risk of erosion and seepage.

Gravel beaches in front of all marshes

PROS

- Gravel beaches provide habitat

CONS

- Beaches in front of all marshes requires a numerous groins to preserve existing breaches
- Cost
- Maintenance / replenishment

Gravel beach and fringe marsh restoration to reduce risk to landfill

PROS

- Gravel beach provides an additional layer of protection for the landfill

Revetments and sheet pile along landfill edges

PROS

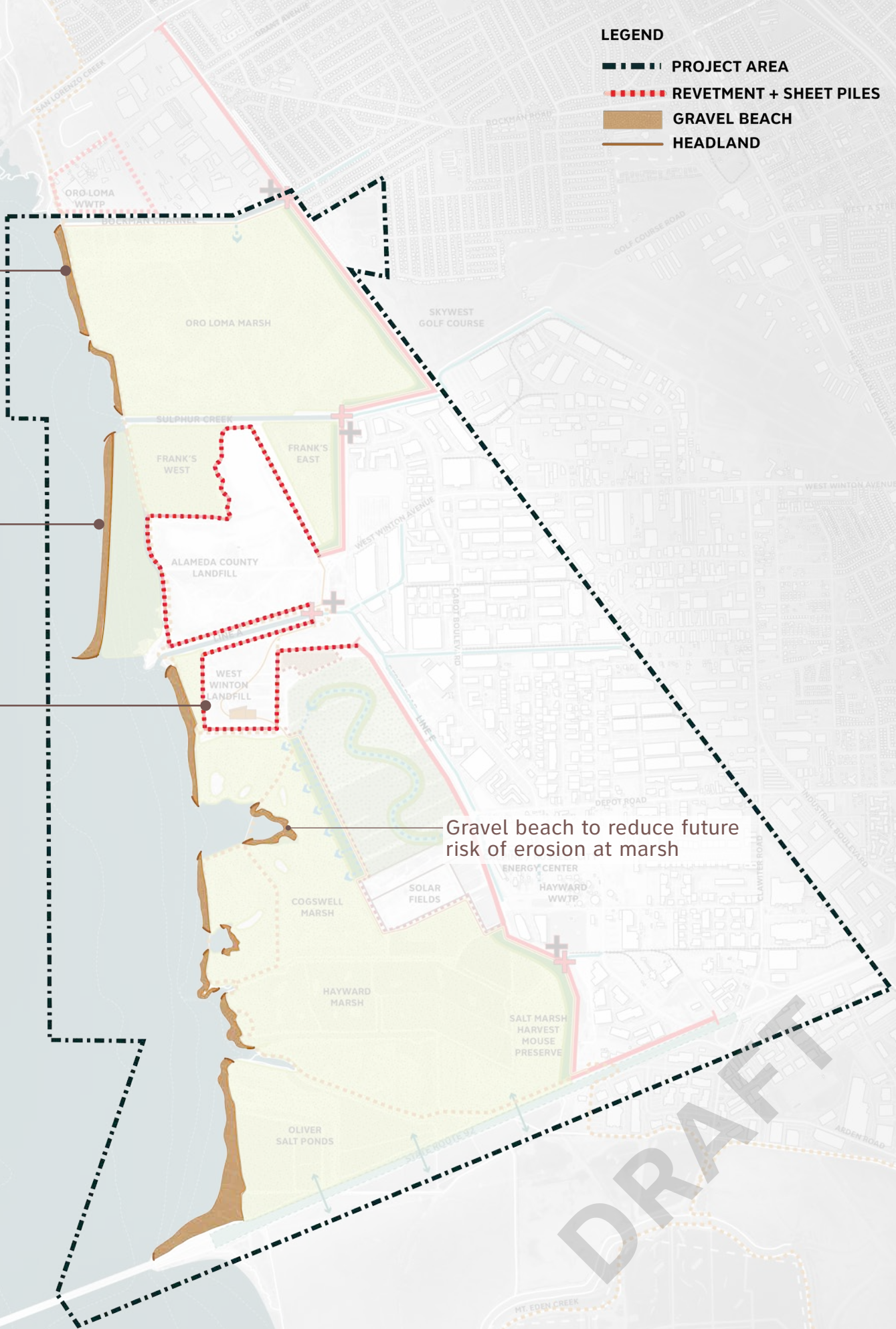
- Increased erosion protection to the landfill
- Possibility to incorporate rocky habitat

