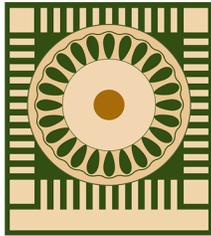


# **CITY OF HAYWARD**

Hayward City Hall  
777 B Street  
Hayward, CA 94541  
[www.Hayward-CA.gov](http://www.Hayward-CA.gov)



CITY OF  
**HAYWARD**  
HEART OF THE BAY

## **Agenda**

**Tuesday, June 7, 2022**

**7:00 PM**

**Council Chamber and Virtual Platform (Zoom)**

**City Council**

**SPECIAL JOINT HAYWARD CITY COUNCIL/HAYWARD REDEVELOPMENT  
SUCCESSOR AGENCY/HAYWARD HOUSING AUTHORITY MEETING**

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

*How to observe the Meeting:*

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

*How to submit written Public Comment:*

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

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

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

Participate in the Council Chambers or click link below to join the meeting:  
<https://hayward.zoom.us/j/84654762687?pwd=RkpDR3FaMlRnMUNBU2t4Q0xZMlRudz09>

Meeting ID: 846 5476 2687

Password: HCC6/7@7pm

or

Dial: +1 669 900 6833 or +1 346 248 7799 or 833 548 0282 (Toll Free)

Meeting ID: 846 5476 2687

Password: 9249839675

A Guide to attend virtual meetings is provided at this link: <https://bit.ly/3jmaUxa>

**CALL TO ORDER: Mayor/Chair Halliday**

**Pledge of Allegiance: Council/HRSA/HHA Member Márquez**

**ROLL CALL**

**CLOSED SESSION ANNOUNCEMENT**

**PRESENTATIONS**

Elder Abuse Awareness Month

Lesbian, Gay, Bisexual, Transgender, Questioning, Queer, Intersex, 2-Spirit and Gender Non-Conforming Pride Month

**PUBLIC COMMENTS**

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

**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.

**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 22-078](#) Approve the City Council Meeting Minutes of the City Council Meeting on May 17, 2022

**Attachments:** [Attachment I Draft Minutes 5/17/2022](#)

2. [CONS 22-341](#) Adopt a Resolution Accepting the Resignation of Mr. Edward Moore from the Keep Hayward Clean and Green Task Force, Effective Immediately

**Attachments:** [Attachment I Staff Report](#)  
[Attachment II Resolution](#)  
[Attachment III Resignation Letter](#)

3.     [CONS 22-304](#)     Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with Savant Solutions for Information Technology Department Infrastructure Security Services in an Amount Not-to-Exceed \$466,000

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

4.     [CONS 22-329](#)     Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Assignment/Assumption of Lease with Friends of Bud Field, LLC, for Property located at 22005 Skywest Drive

**Attachments:**     [Attachment I Staff Report](#)  
                          [Attachment II Resolution](#)  
                          [Attachment III Bud Field Leasehold](#)

5.     [CONS 22-330](#)     Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Assignment/Assumption of Lease with Savage Aviation, Inc., for Property Located at 21593 Skywest Drive

**Attachments:**     [Attachment I Staff Report](#)  
                          [Attachment II Resolution](#)  
                          [Attachment III Location Map](#)  
                          [Attachment IV Sale of Leasehold](#)

6.     [CONS 22-331](#)     Adopt a Resolution Authorizing the City Manager to Execute Amendment No. 4 to the Professional Services Agreement with Pavement Engineering, Inc., Increasing the Agreement by \$392,825, to Provide Engineering Services for the FY23 Pavement Improvement Project for a Total Not-to-Exceed Amount of \$1,755,495

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

7.     [CONS 22-337](#)     Adopt a Resolution Awarding a Contract to The Garland Company for the Hayward Executive Airport - Hangars F, G, H, and I Roof Repair Project, Project No. 06826, in an Amount Not-to-Exceed \$600,000

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

8.      [CONS 22-338](#)      Adopt a Resolution Authorizing the City Manager to Appropriate Additional Funds in the Amount of \$20,000 from Sewer Replacement Fund 611 for the Water Pollution Control Facility (WPCF) Effluent Pond Weed Removal Project No. 07630, and Award a Contract to McNabb Construction Inc., to Implement the Project in an Amount Not-to-Exceed \$220,000
- Attachments:**      [Attachment I Staff Report](#)  
                              [Attachment II Resolution](#)  
                              [Attachment III Location Map](#)  
                              [Attachment IV Stormwater Channel Vegetation Removal](#)  
                              [Attachment V Ponds No. 3 and No. 7 Vegetation Removal](#)
9.      [CONS 22-340](#)      Adopt a Resolution Authorizing the City Manager to Execute an Agreement with Primary Diagnostics, Inc. (“Primary”) in an Amount Not-to-Exceed \$90,000 to Continue to Provide the City’s Software Platform for Maintaining Vaccine Records and COVID-19 Testing Results Through December 31, 2022
- Attachments:**      [Attachment I Staff Report](#)  
                              [Attachment II Resolution](#)
10.     [CONS 22-342](#)      Adopt a Resolution Authorizing the City Manager to Accept and Appropriate up to \$10,000 in Funding from First 5 of Alameda County to Support Library Services and Programs
- Attachments:**      [Attachment I Staff Report](#)  
                              [Attachment II Resolution](#)
11.     [CONS 22-356](#)      Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Professional Services Agreement with Kimley-Horn and Associates, Inc., for Outside Airport Planning and Environmental Services and Appropriate Funds in an Amount Not-to-Exceed \$700,000
- Attachments:**      [Attachment I Staff Report](#)  
                              [Attachment II Resolution](#)

**PUBLIC HEARING**

12. [PH 22-026](#) Gann Appropriations Limit for Fiscal Year 2023: Adopt Appropriations Limit for Fiscal Year 2023 Pursuant to Article XIII B of the Constitution of the State of California (Report from Finance Director Claussen)

**Attachments:** [Attachment I Staff Report](#)  
[Attachment II Resolution](#)  
[Attachment III Gann Appropriation Limit](#)

13. [PH 22-024](#) FY 2023 Budget/CIP Public Hearing and Adoption: Public Hearing for the Proposed FY 2023 Operating Budgets for the City of Hayward, Hayward Redevelopment Successor Agency, and Hayward Housing Authority; FY 2023 Capital Improvement Program Budget; Adoption of the FY 2023 Operating Budgets and Appropriations for FY 2023; Adoption of the FY 2023 Capital Improvement Program Budget and Appropriations for FY 2023; Adoption of the Hayward Redevelopment Successor Agency Budget; and Adoption of the Hayward Housing Authority Budget (Report from Finance Director Claussen)

**Attachments:** [Attachment I Staff Report](#)  
[Attachment II FY 2023 Operating Budget Resolution](#)  
[Attachment III FY 2023 Budget Exhibits A & B](#)  
[Attachment IV FY 2023 HRSA Budget Resolution](#)  
[Attachment V FY 2023 HHA Budget Resolution](#)  
[Attachment VI FY 2023 CIP Budget Resolution](#)  
[Attachment VII FY 2023 Community Agency Resolution](#)  
[Attachment VIII Exhibit A to Attachment VII](#)  
[Attachment IX Budget Work Session #2 Questions Responses](#)  
[Attachment X FY 2022-2032 CIP Projects with Grant Funding](#)

## 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.

- 14.**     [RPT 22-061](#)     City Council Referral: Request for Use of Council Member Funds for Reimbursement Related to Juneteenth Hayward Event Coordination (Referral from Council Members Andrews and Márquez)

**Attachments:**    [Attachment I Council Referral Memo](#)

## ADJOURNMENT

**NEXT SPECIAL MEETING, June 14, 2022, 7:00 PM**

## PUBLIC COMMENT RULES

*Any member of the public desiring to address the Council shall limit their remarks 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 City website, Cable Channel 15 - KHRT, and YouTube. \*\*\**

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

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



# CITY OF HAYWARD

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**File #:** MIN 22-078

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**DATE:** June 7, 2022

**TO:** Mayor and City Council

**FROM:** City Clerk

**SUBJECT**

Approve the City Council Meeting Minutes of the City Council Meeting on May 17, 2022

**RECOMMENDATION**

That the Council approves the City Council meeting minutes of May 17, 2022

**SUMMARY**

The City Council held a meeting on May 17, 2022.

**ATTACHMENTS**

Attachment I Draft Minutes of May 17, 2022



## CITY COUNCIL MEETING

777 B Street, Hayward, CA 94541

**Council Chamber and Virtual Platform (Zoom)**

<https://hayward.zoom.us/j/85775646866?pwd=eUdKd0E4empscVdFVDZyQytNOFJZQT09>

**Tuesday, May 17, 2022, 7:00 p.m.**

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The City Council meeting was called to order by Mayor Halliday at 7:00 p.m. The City Council held a hybrid meeting in Council Chambers and virtually via Zoom.

**Pledge of Allegiance:** Mayor Halliday

### ROLL CALL

Present:

Council Chamber: Council Members Lamnin, Salinas, Zermeño, and Mayor Halliday

Virtual Platform (Zoom): Council Members Andrews, Márquez, Wahab

Absent: None

### CLOSED SESSION ANNOUNCEMENT

The City Council convened in closed session on May 17, 2022, at 5:30 p.m., with all members present, regarding two items: (1) conference with legal counsel pursuant to Government Code Section 54956.9 regarding Robert Corona v. City of Hayward, Claim No. 202100142HAY Workers' Compensation Appeals Board Case Nos. ADJ14347418; and (2) conference with property negotiators pursuant to Government Code Section 54956.8 regarding 1060 B Street, APN: 428-0061-048-02. Assistant City Attorney Brick announced there was no reportable action related to the items.

### PRESENTATION

Mayor Halliday read a proclamation declaring May 11, 2022 through May 17, 2022 as National Police Week and May 15, 2022 as Peace Officers Memorial Day in Hayward. Mayor Halliday recognized Police Chief Chaplin, Deputy Police Chief Matthews, Captain Olsen, Police Officer Fovel, and additional Police Officers who were in attendance to receive the proclamation on behalf of the department. Police Chief Chaplin thanked Mayor Halliday and the City Council for the proclamation.

Mayor Halliday announced Consent Item No. 3 was continuing to a future Council agenda to enable staff to address recommendations from the Council Infrastructure Committee.

### PUBLIC COMMENTS

Mr. Kyle Garcia, Development Director with La Familia and FESCO Family Emergency Shelter Coalition, announced the FESCO Shuffle Walk event on June 11, 2022, at Moreau Catholic High School.

City Clerk Lens noted the deadline to apply for service on the Hayward Youth Commission was May 20, 2022, noted the eligibility requirement and emphasized the City was seeking representation from every Hayward school.

## **CITY MANAGER'S COMMENTS**

City Manager McAdoo made announcements: May 20th Bike to Work Day; May 21st annual Spring Compost Giveaway event at the former Skywest Golf Course; the East Bay Community Energy Agency grant of \$1.2 million from the California Energy Commission for electric vehicle charging hubs at the Cinema Place Parking Structure; May 26th and June 6th virtual community meetings and June 11th open house at the North District Office regarding information in possession of the Police Department characterized as military equipment under AB 481; the Hayward Public Library has broadened its Personal Tech Lending Library to include all Hayward residents; and the People's Budget voting will continue through May 20th.

## **CONSENT**

1. Approve the City Council Meeting Minutes of the City Council Meeting on April 26, 2022  
**MIN 22-065**

It was moved by Council Member Salinas, seconded by Council Member Márquez, and carried unanimously, to approve the minutes of the City Council Meeting on April 26, 2022.

2. Approve the City Council Meeting Minutes of the City Council Meeting on May 3, 2022  
**MIN 22-066**

It was moved by Council Member Salinas, seconded by Council Member Márquez, and carried unanimously, to approve the minutes of the City Council Meeting on May 3, 2022.

3. Adopt a Resolution Authorizing the City Manager to Execute a Five-Year Agreement with Axon Enterprises Inc. to Purchase Axon Fleet 3 In-Car Dash Cameras for Fifty-Three Patrol Vehicles and with Auto-Tagging Subscription(s) for Officers in an Amount Not-to-Exceed \$785,518 **CONS 22-266**

Consent Item No. 3 was continuing to a future Council agenda to enable staff to address recommendations from the Council Infrastructure Committee.

4. Adopt a Resolution Authorizing the City Manager to Execute Amendment No. 5 Increasing the Professional Services Agreement with Advanced Mobility Group, Inc., by \$200,000 for a Total Not-to-Exceed Amount of \$632,500 for Various On-Call Traffic Engineering Design and Related Services **CONS 22-270**

Staff report submitted by Director of Public Works Ameri, dated May 17, 2022, was filed.

It was moved by Council Member Salinas, seconded by Council Member Márquez, and carried by the following roll call vote, to adopt the resolution.



**CITY COUNCIL MEETING**  
**777 B Street, Hayward, CA 94541**  
**Council Chamber and Virtual Platform (Zoom)**

<https://hayward.zoom.us/j/85775646866?pwd=eUdKd0E4empscVdFVDZyQytNOFJZQT09>

**Tuesday, May 17, 2022, 7:00 p.m.**

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

Resolution 22-120, "Resolution Authorizing the City Manager to Execute Amendment No. 5 Increasing Funding for the Professional Services Agreement with Advanced Mobility Group, Inc., by \$200,000 for a Total Not-to-Exceed Amount of \$632,500 for on call Traffic Engineering Design and Other Related Services"

5. Adopt a Resolution Approving the Appropriation of Revenue from the Policy Planning Fee in the Amount of \$244,250 for the Next General Plan Update and Other Future Planning Projects **CONS 22-275**

Staff report submitted by Assistant City Manager/ Development Services Director Ott, dated May 17, 2022, was filed.

It was moved by Council Member Salinas, seconded by Council Member Márquez, and carried by the following roll call vote, to adopt the resolution.

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

Resolution 22-121, "Resolution Approving the Appropriation of Revenue from the Policy Planning Fee in the Amount of \$244,250 for the Next General Plan Update and Other Future Planning Projects"

6. Adopt a Resolution Authorizing the City Manager to Approve a \$75,000 Grant and a \$50,000 Small Business Loan to Tap and Snack LLC, (DBA Arthur Mac's Tap and Snack) to Assist in the Construction and Establishment of a New Full-Service Restaurant and Outdoor Beer Garden at 1060 B Street **CONS 22-278**

Staff report submitted by Assistant City Manager Ott, dated May 3, 2022, was filed.

It was moved by Council Member Salinas, seconded by Council Member Márquez, and carried by the following roll call vote, to adopt the resolution.

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

Resolution 22-122, “Resolution Approving Financial Assistance to Arthur Mac’s Tap and Snack, LLC, and Authorizing the City Manager to Execute a Grant Agreement in the Amount of \$75,000 and a Loan Agreement in the Amount of \$50,000”

7. Adopt a Resolution Authorizing the City Manager to Execute a One-Year Extension of a Joint Exercise of Powers Agreement for the Hayward Area Shoreline Planning Agency  
**CONS 22-280**

Staff report submitted by Assistant City Manager/ Development Services Director Ott and Director of Public Works Ameri, dated May 17, 2022, was filed.

It was moved by Council Member Salinas, seconded by Council Member Márquez, and carried by the following roll call vote, to adopt the resolution.

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

Resolution 22-123, “Resolution Authorizing the City Manager to Execute a One-Year Extension for Renewal of An Agreement Between the City of Hayward, East Bay Regional Park District, and Hayward Area Recreation and Park District Titled the Hayward Area Shoreline Planning Agency Joint Exercise of Powers Agreement”

8. Adopt a Resolution Accepting the Resignations of Ms. Reanne Meighan, Mr. Adithya Naresh and Mr. Raul Chavez from the Keep Hayward Clean and Green Task Force, Effective Immediately **CONS 22-282**

Staff report submitted by City Clerk Lens, dated May 17, 2022, was filed.



**CITY COUNCIL MEETING**  
**777 B Street, Hayward, CA 94541**  
**Council Chamber and Virtual Platform (Zoom)**

<https://hayward.zoom.us/j/85775646866?pwd=eUdKd0E4empscVdFVDZyQytNOFJZQT09>

**Tuesday, May 17, 2022, 7:00 p.m.**

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It was moved by Council Member Salinas, seconded by Council Member Márquez, and carried by the following roll call vote, to adopt the resolution.

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

Resolution 22-124, “Resolution Accepting the Resignations of Ms. Reanne Meighan, Mr. Adithya Naresh and Mr. Raul Chavez from the Keep Hayward Clean and Green Task Force”

9. Adopt Resolutions Authorizing the City Manager to Execute Agreements with the Alameda County Health Care Services Agency and the Hayward Unified School District to Accept and Appropriate \$227,150 and \$120,000, Respectively, for School-Based Mental Health Services Provided by the City of Hayward in Fiscal Year 2022 Through 2023 **CONS 22-283**

Staff report submitted by Chief of Police Chaplin, dated May 17, 2022, was filed.

It was moved by Council Member Salinas, seconded by Council Member Márquez, and carried by the following roll call vote, to adopt the resolutions.

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

Resolution 22-125, “Resolution Authorizing the City Manager to Execute an Agreement with the Alameda County Health Care Service Agency to Accept and Appropriate \$227,150 for School-Based Mental Health Services Provided by the City of Hayward in Fiscal Year 2022 through 2023”

Resolution 22-126, “Resolution Authorizing the City Manager to Execute an Agreement with the Hayward Unified School District to Accept and Appropriate \$120,000 for School-Based Mental Health Services Provided by the City of Hayward in Fiscal Year 2022 through 2023”

10. Adopt a Resolution Authorizing the City Manager to Accept and Appropriate up to \$50,000 in Funding from Edward Martins or the Donna L and Edward E Martins Foundation to Support Library Services and Programs **CONS 22-295**

Staff report submitted by Director of Library Services Addleman, dated May 17, 2022, was filed.

Mayor Halliday acknowledged Donna L and Edward E Martins Foundation for the generosity and enabling the City to purchase the Hayward Public Library’s bookmobile, Curbie. Library Director Addleman expressed gratitude for donations towards library services including the Beat Maker, a program for creating music online.

Council Member Andrews suggested that an Instagram graphic be created to advertise the Beat Maker.

Council Member Márquez recognized Mr. Martins’ continued contributions benefitting the Hayward community, especially investing in Hayward’s youth.

It was moved by Council Member Salinas, seconded by Council Member Márquez, and carried by the following roll call vote, to adopt the resolution.

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

Resolution 22-127, “Authorize the City Manager to Accept and Appropriate Up to \$50,000 in Funding from Edward Martins or the Donna L. and Edward E. Martins Foundation to Support Library Services and Programs”

11. Adopt a Resolution Authorizing the Sole Source Purchase of Submersible Wastewater Pumps for Use at the Valle Vista Lift Station in an Amount Not-to-Exceed \$331,893.60 **CONS 22-298**

Staff report submitted by Director Public Works Ameri, dated May 17, 2022, was filed.



**CITY COUNCIL MEETING**  
**777 B Street, Hayward, CA 94541**  
**Council Chamber and Virtual Platform (Zoom)**

<https://hayward.zoom.us/j/85775646866?pwd=eUdKd0E4empscVdFVDZyQytNOFJZQT09>

**Tuesday, May 17, 2022, 7:00 p.m.**

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It was moved by Council Member Salinas, seconded by Council Member Márquez, and carried by the following roll call vote, to adopt the resolution.

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

Resolution 22-128, "Resolution Authorizing the City Manager to Execute a Sole Source Purchase of Submersible Wastewater Pumps for Use at the Valle Vista Lift Station in An Amount Not-to-Exceed \$331,893.60"

## **WORK SESSION**

Mayor Halliday noted the City Council held a Budget Work Session on May 14, 2022, and Item No. 12 was continued from the work session due to time constraints.

Council Member Zermeño noted he could not attend the Budget Work Session and hoped the People's Budget project would continue as an annual project because the community supported it.

### **12. FY 2023 City Budget: Proposed Fiscal Year 2023 Operating Budget Work Session #2 WS 22-013**

Staff report submitted by Director of Finance Claussen, dated May 17, 2022, was filed.

Public Works Director Ameri gave an overview of the Public Works and Utilities Department budget comparison FY 2021-FY 2023; significant changes planned for FY 2023; Public Works and Utilities Department organizational chart; and FY 2022 highlights and accomplishments.

Members of the City Council commended Director Ameri on the accomplishments related to his department.

In response to questions from members of the City Council, Public Works Director Ameri spoke about: equity efforts related to the distribution of infrastructure resources throughout the community; the current 24 vacancies in the department and recruitment efforts; process for traffic mitigation requests; street enhancements to address nuisances such as illegal car activity; and usage of water reserve to stabilize water rates.

Members of the City Council offered the following comments: concern about water shortage and its sustainability in the next couple of years; and hire more staff to avoid staff burnout and overtime pay.

### 13. Capital Improvement Program: Review of Recommended Capital Improvement Program for FY 2023 - FY 2032 **WS 22-011**

Staff report submitted by Director of Public Works Ameri, dated May 17, 2022, was filed.

Public Works Director Ameri announced the staff report and introduced Senior Management Analyst Byrne who provided an overview of the proposed FY 2023 – FY 2032 City’s Capital Improvement Program (CIP) online version and a synopsis of the staff report.

There being no public comment for Item 12 and Item 13, Mayor Halliday opened and closed the public comment section at 8:23 p.m.

Members of the City Council commended Public Works staff for the development of the CIP document and its format which was found to be interactive and user friendly.

Council Member Márquez was recognized for her leadership on the Council Infrastructure Committee and Council Members Salinas and Andrews for their service on the Committee.

Discussion ensued among members of the City Council and City staff regarding: funding gap for Phase 3 of the Route 238 Corridor project and efforts through federal grants to close the gap; needs assessment for the Weekes Branch Library; unfunded capital needs including four interchanges over I-880; West Winton Avenue road repair; fiber loop; traffic calming measures and preventative measures to deter illegal car activity; mitigation for Sulphur Creek undergrounding at the airport; and public art funding.

Members of the City Council offered the following suggestions: explore using different color/design for pedestrian crosswalks to create a connection/pathway from Harder Elementary School to CSUEB; continue to have the list of unfunded CIP projects in case additional federal grants is secured; continue to improve gateways to the community and secure funding to complete projects; explore what can be improved in the South Garden and Longwood neighborhood and consider partnering with HUSD and HARD to activate park space and beautify the area; provide information on state and federal grant funding as an informational item at a future meeting; continue to prioritize lighting and safe pedestrian access at the underpass near A Street; work with Caltrans to prioritize bike lanes on Tennyson Road, from Calaroga Avenue to Patrick Avenue, to mitigate fatalities in the area; consider creating a gateway to CSUEB by exploring development contributions toward the installation of public art; consider murals at underpasses to deter graffiti and trash collection; continue assessment and updates regarding the Animal Shelter, public safety facilities, and the Weekes Branch Library; the criminal investigations equipment line needs more work; consider tying the timing of the CIP review with the annual review of



**CITY COUNCIL MEETING**

**777 B Street, Hayward, CA 94541**

**Council Chamber and Virtual Platform (Zoom)**

<https://hayward.zoom.us/j/85775646866?pwd=eUdKd0E4empscVdFVDZyQytNOFJZQT09>

**Tuesday, May 17, 2022, 7:00 p.m.**

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“military equipment” per the AB 481 requirement; provide more information about property taxes on excess right of way; explore reconsidering red light cameras to address safety concerns with motorists not obeying traffic laws; and study possible renewal of the sales tax to assist the borrowing capacity for some unfunded needs.

**PUBLIC HEARING**

14. Traffic Impact Fees: Adoption of a Resolution Adopting a Nexus Study and Introduction of an Ordinance Adding Article 30 to Chapter 10 of the Hayward Municipal Code Regarding Traffic Impact Fees for Developers **PH 22-027**

Staff report submitted by Director of Public Works Ameri, dated May 17, 2022, was filed.

Public Works Director Ameri provided a synopsis of the staff report regarding Traffic Impact Fees (TIF) for developers and introduced Michaela Jellicoe, Community Attributes, Consultant, who provided a synopsis of the development feasibility summary and fee comparison with other agencies.

Discussion ensued among members of the City Council and City staff regarding the maximum allowable rate for townhome and single-family units based on the Nexus Study.

There being no public comments, Mayor Halliday opened and closed the public hearing at 9:45 p.m.

Council Member Márquez made a motion per staff’s recommendation, commending the work done by City staff and the consultant which included stakeholder outreach. Council Member Salinas seconded the item.

Mayor Halliday stated that establishing the fee will help accomplish projects identified in the CIP.

It was moved by Council Member Márquez, seconded by Council Member Salinas, and carried by the following roll call vote, to approve the resolution and adopt the ordinance.

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,  
Wahab, Zermeño  
MAYOR Halliday

NOES: None

ABSENT: None

ABSTAIN: None

Resolution 22-130 “Resolution of the City Council of the City of Hayward Adopting the Final Report - Multimodal Intersection Improvement Plan and Nexus Study in Support of the Proposed Traffic Impact Fee”

Intro Ord\_ “An Ordinance of the City of Hayward Adding Article 30 to Chapter 10 of the Hayward Municipal Code Regarding Traffic Impact Fees for Property Developers”

## **COUNCIL REPORTS AND ANNOUNCEMENTS**

There were none.

## **COUNCIL REFERRALS**

### **15. City Council Referral: Request to Support Reproductive Justice for All Residents RPT 22-051**

Staff report submitted by Council Member Wahab, Andrews, and Márquez, dated May 17, 2022, was filed.

Council Member Wahab, Council Member Márquez, and Council Member Andrews emphasized the importance in upholding reproductive rights for all women and having access to healthcare, and noted Planned Parenthood had a location in Hayward.

Mayor Halliday opened the public comment at 9:54 p.m.

Ms. Julie Roche, Hayward resident, applauded Council Members Wahab, Andrews and Márquez for making the referral in support of Reproductive Justice for All; and suggested allocating funds, perhaps CDBG funds next year, to Planned Parenthood or other agencies in anticipation of an increase in demand for such services.

Ms. Candelaria Vargas, Director of Public Affairs for Planned Parenthood Mar Monte, supported the referral and commented that her agency was already seeing the impact of individuals coming to her facility for services.

