

# **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, April 6, 2021**

**7:00 PM**

**Remote Participation**

**City Council**

**CITY COUNCIL MEETING**

COVID-19 Notice: Consistent with State of California Executive Order No. 29-20 dated March 17, 2020, the City Council will be participating in public meetings via phone/video conferencing.

*How to watch the meeting from home:*

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:*

*Click the link below to join the meeting:*

<https://hayward.zoom.us/j/99082896043?pwd=eDJ2a2g3YlFST3R4QTJCU25RV1phUT09>

Meeting ID: 990 8289 6043

Passcode: CCm4/6@7pm

or

Dial: +1 669 900 6833 or +1 346 248 7799

Meeting ID: 990 8289 6043

Password: 4521126455

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

**CALL TO ORDER: Mayor Halliday**

**Pledge of Allegiance: Council Member Márquez**

**ROLL CALL**

**CLOSED SESSION ANNOUNCEMENT**

**PUBLIC COMMENTS**

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

**ACTION 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 21-043](#)     Approve City Council Minutes of the City Council Meeting on March 16, 2021  
  
      **Attachments:**   [Attachment I Draft Minutes 03/16/2021](#)
  
2.     [MIN 21-044](#)     Approve City Council Minutes of the City Council Meeting on March 23, 2021  
  
      **Attachments:**   [Attachment I Draft Minutes 3/23/2021](#)
  
3.     [CONS 21-149](#)     Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Vegetation Management Contract for Specific City Owned and Maintained Properties with Joe's Landscape and Concrete in an Annual Amount of \$104,092.77  
  
      **Attachments:**   [Attachment I Staff Report](#)  
                              [Attachment II Resolution](#)
  
4.     [CONS 21-160](#)     Adopt a Resolution Approving the FY 2022 Measure B/BB Annual Paratransit Program Plan and Authorizing the City Manager to Execute FY 2022 Service Agreements for the Continued Provision of Measure B/BB Funded Paratransit Services  
  
      **Attachments:**   [Attachment I Staff Report](#)  
                              [Attachment II Funding Recommendations](#)  
                              [Attachment III Paratransit Program Plan Application](#)  
                              [Attachment IV Resolution](#)

**WORK SESSION**

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

5.      [WS 21-016](#)      Community Agency Funding: Fiscal Year 2022 Community Agency Funding Recommendations for Services; Arts & Music; and Economic Development and Infrastructure; and Overview of the FY 2022 Annual Action Plan (Report from Assistant City Manager Ott)

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

6.      [WS 21-017](#)      Stimulus Funding Expenditure Plan: Provide Feedback on a Proposed Expenditure Framework for Stimulus Funding from the American Rescue Plan Act of 2021 to Address the Economic and Fiscal Impacts of the COVID Crisis in the City of Hayward (Report from City Manager McAdoo)

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

**CITY MANAGER'S COMMENTS**

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

**COUNCIL REPORTS AND ANNOUNCEMENTS**

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

**COUNCIL REFERRALS**

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

**ADJOURNMENT****NEXT MEETING, April 20, 2021, 7:00 PM****PUBLIC COMMENT RULES**

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

**PLEASE TAKE NOTICE**

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

**PLEASE TAKE FURTHER NOTICE**

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

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

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

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

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





# CITY OF HAYWARD

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**File #:** MIN 21-043

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**DATE:** April 6, 2021

**TO:** Mayor and City Council

**FROM:** City Clerk

**SUBJECT**

Approve City Council Minutes of the City Council Meeting on March 16, 2021

**RECOMMENDATION**

That the City Council approves the City Council meeting minutes of March 16, 2021.

**SUMMARY**

The City Council held a meeting on March 16, 2021.

**ATTACHMENTS**

Attachment I      Draft Minutes of March 16, 2021



**CITY COUNCIL MEETING  
REMOTE PARTICIPATION  
Tuesday, March 16, 2021, 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 meeting was conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order No 29-20 dated March 17, 2020, regarding the COVID-19 pandemic. Members of the City Council, City Staff, and members of the public participated via Zoom platform.

**Pledge of Allegiance:** Council Member Andrews

**ROLL CALL**

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

Absent: None

**CLOSED SESSION ANNOUNCEMENT**

The City Council convened in closed session at 5:00 p.m., regarding four items: (1) conference with legal counsel pursuant to Government Code 54956.9 pending litigation AG.G. et al. v. City of Hayward, et al. United States District Court Case No. 4:19-cv-00697 DMR; (2) conference with labor negotiators pursuant to Government Code 54957.6 regarding all labor groups; (3) conference with property negotiators pursuant to Government Code 54956.8 regarding Caltrans Parcel Group 5: Maitland Drive, Bunker Hill Court, Bunker Hill Boulevard and Central Boulevard; APNs: 445-0250-041-01, 445-0260-084-03, 445-0260-018-04, 445-0270-054-02, 445-0250-060-00, 445-0250-059-01, 445-0260-109-04, 445-0260-018-03, 445-0260-109-03, 445-0260-002-00; and (4) conference with property negotiators pursuant to Government Code 54956.8 regarding Caltrans Parcel Group 8: Grove Way; APNs: 415-0180-070-00, 415-0180-068-01, 415-0180-076-00, 415-0180-084-01, 415-0180-073-00, 415-0180-074-00, 415-0180-075-00, 415-0180-072-00, 415-0180-071-00, 415-0180-069-01, 415-0190-064-00, 415-0180-083-01, 415-0180-080-00, 415-0180-082-01, 415-0180-081-01.

City Attorney Lawson reported Item 1 was not discussed and it would be discussed at the end of the regular meeting later in the evening; noted there were two matters discussed under Item 2 and Council gave direction to the labor negotiating team but there was no action taken; and Council gave direction related to Item 3 but there was no action taken.



## **PRESENTATION**

Mayor Halliday read a Proclamation declaring the month of March 2021 as American Red Cross Month in the City of Hayward and presented to the American Red Cross Bay Area Chapter. Alameda County Board Member Jay Pimentel accepted the proclamation.

Poet Bruce Roberts read a poem about Hayward's 145th birthday entitled, Cartwheels and Somersaults Birthday!

City Manager McAdoo requested to continue Consent Calendar Item 8 to a date uncertain because Hayward Police Department command staff was not available to answer questions due to a major incident occurred earlier in the day. With no objections received from the City Council, the item was removed from the Consent Calendar.

## **PUBLIC COMMENTS**

Mr. Carlos Archuleta (Westbay MGT) spoke about the handling of a PEG grant and alleged conflicts of interest and issues with Chabot College TV studio; and asked to discuss issues raised with members of the City Council.

Ms. Davida Scott, HUSD teacher, provided an update on Raising Leaders workshops; highlighted the \$1.1 million raised in funding as of April 6<sup>th</sup>, thanked City staff for their partnership, praised the Adopt-a-Block Program, and noted she had helped adopt 37 blocks in Hayward to maintain the community.

Ms. Selina McManus noted she wanted to speak on Item 8, acknowledged the day's Hayward Police Department (HPD) officer involved shooting, and stated HPD wants to use drones on Ohlone land to violate citizens.