CONS

- Full perimeter protection is more expensive
- Cost of sheet pile is a concern for the City

LEGEND

- PROJECT AREA
- REVETMENT + SHEET PILES
- GRAVEL BEACH
- HEADLAND



Gravel beach to reduce future risk of erosion at marsh

DRAFT

#3: FURTHER INLAND

STORMWATER MANAGEMENT

There is a great need for stormwater and groundwater management inland of the new line of protection to reduce the risk of flooding with increased precipitation events and reduce any bathtub effect impacts.

In this alternative, no detention space is proposed, which could lead to flooding impacts or require constant pumping from the flood control channels to the bay.

No additional stormwater storage space

CONS

- No capacity to mitigate increased precipitation and groundwater impacts
- Need to manage stormwater inland of a line of protection

Dual Salt Pond / Stormwater Detention








PROS

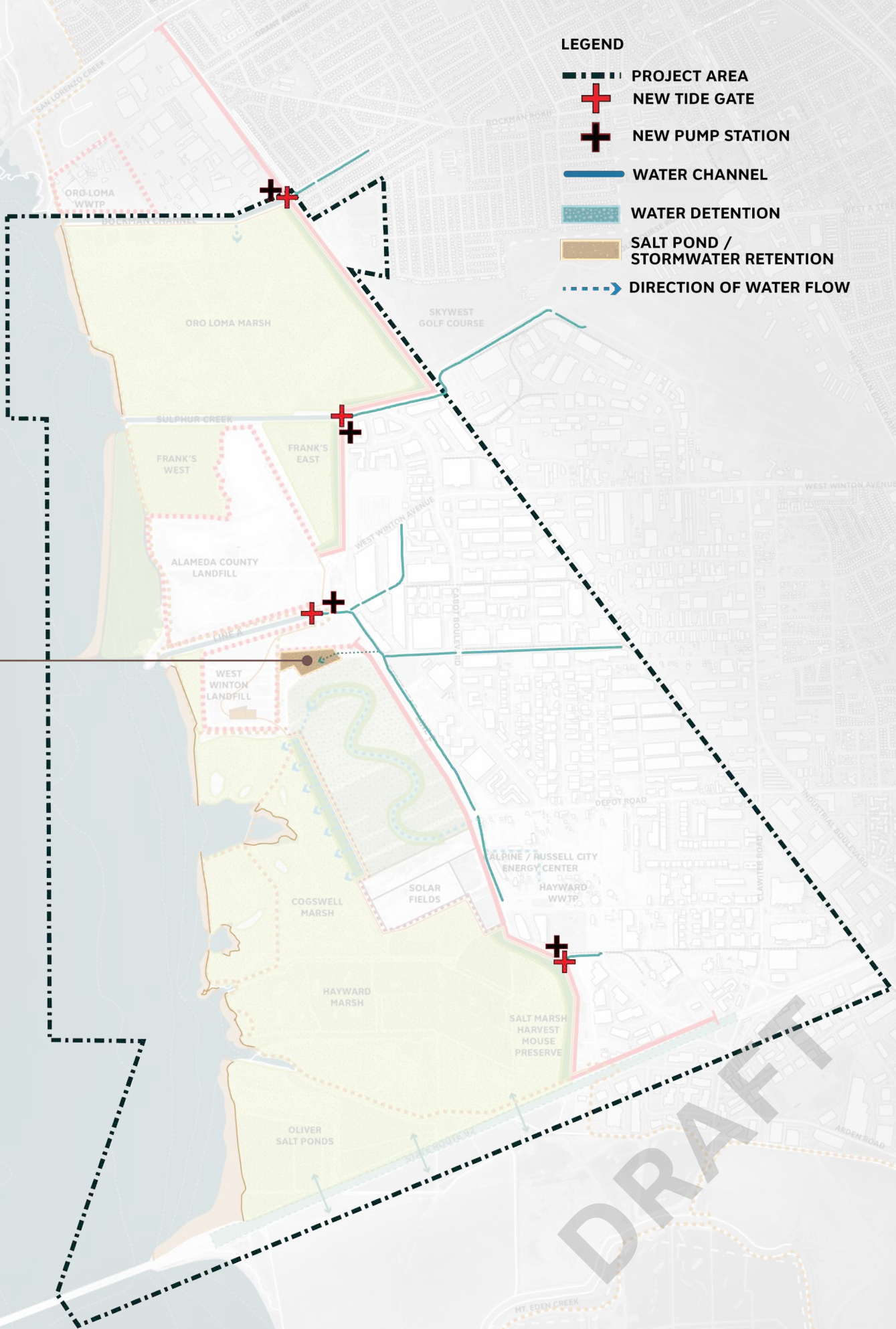
- Provides salt pond habitat
- Enhances bird species habitat- the birds seem to prefer fresh water over salt water