Mr. Dan Goldstein, Hayward resident, stated he stood in support of women’s rights to choose and have access to abortion, encouraged the Council to consider allocating funds next year to Planned Parenthood and other agencies that provide reproductive healthcare to women in anticipation of increased demand for services.

Ms. Becca Horowitz, community organizer with Planned Parenthood Mar Monte, stated the importance of centering with reproductive rights and justice in the community; and noted Planned Parenthood was expecting an additional 200 to 500 patients per week once the Supreme Court announces its decision.



**CITY COUNCIL MEETING**  
**777 B Street, Hayward, CA 94541**  
**Council Chamber and Virtual Platform (Zoom)**

<https://hayward.zoom.us/j/85775646866?pwd=eUdKd0E4empscVdFVDZyQytNOFJZQT09>  
**Tuesday, May 17, 2022, 7:00 p.m.**

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Ms. Jessica Pinckney, Access Reproductive Justice Executive Director, stated there would be an influx in patients coming to California specifically the Alameda County area to access care.

Mayor Halliday closed public comment at 9:54 p.m.

Mayor Halliday expressed her outrage with the potential upcoming decision from the Supreme Court; stated the referral included lighting up City Hall with pink lights, making donations to Access Reproductive Justice, and sending a letter to State representatives reaffirming the City resolution passed on October 19, 2021; suggested that when the Supreme Court reaches a decision, the City should plan an event which could be turned into a fundraiser; and was concerned about authorizing funds.

Discussion ensued about the funding which could be identified within the City Manager's Department or through the CDBG or Community Services Commission.

Council Member Wahab made a motion per the referral.

Council Member Márquez seconded the motion and offered a friendly amendment to use the Council's discretionary funds to meet the \$5,000 minimum contribution.

Council Member Wahab was amenable to the friendly amendment and the suggestion that the City work with Access Reproductive Justice for next year's allocation through the CDBG funding process.

Council Member Márquez also offered she would independently help fundraise and encouraged the community to do so as well.

Mayor Halliday supported the idea, stating there may be savings in Council's allocation.

It was moved by Council Wahab, seconded by Council Member Márquez, and carried by the following roll call vote, to approve the referral with a friendly amendment to use the Council's discretionary funds to meet the \$5,000 minimum contribution.

|          |  |
|----------|--|
| AYES:    | COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,<br>Wahab, Zermeño<br>MAYOR Halliday |
| NOES:    | None   |
| ABSENT:  | None   |
| ABSTAIN: | None   |

**ADJOURNMENT**

Mayor Halliday adjourned the meeting at 10:21 p.m. in memory of the ten lives lost in a mass shooting at a supermarket in Buffalo, New York on May 14, 2022, and noted the need to bring the City's values of compassion, equity, and inclusion to other parts of the country.

**APPROVED**

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Barbara Halliday  
Mayor, City of Hayward

**ATTEST:**

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Miriam Lens  
City Clerk, City of Hayward



# CITY OF HAYWARD

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

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**File #:** CONS 22-341

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**DATE:** June 7, 2022

**TO:** Mayor and City Council

**FROM:** City Clerk

**SUBJECT**

Adopt a Resolution Accepting the Resignation of Mr. Edward Moore from the Keep Hayward Clean and Green Task Force, Effective Immediately

**RECOMMENDATION**

That the Council adopts a resolution (Attachment II) accepting the resignation of Mr. Edward Moore from the Keep Hayward Clean and Green Task Force, effective immediately.

**SUMMARY**

Mr. Edward Moore was appointed to the Keep Hayward Clean and Green Task Force on September 15, 2020. The resignation of Mr. Moore becomes effective immediately, per his resignation letter (Attachment III). Mr. Moore's vacated position will be filled as part of the annual appointment process for the City's appointed officials to Commissions and Keep Hayward Clean and Green Task Force.

**ATTACHMENTS**

|                |                    |
|----------------|--------------------|
| Attachment I   | Staff Report       |
| Attachment II  | Resolution         |
| Attachment III | Resignation Letter |



**DATE:** June 7, 2022  
**TO:** Mayor and City Council  
**FROM:** City Clerk  
**SUBJECT:** Adopt a Resolution Accepting the Resignation of Mr. Edward Moore from the Keep Hayward Clean and Green Task Force, Effective Immediately

**RECOMMENDATION**

That the Council adopts a resolution (Attachment II) accepting the resignation of Mr. Edward Moore from the Keep Hayward Clean and Green Task Force, effective immediately.

**SUMMARY AND DISCUSSION**

Mr. Edward Moore was appointed to the Keep Hayward Clean and Green Task Force on September 15, 2020. The resignation of Mr. Moore becomes effective immediately, per his resignation letter (Attachment III). Mr. Moore’s vacated position will be filled as part of the annual appointment process for the City’s appointed officials to Commissions and Keep Hayward Clean and Green Task Force.

**FISCAL IMPACT**

There is no fiscal impact associated with this report.

**STRATEGIC ROADMAP**

This agenda item is a routine operational item and does not relate to any of the projects outlined in the Council’s Strategic Roadmap.

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

Approved by:

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Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION No. 22-\_\_\_\_

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

RESOLUTION ACCEPTING THE RESIGNATION OF MR. EDWARD MOORE FROM THE KEEP HAYWARD CLEAN AND GREEN TASK FORCE

WHEREAS, Mr. Edward Moore was appointed to the Keep Hayward Clean and Green Task Force on September 15, 2020; and

WHEREAS, Mr. Edward Moore submitted a resignation letter on May 21, 2022.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the Council hereby accepts the resignation of Mr. Edward Moore; and commends him for his civic service to the City.

IN COUNCIL, HAYWARD, CALIFORNIA, \_\_\_\_\_.

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

**From:** Edward Moore  
**Sent:** Thursday, May 26, 2022 12:00 PM  
**To:** Miriam Lens <Miriam.Lens@hayward-ca.gov>  
**Subject:** KHCG

Dear Ms. Lens,

Effective immediately, I am resigning from the Keep Hayward Clean and Green task force due to personal reasons.

While I have enjoyed my time participating and meeting with the committee members, I cannot continue to be a positive contributor to the committee due to personal reasons.

Edward Moore



# CITY OF HAYWARD

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

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**File #:** CONS 22-304

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**DATE:** June 7, 2022

**TO:** Mayor and City Council

**FROM:** Director of Information Technology/CIO

**SUBJECT**

Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with Savant Solutions for Information Technology Department Infrastructure Security Services in an Amount Not-to-Exceed \$466,000

**RECOMMENDATION**

That Council adopts a resolution (Attachment II) authorizing the City Manager to negotiate and execute an agreement with Savant Solutions for Information Technology Department infrastructure security services in an amount not to exceed \$466,000.

**SUMMARY**

On June 16th, 2020, the Hayward City Council adopted a resolution authorizing the City Manager to negotiate and execute an agreement with Savant Solutions for Information Technology Department Infrastructure Security Services. Since this authorization, the City of Hayward has engaged with Savant Solutions to deliver the desired outcome of serving as a central clearinghouse for cyber-attack log analysis, trend monitoring, as well as augmenting the security defense footprint of the network infrastructure team. Staff recommends extending the annual service contract with this vendor to continue these security services and to expand the scope beyond the baseline security offering the City is currently utilizing.

**ATTACHMENTS**

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



**DATE:** June 7, 2022

**TO:** Mayor and City Council

**FROM:** Director of Information Technology/CIO

**SUBJECT:** Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with Savant Solutions for Information Technology Department Infrastructure Security Services in an Amount Not to Exceed \$466,000

### **RECOMMENDATION**

That Council adopts a resolution (Attachment II) authorizing the City Manager to negotiate and execute an agreement with Savant Solutions for Information Technology Department infrastructure security services in an amount not to exceed \$466,000.

### **SUMMARY**

On June 16th, 2020, the Hayward City Council adopted a resolution<sup>1</sup> authorizing the City Manager to negotiate and execute an agreement with Savant Solutions for Information Technology Department Infrastructure Security Services. Since this authorization, the City of Hayward has engaged with Savant Solutions to deliver the desired outcome of serving as a central clearinghouse for cyber-attack log analysis, trend monitoring, as well as augmenting the security defense footprint of the network infrastructure team. Staff recommends extending the annual service contract with this vendor to continue these security services and to expand the scope beyond the baseline security offering the City is currently utilizing.

### **BACKGROUND**

One of the primary responsibilities of the IT Department is to manage and protect the City's network infrastructure. This technology, which serves as the backbone of City operations, is under constant threat with the primary goal of many attacks being to disrupt government operations. From staff's comprehensive security assessment, as well as research and analysis of current best practices in cyber security, a need was identified for a central service to

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<sup>1</sup> June 16, 2020, meeting of the Hayward City Council:  
<https://hayward.legistar.com/LegislationDetail.aspx?ID=4568607&GUID=C7D5039E-F3FB-41A1-929C-149818A5614E&Options=ID|Text|&Search=savant>

analyze the City's network traffic for anomalies, attack threats, and indicators of account compromise. Implementing this security operations center (SOC) service creates actionable intelligence for the network team to strategically follow-up on potential threats, and provides a 24x7 security expert should the need for resources in cybersecurity arise.

The City and Savant Solutions have negotiated a competitive price that is more than 50% below the next closest competitive quote. The SOC-as-a-service includes a continuation of the current services that have been provided for the past two years and adds an expansion of scope for additional logging sources with the goal of continuing to identify and remove vulnerabilities subject to cyber-attacks.

## **DISCUSSION**

IT Security remains a priority of the IT Department. The vendor, Savant Solutions, offers the following suite of highly desirable security technologies:

**SOC-AS-A-SERVICE:** 24x7 eyes-on-glass monitoring of network traffic including unlimited ingestion of logs and continuous cloud monitoring of Office 365. On a weekly basis, over 80 million data points are ingested and analyzed by the SOC for the City's environment, which demonstrates the volume and breadth of this service.

**DEDICATED SECURITY TEAM:** A dedicated team of security resources who understand the City's network and serve as an extension of the IT team to provide advanced threat detection and incident support to hunt down security threats. IT staff has direct access to this team via phone or email to conduct routine and non-routine tasks to improve the City's security posture.

**FORCE MULTIPLIER PROTECTION:** The technology ingests billions of real-time events every day, prioritizing actual threats to eliminate false positives. Most recently, the technology identified attack vectors related to an external software vulnerability. With this information and the scanning tool provided by the vendor, the City was able to proactively scan for the vulnerability to minimize our risk of an external attack. Using the collective knowledge of this service as they ingest and learn from the entirety of the information they analyze, the City is afforded the opportunity to be nimble and close off potential attacks efficiently to prevent spread and disruption.

**ACTIONABLE INTELLIGENCE:** The technology proactively hunts for hidden threats, performs remote forensic analysis of incidents, and provides actionable plans to help the City remediate incidents.

**CUSTOM REPORTING:** Monthly security check-ins have revealed the need for generation custom reports on user account lockouts and web traffic destinations to help staff identify trends to improve customer service and security awareness.

**EXPANDED SCOPE:** To increase the visibility beyond the core offering, the scope plans to be expanded to increase the data points the SOC is ingesting for analysis. Some examples include

monitoring external-facing assets to identify account takeover risks and continuous scanning of internal assets such as PCs and IoT devices to proactively monitor risks associated with those devices. This data is summarized into a comprehensive risk profile which identifies and prioritizes risks to resolve with the goal of reducing areas of vulnerability.

The security mindset has evolved over time to where it is unfortunately understood that due to the sophistication and frequency of cyber-attacks, malware attacks such as ransomware, or phishing attempts will eventually be successful. Service organizations with tools in place to alert staff in real-time when events occur are at a strategic advantage as compared to conventional toolsets.

### **FISCAL IMPACT**

The proposed agreement covers three years of maintenance, and the total amount is not to exceed \$466,000, which includes a 5% contingency should the scope of security services need to expand. Annual maintenance for these services is structured as approximately \$151,000 for year one, \$154,000 for year two, and \$161,000 for year three. Funding will be allocated for these services by using a combination of IT Operating and CIP budget, subject to Council approval.

### **STRATEGIC ROADMAP**

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

Project 14: Increase security footprint and reduce system outages

Staff is bringing forth this new item because of the need to continue to provide infrastructure security services to monitor for cyber security threats with the goal of minimizing system outages due to cyber security attacks.

### **NEXT STEPS**

If Council approves the attached resolution, staff will finalize the agreement with Savant Solutions and cause the agreement to be executed.

*Prepared by:* Nathaniel Roush, IT Manager

*Recommended by:* Adam Kostrzak, CIO / Director of Information Technology

Approved by:



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Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 22-\_\_\_\_\_

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

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH SAVANT SOLUTIONS FOR INFORMATION TECHNOLOGY DEPARTMENT INFRASTRUCTURE SECURITY SERVICES IN AN AMOUNT NOT TO EXCEED \$466,000

WHEREAS, on June 16th, 2020, City Council approved CONS 20-284 which adopted a resolution authorizing the City Manager to negotiate and execute an agreement with Savant Solutions for Information Technology Department Infrastructure Security Services; and

WHEREAS, after CONS 20-284 was approved by City Council, the City of Hayward (“City”) entered into an agreement with Savant Solutions to deliver the desired outcome of serving as a central clearinghouse for cyber-attack log analysis, trend monitoring, as well as augmenting the security defense footprint of the network infrastructure team; and

WHEREAS, Savant Solutions has been the provider of infrastructure security services to the City for two years; and

WHEREAS, the City desires to extend infrastructure security services for three years; and

WHEREAS, following a review of the quotes, the City selected Savant Solutions for these infrastructure security services; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward authorizes and directs the City Manager to negotiate and execute an Agreement with Savant Solutions for Information Technology Department Infrastructure Security Services in an amount not to exceed \$466,000, in a form approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2022

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

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**File #:** CONS 22-329

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**DATE:** June 7, 2022

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT**

Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Assignment/Assumption of Lease with Friends of Bud Field, LLC, for Property located at 22005 Skywest Drive

**RECOMMENDATION**

That the City Council adopts a resolution (Attachment II) authorizing the City Manager to negotiate and execute an Assignment/Assumption of Lease with Friends of Bud Field, LLC, for Property located at 22005 Skywest Drive, in a form to be approved by the City Attorney.

**SUMMARY**

William “Bud” Field entered into a lease with the City in 1999 for the leasehold located at 22005 Skywest Drive. Upon his passing in 2010, the company was transferred to a trust that bears his name and operates as Bud Field Aviation, Inc., (Bud Field). In 2019, the Trustee requested that lease rights be conveyed from William Field (as an individual) to Bud Field Aviation, Inc. This action was approved by the CAC on September 19, 2019, and by Council on October 1, 2019. At this time, the trustee is requesting that lease rights be conveyed from Bud Field Aviation, Inc., to Friends of Bud Field, LLC, who is led by Adam Grosser, a long-time tenant at the Bud Field hangar. The other partners are also long-time tenants. The subject property is depicted in Attachment III.

*Council Airport Committee Review*

This item was presented to the Council Airport Committee during their April 28, 2022 meeting and was unanimously recommended for Council approval.

**ATTACHMENTS**

- Attachment I Staff Report
- Attachment II Resolution
- Attachment III Bud Field Aviation Leasehold

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**File #:** CONS 22-329

---



**DATE:** June 7, 2022

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT:** Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Assignment/Assumption of Lease with Friends of Bud Field, LLC, for Property located at 22005 Skywest Drive

### **RECOMMENDATION**

That the City Council adopts the attached resolution (Attachment II) authorizing the City Manager to negotiate and execute an Assignment/Assumption of Lease with Friends of Bud Field, LLC, for Property located at 22005 Skywest Drive, in a form to be approved by the City Attorney.

### **SUMMARY**

William “Bud” Field entered into a lease with the City in 1999 for the leasehold located at 22005 Skywest Drive. Upon his passing in 2010, the company was transferred to a trust that bears his name and operates as Bud Field Aviation, Inc., (Bud Field). In 2019, the Trustee requested that lease rights be conveyed from William Field (as an individual) to Bud Field Aviation, Inc. This action was approved by the CAC on September 19, 2019, and by Council on October 1, 2019. At this time, the trustee is requesting that lease rights be conveyed from Bud Field Aviation, Inc., to Friends of Bud Field, LLC, who is led by Adam Grosser, a long-time tenant at the Bud Field hangar. The other partners are also long-time tenants. The subject property is depicted in Attachment III.

#### *Council Airport Committee Review*

This item was presented to the Council Airport Committee during their April 28, 2022<sup>1</sup> meeting and was unanimously recommended for Council approval.

### **BACKGROUND**

Mr. William “Bud” Field became an individual tenant at Hayward Executive Airport (Airport) in 1983. Mr. Field entered into a 48-year commercial lease agreement with the Airport in December 1999 for the parcel located at 22005 Skywest Drive, which had been vacant since

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<sup>1</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=5567169&GUID=07B04B65-108B-4235-9AF2-523E20242C1B&Options=&Search=>

1990. His company, Bud Field Aviation, Inc., primarily provides aircraft storage service in a hangar building constructed at this address.

## **DISCUSSION**

Mr. Field passed away in February 2010, but the operation of his company continues to the present day as Bud Field Aviation, Inc. Jim Bowers is the Trustee of the William Field 2009 Living Trust and oversees the daily operation of the business. To perfect the record, he previously requested that the commercial ground lease be assigned from Bud Field, an individual, to Bud Field Aviation, Inc., which was approved by the CAC on September 19, 2019 and Council on October 1, 2019.

At this time, the Trustee is in the process of selling their leasehold rights of the existing hangar to a group operating as Friends of Bud Field, LLC. The LLC is led by Adam Grosser, who has also been a tenant at the Airport since 1998. Adam is currently the Chairman of UP Partners, an investment firm. Mr. Grosser has been a tenant of Bud Field since 2000. Additionally, he has been an enthusiastic supporter of Young Eagles and the annual Airport Open House.

The other members of Friends of Bud Field, LLC include executives employed with Ring Central, Goldman Sachs, Honeywell, Acrew, GI Partners, and Foundation Capital. Each of the members are aircraft owners who see the value of maintaining and investing in the Airport.

The immediate plans for Friends of Bud Field, LLC are to operate the hangar with the current tenant group. They are planning a series of improvements, including exterior painting, lighting, and an office remodel. The lease terms will remain unchanged.

## **STRATEGIC ROADMAP**

This agenda item pertains to development at the Airport and does not directly relate to one of Council's Strategic Priorities.

## **ECONOMIC IMPACT**

No economic impact is associated with this administrative change to the lease.

## **FISCAL IMPACT**

No fiscal impact is associated with this action above and beyond the existing rent amount, of approximately \$28,000 annually.

## **SUSTAINABILITY FEATURES**

No sustainability features are associated with this report.

## **PUBLIC CONTACT**

The agenda and staff report for this item have been posted on the City's website and distributed to interested parties.

## **NEXT STEPS**

If approved, Airport staff will circulate the Assignment, Assumption, and Consent Agreement for execution by the City Manager.

*Prepared by:* Doug McNeeley, Airport Manager

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

Approved by:



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Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 22-

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

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN ASSIGNMENT/ASSUMPTION OF LEASE WITH FRIENDS OF BUD FIELD, LLC, FOR THE PROPERTY LOCATED AT 22005 SKYWEST DRIVE

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

WHEREAS, on December 14, 1999, the City of Hayward approved a lease with William Field for property located at 22005 Skywest Drive; and

WHEREAS, William Field passed away in February 2010; and

WHEREAS, the William Field 2009 Living Trust was established to oversee the daily operation of the business; and

WHEREAS, Mr. Jim Bowers is the Trustee for the William Field 2009 Living Trust; and

WHEREAS, the Trustee has previously requested that the ground lease be assigned to Bud Field Aviation, Inc.; and

WHEREAS, the Trustee has requested that the ground lease be assigned to Friends of Bud Field Aviation, LLC.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized to negotiate and execute an Assignment/Assumption of Lease with Friends of Bud Field Aviation, LLC, for Property located at 22005 Skywest Drive, in a form to be approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2022

ADOPTED BY THE FOLLOWING VOTE:

AYES:           COUNCIL MEMBERS:  
                  MAYOR:

NOES:           COUNCIL MEMBERS:

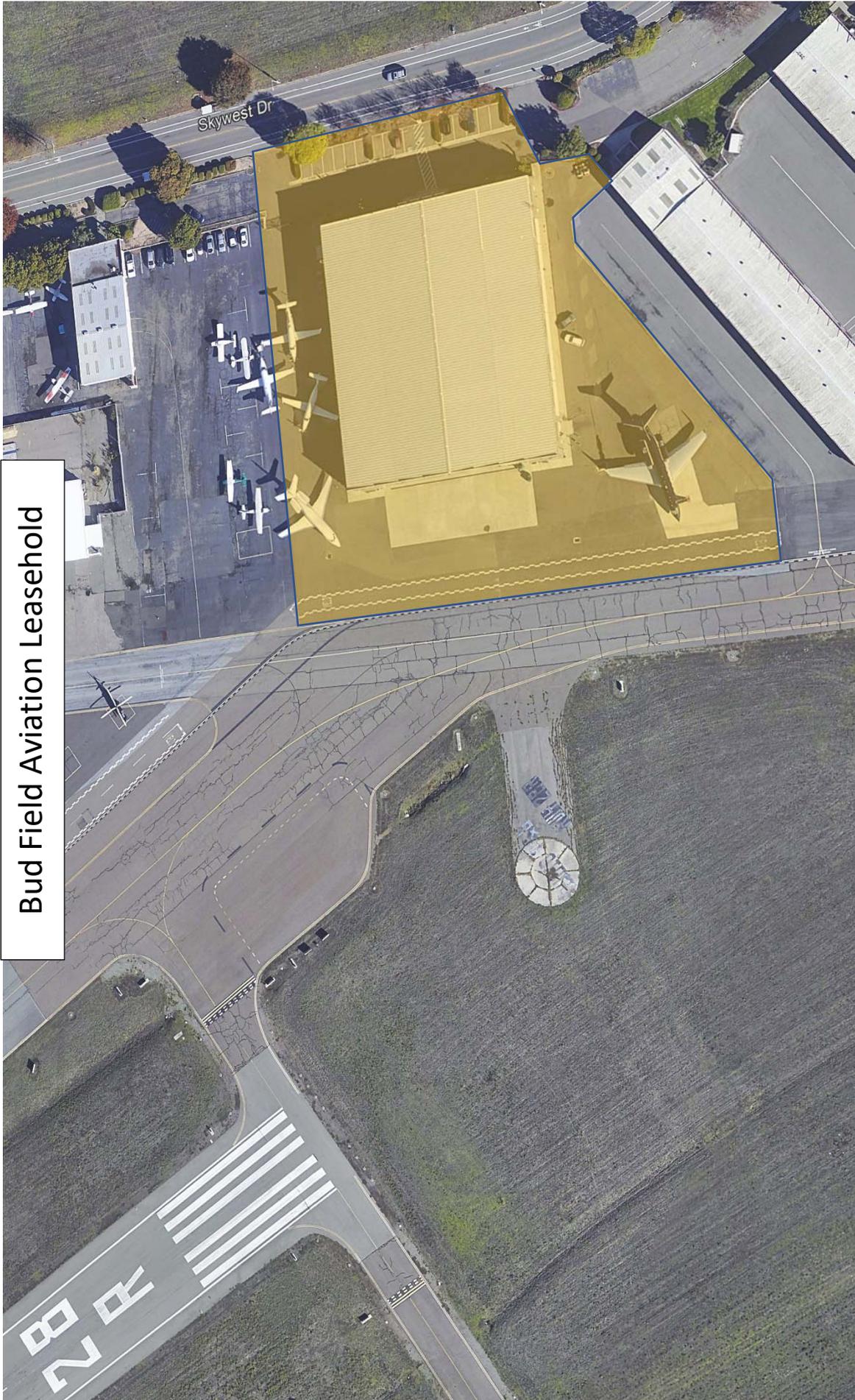
ABSTAIN:       COUNCIL MEMBERS:

ABSENT:        COUNCIL MEMBERS:

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

APPROVED AS TO FORM:

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



Bud Field Aviation Leasehold



# CITY OF HAYWARD

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

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**File #:** CONS 22-330

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**DATE:** June 7, 2022

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT**

Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Assignment/Assumption of Lease with Savage Aviation, Inc., for Property Located at 21593 Skywest Drive

That the City Council adopts a resolution (Attachment II) authorizing the City Manager to negotiate and execute an Assignment/Assumption of Lease to Savage Aviation, Inc.

**SUMMARY**

Jerry Hoffman, the owner of Aviation Training, Inc., (Aviation Training) entered into a lease with the City of Hayward in 1975 for the leasehold located at 21593 Skywest Drive. The lease expired in 2015 and was extended to 2047 shortly thereafter. At this time, Mr. Hoffman has requested that leasehold rights be conveyed from Aviation Training to Savage Aviation, Inc., whose principal is Daniel Umanzor. The subject property is depicted in Attachment III.

*Council Airport Committee Review*

This item was presented to the Council Airport Committee during their April 28, 2022 meeting and was unanimously recommended for Council approval.

**ATTACHMENTS**

- Attachment I Staff Report
- Attachment II Resolution
- Attachment III Location Map
- Attachment IV Sale of Leasehold



**DATE:** June 7, 2022

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT:** Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Assignment/Assumption of Lease with Savage Aviation, Inc., for Property Located at 21593 Skywest Drive

### **RECOMMENDATION**

That the City Council adopts a resolution (Attachment II) authorizing the City Manager to negotiate and execute an Assignment/Assumption of Lease to Savage Aviation, Inc.

### **SUMMARY**

Jerry Hoffman, the owner of Aviation Training, Inc., (Aviation Training) entered into a lease with the City of Hayward in 1975 for the leasehold located at 21593 Skywest Drive. The lease expired in 2015 and was extended to 2047 shortly thereafter. At this time, Mr. Hoffman has requested that leasehold rights be conveyed from Aviation Training to Savage Aviation, Inc., whose principal is Daniel Umanzor. The subject property is depicted in Attachment III.