Mr. Alexis Villalobos, Hayward Community Coalition (HayCoCoa) representative, noted Consent Item 3 should not be under consent because it is a controversial item and spoke in opposition to the purchase of drones per demand three (ban HPD to purchase surveillance equipment) to defund HPD.

Mr. Mike Katz-Lacabe, Oakland Privacy director of research, expressed concern about Item 2 on the Consent Calendar and encouraged the Council to adopt an ordinance governing the use of surveillance technology and ensuring public vetting, control and oversight of technology.

Mr. Metters expressed concern about the impact of homeless encampments on local businesses.

City Manager McAdoo spoke about efforts by the City to address the situation of unhoused individuals according to advice from the Alameda County Health Officer and noted that incoming federal stimulus dollars might allow to provide additional shelter bed spaces.



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Mr. Jesse Gunn spoke about the day's HPD shooting and Chief Chaplin's interview, noted the word terrorism has racial and religious connotations that should not be used in 2021, and added there are different standards when policies are enforced.

Ms. Cynthia Nunes, HayCoCoa member, suggested there should be public input when the request to purchase drones returns to Council, alleged HPD has a history of abusing equipment, and noted it has been over a year since the protests and there have not been changes.

Ms. Pamela Lowe, Hayward resident, noted HPD's attempt to purchase drones undermines conversations around racial justice, and it is not in alignment with calls of the Black Lives Matter movement and Hayward community.

Ms. Lacei Amodei, Hayward resident, urged the Council to have full public discussion when purchase of drones comes back to Council, was confused that such a controversial proposal was put forward without passing it through the policy innovation workshop, and noted the Community Advisory Panel (CAP) was not designed to be a policy recommendation body, and urged to apply an equity lens to community safety issues.

Mr. George Syrop, HayCoCoa member, noted that funds for surveillance technology could be reallocated toward solutions for the unhoused similar to Austin, Texas where a hotel was turned into housing and services with funds from their police department.

Ms. TJ, with Hayward Concerned Citizens, asked HayCoCoa members to let the policy innovation workshop run its course when it comes to Unmanned Aerial System (UAS), and noted the community needs to build a better partnership with HPD as its role is not going away.

Mr. Emilio Ronquillo noted drones are military tools that give power to HPD, expressed doubts they will be used responsibly, and urged the use earmarked funds for solutions that address conditions that lead to crimes.

Council Member Wahab indicated she expects to see action items from policy innovation workshops, noted the staff report should include more information about what was discussed during CAP meetings, added that on 2/12/20 she and Council Member Mendall submitted a request for consideration of a privacy policy and inquired about the referral process.

City Manager McAdoo noted that recommendations from the policy innovation workshop will come to the Council Budget and Finance Committee at the end of April, added IT staff has been working on a privacy policy, and mentioned the Council referral policy will be included in discussions pertaining to the Council Member Handbook at the March 30<sup>th</sup> work session.

Council Member Andrews asked if there are wraparound services or partnerships with the Navigation Center and got confirmation the UAS item will not be on consent when it returns.

City Manager McAdoo noted the navigation center concept is based on placement in permanent housing with comprehensive services.

## CONSENT

1. Approve City Council Minutes of the Special City Council Meeting (City Council Retreat) on February 20, 2021 **MIN 21-035**

It was moved by Council Member Zermeño, seconded by Council Member Lamnin, and carried unanimously, to approve the minutes of the City Council meeting on February 20, 2021.

Council Member Wahab asked that future consultants discuss further opportunities on diversity of thought.

2. Approve City Council Minutes of the City Council Meeting on February 23, 2021 **MIN 21-036**

It was moved by Council Member Zermeño, seconded by Council Member Lamnin, and carried unanimously, to approve the minutes of the City Council meeting on February 23, 2021.

Council Member Wahab inquired if the City needed to clearly document Covenant House's commitment to 50% of spaces for Hayward. City Manager McAdoo clarified the City cannot impose conditions of approval and Assistant City Manager Ott confirmed Covenant House and the County had agreed to the terms.

3. Approve City Council Minutes of the City Council Meeting on March 2, 2021 **MIN 21-037**

It was moved by Council Member Zermeño, seconded by Council Member Lamnin, and carried unanimously, to approve the minutes of the City Council meeting on March 2, 2021.

4. Adopt a Resolution Accepting the Resignation of Mr. Yahya Elshawarbi from the Hayward Youth Commission, Effective February 21, 2021 **CONS 21-128**

Staff report submitted by City Clerk Lens dated March 16, 2021, was filed.

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

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



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Resolution 21-033, "Resolution Accepting the Resignation of Mr. Yahya Elshawarbi from the Hayward Youth Commission"

5. Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Professional Services Agreement with the Metropolitan Planning Group for On-Call Planning Services for an Amount Not-to-Exceed \$175,000 **CONS 21-126**

Staff report submitted by Director of Development Services Simpson dated March 16, 2021, was filed.

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

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

Resolution 21-034, "Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with the Metropolitan Planning Group Inc., for Professional Planning Services Increasing the Not-to Exceed Amount to \$175,000"

A motion for reconsideration of Consent Item No. 6, with Council Member Lamnin moving and Council Member Wahab seconding, was unanimously approved by the following roll call vote.

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

6. Adopt a Resolution Authorizing the City Manager to Execute a Professional Services Agreement with CSW/Stuber-Stroeh Engineering Group, Inc., for the Main Street Complete Street Project No. 05283 and Approve the Transfer and Appropriation of Funds **CONS 21-127**

Staff report submitted by Director of Public Works Ameri dated March 16, 2021, was filed.

Council Member Lamnin asked about community feedback and how the recommendations could be incorporated into the project.

City Manager McAdoo noted staff had done significant outreach to the business community and they were working to create a compromised position between merchants not losing parking on the street and creating a safe environment for pedestrians and bicycles.

Public Works Director Ameri introduced Associate Civil Engineer/Main Street Complete Streets Project Manager Tat who provided a brief update of the Main Street Complete Streets project.

Council Member Márquez noted the Council Infrastructure Committee (CIC) had asked staff to have an additional meeting and several follow-up meetings and received no consensus from the community, indicated the proposal was in line with the Complete Streets Policy, the City was receiving a grant for the project, and added there is ample parking but identified a need to do a better job of highlighting municipal parking lots with wayfinding signs.

Council Member Zermeño noted he agreed with merchants and would rather see the area for bicycle lanes devoted to parquets for outdoor seating.

Council Member Salinas concurred with Council Member Márquez, reminded all the City has been focused on the Complete Streets Policy, added the restaurant industry has changed and will continue to adapt in coming months, and reminded the community to have faith in the Complete Streets Policy.

Council Member Andrews asked the City to connect merchants with Economic Development staff to help reimagine the sidewalk space and help with transition; and noted San Francisco has examples of programs that helped businesses.

Council Member Wahab asked staff to address the feedback received, expressed she was in favor of extended sidewalks to allow for outdoor dining, suggested to have sidewalk measurements based on other cities such as Pleasanton and Fremont which has 15 feet for outdoor dining and make comparisons based on commonalities, and agreed with Council Member Márquez about the need for additional wayfinding signage for downtown parking.