CONS

- Very small area in comparison to future need
- Stormwater may impact habitat

LEGEND

-  PROJECT AREA
-  NEW TIDE GATE
-  NEW PUMP STATION
-  WATER CHANNEL
-  WATER DETENTION
-  SALT POND / STORMWATER RETENTION
-  DIRECTION OF WATER FLOW



#3: FURTHER INLAND

WASTEWATER TREATMENT

Critical wastewater treatment functions are maintained and enhanced at Oro Loma and Hayward WWTP's with horizontal levees that outlet effluent to Oro Loma and Cogswell Marsh. This alternative assumes that EBDA is decommissioned. This allows for a freshwater treatment marsh in the former wet weather equalization ponds at Hayward WWTP to facilitate local discharge to Cogswell marsh. The level of protection for the open water treatment wetland, solar fields, and biosolids ponds is not addressed at this time and will be investigated as part of the preferred alternative.

Horizontal Levee wraps the back of Oro Loma Marsh and Frank's East

PROS

- Discharge a larger amount of Oro Loma's effluent
- Provides transition slope
- Aligns with First Mile project

CONS

- Potential impacts to current habitat
- Would require filling in part of Oro Loma Marsh
- Mosquito abatement regulatory issues

Horizontal Levee built into the oxidation ponds for Hayward WWTP local discharge

PROS

- Local Discharge for Hayward WWTP

CONS

- Loss of Wastewater Wet Weather Storage space with ecotone slope built into them
- Mosquito abatement regulatory issues
- Hayward WWTP is not currently planning for the level of treatment that may be required to discharge into protected species habitat