#### Council Airport Committee Review

This item was presented to the Council Airport Committee during their April 28, 2022 meeting and was unanimously recommended for Council approval.

### **BACKGROUND AND DISCUSSION**

Jerry Hoffman entered into a 40-year commercial lease agreement with the Hayward Executive Airport (Airport) on September 1, 1975, for the parcel located at 21593 Skywest Drive (Attachment III). The lease expired on August 31, 2015, and was subsequently renewed in 2016. The leased area contains 50,018 square feet of space, and a hangar building with an attached office area.

Jerry Hoffman proposes to sell his leasehold interest to Savage Aviation, Inc., as outlined in the attached information (Attachment IV). All other terms of the lease will remain unchanged.

### **ECONOMIC IMPACT**

No economic impact is associated with this administrative change to the lease.

## **FISCAL IMPACT**

No fiscal impact is associated with this action above and beyond the existing rent amount, of approximately \$22,000 annually.

## **STRATEGIC ROADMAP**

This agenda item pertains to development at the airport and does not directly relate to the Council's Strategic Roadmap.

## **SUSTAINABILITY FEATURES**

No sustainability features are associated with this report.

## **PUBLIC CONTACT**

The agenda and staff report for this item have been posted on the City's website and distributed to interested parties.

## **NEXT STEPS**

If approved, Airport staff will circulate the Assignment, Assumption, and Consent Agreement for execution by the City Manager.

*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. 22-

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

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN ASSIGNMENT/ASSUMPTION OF LEASE TO THE GROUND LEASE WITH SAVAGE AVIATION, INC.

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

WHEREAS, on July 1, 2017, the City of Hayward approved a lease with Aviation Training, Inc. for property located at 21593 Skywest Drive; and

WHEREAS, Aviation Training, Inc., has requested that the ground lease be assigned to Savage Aviation, Inc.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized to negotiate and execute an Assignment/Assumption of Lease to the ground lease with Savage Aviation, Inc., for Property at 21593 Skywest Drive, in a form to be approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2022

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:  
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

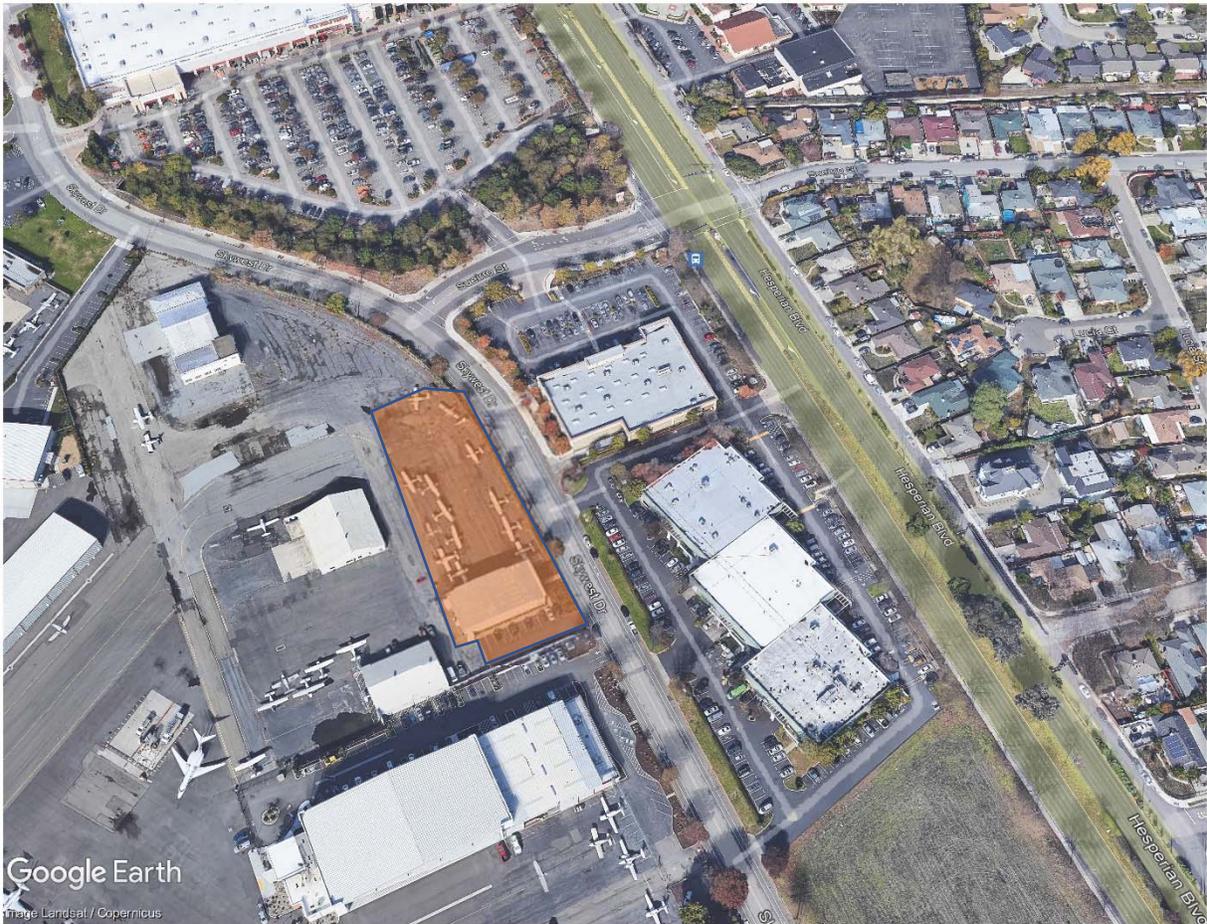
ABSENT: COUNCIL MEMBERS:

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

APPROVED AS TO FORM:

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

AVIATION TRAINING SITE MAP



## Hayward Airport Plot "F" Transfer to Daniel Umanzor

## ~ BUSINESS/OPERATING PLAN ~~

Purpose to Operate at the Hayward Airport:

**Plot "F" particulars** – address is 21593 Skywest Drive, Hayward, CA 94542 – Plot "F" consists of approximately 45,000 SqFt, including the Building of 5,000 SqFt (Hanger/Reception and Classrooms) plus ramp, aircraft and auto parking of 35,000 SqFt; leased for some 50-years by Aviation Training, Inc., This is the subject of this desired leasehold transfer from Jerome Hoffmann of Aviation Training, Inc. to Daniel Umanzor of Savage Aviation, LLC.

**Purpose:** To continue and weave my existing Hayward Airport business into the facility at Plot "F", including Aircraft Maintenance (to remain at my existing lease at 20511 for the time-being) – aircraft repairs and avionics and panel building to immediately transfer to Plot "F" hanger. Currently, we are building instrument panels using specialized machining equipment. We are currently the only shop in the bay area specializing in this type of work. For us to receive a Garmin dealer license we need dedicated avionics workspace. The available office space in the Plot F will allow us to comply with this requirement. We plan to also rent space to a new flight school, and an aircraft accessory repair station that is currently located off airport. My overall goal is to benefit from the security of a long-term Hayward Airport Lease.

**Employees:** At this time, we have just expanded to 3 full time employees and 2 part time. all my employees are experienced and trained by me personally over the past 2 years to provide repeatable quality service. where required, Factory Training and Certification is provided. All employees are offered benefits and a relaxed work environment allowing for personal growth and job satisfaction. We are all active members of this airport community, and donate our time to many airport groups that focus on bringing people in from the local community to help bring awareness to our airport.

**Vision Statement:** My goals are to maintain the hanger and grounds in a professional and cosmetically beautiful manner; I hope also to maintain safety in and around the premises. My long-term goals are to expand the hanger to allow my airframe and power plant shop to be located under the same roof as my avionics shop. we hope in the next few years to receive our avionics repair station certificate then to expand over to the airframe and powerplant repair station. I hope also to expand the existing grounds with T-Shades an amenity available in every bay area airport except hayward.

**Safety Issues:** As part of my goals to improve the Plot “F” hanger and grounds, I plan to vigilantly maintain the hanger and grounds, including Fire Safety Protocols and advice from grounds maintenance professional assistance, including irrigation and plant management. My goal will always be to make Plot “F” a beacon of community pride.

**Five-Year Plan:** already outlined above – building and grounds maintenance, T-shade additions at the front of the building and full utilization of the hanger, front office and classrooms.

**New Business:** My plan is that through innovative business offerings (avionics, panel building, specialized airframe and power plant maintenance, certified accessory repair and carefully selected Flight School activities) the business at Plot “F” will grow carefully but exponentially – my management oversight and skills will enhance this growth!

**Advertising:** my business has primarily grown through community “word-of-mouth”; if required, I will seek-out other forms of print and electronic advertising; but the quality and consistency of my work and those working under me have thus far more than helped “advertise” my business (any and all significant exterior signage will be pre-approved by the Airport Manager)

I also attach my prior financials and business plans to supplement this Plan

Thank you for your consideration of my Business/Operating Plan for Plot “F” – if any questions, please feel free to contact me:

Cell: 415-240-8216 – by email at [Daniel@savageaero.com](mailto:Daniel@savageaero.com)

To contact Lessor Jerome Hoffman/Aviation Training, Inc.

- Cell: 415-999-6184 – by email at [seniorgeronimo@yahoo.com](mailto:seniorgeronimo@yahoo.com)

Daniel Ulmanzor, President

Savage Aero, Inc.



# CITY OF HAYWARD

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

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**File #:** CONS 22-331

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**DATE:** June 7, 2022

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT**

Adopt a Resolution Authorizing the City Manager to Execute Amendment No. 4 to the Professional Services Agreement with Pavement Engineering, Inc., Increasing the Agreement by \$392,825, to Provide Engineering Services for the FY23 Pavement Improvement Project for a Total Not-to-Exceed Amount of \$1,755,495

That Council adopts a resolution (Attachment II) authorizing the City Manager to execute Amendment No. 4 to the Professional Services Agreement (PSA) with Pavement Engineering, Inc., (PEI), increasing the Agreement by \$392,825, to provide engineering services for the FY23 Pavement Improvement Project (PIP) for a total amount not-to-exceed \$1,755,495.

**SUMMARY**

Under the existing PSA, PEI provides engineering services for City pavement projects. An Amendment No. 4 to the existing PSA dated June 1, 2021, is needed to extend the scope of the Agreement to include engineering services for the upcoming FY23 PIP.

**ATTACHMENTS**

Attachment I Staff Report  
Attachment II Resolution



**DATE:** June 7, 2022

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT** Adopt a Resolution Authorizing the City Manager to Execute Amendment No. 4 to the Professional Services Agreement with Pavement Engineering, Inc., Increasing the Agreement by \$392,825, to Provide Engineering Services for the FY23 Pavement Improvement Project for a Total Not-to-Exceed Amount of \$1,755,495

### **RECOMMENDATION**

That Council adopts a resolution (Attachment II) authorizing the City Manager to execute Amendment No. 4 to the Professional Services Agreement (PSA) with Pavement Engineering, Inc., (PEI), increasing the Agreement by \$392,825, to provide engineering services for the FY23 Pavement Improvement Project (PIP) for a total amount not-to-exceed \$1,755,495.

### **SUMMARY**

Under the existing PSA, PEI provides engineering services for City pavement projects. An Amendment No. 4 to the existing PSA dated June 1, 2021, is needed to extend the scope of the Agreement to include engineering services for the upcoming FY23 PIP.

### **BACKGROUND**

On May 22, 2018<sup>1</sup>, Council authorized the City Manager to execute a PSA with PEI in an amount not-to-exceed \$219,920 for engineering services for the FY19 Pavement Rehabilitation & Preventive Maintenance Project.

On July 9, 2019<sup>2</sup>, Council authorized the City Manager to execute Amendment No. 1 to the PSA with PEI in an amount not-to-exceed \$652,455 for engineering services for the FY20 Pavement Improvement Project.

On June 16, 2020, Council authorized the City Manager to execute Amendment No. 2 to the PSA with PEI in an amount not-to-exceed \$1,014,705 for engineering services for the FY21 Pavement Improvement Project.

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<sup>1</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=3508588&GUID=417E3DF1-452A-49F9-9DA5-4E9A2F6B4675&Options=&Search=>

<sup>2</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=4056927&GUID=3AE9FAB4-B3D2-485F-8360-126E81AC20CD&Options=&Search=>

On June 11, 2021, Council authorized the City Manager to execute Amendment No. 3 to the PSA with PEI in an amount not-to-exceed \$1,362,670 for engineering services for the FY22 Pavement Improvement Project.

On April 26, 2022, Council approved the project limits for the FY23 Road Repair and Accountability Act (RRAA) Funding for the FY23 Pavement Improvement Project. This is a part of an annual application that must be submitted to the California Transportation Commission (CTC) to continue receiving RRAA funding, which must include approving a project list of street segments or defined regions of the City for the estimated revenue. For the FY23 RRAA funding, the project list includes the City neighborhoods within the limits of Hesperian Blvd, A St, BART, Jackson St, Union Pacific Railroad, & West Winton Ave.

Staff is currently undertaking the street selection for the FY23 Pavement Improvement Project where Pavement Condition Index (PCI), location equity, public input, and funding availability are considered. Staff recommends PEI to provide the engineering services for analysis, design, and construction support for the project.

## **DISCUSSION**

Amendment No. 4 to the existing PSA with PEI would allow continuation of engineering services for the FY23 Pavement Improvement Project.

PEI has extensive experience with City pavement management and rehabilitation projects including the following:

- FY22 Pavement Improvement Project
- FY21 Pavement Improvement Project
- FY20 Pavement Improvement Project
- FY 2019 Pavement Rehabilitation & Preventive Maintenance Project
- FY 2017 & FY 2018 Pavement Rehabilitation Project
- FY 2017 & FY 2018 Pavement Preventive Maintenance & Resurfacing Project
- FY 2016 Pavement Preventative Maintenance & Resurfacing Project
- FY 2016 Pavement Rehabilitation Project

The scope of work for this Amendment No. 4 to PEI's Agreement consists of the following six tasks:

Task 1 – Project Management/Coordination:

PEI will manage deliverables and overall project schedule in addition to ongoing communication with the City of Hayward.

Task 2 - Street Investigation / Engineering Review:

PEI will visually evaluate the pavement condition of each of the proposed project streets. The review will confirm the appropriate pavement treatment for each street, such as pavement rehabilitation, preventive maintenance, and resurfacing, among

other options. This task will allow PEI to refine the project budgets and identify any specific problem areas.

**Task 3 – Pavement Evaluation on Pavement Rehabilitation:**

PEI will perform a pavement evaluation on each street segment to determine the most cost-effective rehabilitation treatments based on structure requirements, reflective cracking requirements, longevity, and economy.

**Task 4 – Measurement of Field Quantities:**

PEI will provide field site evaluations for each of the locations identified on the project streets list to measure and record all pertinent field quantities, such as location of crack sealing, dig-outs, and other pavement repairs.

**Task 5 – Curb Ramp Design:**

PEI will assist the City with curb ramp designs related to this project. This task involves designing ADA ramps in the field to provide limits of removal and quantities of work.

**Task 6 – Construction Support / Mark Pavement Repairs:**

After the project bids and before construction begins, PEI will mark all required pavement repairs in the field. PEI will annotate any changed quantities and provide a revised quantity summary to the City at the completion of the field work.

PEI has provided a cost proposal of \$392,825 based on City staff's estimated construction cost of \$9,275,000.

**ECONOMIC IMPACT**

The project is funded by Gas Tax, Measure B, Measure BB, Vehicle Registration Fees, State Road Repair and Accountability Act (SB1), and Street System Improvement.

This project will economically benefit the City by decreasing motorist travel time via reduced potholes, increase curb appeal and the desirability of residential neighborhoods, and attracting business to the City.

**FISCAL IMPACT**

The estimated project funding sources are as follows:

- |   |                  |
|---|------------------|
| • 210 - Gas Tax                           | \$1,025,000      |
| • 211 – RRAA (SB1)                        | \$3,025,000      |
| • 212 - Measure BB – Local Transportation | \$3,775,000      |
| • 218 – Vehicle Registration Fee          | \$925,000        |
| • 450 – Street System Improvements        | <u>\$525,000</u> |
| Total:                                    | \$9,275,000      |

## **STRATEGIC ROADMAP**

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

- Project 5, Part 5.a: Maintain Pavement Condition Index (PCI) at 70.
- Project 5, Part 5c: Construct various OHHA Pavement Improvements

## **SUSTAINABILITY FEATURES**

The project requires the contractor to recycle all construction and demolition debris generated from the project.

This project is consistent with City's Complete Streets Policy and improves travel for all users including:

- Improved pavement for motorists
- Additional bike lanes and sharrows for bicyclists
- More visible pavement markings for pedestrians, including near school zones
- New or upgraded curb ramps to meet the recently revised Caltrans standards for pedestrians

The project satisfies the following General Plan policies:

- PFS-7.10 Recycled Products or Processes for Capital Projects
- HQL-2.5 Safe Routes to School
- HQL-2.6 Education on Sharing the Road
- M-1.7 Eliminate Gaps (in pedestrian networks)
- M-3.1 Serving All Users
- M-5.1 Pedestrian Needs
- M-5.6 Safe Pedestrian Crossings
- M-6.2 Encourage Bicycle Use

## **PUBLIC CONTACT**

Immediately after the construction contract is awarded, a preliminary notice explaining the project will be posted and distributed to all residents and businesses along the affected streets. After the construction work has been scheduled, signs on barricades will be posted seventy-two hours prior to commencement of work indicating the date and time of work for each street. Residents will be advised to park their vehicles on side streets outside of the work area during the period when the streets are being treated.

## **NEXT STEPS**

|               |   |
|---------------|---|
| June 2022     | Begin design  |
| December 2022 | Complete design   |
| Spring 2023   | Approve project plans, specifications and call for bids |
| Summer 2023   | Begin construction                                      |

Fall 2023

Complete construction

*Prepared by:* Yama Farouqi, Associate Civil Engineer  
Kathy Garcia, Deputy Director of Public Works

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

Approved by:



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Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 22-\_\_\_\_\_

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

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 4 TO PROFESSIONAL SERVICES AGREEMENT WITH PAVEMENT ENGINEERING, INC., TO PROVIDE ENGINEERING SERVICES FOR THE FY23 PAVEMENT IMPROVEMENT PROJECT, PROJECT NO. 05240

WHEREAS, the City of Hayward and Pavement Engineering, Inc. entered into that certain Agreement for Professional Services on June 13, 2018 for engineering services for pavement rehabilitation and preventive maintenance; and

WHEREAS, the aforesaid parties have entered into that certain Amendment No. 1 to the Professional Services Agreement with Pavement Engineering, Inc., dated the 28th day of August 2019, for engineering services related to the FY20 Pavement Rehabilitation and Preventative Maintenance Project and the West Winton Avenue (Hesperian Boulevard to Santa Clara Street) Pavement Rehabilitation Project; and

WHEREAS, the aforesaid parties have entered into that certain Amendment No. 2 to the Professional Services Agreement with Pavement Engineering, Inc., dated the 22<sup>nd</sup> day of June 2020, for engineering services related to the FY21 Pavement Improvement Project; and

WHEREAS, the aforesaid parties have entered into that certain Amendment No. 3 to the Professional Services Agreement with Pavement Engineering, Inc., dated the 1<sup>st</sup> day of June 2021, for engineering services related to the FY22 Pavement Improvement Project; and

WHEREAS, the City and the Consultant desire to further amend the Agreement by extending the scope to include engineering services for the FY23 Pavement Improvement Project.

NOW, THEREFORE, BE IT RESOLVED NOW, by the City Council of the City of Hayward that the City Manager is hereby authorized and directed to execute, on behalf of the City of Hayward, an amendment to the agreement with Pavement Engineering, Inc., for additional services of \$392,825 for a total amount not-to-exceed \$1,755,495 associated with the FY23 Pavement Improvement Project, in a form approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2022

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 22-337

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**DATE:** June 7, 2022

**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 - Hangars F, G, H, and I Roof Repair Project, Project No. 06826, in an Amount Not-to-Exceed \$600,000

**RECOMMENDATION**

That the Council adopts a resolution (Attachment II) authorizing the City Manager to negotiate and execute a contract, in a form approved by the City Attorney, with The Garland Company, in an amount not-to-exceed \$600,000 for roof repairs to hangar buildings F, G, H, and I.

**SUMMARY**

This hangar repair project is part of the Hayward Executive Airport's (Airport) commitment to provide facilities for tenants that are serviceable and in a good state of repair.

During August 2018, a consultant assessed the structural condition of the Airport's nineteen hangar buildings. The study noted the improvements needed for each structure. The first phase of the project addressed executive hangar buildings 1 and 2, which were found to have roof issues that led to rust and corrosion. The second phase in the series addressed hangar buildings B, C, D, and E roof repairs at a total cost of \$480,404.

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.

The third phase of this project will address roof repairs to hangar buildings F, G, H, and I. In order to take advantage of the City's partnership with OMNIA Partners, staff is requesting that Council grant approval to authorize the City Manager to execute a contract with The Garland Company in an amount not-to-exceed \$600,000.

*Council Airport Committee Review*

The second phase was approved by Council on September 21, 2021 and, once completed, presented as a

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**File #:** CONS 22-337

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project update to the CAC on April 28, 2022. It was noted as part of this item that that the next phase would include roof repairs to hangars F, G, H, and I.

**ATTACHMENTS**

Attachment I Staff Report

Attachment II Resolution



**DATE:** June 7, 2022

**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 – Hangars F, G, H, and I Roof Repair Project, Project No. 06826, in an Amount Not-to-Exceed \$600,000

**RECOMMENDATION**

That the Council adopts a resolution (Attachment II) authorizing the City Manager to negotiate and execute a contract, in a form approved by the City Attorney, with The Garland Company, in an amount not-to-exceed \$600,000 for roof repairs to hangar buildings F, G, H, and I.

**SUMMARY**

This hangar repair project is part of the Hayward Executive Airport’s (Airport) commitment to provide facilities for tenants that are serviceable and in a good state of repair.

During August 2018, a consultant assessed the structural condition of the Airport’s nineteen hangar buildings. The study noted the improvements needed for each structure. The first phase of the project addressed executive hangar buildings 1 and 2, which were found to have roof issues that led to rust and corrosion. The second phase in the series addressed hangar buildings B, C, D, and E roof repairs at a total cost of \$480,404.

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.

The third phase of this project will address roof repairs to hangar buildings F, G, H, and I. In order to take advantage of the City’s partnership with OMNIA Partners, staff is requesting that Council grant approval to authorize the City Manager to execute a contract with The Garland Company in an amount not-to-exceed \$600,000.

### Council Airport Committee Review

The second phase was approved by Council on September 21, 2021<sup>1</sup> and, once completed, presented as a project update to the CAC on April 28, 2022<sup>2</sup>. It was noted as part of this item that that the next phase would include roof repairs to hangars F, G, H, and I.

## **BACKGROUND**

The Airport has nineteen hangar buildings, which consist of 206 individual hangars, twenty-eight storage rooms, and four office spaces. The buildings were constructed between 1950 and 1988 and all have 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 a 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 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 initially prioritized two of the nineteen hangar buildings, which were executive hangar buildings 1 and 2, for roof repair during calendar year 2020. This project was completed by the end of December 2020. During 2021, Airport staff commenced phase II of the project, and prioritized hangar buildings B, C, D, and E as the next group of buildings to be repaired. This work was completed on April 8, 2022.

Airport staff are now moving onto phase III of the project, and have prioritized hangar buildings F, G, H, and I for the next group of buildings to be repaired. This hangar repair project is part of the Airport's commitment to provide facilities for tenants that are serviceable and in a good state of 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. 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. This process 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; and Chico Airport.

The repairs by The Garland Company consist of removing and repairing sections of the metal roof that are currently leaking. The entire roof is washed and prepped to receive a

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<sup>1</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=5142635&GUID=D8D1B005-7514-4792-B154-674A31A6326B&Options=&Search=>

<sup>2</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=5567172&GUID=CF533FC5-D55D-4C0D-9F05-FB52C44C1F40&Options=&Search=>

polyurethane coating to ensure the roof is water resistant. Garland provides a ten-year warranty on their work. Once completed, the proposed hangar roof repair project protects hangar buildings F, G, H, and I 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 \$600,000, including taxes, bonds, and permits. The amount budgeted for this project and other associated improvements throughout the year in the Ten-Year Capital Improvement Program for FY23 is \$650,000. As such, sufficient funds are currently programmed to cover the total project expense. There will be no impact to the General Fund.

### **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**

The project scope and consultant were approved by the CAC on February 1, 2018. As the project scope was approved, the overview of the final assessment was introduced as an informational item/project update on September 19, 2019 with staff to determine which projects should be prioritized first. It was understood, per Purchasing guidelines, that any resulting projects from this assessment were to be approved by Council, with the first such project to repair the roof on Executive Hangars 1 and 2 authorized on May 5, 2020, and the second phase of the project was approved by Council on September 21, 2021.

### **NEXT STEPS**

If the Council approves, the City Manager will execute the contract with The Garland Company for the roof repair of hangar buildings F, G, H, and I. It is expected that the project will be completed by the end of calendar year 2022.

*Prepared by:* Doug McNeeley, Airport Manager

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

*Approved by:*

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

---

Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 22-

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

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A CONTRACT WITH THE GARLAND COMPANY FOR THE HAYWARD EXECUTIVE AIRPORT – HANGARS F, G, H, and I ROOF REPAIR PROJECT, PROJECT NO. 06826, IN AN AMOUNT NOT-TO-EXCEED \$600,000

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 F, G, H, and I were experiencing rust and corrosion due to deterioration; and

WHEREAS, roof repairs for hangar buildings F, G, H, and I have been scheduled as the next buildings 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; and

WHEREAS, the cost for the project is \$600,000; and

WHEREAS, the Capital Improvement Program Airport Capital Fund includes sufficient funding for The Garland Company to complete the project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized to negotiate and execute a contract, in a form approved by the City Attorney, with The Garland Company, in an amount not-to-exceed \$600,000, for roof repairs to executive hangar buildings F, G, H, and I.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2022

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

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**File #:** CONS 22-338

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**DATE:** June 7, 2022

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT**

Adopt a Resolution Authorizing the City Manager to Appropriate Additional Funds in the Amount of \$20,000 from Sewer Replacement Fund 611 for the Water Pollution Control Facility (WPCF) Effluent Pond Weed Removal Project No. 07630, and Award a Contract to McNabb Construction Inc., to Implement the Project in an Amount Not-to-Exceed \$220,000

**RECOMMENDATION**

That Council adopts a resolution (Attachment II) authorizing the City Manager to appropriate additional funds in the amount of \$20,000 from Sewer Replacement Fund 611 for the Water Pollution Control Facility (WPCF) Effluent Pond Weed Removal Project No. 07630 and to award a contract, in a form to be approved by the City Attorney, to McNabb Construction Inc., to implement the Project in an amount not-to-exceed \$220,000.