Mayor Halliday noted she represents Hayward on ACTC which has provided funding for projects; noted the City was taking the multimodal concept seriously; thanked staff, community members, and the CIC for their work; noted 15 feet seemed wide enough sidewalk to accommodate outdoor dining; noted she would like to revisit diagonal parking on B Street; and added the need to move in a direction of providing complete streets.

Council Member Márquez made a motion to approve staff's recommendation.

Council Member Salinas seconded the motion.



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Council Member Lamnin recommended some flexibility around how things are constructed such as surface areas and infrastructure that give the most flexibility and continue the conversations with the community to address pain points, expressed concerns with diagonal parking, and highlighted concerns raised about impact on ADA parking and feedback about the opportunity to put a bike locker in the area. Staff clarified the ramp in front of the credit union will not be impacted.

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

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

Resolution 21-036, "Resolution Authorizing the City Manager to Negotiate and Execute a Professional Services Agreement with CSW/Stuberstroeh Engineering Group, Inc."

Resolution 21-037, "Resolution Authorizing the Transfer and Reappropriation of \$1,000,000 from the Safe Routes for Seniors Project 05309 to Main Street Complete Street Project, Project 05283, within the Measure BB Paratransit Capital Fund (Fund 219)"

7. Adopt a Resolution Approving Plans and Specifications and Call for Bids for the Sanitary Sewer Main Replacement at Alameda County Transit Maintenance Facility, Project No. 07781 **CONS 21-129**

Staff report submitted by Director of Public Works Ameri dated March 16, 2021, was filed.

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

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

Resolution 21-035, "Resolution Approving Plans and Specifications for the Sanitary Sewer Main Replacement at the Alameda County Transit Maintenance Facility, Project No. 07781, and Call for Bids"

8. Adopt a Resolution Authorizing the Purchase and Adoption of an Unmanned Aerial System Program for the Hayward Police Department and the Hayward Fire Department  
**CONS 21-131**

The item was removed from the Consent Calendar and continued to a date uncertain.

## **LEGISLATIVE BUSINESS**

9. General Plan Annual Progress Report: Accept the Hayward 2040 General Plan Annual Progress Report for Calendar Year 2020 **LB 21-007**

Staff report submitted by Director of Development Services Simpson dated March 16, 2021, was filed.

Development Services Director Simpson introduced Acting Planning Manager Lochirco who provided a synopsis of the staff report.

There being no public comments, Mayor Halliday opened and closed the public hearing at 9:06 p.m.

Members of the City Council commended staff for the General Plan annual progress report.

Following are suggestions offered by members of the City Council: update the timeframe of General Plan programs that were not implemented in 2014-2016 before publishing the document on the website; allow opportunities to solicit further public input for implementation of General Plan programs in progress; if a cultural commission is approved, it should have a racial equity lens; consider a racial equity lens on policies that are discussed; reprioritize existing General Plan programs to align with Strategic Roadmap projects as community needs change over time; leverage from existing entities and community partners such as Hayward Arts Council to accomplish envisioned goals of a cultural commission and have the Hayward Promise Neighborhood take the lead on workforce development; continue to align General Plan programs with Government Alliance on Race and Equity (GARE) recommendations related to social justice and include all communities in Hayward including honoring the Ohlone tribe; explore ways to enhance outreach efforts to ensure all projects up



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for discretion go through a comprehensive, thoughtful and inclusive process; consider community conversations around density and community character as part of the Housing Element update and conversations with the Homelessness Housing Task Force and developer community about costs of building housing; note what is of particular concern to the community and use it to help shape guidelines for developers; evaluate density outside of transit hubs and think at a regional level; brand the 'tech corridor' or 'tech loop' and consider the marketplace of 60,000+ students throughout Hayward's academic institutions and develop a strategy for economic development; commit to local hire outside of Project Labor Agreement (PLAs) and embed incentives in local hiring; consider neighborhood design updates to bring about neighborhood cohesiveness; use existing grants to consider new concepts for projects in (PDAs) Priority Development Areas and (PPAs) Priority Production Areas; work with County partners to provide resources for the Community Health and Quality of Life program; a separate Arts and Culture Commission could review funding requests and develop events to bring the community together through cultural celebrations and reimagine longstanding traditions; and the recently passed relief bill could be allocated toward programs that have not started due to lack of funding.

Council Member Wahab and Mayor Halliday thanked Development Services Director Simpson for her work and wished her well on her upcoming retirement.

**CITY MANAGER'S COMMENTS**

City Manager McAdoo shared two announcements: (1) in partnership with Tiburcio Vasquez Health Center and the Alameda County Department of Public Health, the Hayward Fire Department has a vaccination site and will help eligible individuals and Spanish speakers get registered to get vaccinated at the Firehouse Clinic on March 20th and March 27th from 10:00 a.m. to 2:00 p.m.; and (2) the event Happy Hour with City Manager McAdoo on March 18th celebrating Women's History Month and conducting conversations with women in leadership, organized by Library Director Addleman via Zoom.

**COUNCIL REPORTS AND ANNOUNCEMENTS**

Council Member Andrews asked for AC Transit Inter-Agency Committee (IAC) representatives to ask about status of bus shelters and ideas to improve them for the community. IAC members Lamnin and Zermeno spoke about an item related to bus shelters on IAC's agenda and a contract was under review and provided a number for concerns (510-891-7277).

Council Member Márquez shared positive feedback from individuals who have received vaccines at the Firehouse Clinic; and noted COVID testing continued at Glad Tidings Church, through La Familia Counseling Center, and at Skywest Golf Course.



Mayor Halliday asked City Manager McAdoo to make information more clearly available on the City website to help people find vaccinations.

Council Member Wahab requested additional benches along the shoreline; inquired about her request on job loss/unemployment update and the impact to labor budget based on COVID; asked for a comprehensive infographic for vaccine information and COVID related that Council members can share; suggested recognizing Development Services Director Simpson during her last City Council meeting; and noted she will be sending an email requesting a proclamation for the first day of Spring, Nowruz, a non-religious holiday.

## **COUNCIL REFERRALS**

There were none.

## **ADJOURNMENT**

Mayor Halliday adjourned the regular meeting to a closed session at 10:05 p.m.

Mayor Halliday reconvened the regular meeting at 11:16 p.m.

City Attorney Lawson reported the City Council, with all members present, reconvened in closed session at 10:10 p.m., to discuss the first item on the closed session agenda, pending litigation, AGG v. City of Hayward. After discussion, the City Council, with Council Member Salinas moving and Council member Wahab seconding, unanimously approved to settle and compromise the matter. The closed session concluded at 11:15 p.m., and the open session resumed at 11:16 p.m.

Mayor Halliday adjourned the meeting at 11:25 p.m., in memory of Ms. Marion Sands and Ms. Marlene Teel-Heim.

Ms. Marion Sands was an active member of the Longwood community, a great hostess, and the Sands family (Marion, John and Peter) received the 2019 Fan & Jim Forsyth Award from the Hayward Area Democratic Club.