Open water treatment wetland for Hayward WWTP





PROS

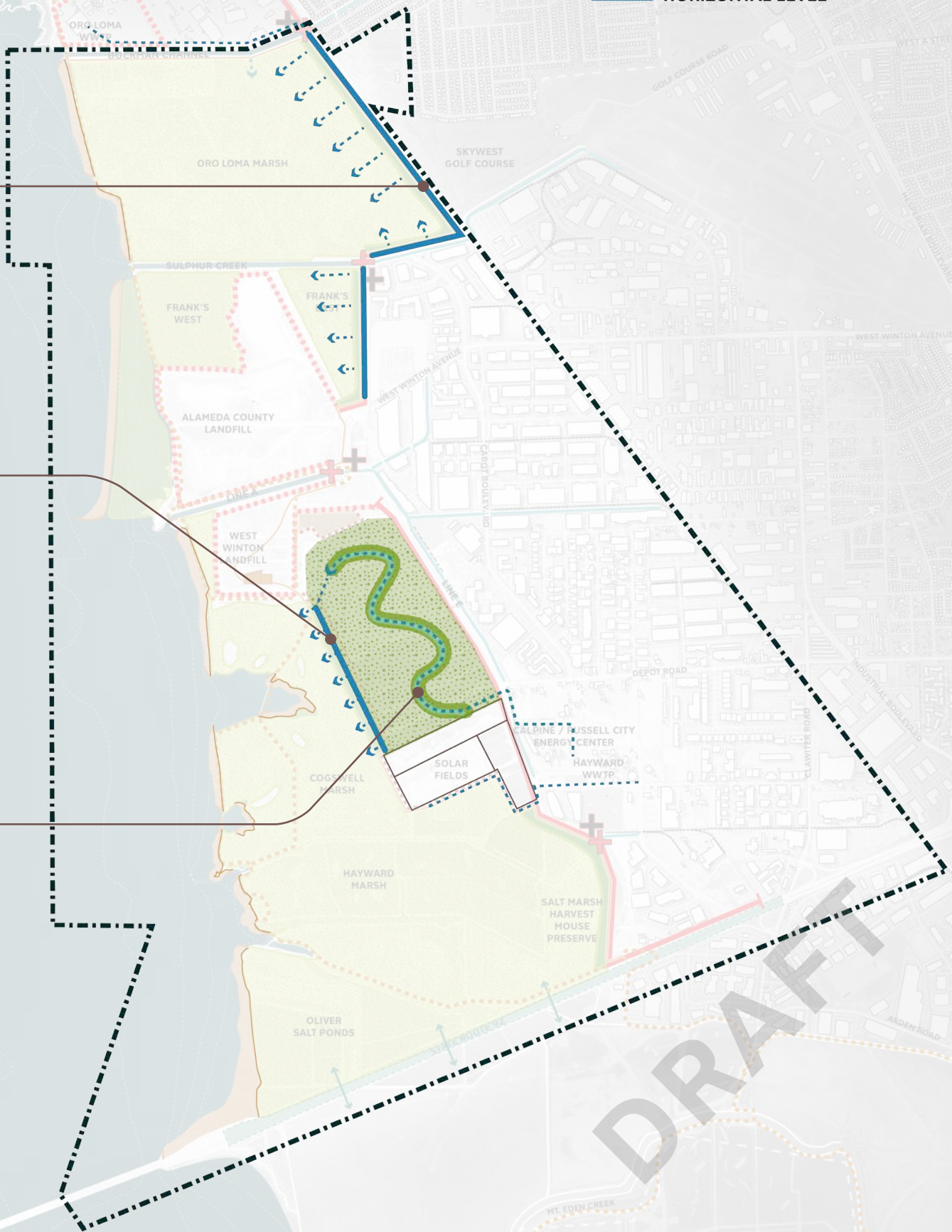
- May facilitate local Discharge for Hayward WWTP

CONS

- Loss of Wastewater Wet Weather Storage ponds
- Only feasible if EBDA pipeline is decommissioned
- Hayward WWTP is not currently planning for the level of treatment that may be required to discharge into protected species habitat

LEGEND

-  PROJECT AREA
-  FRESHWATER TREATMENT MARSH
-  DIRECTION OF WATER FLOW
-  HORIZONTAL LEVEL



DRAFT

#3: FURTHER INLAND

BAY TRAIL

The Bay Trail is pulled back to a higher inland elevation to reduce the risk of flooding with sea level rise. A phased realignment of the trail will maintain its existing alignment and connect to the new alignment until it is inundated.