**SUMMARY**

The WPCF complies with the Alameda County mosquito abatement ordinance by removing weed growth in the water storage ponds. There are seven (7) former oxidation ponds located at the site. An area of approximately 2 acres or 80,000 square feet (Attachment III) of the ponds are currently covered by vegetation (weeds). Approximately 60,000 square feet of vegetation will need to be removed from Pond No. 3 and approximately 20,000 square feet from Pond No. 7 (Attachment V).

This project is for weed removal, pond liner repair and weed disposal. Additionally, approximately 28,000 square feet of vegetation will need to be removed from the existing stormwater channel (See Attachment IV).

**ATTACHMENTS**

- Attachment I Staff Report
- Attachment II Resolution
- Attachment III Location Map
- Attachment IV Stormwater Channel Vegetation Removal

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**File #:** CONS 22-338

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Attachment V Pons No. 3 and No. 7 Vegetation Removal



**DATE:** June 7, 2022

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT:** Adopt a Resolution Authorizing the City Manager to Appropriate Additional Funds in the Amount of \$20,000 from Sewer Replacement Fund 611 for the Water Pollution Control Facility (WPCF) Effluent Pond Weed Removal Project No. 07630, and Award a Contract to McNabb Construction Inc., to Implement the Project in an Amount Not-to-Exceed \$220,000

### **RECOMMENDATION**

That Council adopts a resolution (Attachment II) authorizing the City Manager to appropriate additional funds in the amount of \$20,000 from Sewer Replacement Fund 611 for the Water Pollution Control Facility (WPCF) Effluent Pond Weed Removal Project No. 07630 and to award a contract, in a form to be approved by the City Attorney, to McNabb Construction Inc., to implement the Project in an amount not-to-exceed \$220,000.

### **SUMMARY**

The WPCF complies with the Alameda County mosquito abatement ordinance by removing weed growth in the water storage ponds. There are seven (7) former oxidation ponds located at the site. An area of approximately 2 acres or 80,000 square feet (Attachment III) of the ponds are currently covered by vegetation (weeds). Approximately 60,000 square feet of vegetation will need to be removed from Pond No. 3 and approximately 20,000 square feet from Pond No. 7 (Attachment V).

This project is for weed removal, pond liner repair and weed disposal. Additionally, approximately 28,000 square feet of vegetation will need to be removed from the existing stormwater channel (See Attachment IV).

### **BACKGROUND**

The City's current Capital Improvement Program (CIP) includes funding for WPCF Effluent Pond Weed Removal, which is presented annually. This type of service is needed to prevent overgrowth of vegetation and accumulation of debris.

## **DISCUSSION**

For this project, the bid process attracted five (5) contractors to visit the site located at WPCF for a pre-bid meeting and walk-through. This resulted in one (1) bidder, McNabb Construction Inc., submitting the only bid for the scope of work presented for this project. The bid received was in the amount of \$398,874. Given that only one bid was received, staff reviewed the scope of work with the contractor and was able to negotiate the same services at a reduced cost of \$220,000.

## **ECONOMIC IMPACT**

This project will have no direct impact on the local economy.

## **FISCAL IMPACT**

Project 07630 has a current budget of \$200,000, which is reflected in the Adopted FY22 CIP. Staff recommends appropriating an additional \$20,000 from Sewer Replacement Fund 611 in Project No. 07630 for a revised Project budget of \$220,000. The Fund has sufficient balance to support this appropriation. With these funds, staff recommends awarding a contract to McNabb Construction, Inc., in an amount not to exceed \$220,000.

## **STRATEGIC ROADMAP**

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

## **SUSTAINABILITY FEATURES**

The work for this project consists of removal of approximately 2.0 acres of emergent aquatic vegetation in Oxidation Ponds No. 3 and No. 7. This includes removal of approximately 28,800 square feet of emergent aquatic vegetation in the stormwater channel. Emergent aquatic vegetation includes cattails, bulrush, tules and other pond vegetation in the area. The vegetation shall be completely removed, including the roots, using methods that will not dig into and or damage the clay liner in the ponds.

## **PUBLIC CONTACT**

Contract and performance of these services requires no public contact.

## **NEXT STEPS**

If approved, staff will appropriate an additional \$20,000 from Sewer Replacement Fund 611 for the WPCF Effluent Pond Weed Removal Project 07630, and will award a contract to McNabb Construction, Inc., in an amount not-to-exceed \$220,000.

*Prepared by:* David Donovan, Plant Manager

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

Approved by:

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

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Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 22-\_\_\_\_\_

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

RESOLUTION AUTHORIZING THE CITY MANAGER TO APPROPRIATE ADDITIONAL FUNDS IN THE AMOUNT OF \$20,000 FROM SEWER REPLACEMENT FUND 611 FOR THE WATER POLLUTION CONTROL FACILITY (WPCF) EFFLUENT POND WEED REMOVAL PROJECT NO. 07630 AND AWARD A CONTRACT TO MCNABB CONSTRUCTION, INC., (DK ENVIRONMENTAL) TO IMPLEMENT THE PROJECT IN AN AMOUNT NOT-TO-EXCEED \$220,000

WHEREAS, the Water Pollution Control Facility (WPCF) maintains the current mosquito abatement ordinance of Alameda County, CA. As a preventative, removal of weed growth and obstruction within and near the seven (7) oxidation ponds, which cover an area approximately 2 acres or 80,000 square feet, on site; and

WHEREAS, this project is for weed removal, liner repair and weed disposal. This includes two oxidation pond areas along with an existing stormwater channel. Approximately 28,000 square feet of vegetation needs to be removed from the stormwater channel and for Oxidation Ponds No. 3 and No. 7, approximately 60,000 and 20,000 square feet, of vegetation will need to be removed; and

WHEREAS, a call for bids for this project resulted in a sole bidder, McNabb Construction (DK Environmental), submitting a bid for \$220,000; and

WHEREAS, the Adopted FY22 Capital Improvement Program includes funding for the project in an amount not-to-exceed \$200,000 in the Sewer Replacement Fund (Fund 611), Project No. 07630; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hayward that the City Manager is hereby authorized and directed to appropriate an additional \$20,000 from Sewer Replacement Fund (Fund 611) for the WPCF Effluent Pond Weed Removal Project 07630.

BE IT FURTHER RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized and directed to execute an agreement, in a form to be approved by the City Attorney, with McNabb Construction (DK Environmental) in an amount not-to-exceed \$220,000.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2022

ADOPTED BY THE FOLLOWING VOTE:

AYES:           COUNCIL MEMBERS:  
                  MAYOR:

NOES:           COUNCIL MEMBERS:

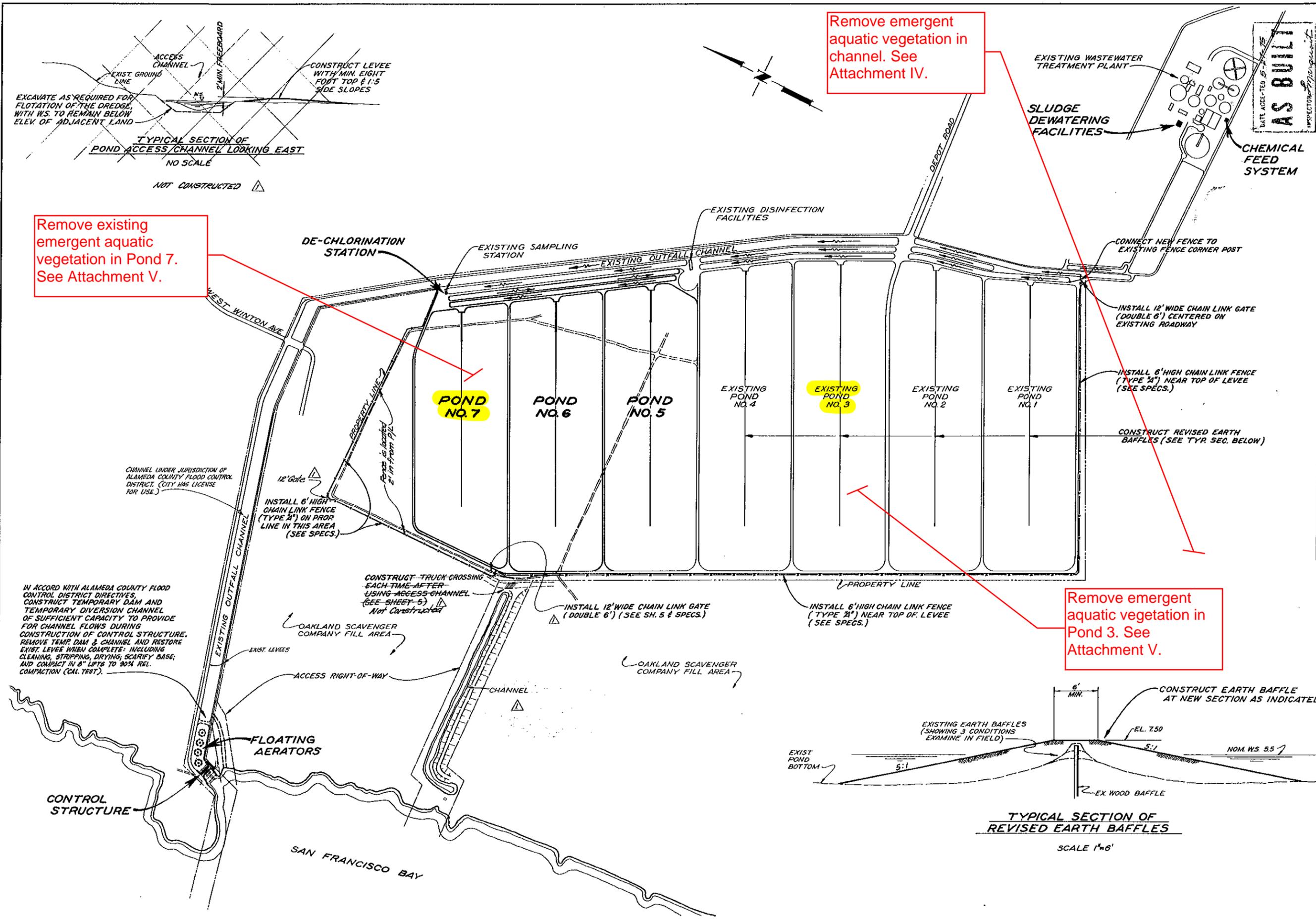
ABSTAIN:       COUNCIL MEMBERS:

ABSENT:        COUNCIL MEMBERS:

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

APPROVED AS TO FORM:

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



Remove existing emergent aquatic vegetation in Pond 7. See Attachment V.

Remove emergent aquatic vegetation in channel. See Attachment IV.

Remove emergent aquatic vegetation in Pond 3. See Attachment V.

|  |  |
|--|--|
| <b>AS BUILT</b><br>DATE ACCELERATED 5/15/75<br>INSPECTOR: [Signature]                  |  |
| <b>WASTEWATER TREATMENT AND DISPOSAL FACILITIES STAGE II OXIDATION PONDS SITE PLAN</b> |  |
| CITY OF HAYWARD<br>DEPARTMENT OF PUBLIC WORKS<br>DIVISION OF UTILITIES                 | DRAWN BY: [Signature]<br>CHECKED BY: [Signature]<br>APPROVED BY: [Signature] |
| PROJECT NO: 48 051<br>DATE: APRIL 1972   | SHEET NO. 2<br>TOTAL SHEETS 2  |
| JEWIS & ADAMSON<br>CONSULTING SANITARY ENGINEERS<br>PALO ALTO CALIFORNIA               |  |

# Attachment IV

Stormwater Channel Vegetation Removal

Remove approximately 28,000 square feet of vegetation at the existing stormwater channel.

Depot Rd

Gommel Ln

3700 Enterprise Ave

Google Earth

© 2021 Google

900 ft



# Attachment V

Ponds 3 and 7 Vegetation Removal

Remove approximately 0.5 acres of vegetation at Pond 7.

Remove approximately 1.5 acres of vegetation at Pond 3.





# CITY OF HAYWARD

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

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**File #:** CONS 22-340

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**DATE:** June 7, 2022

**TO:** Mayor and City Council

**FROM:** Assistant City Manager/Interim HR Director

**SUBJECT**

Adopt a Resolution Authorizing the City Manager to Execute an Agreement with Primary Diagnostics, Inc. ("Primary") in an Amount Not-to-Exceed \$90,000 to Continue to Provide the City's Software Platform for Maintaining Vaccine Records and COVID-19 Testing Results Through December 31, 2022

**RECOMMENDATION**

That Council adopts a resolution (Attachment II) authorizing the City Manager to execute an agreement with Primary in an amount not to exceed \$90,000 to continue to provide the City's software platform for maintaining vaccine records and COVID-19 testing results through December 31, 2022.

**SUMMARY**

The City's COVID-19 Vaccine and Testing Mandate Policy ("the Policy") requires all employees to either be fully vaccinated and provide a copy of their vaccination record or participate in twice-weekly testing. The City initially entered into an agreement with Primary on November 23, 2021 to maintain vaccine records and test results for a period of six (6) months from November 23, 2021 to May 23, 2022. The contract was thereafter extended on May 18, 2022 for Primary to provide services through June 30, 2022. This agreement is for the City to renew its contract with Primary to maintain vaccine records and test results Citywide until December 31, 2022.

**ATTACHMENTS**

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



**DATE:** June 7, 2022

**TO:** Mayor and City Council

**FROM:** Assistant City Manager/Interim HR Director

**SUBJECT:** Adopt a Resolution Authorizing the City Manager to Execute an Agreement with Primary Diagnostics, Inc. (“Primary”) in an Amount Not to Exceed \$90,000 to Continue to Provide the City’s Software Platform for Maintaining Vaccine Records and COVID-19 Testing Results Through December 31, 2022

**RECOMMENDATION**

That Council adopts a resolution (Attachment II) authorizing the City Manager to execute an agreement with Primary in an amount not to exceed \$90,000 to continue to provide the City’s software platform for maintaining vaccine records and COVID-19 testing results through December 31, 2022.

**SUMMARY**

The City’s COVID-19 Vaccine and Testing Mandate Policy (“the Policy”) requires all employees to either be fully vaccinated and provide a copy of their vaccination record or participate in twice-weekly testing. The City initially entered into an agreement with Primary on November 23, 2021 to maintain vaccine records and test results for a period of six (6) months from November 23, 2021 to May 23, 2022. The contract was thereafter extended on May 18, 2022 for Primary to provide services through June 30, 2022. This agreement is for the City to renew its contract with Primary to maintain vaccine records and test results Citywide until December 31, 2022.

**BACKGROUND**

During the COVID-19 pandemic, the City issued a Vaccine and Testing Mandate Policy to provide a safe and healthy workplace, consistent with COVID-19 public health guidance and legal requirements, and to protect its employees and the public as it reopened services and returned more employees to the workplace.

Vaccination is the most effective way to prevent transmission and limit COVID-19 hospitalizations and deaths. Unvaccinated staff are at greater risk of contracting and spreading COVID-19 within the workplace and to the public that depends on City services. Testing for COVID-19 is an important and effective way to ensure that individuals who are infected, can be identified and isolated to prevent the further spread of COVID-19. To protect employees and others and fulfill its obligations to the public, the City requires all employees to either (1) be

fully vaccinated and report their vaccination status to the City; or (2) participate in twice-weekly testing and comply with masking requirements.

All City employees were asked to report their vaccination status to the City, initially through MUNIS Employee Self Service (ESS), and then through Primary once the portal was launched. Employees who failed to report their vaccination status to the City are treated as though they are unvaccinated and are therefore subject to masking and twice-weekly testing as required under the Policy. Employees who participate in twice-weekly testing must upload their test results to Primary.

According to the Federal Centers for Disease Control (CDC), the California Department of Public Health (CDPH), and the Alameda County Health Officer, COVID-19 continues to pose a risk, especially to individuals who are not fully vaccinated, and certain safety measures remain necessary to protect against COVID-19 cases and deaths. Thus, the City has continued need for Primary's services.

## **DISCUSSION**

The City began mandated testing for public safety in December 2021, following a county health order requiring unvaccinated public safety personnel to test once per week for COVID. Remaining City staff began testing on March 1, 2022, pursuant to the Policy. Primary sends out automated reminders to testing participants with a unique link for the employee to upload their results. The link allows employees to upload their test results directly to the Primary platform from their phone or with the help of the onsite test observer. Primary collects this data and sends a weekly non-compliance report to the department supervisor or assigned point-of-contact. Authorized Human Resources staff can access the Primary portal to verify both vaccine records and test results. Primary has been the test result system of record since December 2021 and the vaccine system of record since March 2022.

Last month, the California Division of Occupational Safety and Health (Cal/OSHA) extended the current COVID-19 Prevention Emergency Temporary Standards (ETS), that requires employers to establish, implement, and maintain an effective written COVID-19 Prevention Program, through December 31, 2022. Extension of this contract would allow the City to continue to maintain vaccination and testing records and to track compliance of the City's vaccine and testing policy in compliance with Cal/OSHA standards.

## **ECONOMIC IMPACT**

This agenda item will have no direct impact on the local economy.

## **FISCAL IMPACT**

The executed agreement with Primary will result in a fiscal impact not-to-exceed \$90,000. The cost of the agreement with Primary is funded using American Rescue Plan Act (ARPA) funding.

## **STRATEGIC ROADMAP**

The Strategic Roadmap outlines the City of Hayward's highest priorities over the next three years and the specific steps to achieve them. This item supports the following Strategic Roadmap priority:

*Strengthen Organizational Health:*

- Item R11: Employee Wellness during Covid-19

## **SUSTAINABILITY FEATURES**

The recommended action for this report will not directly result in physical development, purchase or service, new policy or legislation related to sustainability.

## **PUBLIC CONTACT**

No public contact was made for this item.

## **NEXT STEPS**

If Council approves, staff will prepare the agreement to be executed by the City Manager.

*Prepared by:* Candi Jackson, Human Resources Administrative Assistant  
Kakshi Master, Acting Deputy Director of Human Resources

*Recommended by:* Regina Youngblood, Assistant City Manager/Interim HR Director

Approved by:



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Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 22-

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

ADOPT A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH PRIMARY DIAGNOSTICS, INC. ("PRIMARY") IN AN AMOUNT NOT TO EXCEED \$90,000 TO CONTINUE TO PROVIDE THE CITY'S SOFTWARE PLATFORM FOR MAINTAINING VACCINE RECORDS AND COVID-19 TESTING RESULTS THROUGH DECEMBER 31, 2022

WHEREAS, the City's COVID-19 Vaccine and Testing Mandate Policy went into effect September 29, 2021; and

WHEREAS, as a condition of employment, employees are required to be fully vaccinated and provide their vaccination record to the City or participate in twice-weekly testing; and

WHEREAS, Primary provides a platform to upload vaccination records and test results;

WHEREAS, COVID-19 continues to pose a public safety risk and the City has continued need for Primary's services;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized to execute, on behalf of the City of Hayward, an agreement with Primary in an amount not-to-exceed \$90,000.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2022

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

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**File #:** CONS 22-342

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**DATE:** June 7, 2022

**TO:** Mayor and City Council

**FROM:** Director of Library Services

**SUBJECT**

Adopt a Resolution Authorizing the City Manager to Accept and Appropriate up to \$10,000 in Funding from First 5 of Alameda County to Support Library Services and Programs

**RECOMMENDATION**

That Council adopts a resolution (Attachment II) authorizing the City Manager to accept and appropriate up to \$10,000 in funding from First 5 of Alameda County to Support Library Services and Programs for FY 2022, and annually for the next three fiscal years (through the end of FY 2025).

**SUMMARY**

First 5 Alameda County is an innovative public entity created by the passage of Proposition 10 in 1998, which added fifty cents to the price of a pack of cigarettes to help fund early care and education for children 0-5. To fulfill its mission, First 5 of Alameda County frequently partners with local agencies, including the Hayward Public Library (HPL). The grant/stipend amounts vary by year, based on funding available and the programs the organization is working on.

Staff requests Council approve up to \$10,000 in funding from First 5 of Alameda County for Fiscal Year 2022 and annually for the next three fiscal years (through the end of Fiscal Year 2025). With Council approval, staff will appropriate up to \$10,000 in the Library Services budget and provide services per the requirements of the grants/stipend from First 5 of Alameda County.

**ATTACHMENTS**

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



**DATE:** June 7, 2022

**TO:** Mayor and City Council

**FROM:** Director of Library Services

**SUBJECT:** Authorize the City Manager to Accept and Appropriate up to \$10,000 in Funding from First 5 of Alameda County to Support Library Services and Programs

### **RECOMMENDATION**

That Council adopts a resolution (Attachment II) authorizing the City Manager to accept and appropriate up to \$10,000 in funding from First 5 of Alameda County to Support Library Services and Programs for FY 2022, and annually for the next three fiscal years (through the end of FY 2025).

### **SUMMARY**

First 5 Alameda County is an innovative public entity created by the passage of Proposition 10 in 1998, which added fifty cents to the price of a pack of cigarettes to help fund early care and education for children 0-5. To fulfill its mission, First 5 of Alameda County frequently partners with local agencies, including the Hayward Public Library (HPL). The grant/stipend amounts vary by year, based on funding available and the programs the organization is working on.

Staff requests Council approve up to \$10,000 in funding from First 5 of Alameda County for Fiscal Year 2022 and annually for the next three fiscal years (through the end of Fiscal Year 2025). With Council approval, staff will appropriate up to \$10,000 in the Library Services budget and provide services per the requirements of the grants/stipend from First 5 of Alameda County.

### **BACKGROUND AND DISCUSSION**

First 5 Alameda County is an innovative public entity created by the passage of Proposition 10 in 1998, which added fifty cents to the price of a pack of cigarettes to help fund early care and education for children 0-5. The organization helps young children grow up healthy and ready to learn during the most important time in their development. First 5 of Alameda County has nearly two decades of experience funding innovative programs and advocating for policies that produce better futures for children in the county.

First 5 of Alameda County has several programs, including Parent Engagement and Support, Fathers Corps, Help Me Grow, Neighborhood Partnership Project, Neighborhoods Ready for School (NRFS), Quality Early Care and Education, and Training at First 5. In partnership with the community, these programs help support a county-wide continuous prevention and early intervention system that promotes optimal health and development, narrows disparities, and improves the lives of children from birth to age five and their families.

This year, First 5 provided HPL \$4,900 in support to purchase bi- and/or multilingual books for the Library's Día de los Libros/Día de los Niños program. Staff is requesting Council's authorization to approve up to \$10,000 in funding from First 5 of Alameda County for Fiscal Year 2022 and annually for the next three fiscal years (through the end of Fiscal Year 2025). With Council approval, staff will appropriate up to \$10,000 in the Library Services budget and provide services per the requirements of the grants/stipend from First 5 of Alameda County.

### **STRATEGIC INITIATIVES**

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

### **FISCAL IMPACT**

If Council approves the acceptance of grant funding from First 5 of Alameda County, the City could receive up to \$10,000 annually to fund ongoing programs at the Hayward Library. There is no negative impact to the General Fund by accepting grant funding, as additional funding will allow the City to continue offering programs to the Hayward community.

*Prepared by:* Brad Olson, Management Analyst II

*Recommended by:* Jayanti Addleman, Director of Library Services

Approved by:



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Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 22-\_\_\_\_

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

AUTHORIZE THE CITY MANAGER TO ACCEPT AND APPROPRIATE UP TO \$10,000 IN FUNDING FROM FIRST 5 OF ALAMEDA COUNTY TO SUPPORT LIBRARY SERVICES AND PROGRAMS

WHEREAS, First 5 Alameda County is an innovative public entity created by the passage of Proposition 10 in 1998 which added fifty cents per pack of cigarettes to help fund early care and education for children 0-5; and

WHEREAS, The organization helps young children grow up healthy and ready to learn during the most important time in their development; and

WHEREAS, First 5 of Alameda County has nearly two decades of experience funding innovative programs and advocating for policies that produce better futures for children in the county; and

WHEREAS, The Library Services department has many educational programs throughout the year specially designed for children 0-5; and

WHEREAS, To fulfill its mission, First 5 of Alameda County frequently partners with local agencies, including the Hayward Public Library;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward authorizes the City Manager to accept and appropriate up to \$10,000 in funding from First 5 of Alameda County to Support Library Services and Programs for FY 2022, and annually for the next three fiscal years (through the end of FY 2025).

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2022

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

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**File #:** CONS 22-356

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**DATE:** June 7, 2022

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT**

Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Professional Services Agreement with Kimley-Horn and Associates, Inc., for Outside Airport Planning and Environmental Services and Appropriate Funds in an Amount Not-to-Exceed \$700,000

**RECOMMENDATION**

That Council adopts a resolution (Attachment II) authorizing the City Manager to negotiate and execute Professional Services Agreements (PSAs) with Kimley-Horn and Associates, Inc., (Kimley-Horn) in an amount not-to-exceed \$700,000 for outside planning and environmental services and to appropriate additional funds in the amount of \$10,000 from the Airport Capital Fund to the Airport Layout Plan (ALP) Update Project, Project No. 06851, and \$40,000 from the Airport Capital Fund to the Consultant Predesign Services Project, Project No. 06806.

**SUMMARY**

The Hayward Executive Airport (Airport) has utilized both in-house engineering staff and outside consultants in the past to assist with the design and construction administration for some of its capital projects. The Airport will continue to utilize outside consultants due to their expertise and knowledge of Federal Aviation Administration (FAA) regulations and standards, and for other reasons.