Ms. Marlene Teel-Heim helped preserve Hayward's first City Hall on Mission Boulevard, was a member of the Harder-Tennyson Neighborhood Task Force and Neighborhood Alert Board of Directors, helped raise funds to renovate the Weekes Branch Library, was involved in establishing the annual Zucchini Festival, led the development of Hayward's Downtown Street Banner Program, served on the St. Rose Hospital Foundation, received the City of Hayward Mayor's Award in 1989 and the Lifetime Achievements Award in 2006, was a devoted fan of arts and advocated for Sister Corita Kent's artwork arranging art exhibits at City Hall, and started the Celebration of Nations Festival.

Mayor Halliday asked staff to work with both families and plant trees in their honor.



**CITY COUNCIL MEETING  
REMOTE PARTICIPATION  
Tuesday, March 16, 2021, 7:00 p.m.**

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

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**File #:** MIN 21-044

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**DATE:** April 6, 2021

**TO:** Mayor and City Council

**FROM:** City Clerk

**SUBJECT**

Approve City Council Minutes of the City Council Meeting on March 23, 2021

**RECOMMENDATION**

That the City Council approves the City Council meeting minutes of March 23, 2021.

**SUMMARY**

The City Council held a meeting on March 23, 2021.

**ATTACHMENTS**

Attachment I      Draft Minutes of March 23, 2021



**CITY COUNCIL MEETING  
REMOTE PARTICIPATION  
Tuesday, March 23, 2021, 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 meeting was conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order No 29-20 dated March 17, 2020, regarding the COVID-19 pandemic. Members of the City Council, City Staff, and members of the public participated via the Zoom platform.

Mayor Halliday asked for a moment of silence for the shooting victims in Atlanta, Georgia and Boulder, Colorado.

**Pledge of Allegiance:** Mayor Halliday

**ROLL CALL**

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

**CLOSED SESSION ANNOUNCEMENT**

The City Council convened in closed session at 5:00 p.m., regarding the City Clerk's annual evaluation pursuant to Government Code 54957. Mayor Halliday reported there was no reportable action.

**PRESENTATIONS**

Council Member Wahab read a Proclamation declaring March 21, 2021 as Nowruz Day in the City of Hayward and recognizing the cultural and historical significance of Nowruz. Council Member Wahab wished Nowruz Mobarak and a Prosperous New Year to all who celebrate.

Mayor Halliday read a Certificate of Commendation presented to Development Services Director Simpson upon her retirement from the City of Hayward on March 26, 2021. City Manager McAdoo expressed her gratitude to Development Services Director Simpson for her dedication and commitment to the City of Hayward organization and community.

**PUBLIC COMMENTS**

City Manager McAdoo spoke about the March 16<sup>th</sup> Hayward Police Department officer involved shooting that resulted in a fatality, noting it was the subject of multiple investigations; provided an update on community conversations and policy innovation workshops regarding public safety; and noted information is available at [www.hayward-ca.gov/HaywardSafe](http://www.hayward-ca.gov/HaywardSafe).

Mr. David Metters, Hayward resident, spoke in support of resources for police officers, including drones.

Ms. JG expressed gratitude for acknowledging Nowruz Day for the first time in Hayward, thanked the City Council and especially Council Member Wahab for endorsing it, and noted representation matters to the next generation.

Dr. Ann E. Maris, Hayward resident and Friends of San Lorenzo Creek member, expressed concern about lack of recognition for indigenous people who settled in Hayward including Ohlone people; and asked how the City was reaching out and engaging them to overcome mistrust.

Ms. Lory Hawley asked about the tent settlement in the flag garden at the corner of Foothill and Mission Boulevards, asked why tents have been allowed to stay, and why were encampments allowed to grow during this time.

Mr. Remo Kumar, Alameda County resident, requested sidewalk and lighting upgrades on Star Ridge Road. City Manager McAdoo noted the area was in unincorporated Hayward and City Clerk Lens provided him with a number to call to help him get in touch with the County.

Ms. Frances echoed concerns made by Ms. Hawley about encampments and the impacts on health, crime, and property investments.

City Manager McAdoo noted the City has been directed by Alameda County Health Department to follow Center for Disease Control and Prevention best practices and to not relocate encampments to limit the spread of COVID.

## CONSENT

1. Adopt a Resolution Approving an Amendment to the City of Hayward Salary Plan for Fiscal Year 2021 **CONS 21-136**

Staff report submitted by Director of Finance/Interim Director of Human Resources Claussen dated March 23, 2021, was filed.

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

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



**CITY COUNCIL MEETING  
REMOTE PARTICIPATION  
Tuesday, March 23, 2021, 7:00 p.m.**

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Resolution 21-038, "Resolution Approving the Amended Fiscal Year 2021 Salary Plan Designating Positions of Employment in the City of Hayward and Salary Range; and Superseding Resolution No. 21-023 and all Amendments Thereto"

2. Adopt Resolutions Authorizing the City Manager to Increase the Consultant and Construction Contracts for the 21st Century Library - Heritage Plaza Project and Appropriate Funds **CONS 21-139**

Staff report submitted by Director of Public Works Ameri dated March 23, 2021, was filed.

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

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

Resolution 21-039, "Resolution Authorizing an Appropriation of Additional Funds in the Amount of \$850,000 for Construction of the 21st Century Library and Community Learning Center and Heritage Plaza Arboretum Project, Project No. 06988, within Measure C Capital Fund (Fund 406)"

Resolution 21-040, "Resolution Authorizing the City Manager to Amend the Contract with T.B. Penick & Sons, Inc., to Increase the Contract Amount by \$400,000 to a Not-to-Exceed Amount of \$53,348,512 for Additional Construction Services for the 21st Century Library and Community Learning Center and Heritage Plaza Arboretum Project, Project No. 06988"

Resolution 21-041, "Resolution Authorizing the City Manager to Amend the Professional Services Agreement with Noll + Tam Architects and Planners to Increase the Agreement Amount by \$100,000 to a Not-to-Exceed Amount of \$3,300,000 for Additional Services for the Hayward 21st Century Library and Heritage Plaza/ Arboretum Construction Project, Project No. 06998"

3. Adopt a Resolution Authorizing the City Manager to Negotiate and Execute Amendments to the Agreements with Five Consulting Firms, Increasing the Compensation to an Amount Not-to-Exceed the Total Fiscal Year 2021 Budget Appropriation for Consulting Services within the Development Services Department Building Division **CONS 21-148**

Staff report submitted by Director of Development Services Simpson dated March 23, 2021, was filed.

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

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

Resolution 21-042, “Resolution Authorizing the City Manager to Negotiate and Execute Amendments to the Agreements with Five Consulting Firms, Increasing the Compensation to an Amount Not to Exceed the Total FY21 Budget Appropriation (Development Services - Building) for Consulting Services”

## **LEGISLATIVE BUSINESS**

4. Adopt a Resolution Denouncing Racism, Xenophobia, and Violence Against the Asian American and Pacific Islander Community **LB 21-010**

Staff report submitted by City Manager McAdoo dated March 23, 2021, was filed.

City Manager McAdoo provided a synopsis of the staff report and Mayor Halliday read the resolution into the record.

Mayor Halliday opened the public hearing at 7:55 p.m.