Aligns to the back of Oro Loma Marsh and Frank's East

CONS

- Further from the Bay
- No blue water experience

Links to the Interpretive Center

PROS

- Landfill provides expansive Bay views

Aligns along the western extent of the oxidation ponds

PROS

- Higher elevation leads to risk reduction with sea level rise

CONS

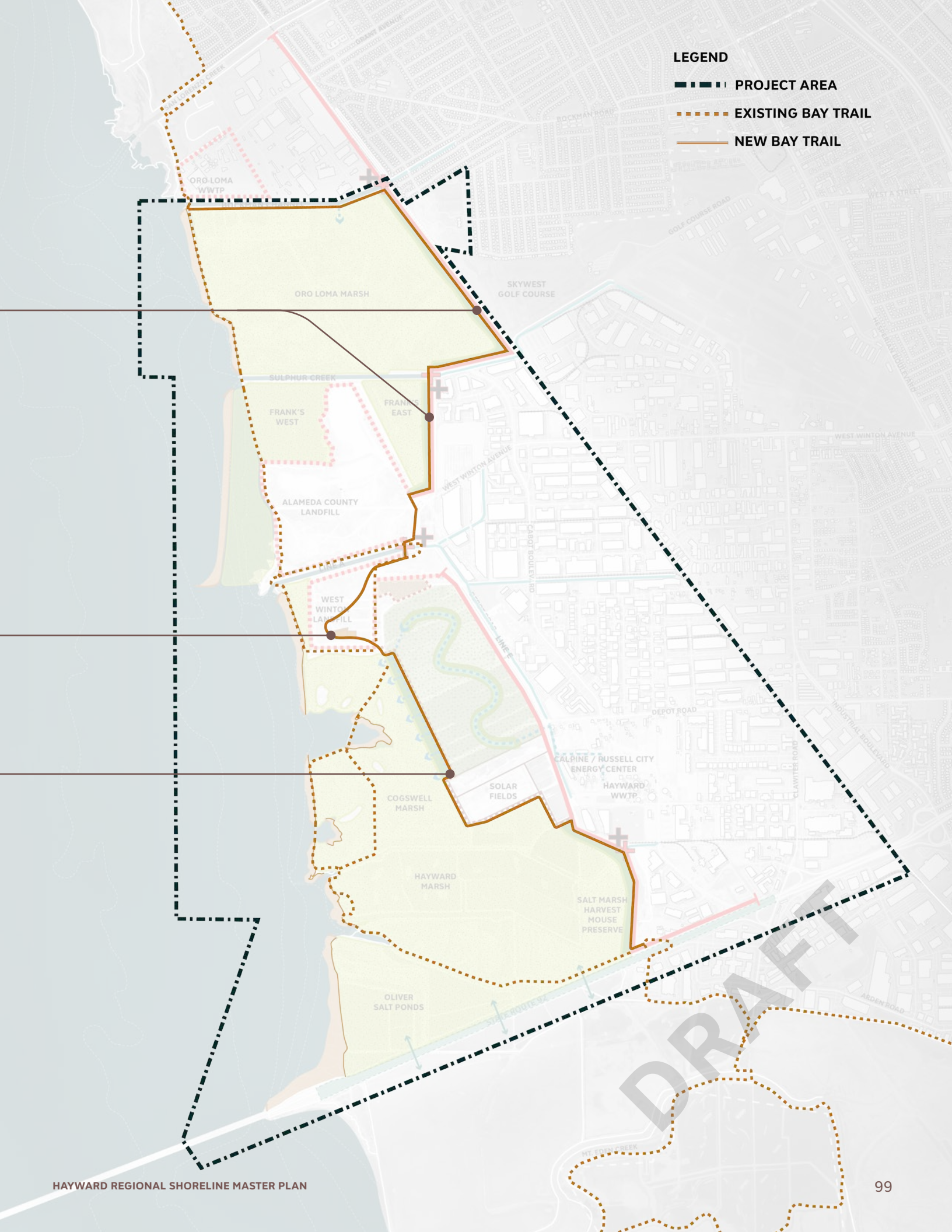
- Proximity to wastewater uses

LEGEND

PROJECT AREA

EXISTING BAY TRAIL

NEW BAY TRAIL



#3: FURTHER INLAND

HAYWARD SHORELINE INTERPRETIVE CENTER

The Hayward Shoreline Interpretive Center is relocated to the West Winton landfill where it is protected from flooding. The high point maintains visibility of the structure and offers expansive views of the Bay.