A request for qualifications (RFQ) was prepared according to City procurement policy and FAA guidance. After reviewing and considering the merits of each of the two statements of qualifications received, Kimley-Horn was selected as the consultant for the next two years and will be engaged to complete two projects for the Airport. The first is an update of the ALP that includes an inventory of current facilities and potential capital project locations. The second will consider the modification and relocation of the Remote Transmitter Receiver (RTR), which serves as a means of communication between the pilot and air traffic control.

It is expected that the total cost for both of these projects, as well as other minor projects that may occur during the next two years, will not exceed \$700,000. Most of this funding is included as part of the Recommended FY 2023 Capital Improvement Program (CIP) under Projects 06851 and 06806, with 90%

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**File #:** CONS 22-356

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of the cost for the ALP Update (approximately \$535,000) to be reimbursed by the FAA. In order to fully encumber the total cost of the requested services, an additional appropriation is needed in the amounts of \$10,000 for Project 06851 (ALP Update) and \$40,000 for Project 06806 (Consultant Predesign Services).

**ATTACHMENTS**

Attachment I Staff Report  
Attachment II Resolution



**DATE:** June 7, 2022

**TO:** Council Airport Committee

**FROM:** Director of Public Works

**SUBJECT:** Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Professional Services Agreement with Kimley-Horn and Associates, Inc., for Outside Airport Planning and Environmental Services and Appropriate Funds in an Amount Not-to-Exceed \$700,000

**RECOMMENDATION**

That Council adopts a resolution (Attachment II) authorizing the City Manager to negotiate and execute Professional Services Agreements (PSAs) with Kimley-Horn and Associates, Inc., (Kimley-Horn) in an amount not-to-exceed \$700,000 for outside planning and environmental services and to appropriate additional funds in the amount of \$10,000 from the Airport Capital Fund to the Airport Layout Plan (ALP) Update Project, Project No. 06851, and \$40,000 from the Airport Capital Fund to the Consultant Predesign Services Project, Project No. 06806.

**SUMMARY**

The Hayward Executive Airport (Airport) has utilized both in-house engineering staff and outside consultants in the past to assist with the design and construction administration for some of its capital projects. The Airport will continue to utilize outside consultants due to their expertise and knowledge of Federal Aviation Administration (FAA) regulations and standards, and for other reasons.

A request for qualifications (RFQ) was prepared according to City procurement policy and FAA guidance. After reviewing and considering the merits of each of the two statements of qualifications received, Kimley-Horn was selected as the consultant for the next two years and will be engaged to complete two projects for the Airport. The first is an update of the ALP that includes an inventory of current facilities and potential capital project locations. The second will consider the modification and relocation of the Remote Transmitter Receiver (RTR), which serves as a means of communication between the pilot and air traffic control.

It is expected that the total cost for both of these projects, as well as other minor projects that may occur during the next two years, will not exceed \$700,000. Most of this funding is

included as part of the Recommended FY 2023 Capital Improvement Program (CIP) under Projects 06851 and 06806, with 90% of the cost for the ALP Update (approximately \$535,000) to be reimbursed by the FAA. In order to fully encumber the total cost of the requested services, an additional appropriation is needed in the amounts of \$10,000 for Project 06851 (ALP Update) and \$40,000 for Project 06806 (Consultant Predesign Services).

## **BACKGROUND**

The Airport has employed the use of both consultants and in-house engineering and design staff in the past to assist with the design and construction administration of various Airport-related capital projects. The Airport will continue to utilize outside consultants due to their expertise and knowledge of FAA regulations and standards.

According to City procurement policy and FAA guidance, Airport staff and the Purchasing Division distributed a RFQ to aviation consultants. After reviewing and considering the merits of each RFQ received, Kimley-Horn was selected as the consultant for the next two years and will be engaged to complete two projects for the Airport as further discussed below.

## **DISCUSSION**

Kimley-Horn will be tasked with working on two projects during the length of this two-year contract. The first will be the development of an updated ALP, and the second will be an analysis of the RTR installation at the Airport.

### ***Airport Layout Plan with Narrative - \$594,000***

The ALP with Narrative provides an inventory of Airport facilities including buildings, runways, taxiways, and aircraft parking aprons. The ALP also depicts the locations of potential capital projects. The narrative report will include the following:

- Obstructions on and in the vicinity of the Airport
- Evaluation of Runway Safety Areas
- Airports Geographic Information Systems (AGIS) survey
- Airport geometry

The ALP Update will ensure Airport facilities conform to current FAA design standards. Kimley-Horn will assist in preparing the ALP Update, in accordance with FAA requirements.

### ***Evaluation of Remote Transmitter Receiver (RTR) at the Airport - \$66,000***

In brief, the RTR is a remote aviation band radio transceiver that extends the communication capabilities of air traffic control facilities.

The project will include the following key tasks:

- Model new building construction including physical dimensions and heights
- Model the impact on the existing RTR to determine and evaluate signal loss, if any
- Provide a summary report

It is expected that this project will take approximately three months to complete.

### ***Other Airport-Related Services - \$40,000***

There will be occasions that require interpretation of FAA policies and design standards and evaluating impacts to the airport. It would be beneficial to have expert advice on other administrative projects that arise.

### **ECONOMIC IMPACT**

Projects identified in the ALP will ultimately generate work for skilled and unskilled tradespeople during the construction phase.

### **FISCAL IMPACT**

As noted earlier, most of the costs associated with the outside consultant agreement have been programmed into the Recommended FY 2023 CIP. In order to fully encumber the total cost of the requested services, an additional appropriation is needed in the amounts of \$10,000 for Project 06851 (ALP Update) and \$40,000 for Project 06806 (Consultant Predesign Services). 90% of the total cost for the ALP Update, or \$535,000 will be reimbursed through the FAA. The Airport Capital Fund of the CIP includes sufficient funding to accommodate the additional budget appropriation needed for this contract.

The Airport is operated as a financially independent Enterprise Fund. It receives no financial support from the City's General Fund and must solely rely on the revenue it generates to fund its annual operating and capital improvement budgets. FAA regulations require the Airport to be as financially self-sustaining as possible, which is also an objective of Council.

### **STRATEGIC ROADMAP**

This agenda item supports the Strategic Roadmap priority to Invest in Infrastructure. Specifically, Invest in City Facilities & Property, Section N12, Upgrade and Maintain Airport Infrastructure and facilities.

### **SUSTAINABILITY FEATURES**

The Airport is strongly committed to developing projects that are environmentally responsible. Therefore, staff will ensure than all plans proposed by future developers incorporate features that are in line with the City's sustainability guidelines.

**PUBLIC CONTACT**

The agenda and staff report for this item have been posted on the City's website and distributed to interested parties. In addition, key new development projects, such as the Skywest property and the CANG site, have been discussed with Council and the community over the past couple of years.

**NEXT STEPS**

If Council adopts this resolution, the City Manager will finalize negotiations and execute the contract with Kimley-Horn.

*Prepared by:* Doug McNeeley, Airport Manager

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

Approved by:



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Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 22-

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

RESOLUTION AUTHORIZING THE CITY MANAGER TO APPROPRIATE FUNDS IN SUPPORT OF AND EXECUTE A TWO-YEAR AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC., FOR OUTSIDE PLANNING AND ENVIRONMENTAL SERVICES AT HAYWARD EXECUTIVE AIRPORT IN AN AMOUNT NOT-TO-EXCEED \$700,000

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

WHEREAS, The Airport has employed the use of both consultants and in-house engineering and design staff in the past to assist with the design and construction administration of various Airport-related capital projects due to their expertise and knowledge of Federal Aviation Administration (FAA) regulations; and

WHEREAS, According to City procurement policy and FAA guidance, staff distributed a Request for Qualifications (RFQ) to aviation consultants, reviewed and considered the merits of each proposal received and selected Kimley-Horn and Associates, Inc., (Kimley-Horn) was as the consultant for the next two years; and

WHEREAS, Kimley-Horn will be tasked with working on two projects during the length of this two-year contract including the development of an updated Airport layout Plan (ALP), and an analysis of the Remote Transmitter Receiver (RTR) installation at the Airport and will also be utilized to assist in the interpretation of new FAA policies and procedures and to evaluate the impact those may have on the airport; and

WHEREAS, the cost of this Agreement will not exceed \$700,000; and

WHEREAS, the Recommended FY 2023 Capital Improvement Program (CIP) includes funding for the ALP Update, RTR analysis, and other requested services in the Airport Capital Fund (Fund 621), ALP Update, Project No. 06851 and Consultant Predesign Services, Project No. 06806; and

WHEREAS, an additional \$10,000 is required for Project 06851 and \$40,000 is required for Project 0680 and the Airport Capital Fund of the CIP includes sufficient funding to accommodate the additional budget needed for this Agreement and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized to execute a two-year Agreement with Kimley-Horn and Associates, Inc., for outside planning and environmental services for the Hayward Executive Airport in an Amount Not-to-Exceed \$700,000, in a form to be approved by the City Attorney.

BE IT FURTHER RESOLVED by the City Council of the City of Hayward that additional funds be appropriated in the total amount of \$50,000, from the Capital Improvement Program – Airport Capital Fund (Fund 621) as follows:

- Project 06851: Increase of \$10,000
- Project 06806: Increase of \$40,000

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2022

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](http://www.Hayward-CA.gov)

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**File #:** PH 22-026

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**DATE:** June 7, 2022

**TO:** Mayor and City Council

**FROM:** Director of Finance

**SUBJECT**

Gann Appropriations Limit for Fiscal Year 2023: Adopt Appropriations Limit for Fiscal Year 2023 Pursuant to Article XIII B of the Constitution of the State of California

**RECOMMENDATION**

That Council adopts a resolution (Attachment II) establishing a Gann appropriations limit for Fiscal Year 2023.

**SUMMARY**

Each fiscal year, the City is required to calculate and establish its appropriations limit. The Gann Limit for FY 2023 is calculated at \$385,856,903, and the appropriations subject to the limit total \$134,128,080.

**ATTACHMENTS**

|                |                          |
|----------------|--------------------------|
| Attachment I   | Staff Report             |
| Attachment II  | Resolution               |
| Attachment III | Gann Appropriation Limit |



**DATE:** June 7, 2022

**TO:** Mayor and City Council

**FROM:** Director of Finance

**SUBJECT:** Gann Appropriations Limit for Fiscal Year 2023: Adopt Appropriations Limit for Fiscal Year 2023 Pursuant to Article XIII B of the Constitution of the State of California

## **RECOMMENDATION**

That Council adopts a resolution (Attachment II) establishing a Gann appropriations limit for Fiscal Year 2023.

## **SUMMARY**

Each fiscal year, the City is required to calculate and establish its appropriations limit. The Gann Limit for FY 2023 is calculated at \$385,856,903, and the appropriations subject to the limit total \$134,128,080.

## **BACKGROUND**

State Proposition 4, commonly known as the Gann Initiative, was approved by California voters in November 1979. Proposition 4 created Article XIII B of the State Constitution, which places limits on the amount of revenue that can be spent by government agencies. This is referred to as the Gann Appropriation Limit, or Gann Limit.

A subsequent related State Initiative, Proposition 111, was approved by the voters in June 1990 and provided new adjustment formulas to make the Gann Limit more responsive to local growth issues and to address concerns regarding the accountability of local governments in adopting their limits. Prior to each fiscal year, city councils must adopt by resolution the Gann Appropriation Limit for the city for the upcoming year. In addition, cities are required to conduct a review of their limits during annual financial audits.

The appropriations limitation imposed by Propositions 4 and 111 creates a restriction on the amount of revenue that can be appropriated in any fiscal year. The limit is based on actual appropriations during the 1978-79 fiscal year and is increased each year using population and inflation growth factors. Only revenues that are classified as "proceeds of taxes" are subject to

the limit. The use of "non-tax proceeds" (user fees, rental income, franchise fees, Gas Tax revenue) is not restricted.

## **DISCUSSION**

During any fiscal year, a city may not appropriate any proceeds of taxes it receives in excess of its established limit. Excess funds received in any year may be carried into the subsequent year for use if the city is below its limit for that year. Any excess funds remaining after the second year would be required to be returned to local taxpayers by reducing tax rates or fees. As an alternative, a majority of the voters may approve an "override" to increase the city's appropriations limit.

Senate Bill 1352 requires that the governing body of each local jurisdiction shall, by legislative action, establish its appropriations limit at a regularly scheduled or special meeting and that the documentation used in the determination of the appropriations limit shall be made available to the public fifteen days before that meeting. Government Code Section 7910 requires that the City adopt its appropriations limit prior to the beginning of each fiscal year.

The Finance Department of the City of Hayward compiles the data and makes calculations incident to the determination of the XIII B appropriations limit. The resolution establishes the appropriations limit for FY 2023 to be \$385,856,903. The appropriations subject to the limit total \$134,128,080.

## **STRATEGIC ROADMAP**

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

## **FISCAL IMPACT**

There are no present fiscal impacts related to establishing the limit for FY 2023. The amount of appropriations subject to the limit is the budgeted proceeds of taxes (e.g., all taxes levied; transfers from an enterprise fund to the extent those transfers exceed the cost of providing the services; discretionary state subventions; interest earned from the investment of proceeds of taxes, etc.), and the total of these budgeted revenues cannot exceed the total appropriations limit.

The City's actual appropriations in each fiscal year have been significantly below the limit, as will be for FY 2023. The table below summarizes the limit for FY 2023 and the preceding five years.

|                | <b>Appropriations<br/>Limit</b> | <b>Appropriations<br/>Subject to Limit</b> |
|----------------|---------------------------------|--|
| <b>FY 2018</b> | 300,941,937                     | 108,609,975                                |
| <b>FY 2019</b> | 314,607,193                     | 121,761,732                                |
| <b>FY 2020</b> | 329,169,966                     | 133,271,670                                |
| <b>FY 2021</b> | 342,711,363                     | 108,563,100                                |
| <b>FY 2022</b> | 361,008,034                     | 127,106,342                                |
| <b>FY 2023</b> | 385,856,903                     | 134,128,080                                |

**PUBLIC CONTACT**

The amount of the Fiscal Year 2023 appropriations limit and the documentation substantiating this determination are available for review by the public by contacting the Office of the City Clerk.

*Prepared by:* Rick Rivera, Management Analyst II  
Nicole Gonzales, Deputy Director of Finance

*Recommended by:* Dustin Claussen, Director of Finance

Approved by:




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Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 22-

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

ADOPTION OF APPROPRIATIONS LIMIT FOR FISCAL YEAR 2023 PURSUANT  
TO ARTICLE XIII B OF THE CONSTITUTION OF THE STATE OF CALIFORNIA

WHEREAS, on November 6, 1979, the citizens of the State of California approved Proposition 4, which added Article XIII B to the Constitution of the State of California to place various limitations on the fiscal powers of State and local government; and

WHEREAS, Senate Bill 1352, Government Code Section 7900, et. seq. enacted by the California Legislature, provides for the implementation of Article XIII; and

WHEREAS, the City is required to establish its appropriations limit at a regularly scheduled meeting or noticed special meeting, and 15 days prior to such meeting, the documentation used in the determination of the appropriations limit shall be made available to the public; and

WHEREAS, the Gann Limit for FY 2023 is calculated at \$385,856,903, and the appropriations in FY 2023 subject to this limit total \$134,128,080; and

WHEREAS, the FY 2023 Gann Limit was calculated using the change in the cost of living based on the change in California per capita personal income, and the change in population based on the percentage change in population within Alameda County.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hayward that at its meeting of June 7, 2022, Council will adopt a Resolution that establishes the appropriations limit for the FY 2023 pursuant to Article XIII B of the Constitution of the State of California.

BE IT FURTHER RESOLVED that the documentation used in the determination of the appropriations limit for FY 2023 is available for public review by contacting the Office of the City Clerk of the City of Hayward.

IN COUNCIL, HAYWARD, CALIFORNIA June 7, 2022

ADOPTED BY THE FOLLOWING VOTE:

AYES:           COUNCIL MEMBERS:  
                  MAYOR:

NOES:           COUNCIL MEMBERS:

ABSTAIN:       COUNCIL MEMBERS:

ABSENT:        COUNCIL MEMBERS:

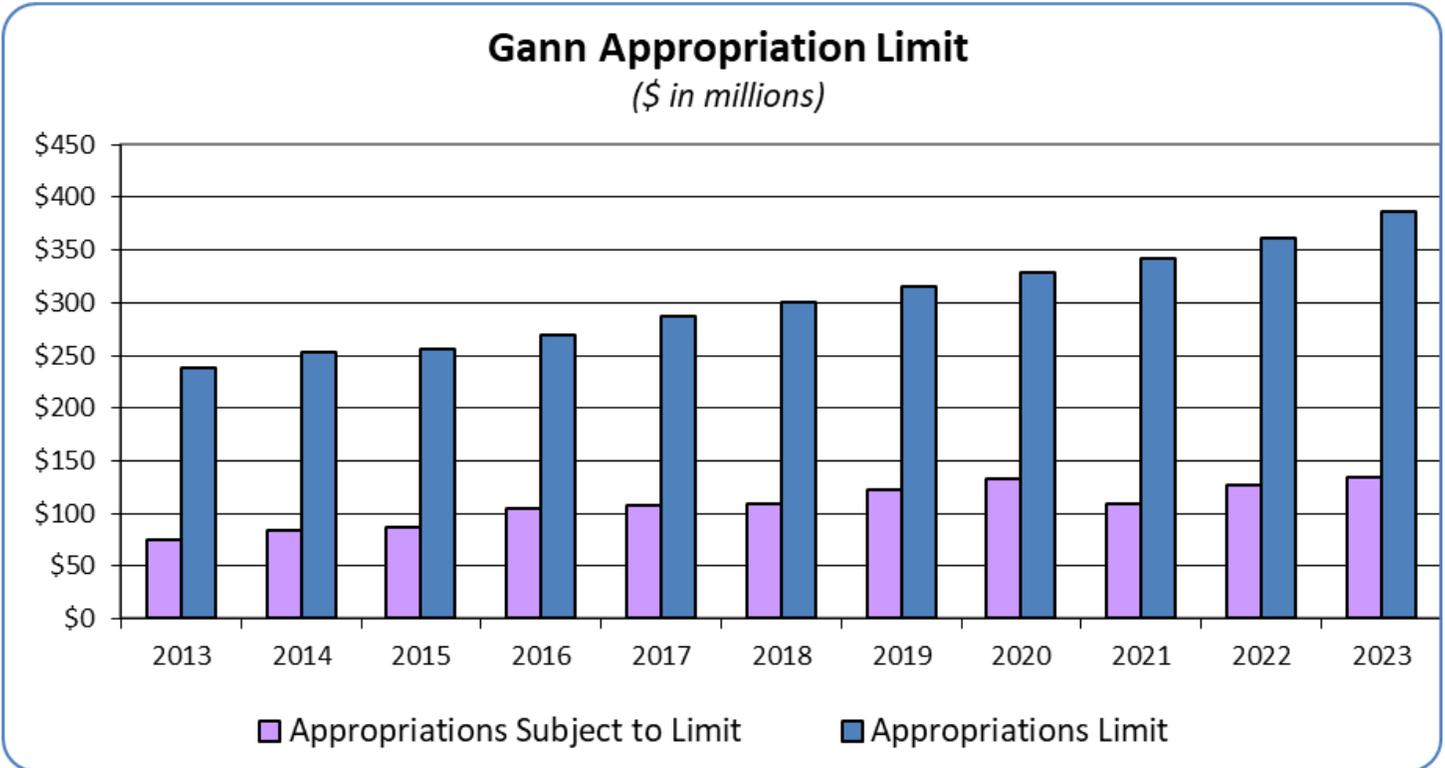
ATTEST: \_\_\_\_\_  
          City Clerk of the City of Hayward

APPROVED AS TO FORM:

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

City of Hayward

Gann Appropriations  
Limit



Gann Appropriation Limit

| Fiscal Year | Population Factor | Inflation Factor | Total Adjustment Factor | Appropriations Limit | % Change | Appropriations Subject to Limit | % of Limit Appropriated |
|-------------|-------------------|------------------|-------------------------|----------------------|----------|---------------------------------|-------------------------|
| 2013        | 1.3900            | 3.7700           | 1.052                   | \$238,086,253        | 5.2%     | \$74,542,885                    | 31.3%                   |
| 2014        | 1.2500            | 5.1200           | 1.064                   | \$253,404,723        | 6.4%     | \$83,291,710                    | 32.9%                   |
| 2015        | 1.5000            | -0.2300          | 1.267                   | \$256,614,221        | 1.3%     | \$87,400,385                    | 34.1%                   |
| 2016        | 1.3000            | 3.8200           | 5.170                   | \$269,880,304        | 5.2%     | \$103,998,849                   | 38.5%                   |
| 2017        | 1.0600            | 5.3700           | 6.487                   | \$287,387,229        | 6.5%     | \$107,969,124                   | 37.6%                   |
| 2018        | 0.9900            | 3.6900           | 4.717                   | \$300,941,937        | 4.7%     | \$108,609,975                   | 36.1%                   |
| 2019        | 0.8400            | 3.6700           | 4.541                   | \$314,607,193        | 4.5%     | \$121,761,732                   | 38.7%                   |
| 2020        | 0.7500            | 3.8500           | 4.629                   | \$329,169,966        | 4.6%     | \$133,271,670                   | 40.5%                   |
| 2021        | 0.3700            | 3.7300           | 4.114                   | \$342,711,363        | 4.1%     | \$108,563,100                   | 31.7%                   |
| 2022        | -0.3700           | 5.7300           | 5.339                   | \$361,008,034        | 5.3%     | \$127,106,342                   | 35.2%                   |
| 2023        | -0.6200           | 7.5500           | 6.883                   | \$385,856,903        | 6.9%     | \$134,128,080                   | 34.8%                   |



# CITY OF HAYWARD

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

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**File #:** PH 22-024

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**DATE:** June 7, 2022

**TO:** Mayor and City Council

**FROM:** Director of Finance

**SUBJECT**

FY 2023 Budget/CIP Public Hearing and Adoption: Public Hearing for the Proposed FY 2023 Operating Budgets for the City of Hayward, Hayward Redevelopment Successor Agency, and Hayward Housing Authority; FY 2023 Capital Improvement Program Budget; Adoption of the FY 2023 Operating Budgets and Appropriations for FY 2023; Adoption of the FY 2023 Capital Improvement Program Budget and Appropriations for FY 2023; Adoption of the Hayward Redevelopment Successor Agency Budget; and Adoption of the Hayward Housing Authority Budget

**RECOMMENDATION**

That the Council: considers the Proposed FY 2023 Operating Budgets of the City, Redevelopment Successor Agency, Housing Authority and Capital Improvement Program (CIP); conducts a Public Hearing on each; and adopts each of the above-mentioned documents should there be no further action needed based on public testimony or at Council's request.

**SUMMARY**

The Council will conduct a public hearing for the adoption of the Proposed FY 2023 Operating Budgets and FY 2023 Capital Improvement Program Budget. Should there be no needed actions following public testimony or Council direction, Council will consider adoption of the FY 2023 Operating Budgets, and FY 2023 Capital Improvement Program Budget.

**ATTACHMENTS**

- |                 |  |
|-----------------|--|
| Attachment I    | Staff Report   |
| Attachment II   | FY 2023 Operating Budget Resolution                      |
| Attachment III  | FY 2023 Budget Exhibits A & B                            |
| Attachment IV   | FY 2023 Budget Redevelopment Agency Successor Resolution |
| Attachment V    | FY 2023 Budget Housing Authority Resolution              |
| Attachment VI   | FY 2023 Capital Improvement Projects Budget Resolution   |
| Attachment VII  | FY 2023 Budget Community Agency Funding Resolution       |
| Attachment VIII | Exhibit A to Community Agency Funding Recommendation     |

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**File #:** PH 22-024

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Attachment IX      Council Budget Work Session #2 Questions Responses  
Attachment X      FY 2022-2032 CIP Projects with Grant Funding



**DATE:** June 7, 2022

**TO:** Mayor and City Council  
Redevelopment Successor Agency Board of Directors  
Housing Authority Board of Directors

**FROM:** Director of Finance

**SUBJECT:** FY 2023 Budget/CIP Public Hearing and Adoption: Public Hearing for the Proposed FY 2023 Operating Budgets for the City of Hayward, Hayward Redevelopment Successor Agency, and Hayward Housing Authority; FY 2023 Capital Improvement Program Budget; Adoption of the FY 2023 Operating Budgets and Appropriations for FY 2023; Adoption of the FY 2023 Capital Improvement Program Budget and Appropriations for FY 2023; Adoption of the Hayward Redevelopment Successor Agency Budget; and Adoption of the Hayward Housing Authority Budget

## **RECOMMENDATION**

That the Council: considers the Proposed FY 2023 Operating Budgets of the City, Redevelopment Successor Agency, Housing Authority and Capital Improvement Program (CIP); conducts a Public Hearing on each; and adopts each of the above-mentioned documents should there be no further action needed based on public testimony or at Council's request.

## **SUMMARY**

The Council will conduct a public hearing for the adoption of the Proposed FY 2023 Operating Budgets and FY 2023 Capital Improvement Program Budget. Should there be no needed actions following public testimony or Council direction, Council will consider adoption of the FY 2023 Operating Budgets, and FY 2023 Capital Improvement Program Budget.

## **BACKGROUND**

The Proposed FY 2023 Operating Budget was delivered to Council on Thursday, April 28, 2022, in advance of the May 14, 2022 Saturday work session. The operating budget is comprised of different funding sources, with the General Fund representing the largest single fund for which the Council has the most discretion. The total City expenditure budget for the Proposed FY 2023 Annual Budget as provided to Council on April 28, 2022, was \$399 million, with a General Fund budget of \$193.9 million.