Mr. Alexis Villalobos, Hayward resident, encouraged Council and staff to continue the work to increase resources for intervention and prevention programs, support anti-racism programs and promote racial empathy and solidarity; and highlighted the importance to have Council members propose programs and policies similar to the referral brought by Council Member Wahab ten months ago.

Mayor Halliday closed the public hearing at 7:58 p.m.



**CITY COUNCIL MEETING  
REMOTE PARTICIPATION  
Tuesday, March 23, 2021, 7:00 p.m.**

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Mayor Halliday mentioned the Alameda County Stop Hate hotline to report hate crimes is (510) 208-4824.

Council Member Wahab made a motion to move the item.

Council Member Salinas seconded the motion.

Council Member Wahab spoke about her own experience and other Asian Americans being marginalized, discussed her May 13, 2020 referral to consider a resolution condemning anti-Asian sentiment and reaffirming the City's commitment to prosecute hate crimes and honor the Asian Pacific Islander heritage month; added that community members' concerns should not be ignored until issues get national attention; discussed the history of racism; mentioned she was proud of the work the City is doing in ensuring all voices are heard and urged all to proactively continue the work.

Council Member Andrews concurred with Council Member Wahab's comments, added that sometimes discrimination is more in the form of micro aggressions than outright violence, and recommended vetting resolutions by the GARE (Government Alliance on Race and Equity) team for recommendations and timely consideration including public input. City Manager McAdoo noted the resolution was recommended by GARE.

Council Member Salinas thanked City Manager McAdoo and the GARE team for bringing the item forward, reiterated the number to report crime, spoke about recent years' national events and how inflamed rhetoric in Washington affects all communities, and spoke about his experience in the classroom and noted the responsibility of educators to listen and provide space for students to process and reflect.

Council Member Zermeño spoke about his personal experience with racism as the first Mexican-born elected to Council and noted he will continue to work locally and regionally to ensure individuals have respect for one another.

Council Member Márquez thanked Council Member Wahab for raising the matter in the past and City Manager McAdoo and GARE team for bringing it back, appreciated Mr. Villalobos' comments and reiterated to stand up for individuals who are discriminated against and reach out on their behalf, and noted Asian Americans and Pacific Islanders are deeply rooted in the community.

Mayor Halliday encouraged reporting hate incidents; spoke about the 2017 City's Commitment for an Inclusive, Equitable and Compassionate Community document in response to the rhetoric from Washington at that time; noted that community members should get to know each other and celebrate different cultures in an effort to reduce hatred; applauded the work of educators to bring awareness to students; and discussed a planned marker in the Heritage Plaza



on Watkins Street commemorating the place of departure from 1942 for Japanese Americans who were bussed to detention camps during World War II.

Council Member Wahab acknowledged Council Members Andrews and Márquez for recognizing prior attempts to bring the item forward, appreciated the work done by the GARE team and expressed she wished the City could have addressed the item a year ago.

It was moved by Council Member Wahab, seconded by Council Member Salinas, and carried by the following roll call vote, to approve the resolution:

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

Resolution 21-043, “Resolution Denouncing Racism, Xenophobia, and Violence Against the Asian American and Pacific Islander Community”

## **WORK SESSION**

### **5. Stratford Village Assessment District: Review Proposal to Hold a Proposition 218 Election for Maintenance District #1, Stratford Village Stormwater Lift Station **WS 21-014****

Staff report submitted by Director of Maintenance Services Rullman dated March 23, 2021, was filed.

Maintenance Services Director Rullman announced the staff report and introduced Management Analyst Blohm and SCI Senior Consultant Kyle Tankard who provided a synopsis of the staff report and provided an overview of the Proposition 218 process.

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

City staff addressed questions posed by members of the City Council regarding the generator; the Supervisory Control and Data Acquisition (SCADA) system; communications with residents in the district via community meetings; Proposition 218 notification requirements; the 174 property owners who benefit from the station and contribute \$243 per year and anticipated increases to cost which will include CPI; the cost is pre-established by the County because they operate and maintain the pump; and when the Maintenance District was established in 1995 it did not include an inflation factor and there was an attempt to adjust the assessment many years ago but it was unsuccessful. Members of the City Council praised the varied range of community outreach efforts.



**CITY COUNCIL MEETING  
REMOTE PARTICIPATION  
Tuesday, March 23, 2021, 7:00 p.m.**

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Council Member Andrews recommended that staff check with the Hayward Fire Department as well as Bay Area Air Quality Management District for additional work surrounding the generator regarding any environmental and sound mitigation concerns and suggested to be clear as to who bears the responsibility regarding any add-ons (SCADA upgrades) that might increase project cost.

Council Member Márquez asked staff to confirm the legal requirement for new property owners to receive disclosure during real estate transactions, suggested staff include language in information materials directing residents to where to find language assistance in common spoken languages in Hayward and find out why there are no fees assessed for the HARD park.

Council Member Lamnin expressed concern about the lack of transparency from the County related to prior studies that underwent a sudden jump in cost or the opportunity for the City to provide a second opinion, appreciated continued efforts for engagement, highlighted the importance to be frank about anticipated costs, and echoed Council Member Marquez's comments about assisting community members who may need translation services.

Council Member Wahab concurred with Council Member Andrews' comments because of her expertise, highlighted the City should account for inflation whenever there are fees involved, and echoed Council Member Márquez's comments about language assistance.

Mayor Halliday noted the importance to emphasize there are consequences for not properly maintaining the flood control system in the event of a major storm.

Mayor Halliday, with indulgence from the City Council, allowed Ms. Rona Popal to speak but she did not have a comment on the subject.

Council Member Andrews suggested staff communicate to the neighborhood that the generator would help in the event of power outage and flooding event.

Mayor Halliday noted the Council will receive an item discussing the ballot election process on April 27, 2021.

## **PUBLIC HEARING**

6. Hayward Master Fee Schedule: Adopt a Resolution Amending the Fiscal Year 2022 Master Fee Schedule. **PH 21-021**

Staff report submitted by Director of Finance Claussen, dated March 23, 2021, was filed.

Director of Finance Claussen provided a synopsis of the staff report.

Mayor Halliday opened the public hearing at 9:08 p.m.

Mr. Carl Gorringer, Library Commissioner, echoed concerns expressed in his letter sent to Council about fees for the use of library meeting rooms, noted the fees may disincentivize groups from visiting the library, and advocated for elimination of fees for nonprofits/clubs/special interest/education/charitable groups as long as they are not using the space for profit.

Mayor Halliday closed the public hearing at 9:09 p.m.

Council Member Wahab agreed with the comment made by Mr. Gorringer and added that community groups without nonprofit status should be able to use meeting rooms without a fee.

City Manager McAdoo noted the Library Commission will be looking at its room rental fee schedule at their June meeting.

Library Director Addleman noted library meeting rooms had been busy and fees were set for maintenance and cleaning, noted the Library Commission plans to revisit the fees during its June meeting and added the goal is to balance serving the community and protecting city property.

Council Member Lamnin agreed with revisiting library fees as well as understanding costs and how much access can be given to both libraries and noted inconsistency with agenda packet or meeting notes costs across committees and suggested a flat annual subscription fee for paper copies.