Interpretive Center is relocated to the West Winton landfill

PROS

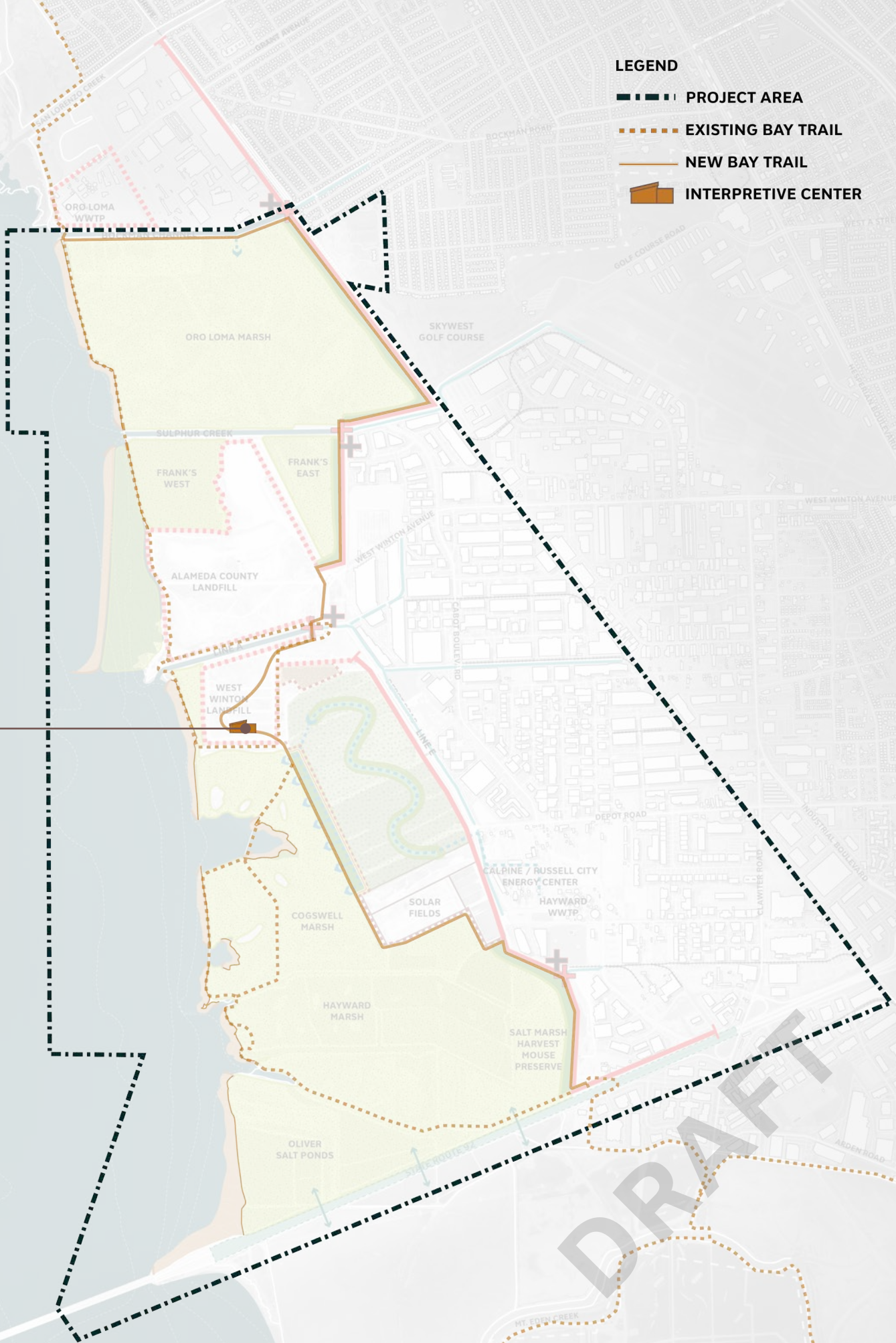
- Access and parking is protected
- High view point
- Increased visibility

CONS

- Costly to construct on the landfill

LEGEND

- PROJECT AREA
- EXISTING BAY TRAIL
- NEW BAY TRAIL
- INTERPRETIVE CENTER





CITY OF HAYWARD

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

File #: RPT 20-051

DATE: May 5, 2020

TO: Mayor and City Council

FROM: City Clerk

SUBJECT

Informational Report on the Hayward Youth Commission Annual Recruitment and Appointment/Reappointment Process

RECOMMENDATION

That Council receives this informational report on the Hayward Youth Commission and approach for suspending the annual recruitment and extending terms of current members through June 30, 2021 due to the coronavirus (COVID-19) pandemic.

SUMMARY

It is the City of Hayward practice to conduct the annual recruitment for the Hayward Youth Commission (HYC) from March to May of every year by partnering with schools and institutions in Hayward. Upon the application deadline, two elected officials from the City of Hayward, the Hayward Area Recreation and Park District (HARD), and the Hayward Unified School District (HUSD) interview applicants and provide recommendations to fill vacancies. Interviews generally occur in June and recommendations are ratified by a vote of the City Council at the end of June.