Council held a budget work session on May 14 to further discuss the proposed budget<sup>1</sup>. These work sessions included presentations, Council discussions, and a time for public input on the following:

- The City's FY 2023 overall operating budget
- Department/Program budgets and operations

Additionally, a work session on the unfinished department presentations and the CIP budget was held on May 17<sup>2</sup>. Following these work sessions, changes to the FY 2023 Proposed Operating and CIP Budgets are recommended as detailed in this report. This meeting has been noticed as a public hearing on the FY 2023 Proposed Operating and CIP budgets and is another opportunity to receive public input. Upon closure of the public hearing, Council will provide any additional comments and direction to staff and, should there be no public testimony or Council-directed changes to the FY 2023 Proposed Operating and CIP budgets, both documents will be considered for adoption upon the closing of the Public Hearing. Should there be public testimony and/or direction from the Council that requires changes to either the FY 2023 Operating or CIP budgets, the public hearing will be closed, and the FY 2023 Proposed Operating and CIP budgets will be presented for adoption on June 14, 2021.

## **DISCUSSION**

The Proposed FY 2023 Operating Budget and CIP documents provide the foundation for the budget discussions. Through discussions at the various budget work sessions/meetings, recommended adjustments to the proposed budget are incorporated in this report, which contains a summary of the changes to date, and the impacts to the General Fund and all other operating funds.

The Proposed FY 2023 Operating Budget provided to Council on April 28, 2022, is balanced and projected to build General Fund Reserves by \$5.2 million. The Proposed FY 2023 Operating Budget includes the one-time transfer of American Rescue Plan Act (ARPA) funding for the replacement of lost revenue during the COVID crisis. The City continues to forecast structural budget gaps in future years, as the City continues to recover from the impacts of the pandemic while continuing to balance rising operational costs. On Saturday, May 14, 2022, Council discussed the proposed FY 2023 Operating Budget at an all-day work session. Revisions made after the May 14 budget work session are detailed below. The incorporated changes to the proposed FY 2023 Operating Budget will result in building the General Fund Reserves by \$4.5 million.

On April 14, 2022, the Planning Commission held a public hearing and found the proposed FY 2023-2032 CIP document in conformance with the General Plan. On April 27, 2022, the Council Infrastructure Committee (CIC) discussed the proposed CIP budget and new CIP online platform. On May 17, 2022, Council reviewed and discussed the proposed FY 2023-2032 CIP budget during a work session.

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<sup>1</sup>[CITY OF HAYWARD - Meeting of City Council on 5/14/2022 at 9:00 AM \(legistar.com\)](#)

<sup>2</sup>[CITY OF HAYWARD - Files #: WS 22-011 and WS 22-013 \(legistar.com\)](#)

The tables below illustrate the proposed FY 2023 Operating Budget expenditure and revenue projections as presented to Council on April 28, 2022.

**Table 1 – Citywide Expenditure Budget**

| <i>in 1,000's</i>        | <b>FY 2022<br/>Adopted</b> | <b>FY 2023<br/>Proposed<br/>4/28/2022</b> | <b>FY 2023<br/>Proposed<br/>6/7/2022</b> | <b>Change<br/>from<br/>4/28/2022</b> | <b>\$ Change<br/>from<br/>FY 2022</b> | <b>% Change<br/>from<br/>FY 2022</b> |
|--------------------------|----------------------------|---|--|--------------------------------------|---------------------------------------|--------------------------------------|
| General Fund             | \$ 184,787                 | \$ 193,986                                | \$ 194,688                               | \$ 702                               | \$ 9,901                              | 5.4%                                 |
| All Other Funds          | \$ 164,701                 | \$ 205,033                                | \$ 206,617                               | \$ 1,584                             | \$ 41,916                             | 25.4%                                |
| <b>Total City Budget</b> | <b>\$ 349,488</b>          | <b>\$ 399,020</b>                         | <b>\$ 401,305</b>                        | <b>\$ 2,286</b>                      | <b>\$ 51,817</b>                      | <b>14.8%</b>                         |

The changes for General Fund and All Other Funds from the time that the proposed budget was provided to Council on April 28<sup>h</sup> include the following:

**General Fund Expenses:**

1. Internal Service Fund adjustments – Net increase of \$25,000
2. Restore program budget reduction in Public Works and Utilities - Increase of \$60,000
3. Library Strategic Plan – Contract Services – Increase of \$75,000
4. Security Services at the Main Library and Weekes Branch Library – Increase of \$116,480
5. Personnel Changes in Police Department (reclassification of existing position to reflect increased level of responsibility) – Increase of \$41,268
6. Transfer-Out to new Cannabis Community Fund (1/7 of Cannabis Tax collected in FY 2020 and FY 2021) – Increase of \$63,552
7. Transfer-Out to Risk Management Fund for projected increase in insurance premium expense – Increase of \$320,270

**All Other Funds Expenses:**

1. ARPA Project Appropriation for Tax-Defaulted/Foreclosure Property Program implementation in Year 2 rather than Year 3 of the Federal Stimulus Expenditure Plan – Increase \$1,000,000
2. CDBG Entitlement Award for program income – Increase of \$366,212
3. Financial Services for Redevelopment Successor Agency – Increase of \$5,000
4. Bay Area Water Supply & Conservation Agency (BAWSCA) membership increase of \$101,621
5. Transfer-Out across several operating funds to Risk Management Fund for projected increase in insurance premium expense – Increase of \$111,752

**Table 2 – Citywide Revenue Projections**

| <i>in 1,000's</i>        | <b>FY 2022<br/>Adopted</b> | <b>FY 2023<br/>Proposed<br/>4/28/2022</b> | <b>FY 2023<br/>Proposed<br/>6/7/2022</b> | <b>Change<br/>from<br/>4/28/2022</b> | <b>\$ Change<br/>from<br/>FY 2022</b> | <b>% Change<br/>from<br/>FY 2022</b> |
|--------------------------|----------------------------|---|--|--------------------------------------|---------------------------------------|--------------------------------------|
| General Fund             | \$ 178,634                 | \$ 199,141                                | \$ 199,141                               | \$ -                                 | \$ 20,506                             | 11.5%                                |
| All Other Funds          | \$ 178,553                 | \$ 196,474                                | \$ 197,135                               | \$ 661                               | \$ 18,583                             | 10.4%                                |
| <b>Total City Budget</b> | <b>\$ 357,187</b>          | <b>\$ 395,615</b>                         | <b>\$ 396,276</b>                        | <b>\$ 661</b>                        | <b>\$ 39,089</b>                      | <b>10.9%</b>                         |

There are no changes to the General Fund revenue projections from the proposed budget. Proposed changes to revenue projections for All Other Funds are as follows:

**All Other Funds Revenues:**

1. CDBG entitlement award, resulting in an increase of \$241,746
2. Transfer-In to Risk Management Fund (General Liability Insurance) from operating funds related to the projected increase in insurance premium expense - increase of \$430,692
3. Transfer-In to Cannabis Community Fund for 1/7 of Cannabis Tax collected in FY 2020 and FY 2021 – Increase of \$63,552
4. Internal Service Fee (Fleet Management) charge from other funds, decrease of \$75,000.

**Table 3 - Citywide Staffing**

|                          | <b>FY 2022<br/>Adopted</b> | <b>FY 2023<br/>Proposed<br/>4/28/2022</b> | <b>FY 2023<br/>Proposed<br/>6/7/2022</b> | <b>#<br/>Change from<br/>FY 2022</b> | <b>% Change<br/>from<br/>FY 2022</b> |
|--------------------------|----------------------------|---|--|--------------------------------------|--------------------------------------|
| General Fund             | 671.80                     | 678.17                                    | 678.17                                   | 6.37                                 | 0.9%                                 |
| All Other Funds          | 238.00                     | 238.13                                    | 238.13                                   | 0.13                                 | 0.1%                                 |
| <b>Total City Budget</b> | <b>909.80</b>              | <b>916.30</b>                             | <b>916.30</b>                            | <b>6.50</b>                          | <b>0.7%</b>                          |

On April 28, 2022, Council received the proposed FY 2023 Operating Budget, which summarized proposed position changes. Table 4 is the summary of proposed position changes presented on April 28, 2022. The FY 2023 proposed budget includes an increase of 6.5 FTE over FY 2022 Adopted. There are no changes to the proposed FY 2023 Citywide staff as presented to Council on April 28, 2022.

**Table 4 – Proposed General Fund Staffing Changes (April 28, 2022)**

| Fund                          | Position  | FTE          |
|-------------------------------|---|--------------|
| <b>General Fund</b>           |   |              |
|                               | <i>Add</i> Management Analyst II                  | 1.00         |
|                               | <i>Add</i> Deputy Director of Human Resources     | 1.00         |
|                               | <i>Add</i> Human Resources Manager                | 2.00         |
|                               | <i>Add</i> Lead Library Assistant                 | 0.50         |
|                               | <i>Add</i> Accountant                             | 1.00         |
|                               | <i>Delete</i> Groundskeeper/Laborer               | -0.85        |
|                               | <i>Add</i> Landscape Maintenance Supervisor       | 0.85         |
|                               | <i>Delete</i> Maintenance Worker                  | -1.00        |
|                               | <i>Add</i> Streets Maintenance Supervisor         | 1.00         |
|                               | <i>Reallocation</i>                               | 0.85         |
|                               | <b>General Fund Total</b>                         | <b>6.35</b>  |
| <b>Special Revenue Funds</b>  |   |              |
|                               | <i>Deleted</i> Administrative Clerk               | -1.00        |
|                               | <i>Add</i> Secretary                              | 1.00         |
|                               | <i>Reallocation</i>                               | -0.20        |
|                               | <b>Special Revenue Funds Total</b>                | <b>-0.20</b> |
| <b>Internal Service Funds</b> |   |              |
|                               | <i>Add</i> Human Resources Analyst (limited-term) | 1.00         |
|                               | <b>Internal Funds Total</b>                       | <b>1.00</b>  |
| <b>Enterprise Funds</b>       |   |              |
|                               | <i>Delete</i> Groundskeeper/Laborer               | -0.15        |
|                               | <i>Add</i> Landscape Maintenance Supervisor       | 0.15         |
|                               | <i>Reallocation</i>                               | -0.65        |
|                               | <b>Enterprise Funds Total</b>                     | <b>-0.65</b> |
|                               | <b>ALL FUNDS TOTAL</b>                            | <b>6.50</b>  |

**Capital Improvement Program (CIP) FY 2023 – FY 2032**

The FY 2023 CIP appropriations total approximately \$118 million, and a projected total programming of \$634 million for the period of FY 2023 through FY 2032. Detail of the FY 2023 CIP is included as Attachment VI. There are no additional changes to the proposed CIP.

**FISCAL IMPACT**

Table 5 below summarizes the FY 2023 Citywide Operating & CIP expenditure budgets.

**Table 5 – Summary of Citywide Operating & CIP Budgets**

| <b>City of Hayward Budget</b>                         | <b>FY 2023</b>     |
|---|--------------------|
| <b>City Funds</b>                                     |                    |
| General Fund  | 194,688,033        |
| Measure C Fund  | 20,509,198         |
| ARPA Fund   | 16,436,000         |
| Special Revenue Funds                                 | 11,240,606         |
| Debt Service Funds                                    | 9,203,371          |
| Enterprise Funds                                      | 105,239,903        |
| Internal Service Funds                                | 39,314,661         |
|   | <b>396,631,771</b> |
| <b>Agency Funds</b>                                   |                    |
| Hayward Successor Redevelopment Agency Operating Fund | 4,377,063          |
| Housing Authority Fund                                | 179,370            |
| Hayward Shoreline JPA                                 | 116,333            |
|   | <b>4,672,767</b>   |
| <b>Total City Operating Budget</b>                    | <b>401,304,539</b> |
| <b>Total CIP Budget</b>                               | <b>118,122,302</b> |

**PUBLIC CONTACT**

The Proposed FY 2023 Operating Budget was reviewed in public meetings by Council on May 14, 2022, and May 17, 2022. The FY 2023 Operating Budget was discussed at the monthly Council Budget and Finance Committee starting in January 2022 through April 2022. A public notice was published in The Daily Review on May 27 and June 3 announcing the date, time, location, and subject matter of this public hearing. A notice advising residents about the Planning Commission’s public hearing on the CIP was published in The Daily Review newspaper more than the requisite ten days in advance.

The FY 2023 Proposed Operating Budget is currently available to the public by contacting the City Clerk’s Office at [cityclerk@hayward-ca.gov](mailto:cityclerk@hayward-ca.gov) or (510) 583-4400, and on the City’s website at: <https://www.hayward-ca.gov/your-government/documents/budget-documents>

The FY 2022 Capital Improvement Program Budget is currently available to the public by contacting the City Clerk’s Office at [cityclerk@hayward-ca.gov](mailto:cityclerk@hayward-ca.gov) or (510) 583-4400, and on the City’s website at: <https://www.hayward-ca.gov/your-government/documents/capital-improvement-program>

## **NEXT STEPS**

If Council adopts the FY 2023 Operating Budget and Capital Improvement Program Budget this evening, staff will take the appropriate steps to effectuate the adoption.

*Prepared by:* Nicole Gonzales, Deputy Director of Finance

*Recommended by:* Dustin Claussen, Director of Finance

Approved by:

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

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Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 22-

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

RESOLUTION APPROVING THE OPERATING BUDGET OF THE CITY OF HAYWARD FOR FISCAL YEAR 2023; ADOPTING APPROPRIATIONS FOR FISCAL YEAR 2023, EXCEPT FOR GENERAL FUND COMMUNITY AGENCY FUNDING

WHEREAS, the City Manager has submitted to the City Council of the City of Hayward estimates of revenues from all sources and estimates of expenditures required for the proper conduct of the activities of the City of Hayward for fiscal year 2023 contained in those documents entitled "City of Hayward Proposed FY 2023 Operating Budget," with adjustments to the Proposed Budget as discussed at the June 7, 2022, Council Public Hearing and contained herein; and

WHEREAS, a Council Work Session and a public hearing were held by the City Council of the City of Hayward, at which time all interested persons were afforded an opportunity to be heard on matters pertaining to the budget recommended by the City Manager.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward as follows:

1. That the budget presented by the City Manager in the document entitled "City of Hayward Proposed FY 2023 Operating Budget," with adjustments to the proposed budget as outlined in the June 7, 2022, staff report is hereby approved and adopted as the budget of the City of Hayward for FY 2023, with specific exception of General Fund Community Agency funding, which is separately addressed in Resolution No. 22-XXX. Copies of the budget documents and the staff reports presented by the City Manager are on file in the office of the City Clerk and are hereby referred to, incorporated herein, and made a part of this resolution as though set forth in full.
2. That except as may be otherwise provided, any and all expenditures relating to the objectives described in the budget are hereby approved and authorized and payments therefore may be made by the Director of Finance of the City of Hayward without further action of Council.
3. That for the purposes of determining whether the City Manager is authorized to execute a contract for a commodity or service pursuant to City Charter section 701 subsection 8, the City Manager shall have the authority to expend such funds and enter into and execute any and all contracts and documents necessary to carry out the priorities and service delivery outcomes of the Council's appropriations as set forth in this budget.

4. The City Manager shall have the authority to bind and prepay all coverage and to negotiate and execute all documents necessary to obtain the insurance, third party administration services, loss fund stabilization and defense of claims budgeted for in the Liability Insurance Fund. In consultation with the City Attorney, the City Manager and/or City Attorney shall be authorized to represent the City on the board of the Exclusive Risk Management Authority of California and take any and all actions necessary or appropriate to advance the City’s interests in connection with risk management services and procuring of insurance coverage.
5. The Director of Finance is hereby authorized to transfer the amounts from one fund to another as indicated in Exhibit A at such time as he/she may determine, giving consideration to the intended purposes for which the transfers are made and available balances in each of the funds.
6. The amounts as reflected in Exhibit B are hereby appropriated for expenditure.
7. Any monies received during FY 2023 as a consequence of a grant application approved by the City Council are hereby appropriated for the purposes for which the grant has been approved. Such appropriation includes authorization for the City Manager to expend such monies and for the Director of Finance to make payments therefore in accordance with the terms and conditions and for the purposes of the grant.
8. The Director of Finance is directed to comply with GASB 31 (Unrealized investment gains and losses) and is authorized to make such entries as are required to the City’s financial records. In addition, the Director of Finance is authorized to make such changes to the budget as are required by GASB 31.
9. There are hereby appropriated the following amounts to the General Fund Reserve and Designation of Fund Balances, which the Director of Finance shall enter upon the records and reflect in the financial statement of the City:

| <u>General Fund - Fund Balance Designations</u> | <u>FY 2023</u>       |
|---|----------------------|
| <u>Unassigned</u>                               | 39,401               |
| <b><u>Total Designated Fund Balance</u></b>     | <b>\$ 39,401</b>     |
| <br><b>Proposed Change in Fund Balance</b>      | <br><b>4,453</b>     |
| <br><b>Total Reserves &amp; Designated</b>      | <br><b>\$ 43,854</b> |

In addition to the above specified amounts, the balances in each fund that are not otherwise appropriated are hereby appropriated to Contingency Reserves in those funds.

Expenditures from Reserves or Designated Fund Balances shall require the approval of the City Council.

- 10. The Director of Finance is hereby authorized and directed to distribute the above appropriations, transfers, and reserves to the various accounts of the City in accordance with generally accepted accounting principles and consistent with the purposes and objectives as outlined in the approved budget.
- 11. Any contract for professional services included in the annual budget that will cost more than \$75,000 shall be executed by the City Manager only upon approval of the contract by the City Council given at a meeting of the City Council.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2022.

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

**FY 2023 Fund Transfers To/From**

**ATTACHMENT III**

**EXHIBIT A**

**General Fund Transfers In**

|                         |     |   |             |
|-------------------------|-----|---|-------------|
| 100-00-0000-00000-49100 | 217 | Cost Allocation From Paratransit Measure B Fund       | (39,319)    |
| 100-00-0000-00000-49100 | 231 | Cost Allocation From Used Oil Fund                    | (930)       |
| 100-00-0000-00000-49100 | 232 | Cost Allocation From Measure D Fund                   | (37,327)    |
| 100-00-0000-00000-49100 | 245 | Cost Allocation From Housing Authority Fund           | (3,897)     |
| 100-00-0000-00000-49100 | 246 | Cost Allocation From Affordable Housing Fund          | (13,474)    |
| 100-00-0000-00000-49100 | 605 | Cost Allocation From Water Enterprise Fund            | (1,207,770) |
| 100-00-0000-00000-49100 | 606 | Cost Allocation From Water Inter-tie Fund             | (21,329)    |
| 100-00-0000-00000-49100 | 610 | Cost Allocation From Sewer Enterprise Fund            | (823,783)   |
| 100-00-0000-00000-49100 | 615 | Cost Allocation From Stormwater Enterprise Fund       | (125,049)   |
| 100-00-0000-00000-49100 | 620 | Cost Allocation From Airport Enterprise Fund          | (185,168)   |
| 100-00-0000-00000-49540 | 103 | Transfer from ARPA Funds                              | (7,250,000) |
| 100-00-0000-00000-49530 | 815 | Transfer From Successor RDA Fund D/S Repayment        | (800,000)   |
| 100-00-0000-00000-49535 | 210 | Transfer From Gas Tax Fund                            | (240,000)   |
| 100-00-0000-00000-49545 | 810 | Misc. Transfer From CFD #1 for Trustee Costs          | (8,000)     |
| 100-00-0000-00000-49545 | 810 | Misc. Transfer From CFD #2 for Police Services        | (290,000)   |
| 100-00-0000-00000-49545 | 810 | Misc. Transfer From CFD #3 for Police & Fire Services | (175,000)   |

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***Transfers In Total*** **(11,221,046)**

**General Fund Transfers Out**

|                         |     |   |           |
|-------------------------|-----|---|-----------|
| 100-00-0000-00000-98100 | 102 | Transfer to Economic Development Fund                   | 350,000   |
| 100-00-0000-00000-98100 | 720 | OPEB Contribution                                       | 2,625,170 |
| 100-00-0000-00000-98100 | 860 | Transfer to Cannabis Community Fund                     | 63,552    |
| 100-00-0000-00000-98110 | 300 | D/S City Hall Debt Service                              | 1,978,174 |
| 100-00-0000-00000-98110 | 300 | Transfer D/S Fire Station #7                            | 452,854   |
| 100-00-0000-00000-98110 | 300 | Miscellaneous Transfer To Debt Service Fund             | 4,900     |
| 100-00-0000-00000-98110 | 300 | D/S 15 Streetlight Conversion #05188                    | 276,262   |
| 100-00-0000-00000-98110 | 605 | Fire Station #7 Repayment to Water Fund                 | 137,741   |
| 100-00-0000-00000-98115 | 405 | Transfer To Capital Projects                            | 1,539,000 |
| 100-00-0000-00000-98115 | 460 | Capital Transfer To Transportation Sys Improvement Fund | 500,000   |
| 100-00-0000-00000-98115 | 731 | Supplemental To Technology Replacement Fund             | 1,000,000 |
| 100-00-0000-00000-98115 | 726 | Supplemental To Facilities Management Capital Fund      | 710,000   |
| 100-00-0000-00000-98115 | 736 | Supplemental To Fleet Management Capital Fund           | 161,000   |
| 100-00-0000-00000-98200 | 710 | Liability Insurance Allocation                          | 4,887,877 |

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***Transfers Out Total*** **14,686,530**

**Measure C Fund**

|                         |     |   |            |
|-------------------------|-----|---|------------|
| 101-00-0000-00000-98110 | 301 | D/S New Library & Education Center            | 5,415,313  |
| 101-00-0000-00000-98110 | 301 | D/S New Library & Education Center Admin Fees | 3,500      |
| 101-00-0000-00000-98115 | 406 | CIP Transfer                                  | 10,000,000 |
| 101-00-0000-00000-98200 | 710 | Transfer Out to Liability Insurance           | 132,004    |
| 101-00-0000-00000-98100 | 720 | OPEB Contribution                             | 89,773     |

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***Measure C Fund*** **15,640,590**

**Economic Development Fund**

|                         |     |                               |           |
|-------------------------|-----|-------------------------------|-----------|
| 102-00-0000-00000-49530 | 100 | Transfer In From General Fund | (350,000) |
|-------------------------|-----|-------------------------------|-----------|

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***Economic Development Fund*** **(350,000)**

**ARPA Fund**

|                               |     |                              |           |
|-------------------------------|-----|------------------------------|-----------|
| 103-00-0000-02120-98100-RP120 | 100 | Transfer Out to General Fund | 7,250,000 |
|-------------------------------|-----|------------------------------|-----------|

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***ARPA Fund*** **7,250,000**

**OHHA Fund**

|                         |     |                          |                |
|-------------------------|-----|--------------------------|----------------|
| 209-00-0000-00000-98115 | 210 | Transfer to Gas Tax Fund | 183,000        |
| <b>OHHA Fund</b>        |     |                          | <b>183,000</b> |

**Paratransit Fund (Measure BB)**

|                                      |     |  |                |
|--------------------------------------|-----|--|----------------|
| 214-00-0000-00000-98115              | 219 | Transfer Out to Paratransit Capital Fund | 750,000        |
| <b>Paratransit (Measure BB) Fund</b> |     |  | <b>750,000</b> |

**Paratransit Fund (Measure B)**

|                                     |     |  |               |
|-------------------------------------|-----|--|---------------|
| 217-00-0000-00000-97100             | 100 | Transfer Out Cost Allocation To General Fund | 39,319        |
| 217-00-0000-00000-98200             | 710 | Transfer Out To Liability Insurance          | 20,308        |
| 217-00-0000-00000-98100             | 720 | OPEB Contribution                            | 10,187        |
| <b>Paratransit (Measure B) Fund</b> |     |  | <b>69,814</b> |

**Grant Fund**

|                         |     |                                     |              |
|-------------------------|-----|-------------------------------------|--------------|
| 220-00-0000-00000-98100 | 720 | OPEB Contribution                   | 976          |
| 220-00-0000-00000-98200 | 710 | Transfer Out To Liability Insurance | 5,077        |
| <b>Grant Fund</b>       |     |                                     | <b>6,053</b> |

**CDBG Fund**

|                         |     |                                     |              |
|-------------------------|-----|-------------------------------------|--------------|
| 225-00-0000-00000-98200 | 710 | Transfer Out To Liability Insurance | 5,077        |
| 225-00-0000-00000-98100 | 720 | OPEB Contribution                   | 6,167        |
| <b>CDBG Fund</b>        |     |                                     | <b>6,167</b> |

**Used Oil Fund**

|                         |     |  |            |
|-------------------------|-----|--|------------|
| 231-00-0000-00000-98100 | 100 | Transfer Out Cost Allocation to General Fund | 930        |
| <b>Used Oil Fund</b>    |     |  | <b>930</b> |

**Measure D Fund**

|                         |     |  |               |
|-------------------------|-----|--|---------------|
| 232-00-0000-00000-97100 | 100 | Transfer Out Cost Allocation to General Fund | 37,327        |
| 232-00-0000-00000-98200 | 710 | Transfer Out Liability Insurance             | 15,231        |
| 232-00-0000-00000-98100 | 720 | OPEB Contribution                            | 8,392         |
| <b>Measure D Fund</b>   |     |  | <b>60,950</b> |

**Housing Authority Fund**

|                               |     |  |               |
|-------------------------------|-----|--|---------------|
| 245-00-0000-00000-97100       | 100 | Transfer Out Cost Allocation To General Fund | 3,897         |
| 245-00-0000-00000-98200       | 710 | Transfer Out Liability Insurance             | 5,077         |
| 245-00-0000-00000-98100       | 720 | OPEB Contribution                            | 1,756         |
| <b>Housing Authority Fund</b> |     |  | <b>10,730</b> |

**Affordable Housing Fund**

|                                |     |  |               |
|--------------------------------|-----|--|---------------|
| 246-00-0000-00000-97100        | 100 | Transfer Out Cost Allocation To General Fund | 13,474        |
| 246-00-0000-00000-98200        | 710 | Transfer Out To Liability Insurance          | 10,154        |
| 246-00-0000-00000-98100        | 720 | OPEB Contribution                            | 2,147         |
| <b>Affordable Housing Fund</b> |     |  | <b>25,775</b> |

**Inclusionary Housing Fund**

|                                  |     |                   |              |
|----------------------------------|-----|-------------------|--------------|
| 285-00-0000-00000-98100          | 720 | OPEB Contribution | 6,635        |
| <b>Inclusionary Housing Fund</b> |     |                   | <b>6,635</b> |