Council Member Lamnin made a motion with two changes to the Master Fee Schedule: on page 8 remove the year in the statement about when rental fees are due and on page 32 remove "Homes for the Mentally impaired" language as it will be covered under 24-hour Community Care Facilities section.

Council Member Zermeño seconded the motion.

Council Member Márquez thanked Library Commissioner Gorringer for his input and Library Director for the information and asked when modifications to the fee schedule could be made based on Library Commission recommendations regarding equity and access.

Finance Director Claussen noted any amendments to the Master Fee Schedule could come back as standalone item without having to wait until midyear or annual updates.

Mayor Halliday supported making library more accessible and affordable, recalled in the past there was controversy with a group that wanted to use the library for a cause that was not community friendly, and noted she was not in favor of censorship or suppressing views but noted having a standard would be useful.



**CITY COUNCIL MEETING  
REMOTE PARTICIPATION  
Tuesday, March 23, 2021, 7:00 p.m.**

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It was moved by Council Member Lamnin, seconded by Council Member Zermeno, and carried by the following roll call vote, to approve the resolution with two amendments to the Master Fee Schedule:

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

Resolution 21-044, "Resolution Adopting the Fiscal Year 2022 Master Fee Schedule that Reflects Updated Fees and Charges for Departments in the City of Hayward and Rescinding Resolution No. 20-060 and all Amendments Thereto"

**CITY MANAGER'S COMMENTS**

There were none.

**COUNCIL REPORTS AND ANNOUNCEMENTS**

Council Member Wahab expressed pride for the Nowruz Proclamation, highlighted it is a non-religious holiday and a celebration that predates the Persian Empire, and added she received gratitude from the community for the recognition including that of a public speaker who missed the public comment section.

Council Member Andrews announced the City was celebrating Earth Day with Earth Month Challenge from April 1-30, 2021, encouraged residents to complete eco-activities and win prizes, and provided the webpage for more information, [hayward-ca.gov/earth-day](http://hayward-ca.gov/earth-day).

Council Member Lamnin noted the Homelessness Reduction Strategic Plan is moving along and anticipates the item will come before Council on April 20, 2021.

Mayor Halliday noted the City Council will hold a special City Council Work Session to discuss the Council Member Handbook on March 30, 2021 at 5:00 p.m.

**COUNCIL REFERRALS**

None received.

**ADJOURNMENT**

Mayor Halliday adjourned the meeting at 9:25 p.m.

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

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**File #:** CONS 21-149

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**DATE:** April 6, 2021  
**TO:** Mayor and City Council  
**FROM:** Director of Maintenance Services

**SUBJECT**

Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Vegetation Management Contract for Specific City Owned and Maintained Properties with Joe's Landscape and Concrete in an Annual Amount of \$104,092.77

**RECOMMENDATION**

That the Council adopts a resolution (Attachment II) authorizing the City Manager to negotiate and execute a Vegetation Management Contract for specific City owned and maintained properties with Joe's Landscape and Concrete in the amount of \$104,092.77.

**SUMMARY**

Staff recommends extending the 2020 Council approved Vegetation Management Contract with Joe's Landscape and Concrete to be consistent with the contract terms stated in the award letter issued to the vendor. The update in contract terms includes language to annually renew the 2020 contract, pending City satisfaction with the level of service for a period of three years not-to-exceed five years through 2024. Since last year's contract, Route 238 Parcel Group 7 has been sold and removed, while Parcel Group 2 is pending sale and is scheduled for service, pending the closing of escrow. For 2021, a new parcel has been included due to its proximity to the service area: La Vista Park.

**ATTACHMENTS**

Attachment I	Staff Report
Attachment II	Resolution



**DATE:** April 6, 2021

**TO:** Mayor and City Council

**FROM:** Director of Maintenance Services

**SUBJECT:** Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Vegetation Management Contract for Specific City Owned and Maintained Properties with Joe's Landscape and Concrete in an Annual Amount of \$104,092.77

## **RECOMMENDATION**

That the Council adopts a resolution (Attachment II) authorizing the City Manager to negotiate and execute a Vegetation Management Contract for specific City owned and maintained properties with Joe's Landscape and Concrete in the amount of \$104,092.77.

## **SUMMARY**

Staff recommends extending the 2020 Council approved Vegetation Management Contract with Joe's Landscape and Concrete to be consistent with the contract terms stated in the award letter issued to the vendor. The update in contract terms includes language to annually renew the 2020 contract, pending City satisfaction with the level of service for a period of three years not-to-exceed five years through 2024. Since last year's contract, Route 238 Parcel Group 7 has been sold and removed, while Parcel Group 2 is pending sale and is scheduled for service, pending the closing of escrow. For 2021, a new parcel has been included due to its proximity to the service area: La Vista Park.

## **BACKGROUND**

In March 2020, the Maintenance Services Department conducted RFQ #2009-120219.1 to solicit quotes for Vegetation Management Services on specific City owned and maintained properties. A total of seven quotes were received. Council approved and awarded a one-year contract to the lowest bidder: Joe's Landscape and Concrete on May 5, 2020<sup>1</sup>. Prior to Council approval, an award letter was issued to the vendor on April 20, 2020 notifying them that the contract was approved and could be renewed annually for a period of three years not-to-exceed five years with renewal contingent upon the City's satisfaction with said services.

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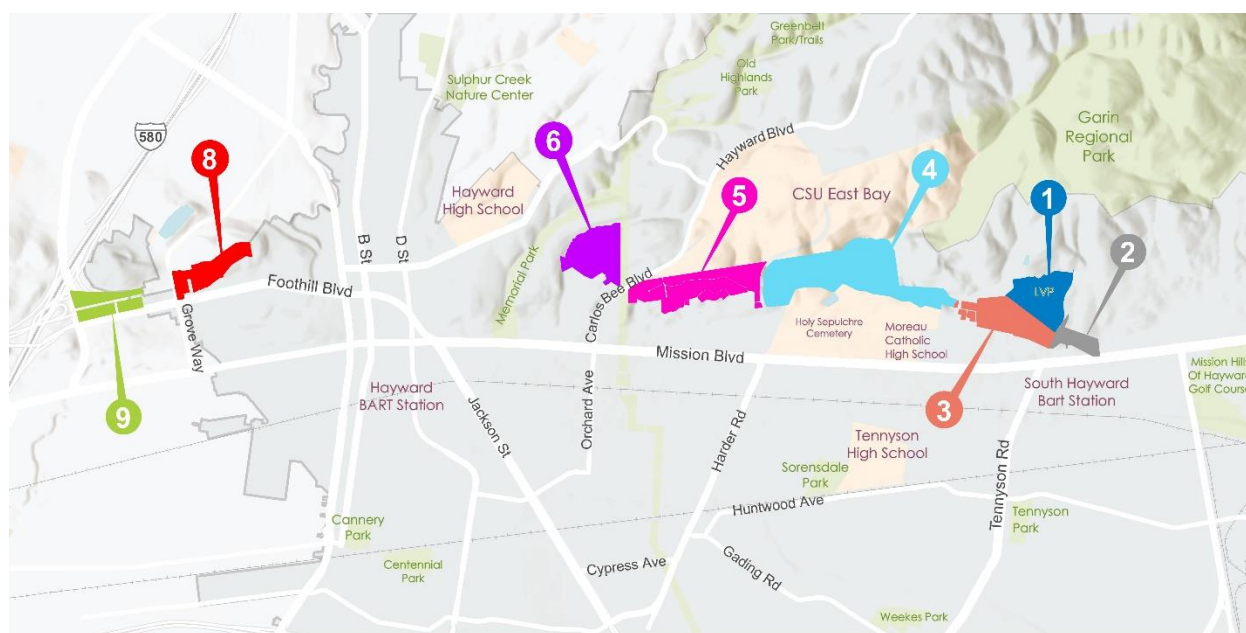
<sup>1</sup> [URL](#) – Consent Item 20-206, dated May 5, 2020

This report seeks approval to match the 2020 Council approved contract terms with the terms listed in the award letter issued to the vendor.