During the last couple of years, and particularly last year, Hayward has seen an increase in participation from various schools. In an effort to increase youth participation and ensure diversity, the three agencies unanimously approved an increase to the number of alternate members from nine to eleven positions. The current membership of the HYC consists of twenty-one (21) voting members and nine (9) alternates. Two alternates have resigned since their appointments last June. The terms of twenty (20) members will end on June 30, 2020; however, these members are eligible and in good standing to seek reappointment.

ATTACHMENTS

Attachment I Staff Report



DATE: May 5, 2020

TO: Mayor and City Council

FROM: City Clerk

SUBJECT: Informational Report on the Hayward Youth Commission Annual Recruitment and Appointment/Reappointment Process

RECOMMENDATION

That Council receives this informational report on the Hayward Youth Commission and approach for extending terms of current members through June 30, 2021 and suspending the annual recruitment due to the coronavirus (COVID-19) pandemic.

SUMMARY AND BACKGROUND

It is the City of Hayward's practice to conduct the annual recruitment for the Hayward Youth Commission (HYC) from March to May of every year by partnering with schools and institutions in Hayward. Upon the application deadline, two elected officials from the City of Hayward, the Hayward Area Recreation and Park District (HARD), and the Hayward Unified School District (HUSD) interview applicants and provide recommendations to fill vacancies. Interviews generally occur in June and recommendations are ratified by a vote of the City Council at the end of June.

During the last couple of years, and particularly last year, Hayward has seen an increase in participation from various schools. In an effort to increase youth participation and ensure diversity, the three agencies unanimously approved an increase to the number of alternate members from nine (9) to eleven (11) positions. The current membership of the HYC consists of twenty-one (21) voting members and nine (9) alternates. Two alternates have resigned since their appointments last June. The terms of twenty (20) members will end on June 30, 2020; however, these members are eligible and in good standing to seek reappointment.

DISCUSSION

Due to the coronavirus (COVID-19) pandemic and Shelter-in-Place orders, we were unable to launch the 2020 Hayward Youth Commission recruitment in March/April. While the Shelter-in-Place order continues, we are challenged to make a decision related to the annual Hayward Youth Commission recruitment and the appointment and reappointment process. Our decision is driven by the following facts:

- 1) Hayward schools are closed for the remainder of the school year and some have switched to distance learning. During the last few years, we have been intentional in our effort to be inclusive and recruit applicants who represent not only public and private Hayward schools but also socioeconomic status. If we were to conduct a recruitment during the Shelter-in-Place order, we would not be able to accomplish the level of inclusive outreach that we have done in recent years. Inequities in school access and internet reliability would place some students at a disadvantage.
- 2) For some students, family and community wellness come before school or engaging in extracurricular activities. Some might be facing distress as relatives are laid off and bills mount.
- 3) Current HYC members have not been able to complete their appointment terms and finish projects they have been working on prior to the pandemic.

For the reasons outlined above, we recommend extending the terms of current members through June 30, 2021 and suspending the recruitment. We have contacted all thirty (30) members, and twenty-three (23) have expressed interest in continuing to serve once there is statewide directive and county guidance to convene regular meetings. Seven (7) members have expressed they will be attending college in the Fall or will have other extracurricular activities; therefore, they will not be continuing to serve after June 30, 2020. The twenty-three (23) members who are willing to continue to serve represent the majority of Hayward schools. Seven (7) members are alternate members who could move up to become voting members. Council Member Zermeño who serves as the Hayward Youth Commission Council liaison is supportive of the proposal given the current pandemic. Elected officials from the three agencies who were willing to interview prospective applicants were contacted and have expressed no concerns with the recommendation.

While we do not foresee attendance issues because the quorum would be based on 23 seated members, the City Clerk's office would be amenable to conducting a special recruitment at the end of the year if warranted.

STRATEGIC ROADMAP

This agenda item is a routine operational item and does not relate to the six priorities outlined in the Council's Strategic Roadmap.

FISCAL IMPACT

There is no fiscal impact associated with this report.

PUBLIC CONTACT

Should the City Council have no concerns, the City could issue a news release to keep the public informed.

NEXT STEPS

If the City Council does not have any concerns, staff would add a staff report to the agenda at the end of June which would serve to extend terms of current members through June 30, 2021, and promote alternates to voting member status.

Prepared and Recommended by:

Miriam Lens, City Clerk

Approved by:

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

Kelly McAdoo, City Manager