**Rent Review Program Fund**

|                                 |     |                                     |               |
|---------------------------------|-----|-------------------------------------|---------------|
| 286-00-0000-00000-98200         | 710 | Transfer Out To Liability Insurance | 5,077         |
| 286-00-0000-00000-98100         | 720 | OPEB Contribution                   | 10,581        |
| <b>Rent Review Program Fund</b> |     |                                     | <b>15,658</b> |

**FY 2023 Fund Transfers To/From**

**ATTACHMENT III**

EXHIBIT A

**Certificates of Participation Fund**

|  |     |  |                           |
|--|-----|--|---------------------------|
| 300-00-0000-00000-49555                          | 100 | Transfer In D/S City Hall Debt Service           | (1,978,174)               |
| 300-00-0000-00000-49555                          | 100 | Transfer In D/S Fire Station #7                  | (452,854)                 |
| 300-00-0000-00000-49555                          | 100 | Transfer In D/S 15 Streetlight Conversion #05188 | (276,262)                 |
| 300-00-0000-00000-49555                          | 100 | Transfer In Misc. Transfer From General Fund     | (4,900)                   |
| <b><i>Certificates of Participation Fund</i></b> |     |  | <b><i>(2,712,190)</i></b> |

**Measure C Debt Service Fund**

|   |     |   |                           |
|---|-----|---|---------------------------|
| 301-00-0000-00000-49555                   | 101 | D/S New Library & Education Center            | (5,415,313)               |
| 301-00-0000-00000-49555                   | 101 | D/S New Library & Education Center Admin Fees | (3,500)                   |
| <b><i>Measure C Debt Service Fund</i></b> |     |   | <b><i>(5,418,813)</i></b> |

**Water Maintenance & Operations Fund**

|   |     |   |                         |
|---|-----|---|-------------------------|
| 605-00-0000-00000-49555                               | 100 | Transfer In From General Fund Fire Station #7 Repayment | (137,741)               |
| 605-00-0000-00000-49555                               | 604 | Transfer In D/S 13 Water System                         | (812,775)               |
| 605-00-0000-00000-97100                               | 100 | Transfer Out Cost Allocation To General Fund            | 1,207,770               |
| 605-00-0000-00000-98200                               | 710 | Transfer Out To Liability Insurance                     | 457,374                 |
| 605-00-0000-00000-98100                               | 630 | Transfer Out to Recycled Water Fund                     | 600,000                 |
| 605-00-0000-00000-98100                               | 720 | OPEB Contribution                                       | 244,184                 |
| 605-00-0000-00000-98115                               | 604 | CORRECTION DUPLICATE FY19-21 HESPERIAN PUMP BOND        | 795,000                 |
| 605-00-0000-00000-98115                               | 603 | Transfer Out Capital Reserves To Water                  | 7,000,000               |
| <b><i>Water Maintenance &amp; Operations Fund</i></b> |     |   | <b><i>9,353,812</i></b> |

**Water Inter-Tie Fund**

|                                    |     |  |                      |
|------------------------------------|-----|--|----------------------|
| 606-00-0000-00000-97100            | 100 | Transfer Out Cost Allocation To General Fund | 21,329               |
| <b><i>Water Inter-Tie Fund</i></b> |     |  | <b><i>21,329</i></b> |

**Sewer Maintenance & Operations Fund**

|   |     |  |                         |
|---|-----|--|-------------------------|
| 610-00-0000-00000-49555                               | 612 | Transfer In D/S CEC Loan                           | (217,810)               |
| 610-00-0000-00000-49555                               | 612 | Transfer In D/S CA SWRCB Loan/Sewer                | (1,529,504)             |
| 610-00-0000-00000-97100                               | 100 | Transfer Out Cost Allocation to General Fund       | 823,783                 |
| 610-00-0000-00000-98115                               | 611 | Transfer Out Capital Reserves to Sewer Replacement | 6,500,000               |
| 610-00-0000-00000-98100                               | 720 | OPEB Contribution                                  | 236,924                 |
| 610-00-0000-00000-98200                               | 710 | Transfer Out To Liability Insurance                | 570,708                 |
| <b><i>Sewer Maintenance &amp; Operations Fund</i></b> |     |  | <b><i>6,384,101</i></b> |

**Stormwater Maint. & Operations Fund**

|   |     |  |                       |
|---|-----|--|-----------------------|
| 615-00-0000-00000-97100                               | 100 | Transfer Out Cost Allocation To General Fund | 125,049               |
| 615-00-0000-00000-98100                               | 720 | OPEB Contribution                            | 49,922                |
| 615-00-0000-00000-98115                               | 611 | Transfer to Water Improvement Fund           | 125,000               |
| 615-00-0000-00000-98115                               | 210 | Transfer Out Gas Tax                         | 15,000                |
| 615-00-0000-00000-98200                               | 710 | Transfer Out To Liability Insurance          | 40,618                |
| <b><i>Stormwater Maint. &amp; Operations Fund</i></b> |     |  | <b><i>355,589</i></b> |

**Airport Operations Fund**

|                                       |     |  |                         |
|---------------------------------------|-----|--|-------------------------|
| 620-00-0000-00000-97100               | 100 | Transfer Out Cost Allocation To General Fund | 185,168                 |
| 620-00-0000-00000-98200               | 710 | Transfer Out To Liability Insurance          | 88,013                  |
| 620-00-0000-00000-98100               | 720 | OPEB Contribution                            | 12,334                  |
| 620-00-0000-00000-98115               | 621 | Transfer Out Cap Reserves To Airport Capital | 1,600,000               |
| <b><i>Airport Operations Fund</i></b> |     |  | <b><i>1,885,515</i></b> |

**FY 2023 Fund Transfers To/From**

**ATTACHMENT III**

EXHIBIT A

**Recycled Water Fund**

|                         |     |                                       |           |
|-------------------------|-----|---------------------------------------|-----------|
| 630-00-0000-00000-49530 | 605 | Transfer In from Water Operating Fund | (600,000) |
| 630-00-0000-00000-98115 | 611 | Transfer Out to Sewer Replacement     | 183,000   |
| 630-00-0000-00000-98100 | 720 | OPEB Contribution                     | 3,760     |

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***Recycled Water Fund*** **(413,240)**

**Workers' Compensation Fund**

|                         |     |                                     |        |
|-------------------------|-----|-------------------------------------|--------|
| 705-00-0000-00000-98100 | 720 | OPEB Contribution                   | 16,393 |
| 705-00-0000-00000-98200 | 710 | Transfer Out To Liability Insurance | 20,308 |

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***Workers' Compensation Fund*** **36,701**

**Risk Management Fund**

|                         |     |  |             |
|-------------------------|-----|--|-------------|
| 710-00-0000-00000-49100 | 100 | Transfer In Liability Insurance-General Fund             | (4,887,877) |
| 710-00-0000-00000-49100 | 101 | Transfer In Liability Insurance-Measure C Fund           | (132,004)   |
| 710-00-0000-00000-49100 | 217 | Transfer In Liability Insurance-Meas BB PRTRNST          | (20,308)    |
| 710-00-0000-00000-49100 | 220 | Transfer In Liability Insurance-Grants                   | (5,077)     |
| 710-00-0000-00000-49100 | 225 | Transfer In Liability Insurance-CDBG                     | (5,077)     |
| 710-00-0000-00000-49100 | 232 | Transfer In Liability Insurance-Recycling Program Fund   | (15,231)    |
| 710-00-0000-00000-49100 | 245 | Transfer In Liability Insurance-Housing Fund             | (5,077)     |
| 710-00-0000-00000-49100 | 246 | Transfer In Liability Insurance-Housing Mortg            | (10,154)    |
| 710-00-0000-00000-49100 | 286 | Transfer In Liability Insurance-Rent Review Program Fund | (5,077)     |
| 710-00-0000-00000-49100 | 605 | Transfer In Liability Insurance-Water Fund               | (457,374)   |
| 710-00-0000-00000-49100 | 610 | Transfer In Liability Insurance-Wastewater Fund          | (570,708)   |
| 710-00-0000-00000-49100 | 615 | Transfer In Liability Insurance-Stormwater Fund          | (40,618)    |
| 710-00-0000-00000-49100 | 620 | Transfer In Liability Insurance-Airport Fund             | (88,013)    |
| 710-00-0000-00000-49100 | 705 | Transfer In Liability Insurance-Workers Comp             | (20,308)    |
| 710-00-0000-00000-49100 | 725 | Transfer In Liability Insurance-Facilities Fund          | (62,494)    |
| 710-00-0000-00000-49100 | 730 | Transfer In Liability Insurance-IT Fund                  | (120,256)   |
| 710-00-0000-00000-49100 | 735 | Transfer In Liability Insurance-Fleet Fund               | (92,327)    |
| 710-00-0000-00000-49100 | 815 | Transfer In Liability Insurance-Successor RDA Fund       | (35,142)    |
| 710-00-0000-00000-98100 | 720 | OPEB Contribution  | 15,613      |

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***Risk Management Fund*** **(6,557,509)**

**Retiree Medical Fund**

|                         |     |  |             |
|-------------------------|-----|--|-------------|
| 720-00-0000-00000-49530 | 100 | OPEB Tranfer In General Fund             | (2,625,170) |
| 720-00-0000-00000-49530 | 101 | OPEB Tranfer In Measure C Fund           | (89,773)    |
| 720-00-0000-00000-49530 | 217 | OPEB Tranfer In Meas BB PRTRNS           | (10,187)    |
| 720-00-0000-00000-49530 | 220 | OPEB Tranfer In Grants Fund              | (976)       |
| 720-00-0000-00000-49530 | 225 | OPEB Tranfer In CDBG Fund                | (6,167)     |
| 720-00-0000-00000-49530 | 232 | OPEB Tranfer In Recycle Fund             | (8,392)     |
| 720-00-0000-00000-49530 | 245 | OPEB Tranfer In Housing Fund             | (1,756)     |
| 720-00-0000-00000-49530 | 246 | OPEB Tranfer In Housing Mrtg Fund        | (2,147)     |
| 720-00-0000-00000-49530 | 285 | OPEB Tranfer In Inclusionary Fund        | (6,635)     |
| 720-00-0000-00000-49530 | 286 | OPEB Tranfer In Rent Review Program Fund | (10,851)    |
| 720-00-0000-00000-49530 | 605 | OPEB Tranfer In Water Fund               | (244,184)   |
| 720-00-0000-00000-49530 | 610 | OPEB Tranfer In Wastewater Fund          | (236,924)   |
| 720-00-0000-00000-49530 | 615 | OPEB Tranfer In Stormwater Fund          | (49,922)    |
| 720-00-0000-00000-49530 | 620 | OPEB Tranfer In Airport Fund             | (45,667)    |
| 720-00-0000-00000-49530 | 630 | OPEB Tranfer In Recycled Water Fund      | (3,318)     |
| 720-00-0000-00000-49530 | 705 | OPEB Tranfer In Workers Comp Fund        | (16,393)    |
| 720-00-0000-00000-49530 | 710 | OPEB Tranfer In Liability Fund           | (15,613)    |
| 720-00-0000-00000-49530 | 725 | OPEB Tranfer In Facilities Fund          | (40,710)    |
| 720-00-0000-00000-49530 | 730 | OPEB Tranfer In IT Fund                  | (89,773)    |
| 720-00-0000-00000-49530 | 735 | OPEB Tranfer In Fleet fund               | (41,101)    |
| 720-00-0000-00000-49530 | 815 | OPEB Tranfer In Successor RDA Fund       | (5,464)     |

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***Retiree Medical Fund*** **(3,551,123)**

**FY 2023 Fund Transfers To/From**

**ATTACHMENT III**

**EXHIBIT A**

**Facilities Management Fund**

|  |     |                                     |                       |
|--|-----|-------------------------------------|-----------------------|
| 725-00-0000-00000-98200                  | 710 | Transfer Out To Liability Insurance | 62,494                |
| 725-00-0000-00000-98100                  | 720 | OPEB Contribution                   | 40,710                |
| <b><i>Facilities Management Fund</i></b> |     |                                     | <b><i>103,204</i></b> |

**Information Technology Fund**

|   |     |                                     |                         |
|---|-----|-------------------------------------|-------------------------|
| 730-00-0000-00000-98115                   | 731 | Transfer Out To IT Replacement Fund | 1,155,000               |
| 730-00-0000-00000-98100                   | 720 | OPEB Contribution                   | 89,773                  |
| 730-00-0000-00000-98200                   | 710 | Transfer Out To Liability Insurance | 120,256                 |
| <b><i>Information Technology Fund</i></b> |     |                                     | <b><i>1,365,029</i></b> |

**Fleet Management Fund**

|                                     |     |                                     |                       |
|-------------------------------------|-----|-------------------------------------|-----------------------|
| 735-00-0000-00000-98100             | 720 | OPEB Contribution                   | 41,101                |
| 735-00-0000-00000-98200             | 710 | Transfer Out To Liability Insurance | 92,327                |
| <b><i>Fleet Management Fund</i></b> |     |                                     | <b><i>133,428</i></b> |

**Comm. Facility District Fund**

|  |     |  |                       |
|--|-----|--|-----------------------|
| 810-00-0000-00000-98100                    | 100 | Transfer Out To General Fund for Trust Expenses CFD #1   | 8,000                 |
| 810-00-0000-00000-98100                    | 100 | Transfer Out To General Fund for Police Services CFD #2  | 290,000               |
| 810-00-0000-00000-98100                    | 100 | Transfer Out To General Fund for Police&Fire Svcs CFD #3 | 175,000               |
| <b><i>Comm. Facility District Fund</i></b> |     |  | <b><i>473,000</i></b> |

**Successor Agency-RDA of COH**

|   |     |   |                       |
|---|-----|---|-----------------------|
| 815-00-0000-00000-98100                   | 100 | Transfer Out To General Fund D/S Loan Repayment | 800,000               |
| 815-00-0000-00000-98100                   | 720 | OPEB Contribution                               | 5,464                 |
| 815-00-0000-00000-98200                   | 710 | Transfer Out To Liability Insurance             | 35,142                |
| <b><i>Successor Agency-RDA of COH</i></b> |     |   | <b><i>840,606</i></b> |

**Cannabis Community Fund**

|                                       |     |                               |                        |
|---------------------------------------|-----|-------------------------------|------------------------|
| 860-00-0000-00000-49530               | 100 | Transfer In from General Fund | (63,522)               |
| <b><i>Cannabis Community Fund</i></b> |     |                               | <b><i>(63,522)</i></b> |

|  |   |                           |
|--|---|---------------------------|
| <b>General Fund</b>                        |   |                           |
| 100  |   | 194,688,033               |
| <b>Measure C Fund</b>                      |   |                           |
| 101  |   | 20,509,198                |
| <b>Special Revenue Funds</b>               |   |                           |
| 102  | Economic Development Fund                     | 350,000                   |
| 103  | American Rescue Plan Act (ARPA) Fund          | 16,436,000                |
| 214  | Paratransit Fund - Measure BB                 | 1,515,000                 |
| 217  | Paratransit Fund - Measure B                  | 1,436,558                 |
| 220  | Grants Fund                                   | 435,438                   |
| 225  | Community Development Block Grant Fund        | 2,086,311                 |
| 230  | Recycling Fund                                | 39,287                    |
| 231  | Used Oil Fund                                 | 22,060                    |
| 232  | Recycling/Measure D Fund                      | 899,848                   |
| 245  | Housing Authority                             | 179,370                   |
| 246  | Affordable Housing Fund                       | 192,372                   |
| 255  | Park Dedication - Zone A                      | 1,261,916                 |
| 256  | Park Dedication - Zone B                      | 71,300                    |
| 257  | Park Dedication - Zone C                      | 657,300                   |
| 258  | Park Dedication - Zone D                      | 447,650                   |
| 259  | Park Dedication - Zone E                      | 200,650                   |
| 285  | Inclusionary Housing                          | 416,625                   |
| 286  | Rent Review Program Fund                      | 642,071                   |
| 295  | So. Hayward B.A.R.T. JPA                      | 566,220                   |
|  | <b><i>Special Revenue Fund Total</i></b>      | <b><i>27,855,976</i></b>  |
| <b>Enterprise Funds</b>                    |   |                           |
| 605  | Water   | 66,473,278                |
| 606  | Regional Intertie                             | 131,329                   |
| 610  | Wastewater                                    | 29,032,515                |
| 615  | Stormwater                                    | 3,486,521                 |
| 620  | Airport                                       | 5,024,849                 |
| 630  | Recycled Water                                | 1,091,411                 |
|  | <b><i>Enterprise Fund Total</i></b>           | <b><i>105,239,903</i></b> |
| <b>Debt Service/Non-Departmental Funds</b> |   |                           |
| 300  | Certificate of Participation                  | 2,712,190                 |
| 301  | Measure C Debt Service                        | 5,419,113                 |
| 805/810                                    | Special Assessment District                   | 1,072,068                 |
|  | <b><i>Debt Service Fund Total</i></b>         | <b><i>9,203,371</i></b>   |
| <b>Internal Service Funds</b>              |   |                           |
| 705  | Worker's Compensation                         | 6,756,333                 |
| 710  | Risk Management                               | 6,151,433                 |
| 720  | Employee Benefits                             | 7,191,807                 |
| 725  | Facilities                                    | 4,712,120                 |
| 730  | Information Technology                        | 10,190,053                |
| 735  | Fleet   | 4,312,916                 |
|  | <b><i>Internal Service Fund Total</i></b>     | <b><i>39,314,661</i></b>  |
| <b>Fiduciary Funds</b>                     |   |                           |
| 815  | Hayward Redevelopment Successor Agency (HRSA) | 4,377,063                 |
| 851  | Hayward Shoreline JPA                         | 116,333                   |
|  | <b><i>Fiducary Fund Total</i></b>             | <b><i>4,493,396</i></b>   |

REDEVELOPMENT SUCCESSOR AGENCY OF THE CITY OF HAYWARD

RESOLUTION NO. RSA 22-\_\_\_\_\_

Introduced by Agency Member \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAYWARD, ACTING AS THE GOVERNING BOARD OF THE SUCCESSOR AGENCY FOR THE REDEVELOPMENT AGENCY OF THE CITY OF HAYWARD, APPROVING THE BUDGET OF THE REDEVELOPMENT SUCCESSOR AGENCY OF THE CITY OF HAYWARD AND ADOPTING APPROPRIATIONS FOR FISCAL YEAR 2023

WHEREAS, the City Manager has submitted to the Successor Agency of the Redevelopment Agency (the “Redevelopment Successor Agency”) of the City of Hayward estimates of revenue from all sources and estimates of expenditures required for the proper conduct of the activities of the Redevelopment Successor Agency of the City of Hayward for fiscal year 2023; and

WHEREAS, a public hearing was held by the Redevelopment Successor Agency of the City of Hayward, at which time all interested persons were afforded an opportunity to be heard on matters pertaining to the recommended budget.

NOW, THEREFORE, BE IT RESOLVED by the Redevelopment Successor Agency of the City of Hayward that:

1. The budget presented by the Executive Director is hereby approved and adopted as the budget of the Redevelopment Successor Agency of the City of Hayward for FY 2023.
2. Any and all expenditures relating to the objectives described in the budget are hereby approved and authorized and payments therefore may be made by the Finance Director of the City of Hayward.
3. The Director of Finance is directed to comply with GASB 31 (Unrealized investment gains and losses) and is authorized to make such entries as are required to the Redevelopment Successor Agency’s financial records. In addition, the Director of Finance is authorized to make such changes to the budget as are required by GASB 31.
4. The following amounts are hereby estimated resources and appropriated expenditures:

| <b>Hayward Redevelopment Successor Agency (HRSA) Fund (815)</b> | <b>FY 2023</b>   |
|---|------------------|
| <b>Revenue</b>  |                  |
| Property Tax (Tax Increment)                                    | 2,883,636        |
| Successor Agency Administrative Allowance                       | 250,000          |
| School Impact Fee Reimbursement                                 | 326,906          |
| Lease Payment - Cinema Place                                    | 50,000           |
| <b>Total Revenue</b>  | <b>3,510,542</b> |
| <b>Operating Expenses</b>                                       |                  |
| Salary & Benefits   | 179,690          |
| Supplies & Services   | 109,968          |
| Maintenance & Utilities   | 8,200            |
| Internal Service Fees   | 14,224           |
| Total Operating Expenses  | 312,082          |
| <b>HRSA Debt Service &amp; Transfers Out</b>                    |                  |
| HRSA Debt Service, 2016 TABS                                    | 3,224,375        |
| HRSA Debt Service, General Fund Repayment                       | 800,000          |
| OPEB Contribution   | 5,464            |
| Liability Insurance Premium                                     | 35,142           |
| Total Debt Service & Transfers Out                              | 4,064,981        |
| <b>Total Expenditures</b>                                       | <b>4,377,063</b> |

5. Except as limited in paragraph 6 of this resolution, the Executive Director is authorized without further action from the Board to enter into a contract or agreement for any commodity or service included in the annual budget of the Redevelopment Successor Agency.
6. For the purposes of determining whether the Executive Director has the authority to execute a contract for a commodity or service pursuant to section 4 above, the Executive Director shall have the authority to expend such funds and enter into and execute any and all contracts and documents necessary to carry out the objectives of the Redevelopment Successor Agency's appropriations as set forth in this budget.
7. Any contract for professional services included in the annual budget that will cost more than \$75,000 shall be executed by the Executive Director only upon approval of the contract by the Redevelopment Successor Agency Board given at a meeting of the Redevelopment Successor Agency and upon final approval by the Oversight Board and Department of Finance.

IN HAYWARD, CALIFORNIA \_\_\_\_\_, 2022.

ADOPTED BY THE FOLLOWING VOTE:

AYES: BOARD MEMBERS:  
CHAIR:

NOES: BOARD MEMBERS:

ABSTAIN: BOARD MEMBERS:

ABSENT: BOARD MEMBERS:

ATTEST:

\_\_\_\_\_  
Secretary of the Redevelopment Successor  
Agency of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
General Counsel of the Redevelopment Successor  
Agency of the City of Hayward

HOUSING AUTHORITY OF THE CITY OF HAYWARD

RESOLUTION NO. HA 22-\_\_\_\_\_

Introduced by Board Member \_\_\_\_\_

RESOLUTION CONFIRMING THE PROPOSED HAYWARD HOUSING  
AUTHORITY BUDGET FOR FISCAL YEAR 2023

WHEREAS, the Executive Director has submitted to the Hayward Housing Authority Board of Directors estimates of revenues from all sources and estimates of expenditures required for the proper conduct of the activities of the Hayward Housing Authority for fiscal year 2023 contained in those documents entitled "Proposed FY 2023 Operating Budget;" and

WHEREAS, a public hearing was held by the Housing Authority Board of Directors, on June 7, 2022, at which time all interested persons were afforded an opportunity to be heard on matters pertaining to the budget recommended by the Executive Director; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Hayward Housing Authority as follows:

1. That the budget for FY 2023 presented by the Executive Director in the document entitled Proposed FY 2023 Operating Budget is hereby accepted and confirmed as the budget of the Hayward Housing Authority for FY 2023. Copies of the budget documents and the staff reports presented by the Executive Director are on file in the office of the City Clerk and are hereby referred to, incorporated herein, and made a part of this resolution as though set forth in full.
2. The Director of Finance is directed to comply with GASB 31 (Unrealized investment gains and losses) and is authorized to make such entries as are required to the Housing Authority's financial records. In addition, the Director of Finance is authorized to make such changes to the budget as are required by GASB 31.
3. Except as limited in paragraph 5 of this resolution, the Executive Director is authorized without further action from the Board to enter into a contract or agreement for any commodity or service included in the annual budget of the Housing Authority.
4. For the purposes of determining whether the Executive Director has the authority to execute a contract for a commodity or service pursuant to section 3 above, the Executive Director shall have the authority to expend such funds and enter into and execute any and all contracts and documents necessary to carry out the objectives of the Housing Authority's appropriations as set forth in this budget.

5. Any contract for professional services included in the annual budget that will cost more than \$75,000 shall be executed by the Executive Director only upon approval of the contract by the Housing Authority Board given at a meeting of the Housing Authority.

IN HAYWARD, CALIFORNIA, \_\_\_\_\_, 2022

ADOPTED BY THE FOLLOWING VOTE:

AYES: BOARD MEMBERS:  
CHAIR:

NOES: BOARD MEMBERS:

ABSTAIN: BOARD MEMBERS:

ABSENT: BOARD MEMBERS:

ATTEST: \_\_\_\_\_  
Secretary of the Housing Authority  
of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
General Counsel of the Housing Authority  
of the City of Hayward

HAYWARD CITY COUNCIL

RESOLUTION NO. 22-\_\_\_\_\_

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

RESOLUTION APPROVING CAPITAL IMPROVEMENT PROJECTS FOR  
FISCAL YEAR 2023

WHEREAS, the City Manager has submitted to the City Council of the City of Hayward estimates of revenues from all sources and estimates of expenditures required for the proper conduct of the activities of the City of Hayward for Fiscal Year 2023 contained in the document entitled "Recommended Capital Improvement Program FY 2023-32"; and

WHEREAS, a public hearing was held by the City Council of the City of Hayward, at which time all interested persons were afforded an opportunity to be heard on matters pertaining to the Capital Improvement Program budget recommended by the City Manager; and

WHEREAS, by Resolution No. 22-xxx, dated June 7, 2022, the City Council adopted the budget and appropriated funds for operating expenses for Fiscal Year 2023.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward as follows:

1. That the Capital Improvement Projects for Fiscal Year 2023, as embodied in Recommended Capital Improvement Program FY 2023-32, are hereby adopted as the Capital Improvement Program for Fiscal Year 2023. Copies of the budget documents and the staff reports presented by the City Manager are on file in the office of the City Clerk and are hereby referred to, incorporated herein, and made a part of this resolution as though set forth in full.
2. That, except as may be otherwise provided, any and all expenditures relating to the objectives described in the Capital Improvement Program budget are hereby approved and authorized and payments therefore may be made by the Director of Finance without further action of Council.
3. That, for the purposes of determining whether the City Manager is authorized to execute a contract for a commodity or service pursuant to City Charter section 701 subsection 8, the City Manager shall have the authority to expend such funds and enter into and execute any and all contracts and documents necessary to carry out the objectives of the Council's appropriations as set forth in this Capital Improvement Program budget.