## DISCUSSION

To clarify the contract term discrepancy between the Council approved contract and the award letter, this report is being presented to the Council. This report and resolution request an update to the 2020 Council approved contract terms, to be commensurate with the award letter issued to the vendor last year. The new terms will allow for annual extensions of the contract through 2024, pending continued City satisfaction with service.

For 2021, eight parcels will be serviced, totaling 237 acres, as shown below.



The parcels are further described below by reference number and disposition status. Reference “1” is La Vista Park, which the City will continue to maintain ownership of. Reference “2-6 and 8-9” are Route 238 surplus parcels, all pending planning, negotiation, or sale in the next two years. The parcel listed as reference “2” is pending sale, but is included in this year’s contract should escrow not close prior to the scheduled vegetation management work. Reference “7” is missing from the list as Parcel Group 7 was sold in September 2020.

Ref	Status	Est. Disposition Timeline	Acres
1	Park Owner	N/A	25
2	Executed Purchase & Sale Agreement	May 2021	9
3	Under Negotiation	Fall 2021	26
4	Master Development Planning	2023	79



5	Under Negotiation	2021	37
6	Under Negotiation	2021	37
8	Under Negotiation	2021-2023	19
9	Master Development Planning	2023	5
			<b>237</b>

For 2021, the contract has been adjusted to include two additional acres. The vendor has provided an updated 2021 quote of \$104,092.77, which was adjusted by the per acre price quoted in 2020, of \$439.21 per acre. Future year service requirements will be reviewed annually, whereas the total number of annual acres requiring service will be recalculated each year, with that year's requirement being shared with the vendor who will be asked to provide an updated quote, based on the per acre quote awarded in 2020, of \$439.21 per acre.

### **FISCAL AND ECONOMIC IMPACT**

The budget for this contact was previously approved by the Council. No additional appropriation is required. No economic impact is associated with this item.

### **STRATEGIC ROADMAP**

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

### **NEXT STEPS**

If approved, the City will issue a 2021 contract to Joe's Landscape and Concrete in an amount of \$104,092.77. This year's work is scheduled to be completed no later than June 30, 2021.

*Prepared by:* Denise Blohm, Management Analyst

*Recommended by:* Todd Rullman, Director of Maintenance Services

*Approved by:*




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Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 21-

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

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A VEGETATION AND RUBBISH MANAGEMENT CONTRACT FOR SPECIFIC CITY OWNED AND MAINTAINED PROPERTIES WITH JOE'S LANDSCAPE AND CONCRETE IN AN ANNUAL AMOUNT OF \$104,092.77

WHEREAS, the City of Hayward ("City") manages and maintains seven Caltrans Route 238 Bypass surplus properties and La Vista Park; and

WHEREAS, vegetation management is completed annually to mitigate fire hazards by performing weed abatement, completing vegetation management, and creating defensible space; and

WHEREAS, among California's three primary hazards, wildfire, and particularly wildland-urban interface (WUI) fire, has represented the third greatest source of hazard to California, both in terms of recent state history, as well as the probability of future destruction of greater magnitudes than previously recorded. More recently, with the catastrophic wildfire events of 2017, 2018, and 2019 fire has emerged as an annual threat; and

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

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

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

WHEREAS, an RFQ #2009-120219.1 was issued in March 2020 to solicit quotes for the required work; and

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

WHEREAS, the lowest quote for said 2020 work was from Joe's Landscape and Concrete at \$103,215 for 235 acres; and

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

WHEREAS, on April 20, 2020, the City Finance Department issued an award letter to Joe's Landscape and Concrete to let them know that they had been selected and that the contract would be for the year 2020 and could be renewed annually for a period of three years, not to exceed five years and that renewal was contingent upon the City's satisfaction with Joe's Landscape and Concrete services.; and

WHEREAS, on May 5, 2020, the Council approved a one-year contract for Joe's Landscape and Concrete in an amount of \$103,215 for 235 acres; and

WHEREAS, Joe's Landscape and Concrete performed the 2020 contract to the satisfaction of City staff; and

WHEREAS, RFQ #2112-020521.1 was issued on March 9, 2021 for the 2021 Vegetation and Rubbish Abatement Service for City Owned Property; and

WHEREAS, Joe's Landscape and Concrete contested the RFQ, stating that their 2020 award letter stated that the 2020 contract could be renewed annually for three years, no more than five years, based on annual satisfaction with their services; and

WHEREAS, this staff report and resolution are being submitted for approval of updated contract terms to clarify the difference between the Council approved one-year term and the award letter stated contract term of annual renewal for three years, up to five years term; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward authorizes the City Manager to issue a contract to Joe's Landscape and Concrete for \$104,092.77 for Vegetation Management Services for seven Route 238 Bypass surplus properties and La Vista Park, totaling 237 acres.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2021

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 #:** CONS 21-160

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**DATE:** April 6, 2021

**TO:** Mayor and City Council

**FROM:** Assistant City Manager

**SUBJECT**

Adopt a Resolution Approving the FY 2022 Measure B/BB Annual Paratransit Program Plan and Authorizing the City Manager to Execute FY 2022 Service Agreements for the Continued Provision of Measure B/BB Funded Paratransit Services

**RECOMMENDATION**

That Council:

1. Adopts the attached resolution (Attachment IV) authorizing the FY 2022 Measure B/BB Annual Paratransit Program Plan, including the continued provision of the Hayward Operated Paratransit (HOP) programs; and
2. Authorizes the City Manager to execute FY 2022 service agreements for the continued provision of Measure B/BB funded paratransit services.

**SUMMARY**

This report provides an overview of the Hayward Operated Paratransit program's FY 2022 Annual Paratransit Program Plan, estimated program costs, and next steps. The funding requests are summarized by service provider in Table 1 below.