4. The following are hereby approved for expenditure:

**I. CAPITAL PROJECTS EXPENDITURE APPROPRIATIONS**

| <b>Fund</b>                                      | <b>Amount</b>        |
|--|----------------------|
| Gas Tax Fund (210)                               | \$3,029,000          |
| SB1 (211)  | 3,350,000            |
| Measure BB Tax Fund (Local Transportation) (212) | 4,665,000            |
| Measure BB Tax Fund (Pedestrian & Bicycle) (213) | 1,285,000            |
| Measure B Tax Fund (Local Transportation) (215)  | 1,100,000            |
| Measure B Tax Fund (Pedestrian & Bicycle) (216)  | 800,000              |
| Vehicle Registration Fee Fund (218)              | 1,000,000            |
| Measure BB Tax Fund (Paratransit) (219)          | 750,000              |
| Capital Projects (Governmental) Fund (405)       | 33,511,302           |
| Measure C Capital Fund (406)                     | 4,500,000            |
| Route 238 Corridor Improvement Fund (410)        | 5,410,000            |
| Route 238 Settlement Administration Fund (411)   | 415,000              |
| Street System Improvements Fund (450)            | 3,330,000            |
| Transportation System Improvements Fund (460)    | 575,000              |
| Water Replacement Fund (603)                     | 6,945,000            |
| Water Improvement Fund (604)                     | 12,612,000           |
| Sewer Replacement Fund (611)                     | 13,535,000           |
| Sewer Improvement Fund (612)                     | 7,739,000            |
| Airport Capital Fund (621)                       | 5,900,000            |
| Facilities Capital Fund (726)                    | 1,050,000            |
| Information Technology Capital Fund (731)        | 2,230,000            |
| Fleet Management Capital Fund (736)              | 3,261,000            |
| Fleet Management Enterprise Fund (737)           | 1,130,000            |
| <b>TOTAL: ALL CAPITAL FUNDS</b>                  | <b>\$118,122,302</b> |

5. The Director of Finance is hereby authorized to transfer the following amounts from one fund to another as indicated below at such time as she may determine, giving consideration to the intended purposes for which the transfers are made and available balances in each of the funds.

## II. FUND TRANSFERS

| FROM FUND                               | TO FUND                                      | AMOUNT      |
|---|--|-------------|
| General (100)                           | Capital Projects (Governmental) (405)        | \$1,539,235 |
| General (100)                           | Transportation System Improvement (460)      | 500,000     |
| General (100)                           | Facilities Capital (726)                     | 710,000     |
| General (100)                           | Information Technology Capital (731)         | 1,000,000   |
| General (100)                           | Fleet Replacement General Fund Capital (736) | 161,000     |
| Measure C (101)                         | Measure C Capital (406)                      | 10,000,000  |
| OHHA (209)                              | Gas Tax (210)                                | 182,462     |
| Gas Tax (210)                           | General (100)                                | 240,000     |
| Gas Tax (210)                           | Street System Improvements (450)             | 750,000     |
| Measure BB Paratransit Operations (214) | Measure BB Paratransit Capital (219)         | 750,000     |
| Water Improvement (604)                 | Water Operations (605)                       | 812,775     |
| Water Operations (605)                  | Water Replacement (603)                      | 7,000,000   |
| Water Operations (605)                  | Water Improvement (604)                      | 795,000     |
| Sewer Operations (610)                  | Sewer Replacement (611)                      | 6,500,000   |
| Sewer Replacement (611)                 | Sewer Improvement (612)                      | 1,576,000   |
| Sewer Improvement (612)                 | Water Improvement (604)                      | 410,000     |
| Sewer Improvement (612)                 | Sewer Operations (610)                       | 1,748,000   |
| Stormwater Operating (615)              | Gas Tax (210)                                | 15,000      |
| Stormwater Operating (615)              | Sewer Replacement (611)                      | 125,000     |
| Airport Operations (620)                | Airport Capital (621)                        | 1,600,000   |
| Recycled Water (630)                    | Sewer Replacement (611)                      | 182,800     |
| Information Technology Operations (730) | Information Technology Capital (731)         | 300,000     |

In order to provide for completion of work on projects previously authorized but not completed as of June 30, 2022, in addition to the above appropriations for capital expenditures, appropriation balances remaining as of June 30, 2022, for capital projects previously authorized but uncompleted, are hereby appropriated for expenditure in fiscal year 2023.

6. Any monies received during fiscal year 2023 as a consequence of a grant application approved by the City Council are hereby appropriated for the purposes for which the grant has been approved. Such appropriation includes authorization for the City Manager to expend such monies and for the Finance Director to make payments therefore in accordance with the terms and conditions and for the purposes of the grant.
7. The Director of Finance is hereby authorized and directed to distribute the above appropriations to the various accounts of the City in accordance with generally accepted accounting practices and consistent with the purposes and objectives as outlined in the approved budget.



HAYWARD CITY COUNCIL

RESOLUTION NO. 22-\_\_\_\_\_

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

RESOLUTION APPROVING AND APPROPRIATING THE COMMUNITY AGENCY FUNDING RECOMMENDATIONS FOR FISCAL YEAR 2023

WHEREAS, the City Council of the City of Hayward hereby approves and appropriates the Community Agency Funding recommendations for Fiscal Year 2023, as approved by City Council on April 26, 2022, and shown in Exhibit A, in a total amount not to exceed \$1,184,500 which is incorporated by reference herein.

NOW, THEREFORE, BE IT RESOLVED that except as may be otherwise provided, any and all expenditures relating to the objectives described in the Community Agency budget are hereby approved and authorized and payments therefore may be made by the Director of Finance of the City of Hayward without further action of Council.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2022.

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

Exhibit A

| COMMUNITY AGENCY FUNDING COMMUNITY DEVELOPMENT BLOCK GRANT RECOMMENDATIONS FOR FY 2023 |   |   |                  |                    |                            |
|--|---|---|------------------|--------------------|----------------------------|
| CATEGORY   | AGENCY  | PROJECT   | FY 2022 FUNDING  | FY 2023 REQUESTS   | FY 2023 RECOMMENDATIONS*** |
| <b>CDBG - PUBLIC SERVICES</b>  |   |   |                  |                    |                            |
| Housing and Homelessness   | Abode Services  | Alameda County Impact   | \$27,899         | \$54,786           | \$37,000                   |
| Housing and Homelessness   | Alliance for Community Wellness dba La Familia                | FESCO Les Marquis House - Emergency Shelter   | \$25,000         | \$50,000           | \$34,000                   |
| Housing and Homelessness   | Eden Council for Hope and Opportunity                         | Fair Housing Services**   | \$25,000         | \$25,000           | \$25,000                   |
| Housing and Homelessness   | Ruby's Place  | Shelter and Children  | \$25,000         | \$60,000           | \$34,000                   |
| Legal Services   | Centro Legal de la Raza                                       | Tenant Rights' Program  | \$75,164         | \$93,998           | \$85,737                   |
| Legal Services   | Family Violence Law Center                                    | Family Violence and Homelessness Prevention Project   | \$30,000         | \$60,000           | \$45,000                   |
| Youth & Education  | Love Never Fails  | I AM House Children's Program*  | \$0              | \$62,966           | \$0                        |
| <b>TOTAL FY 2023 CDBG PUBLIC SERVICES</b>  |   |   | <b>\$208,063</b> | <b>\$406,750</b>   | <b>\$260,737</b>           |
| <b>CDBG - ECONOMIC DEVELOPMENT &amp; INFRASTRUCTURE</b>                                |   |   |                  |                    |                            |
| Economic Development   | Centro Community Partners                                     | Entrepreneurship Education, Financial Literacy & Access to Capital to Women/Minority Businesses | \$30,000         | \$45,445           | \$45,445                   |
| Economic Development   | Community Child Care Council (4-Cs) of Alameda County         | Child Care Initiative Project   | \$45,000         | \$45,000           | \$45,000                   |
| Infrastructure-Neighborhood Facilities   | First Presbyterian Church of Hayward dba South Hayward Parish | South Hayward Parish Critical Infrastructure Upgrade*   | \$0              | \$193,800          | \$193,800                  |
| Infrastructure-Neighborhood Facilities   | Habitat for Humanity East Bay/Silicon Valley, Inc.            | Home Repair Program (FY23) - CalHOME Portion*   | \$0              | \$49,500           | \$49,500                   |
| Infrastructure-Neighborhood Facilities   | Habitat for Humanity East Bay/Silicon Valley, Inc.            | Home Repair Program (FY23)**  | \$175,000        | \$175,000          | \$175,000                  |
| Infrastructure-Neighborhood Facilities   | Rebuilding Together Oakland                                   | Rehabilitation and Repair (2021)**  | \$150,000        | \$150,000          | \$150,000                  |
| Infrastructure-Neighborhood Facilities   | St. Rose Hospital Foundation                                  | Cath Lab Project*   |                  | \$500,000          | \$49,599                   |
| Infrastructure-Neighborhood Facilities   | Ruby's Place  | Program Enhancement: Tiny Homes on Wheels   | \$44,781         | \$250,419          | \$175,419                  |
| Infrastructure-Neighborhood Facilities   | The Alliance for Community Wellness dba La Familia            | FESCO Les Marquis House - Emergency Shelter   | \$28,000         | \$40,000           | \$40,000                   |
| <b>TOTAL FY 2023 CDBG ECONOMIC DEVELOPMENT &amp; INFRASTRUCTURE</b>                    |   |   | <b>\$472,781</b> | <b>\$1,449,164</b> | <b>\$923,763</b>           |
| <b>TOTAL FY 2023 CDBG FUNDING RECOMMENDATIONS</b>                                      |   |   |                  |                    | <b>\$1,184,500</b>         |

\*New agency/program applying for funds

\*\*Non-competitive award

\*\*\*Should the FY 2023 entitlement amount exceed staff estimates, staff will implement the CSC's methodology of recommended allocation for additional funding and the Program Year 2022 funding allocations will be updated accordingly.

| CM      | Question   | Staff's oral responses at the Work Session  |
|---------|--|---|
| Zermeno | Where are the Green Champions/sustainability team on the org chart?  | In the Environmental Services Division. Eric Pearson is our Environmental Services Manager.   |
| Marquez | Can you elaborate on your equity efforts PW in terms of infrastructure and projects is equally distributed/in all neighborhoods?   | Equity is the guiding light in all we do. For instance, our Pavement Improvement Program (PIP) takes a look at which communities have not benefited as much on our paving efforts in the past, even if they are not communicating with us. Sidewalk and other projects take the same approach.  |
| Marquez | Can you speak to your current vacancy rate? What is the plan to fill those positions?  | As of last week, 24 vacancies of 161 positions (15%). The positions in Utilities is very difficult to recruit for since we have to compete with districts that don't have the same constraints working for a city has. The positions in Transportation is also difficult to recruit for. We are looking into ways to make our recruitment more effective (ex: working with PD and a consultant currently on board to increase efforts). |
| Marquez | How do we go about deciding which traffic issues are addressed first? The list continues to grow but we only have so much financial resources and staffing capacity.   | We review all issues & referrals. The ones with safety consequences are given high priority.  |
| Marquez | When we get referral and request for traffic mitigation issues, how does that work? Does it go on a list? What is the timeline?  | All referrals are evaluated. Sometimes the type of mitigation requested is not warranted and we look at other measures. For example, lane narrowing or signage to reduce speeding instead of speed bumps/lumps (for example OHHA and Tribune/Cotati, and Ms. Avila and Whitman).  |
| Salinas | Our definition of equity. Are we looking through equally distributing resources across all neighborhoods? Or neighborhoods that have been further away from enhancements and treatments and focusing on those areas that have not been historically looked at? | The latter. Equality distributes the resources on an equal basis regardless of the needs and circumstances; Equity considers the needs and special circumstances and takes necessary actions to bring about equal outcomes.   |

| CM      | Question   | Staff's oral responses at the Work Session  |
|---------|--|---|
| Salinas | A lot of calls/attention we get re: PW is for speed bumps and speeding but there's a slight shift in complaints. I'm seeing an increase in sideshows and reckless driving with no regards to rules/laws (ex: Jackson Triangle, Mission Blvd and the loop). We get extremely loud mufflers and things that are "killing the mood" in this quality of life. At what point do we prioritize these "quality of life" issues? At what point do we prioritize street enhancements/neighborhood elements to reduce these nuisances? | PW can't control things like mufflers but for things we can control, we look at what we can do. For example, businesses on Bay Center Place Industrial cul-de-sac (off Whitesell) reported some drivers using it to do sideshows. We looked into it and implemented a solution that used Botts dots and placed them in a way that made it difficult to make quick turns in the cul-de-sac but the trucks going in-and-out of businesses weren't affected.   |
| Salinas | To follow up on Marquez's comment, where are we on the recruitment for the Transportation Manager?   | We have renewed our efforts to recruit. We have interviewed 3 candidates. This is definitely a priority to the Department.  |
| Wahab   | Can you elaborate more on the financial situation? We have been dipping into the reserve. What does the outlook look like for year or two?   | SFPUC, the City's wholesale water supply provider, does not think twice about raising rates as soon as they are needed at the full level (ex: few years ago, SFPUC increased by 39%). Council has directed us to stabilize the rates. We have a certain amount of money in our reserves, currently about \$48M. With the reductions that I'm proposing to subsidize water purchases, it will drop to \$19M in 2025 before it starts growing back again. If we didn't do this, the only other option would be to increase our rates by 20% just to pay for SFPUC's increase on top of what is need to pay for our replacement needs. |
| Wahab   | What is the vacancy rate?  | 24 vacancies (15%)  |
| Salinas | There is a \$5.2M gap in the Mission Blvd Phase 3 project. Where are we in closing that gap? Where/when do we see Phase 3 starting?  | Since we reported the \$5.2M gap, we have found \$2.6M in funding and reduced the gap to \$2.6M. We have applied for a federal RAISE grant. We applied 2 years ago and did not receive it. If we don't get the RAISE grant, staff will propose using some of our local ACTC funding to close the gap.   |
| Salinas | The striping on the street - is that a standard set by an agency? Or do cities have the flexibility to change the colors of the stripe?  | Yellow striping is usually put near schools.  |

| CM      | Question  | Staff's oral responses at the Work Session  |
|---------|---|---|
| Salinas | Please explore coloring crosswalks school colors  | Will do where appropriate.  |
| Marquez | Does the Corp Yard Needs Assessment include Animal Shelter?   | I believe it does (but not the current effort).   |
| Marquez | We already identified funding for PD issues, yes? Like leaking?   | Correct   |
| Marquez | Where would Weekes Library be listed?   | Kelly: We are currently doing an assessments need study for that location.  |
| Marquez | Do midyear budget revisions happen for both CIP or GF?  | Mainly the GF.  |
| Marquez | Do we have any updates on securing federal money from our lobbyist?                                       | The RAISE grant for Mission Phase 3. Also, we're following opprtunities for water and wastewater funding.   |
| Marquez | Do we ever quantify how much we received per year in grant funding?                                       | Yes, we have that information for PW&U and will get that to you later (Update: Please see attached info re FY21 approved grants, and anticipated future grants). Director Claussen: We will be bringing an information item next month and will have information on federal and state earmarks and funding that's been secured.   |
| Zermeno | There's \$501M in needs this year and \$634M over ten years. How do they compare or relate to each other? | The \$634M is over ten years and includes the \$118M for this year. The \$500M is future unfunded needs. We will find different soruces of funding as years go by.  |
| Zermeno | What is the unfunded interchange projects?  | There are four interchanges over 880 that are in various stages of development. Whipple and Industrial interchanges were just awarded an \$11M design contract. A St and Winton interchanges are lagging a little bit behind. Almost all of the rest of the funding for the four interchanges over I-880 should come from ACTC and Caltrans. There's Whitesell over 92 and we've finally secured funding for scoping and moving forward (\$440K from grants, \$200K from City). |
| Zermeno | And these funds are coming from Measure B/BB, other sources?  | Yes, they will not be from the GF.  |

| CM       | Question   | Staff's oral responses at the Work Session   |
|----------|--|--|
| Zermeno  | What would it take to have CalTrans give us money to put more lighting in underpasses? (ex: A St underpass)  | We will look into it. Update: These lights are installed and maintained by Caltrans. The best way to get better lighting is to work with caltrans. Stff reports that Caltrans has replaced the lightbulbs and the lighting has improved.   |
| Zermeno  | When is Winton going to be paved?  | Right now; W Winton from Santa Clara to west-end this year.  |
| Andrews  | Is there a reason there's no landscaping on overpasses (Industrial, Tennyson, Calaroga), which has speeding? | This is CalTrans ROW. CalTrans is contemplating a project on Tennyson. The project is in design, with construction expected sometime in CY23.  |
| Lamnin   | What immediate things are happening at the Corp Yard?  | The needs assessment is going on and will determine what needs to be done.   |
| Lamnin   | What is the status of the fiber loop?  | We have implemented Phase 2. There is no funding available right now for future phases. We are looking at different options for our fiber. There is some potential funding from federal government from the new monies they're talking about and will stay vigilant about those opportunities. |
| Lamnin   | Why is the recommendation for a Highland Gate and not removal of the barrier?                                | A gate will allow FD to use as an emergency access road.   |
| Lamnin   | Property taxes on excess right of way -- is this property we still need?                                     | Director Claussen: We are trying to get rid of property that we don't need and develop   |
| Lamnin   | If there are additional Botts dots designs or something we can put in places that are wide/intersections?    | Making wide intersections safer and more pedestrian friendly is something that staff is currently working on. EX: A St and Hesperian to make it more pedestrian and bicycle friendly. Safe Routes for Seniors that currently has four locations in DT and will be an annual project.           |
| Halliday | When was AMI Portal going to be live?  | End of this FY, expected at the end of June.   |
| Halliday | The funding gap for Mission Blvd Phase 3 is down to \$2.5M?  | Correct  |

| <b>CM</b> | <b>Question</b>  | <b>Staff's oral responses at the Work Session</b>  |
|-----------|--|--|
| Halliday  | Is there a long-term plan for Tennyson?                      | CalTrans has a plan. I will get information from them and present it to Council. The last time we looked into it, because of the number and width of lanes, there wasn't much we could do to improve bicycle and pedestrian safety on Tennyson over 880.   |
| Halliday  | Any progress on the mitigation for Sulphur Creek at Airport? | The issue last time was the mitigation (which is well over \$1M), we couldn't convince County allow us to do that in Hayward. They wanted us to do this in Oakland and Council didn't want to spend that money outside of the City. We have exhausted everything and there is no other possibility. What we need to do is proceed with implementing the mitigation outside the City. We will look into it. |
| Marquez   | Do we have a budget for public art and murals?               | Kelly provided a response as to where it lives/funded. Council asked for that to come back to Economic Committee.  |

**CIP Projects with Grant Funding**

**Attachment X**

| <b>Fund</b> | <b>Project #</b> | <b>Project Title</b> | <b>Grantor</b> | <b>Grant Amount</b>  |
|-------------|------------------|----------------------|----------------|----------------------|
| 410         | 05270            | Mission Blvd Phase 2 | ACTC           | \$ 5,420,543         |
| 410         | 05270            | Mission Blvd Phase 2 | CalTrans/LATIP | \$ 8,196,217         |
| 406         | 06988            | 21st Century Library | State of CA    | \$ 398,512           |
|             |                  |                      | <b>Total</b>   | <b>\$ 14,015,271</b> |

**CIP Projects with Grant Funding**

**Attachment X**

| <b>Fund</b>                 | <b>Project #</b> | <b>Project Title</b>                                   | <b>Project Amount</b> | <b>Grantor</b>     | <b>Grant Amount</b> | <b>Fiscal Year</b> |
|-----------------------------|------------------|--|-----------------------|--------------------|---------------------|--------------------|
| 212                         | 05319            | SR2S - Cesar Chavez                                    | 324                   | ACTC               | 162                 | 22                 |
| 212                         | 05310            | Hayward Blvd Safety Improvements                       | 2,000                 | ACTC               | 800                 | 24                 |
| 212                         | 05334            | SR-92/Whitesell interchange PID                        | 440                   | ACTC               | 440                 | 22                 |
| 213                         | 05307            | Patrick/Gading Complete Street                         | 508                   | TDA                | 508                 | 22, 23             |
| 213                         | 05312            | Orchard Ave Traffic Calming                            | 200                   | ACTC               | 200                 | 23                 |
| 213                         | 05313            | Santa Clara St Traffic Calming Study & Implementation  | 180                   | ACTC               | 180                 | 23                 |
| 218                         | 05316            | Mission Blvd Protected Bikeway                         | 223                   | BAAQMD             | 201                 | 22                 |
| 405                         | 06960            | South Hayward Youth & Family Center                    | 11,747                | State Grant        | 100                 | 23                 |
|                             |                  |  |                       | Clean CA Grant     | 2,647               | 23                 |
| 410                         | 05270            | Mission Blvd Phase 2                                   | 31,942                | CalTrans LATIP     | 19,400              | 22                 |
|                             |                  |  |                       | ACTC               | 10,000              | 22                 |
| 410                         | 05287            | Mission Blvd Phase 3                                   | 22,210                | ACTC               | 10,900              | 22                 |
| 450                         | 05282            | Pave Rehab - Winton/Hesperian/Santa Clara              | 1,978                 | OBAG               | 1,750               | 22                 |
| 450                         | 05283            | Main St Complete Street                                | 2,225                 | OBAG               | 1,675               | 22, 23             |
| 450                         | 05292            | IDEA - Tennyson & 2nd                                  | 730                   | IDEA               | 317                 | 22                 |
|                             |                  |  |                       | ACTC               | 60                  | 22                 |
| 460                         | 05737            | Signal Modification - Huntwood/Industrial/Sandoval     | 965                   | CalTrans HSIP      | 775                 | 22                 |
| 460                         | 05738            | Local Road Safety Plan                                 | 100                   | CalTrans           | 90                  | 22                 |
| 611                         | 07675            | Trash Capture Device & Litter Reduction Education      | 925                   | US EPA             | 800                 | 22, 23, 24         |
| 612                         | 07507            | Recycled Water Storage & Distribution                  | 28,963                | SWRCB              | 5,831               | 21                 |
| 621                         | 06859            | Taxiway Alpha - D+P                                    | 550                   | State Grant        | 25                  | 24                 |
|                             |                  |  |                       | FAA AIP Grant      | 495                 | 24                 |
| 621                         | 06860            | Taxiway Alpha Construction                             | 5,900                 | State Grant        | 266                 | 25                 |
|                             |                  |  |                       | FAA AIP Grant      | 5,310               | 25                 |
| 621                         | 06814            | Sulphur Creek Mitigation - D+C                         | 7,812                 | State Grant        | 315                 | 26                 |
|                             |                  |  |                       | FAA AIP Grant      | 6,775               | 26                 |
| 621                         | 06856            | Runway Safety Area Improvements EA & Conceptual Design | 600                   | State Grant        | 23                  | 27                 |
|                             |                  |  |                       | FAA AIP Grant      | 540                 | 27                 |
| 621                         | 06857            | Runway Safety Area Improvements Design                 | 650                   | State Grant        | 29                  | 29                 |
|                             |                  |  |                       | FAA AIP Grant      | 585                 | 29                 |
| 621                         | 06858            | Runway Safety Area Improvements Construction           | 13,875                | State Grant        | 624                 | 30                 |
|                             |                  |  |                       | FAA AIP Grant      | 12,487              | 30                 |
| 621                         | 06855            | Airfield Lighting Upgrade Design/Construction          | 5,380                 | State Grant        | 242                 | 31                 |
|                             |                  |  |                       | FAA AIP Grant      | 4,842               | 31                 |
| 621                         | 06851            | ALP Update with Narrative                              | 650                   | State Grant        | 29                  | 23                 |
|                             |                  |  |                       | FAA AIP Grant      | 585                 | 23                 |
| 731                         | 07275            | Fiber Loop   | 2,415                 | US EDA             | 2,317               | 22                 |
| <b>Total Project Amount</b> |                  |  | <b>143,492</b>        | <b>Total Grant</b> | <b>92,325</b>       |                    |

Note: Amount in thousands



# CITY OF HAYWARD

Hayward City Hall  
777 B Street  
Hayward, CA 94541  
[www.Hayward-CA.gov](http://www.Hayward-CA.gov)

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**File #:** RPT 22-061

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**DATE:** June 7, 2022

**TO:** Mayor and City Council

**FROM:** Councilmembers Andrews and Márquez

**SUBJECT**

City Council Referral: Request for Use of Council Member Funds for Reimbursement Related to Juneteenth Hayward Event Coordination

**RECOMMENDATION**

That Council reviews the Council referral memo and provides direction to staff.

**SUMMARY**

A formal Council referral was received from Council Members Andrews and Márquez. The referral requests that the Council consider allocating \$1,000 from Council Member Funds for reimbursement of expenses related to the Juneteenth Hayward event including but not limited to operations, entertainment, and marketing.

**ATTACHMENTS**

Attachment I Council Referral Memo



## COUNCIL REFERRAL MEMORANDUM

To: Hayward Mayor and City Council

From: Council Members Angela Andrews and Elisa Márquez

Subject: Use of Council Member Funds for Reimbursements related to Juneteenth Hayward Coordination

Date: 5/25/22

### **Background:**

As we continue our efforts to acknowledge the need for diversity, inclusion, and equity we are in the midst of coordinating Juneteenth Hayward. The event will also support goals related to community engagement and economic development. CM Andrews is requesting \$1,000 to go towards reimbursement for expenses related to event coordination including but not limited to operations, entertainment, and marketing. Examples include:

- Water and snacks for volunteers and guests
- Printing of Materials
- Activities for Kids Zone
- Supplies for decorating
- Entertainment

This request is within the guidelines outlined in the Council Member Handbook on page 12 and 13 under section: *Council Office Budget and Expenditure Guidelines 2.f.:*

*Other expenses approved by the City Council in advance of their incurrence.*

**Timeline:** End of FY22

Angela Andrews  
Hayward City Council Member

Elisa Márquez  
Hayward City Council Member