**Table 1. FY 2022 Estimated Program Cost**

<b>CATEGORY</b>	<b>AMOUNT</b>
<b>Program Administration</b>	\$550,000
<b>Research, Marketing &amp; Data Collection</b>	\$75,000
<b>Service Providers/Program</b>	
RydeTrans (Group Trips)	\$75,000
ASEB (Specialized Transportation)	\$75,000
CRIL (Travel Training)	\$75,000
SOS Meals on Wheels (Meal Delivery)	\$90,000
LIFE ElderCare (Door-through-Door)	\$95,000
HOP Means-Based Fare Program	\$125,000
Eden I&R (On-demand rides, includes ride subsidies)	\$358,460
Safe Route for Seniors Project (Capital)	\$1,000,000
<b>Total</b>	<b>\$2,518,460</b>

## **ATTACHMENTS**

Attachment I	Staff Report
Attachment II	Funding Recommendations
Attachment III	FY 2022 Measure B/BB Paratransit Program Plan Application
Attachment IV	Resolution



**DATE:** April 6, 2021

**TO:** Mayor and City Council

**FROM:** Assistant City Manager

**SUBJECT:** Adopt a Resolution Approving the FY 2022 Measure B/BB Annual Paratransit Program Plan and Authorizing the City Manager to Execute FY 2022 Service Agreements for the Continued Provision of Measure B/BB Funded Paratransit Services

## RECOMMENDATION

That Council:

1. Adopts the attached resolution (Attachment IV) authorizing the FY 2022 Measure B/BB Annual Paratransit Program Plan, including the continued provision of the Hayward Operated Paratransit (HOP) programs; and
2. Authorizes the City Manager to execute FY 2022 service agreements for the continued provision of Measure B/BB funded paratransit services.

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LIFE ElderCare (Door-through-Door)	\$95,000
HOP Means-Based Fare Program	\$125,000
Eden I&R (On-demand rides, includes ride subsidies)	\$358,460
Safe Route for Seniors Project (Capital)	\$1,000,000
<b>Total</b>	<b>\$2,518,460</b>

## **BACKGROUND**

The City of Hayward submits an Annual Paratransit Program Plan to the Alameda County Transportation Commission (Alameda CTC) detailing the proposed parameters of paratransit service for seniors (70+) and people with certified disabilities. The Hayward Operated Paratransit (HOP) program, administered by the City's Community Services Division, provides paratransit and related services to eligible enrolled riders and their attendants who live in Hayward, the unincorporated areas of San Leandro, Castro Valley, San Lorenzo, Ashland, and Cherryland.

In 2000, Alameda County voters approved the reauthorization of Measure B, the half-cent transportation sales tax, to deliver essential transportation services and improvements. In November 2014, voters approved Measure BB, authorizing the extension of Measure B to invest in capital projects addressing local transportation needs and programs that improve countywide transportation systems. The HOP program is funded in its entirety by Alameda County Measure B/BB half cent tax revenues administered by Alameda CTC.

In February each year, the City of Hayward submits an Annual Paratransit Program Plan to the Alameda CTC detailing the proposed parameters of eligible paratransit service for seniors (70+) and people with certified disabilities. Alameda CTC staff reviews the City's program plans and provides initial feedback. In April, the proposed Annual Paratransit Program Plan is presented to the Council for review and approval. The finalized plan is presented to the Alameda CTC's Paratransit Advisory and Planning Committee (PAPCO) in late April.

## **DISCUSSION**

East Bay Paratransit (operated by AC Transit and BART) is the primary paratransit service for Alameda County residents. HOP is designed to complement and supplement the East Bay Paratransit service when it is unable to provide service or meet the needs of HOP participants. As a City program, HOP is uniquely positioned to extend flexible and creative solutions to meet the unique needs of its riders.

The HOP engages community partners to carry out all services through the Annual Paratransit Program Plan subject to Measure B/BB funding availability. The following provides a summary of the partners that assist the City in implementing the HOP:



### **Transportation for Seniors**

The HOP partners with Eden I&R (Eden) to offer transportation network company (TNC) based rides, such as Lyft Concierge and Uber Health, to eligible residents. Eden arranges the ride with the TNC on behalf of clients through a web-based platform, eliminating the need for a smart phone to access to the service. Pre-scheduled, accessible group trips are offered, in partnership with RydeTrans (formerly A-Paratransit), to enrolled HOP riders. Group trips offer participants social outings to reduce isolation.



### **Volunteer Driver Program**

LIFE ElderCare matches screened volunteers driving their own personal vehicles with senior and disabled adults. The volunteers provide “door-through-door” service, acting as attendants who help with medical appointments, shopping, and various errands.

### **Specialty Transit**

Alzheimer’s Services of the East Bay (ASEB) provides services for individuals with dementia and their families. ASEB provides Adult Day Care, family support, and education to enabling individuals to remain living in their home for as long as possible. ASEB hires specially trained drivers to operate lift-equipped vehicles to provide transportation to its Adult Day Care program.

### **Travel Trainer**

Community Resources for Independent Living (CRIL) provides travel training workshops to people with mobility challenges through excursions on various modes of Bay Area transportation (including BART, AC Transit and the HOP).

**Meals-on-Wheels** Service Opportunities for Seniors (SOS) Meals on Wheels provides homebound seniors with nutritious meals delivered by volunteer drivers.



### **Capital Project**

The Safe Routes for Seniors (SR4S) Program is a collaborative effort between the City’s Community Services Division, Public Works’ Transportation Division, local senior housing facilities, senior centers, and community-based organizations. Through these partnerships, the City is working to identify areas in Hayward to focus accessibility and walkability improvements.

More detailed information about each of these programs is available in Attachment III.

## Existing Project Updates

1. **Partnership with Hayward Area Recreation District:** The HOP had partnered with the Hayward Area Recreation District (HARD), sharing a part-time Mobility Specialist to link HOP enrolled seniors to other social services including housing, food and in-home supportive care programs. This partnership ended in March 2020.  
***Status: Concluded in FY 2020-2021***
2. **VIP ZIP program:** In July 2020, the HOP's VIP ZIP program administrator transitioned to Eden I&R (Alameda County 2-1-1), a provider that has experience in operating as a call center and has over forty years of experience serving Alameda County. This partnership has been successful. Eden I&R continues to improve the TNC program and has been essential during the pandemic, often connecting riders to other County resources.  
***Status: Continuing in FY 2021-2022***
3. **Safe Routes for Seniors Program:** In FY 2020, the HOP executed a MOU with the Public Works Department to allocate Measure B/BB funds for ADA street improvements at or near senior/disabled housing developments. Public Works plans for streetscape improvements including the expansion of ADA curb-cuts and sidewalk bulb-outs (widening) to accommodate various mobility devices. Additional safety measures such as signal operations and timing, stripping, and traffic signal upgrades will all increase pedestrian accessibility. The program is currently in the design phase of the Downtown area. Construction is tentatively scheduled to begin in the summer of 2021.  
***Status: Continuing in FY 2021-2022***
4. **Accessible Van Share Program:** Hayward Operated Paratransit (HOP) was in partnership with CRIL to offer short-term reservations of two wheelchair-accessible vans with hand and foot controls. Membership with Getaround was required for this enhanced car-sharing service. In FY20, CRIL advised the City that they would have to temporarily suspend services due to challenges with their insurance provider. Getaround is a peer-to-peer carsharing marketplace in the San Francisco area that enables private car owners to offer on-demand vehicle rentals. CRIL had commercial auto insurance but it did not cover third-party liability, which was required by Getaround.

CRIL has conducted research but has been unable to find any insurance company/broker that is willing to cover third-party liability, not even for an increased premium. While there are funds set aside for this program in FY21, at this time, it does not appear that HOP will be able to provide this service. Given the challenges around securing appropriate insurance coverage and COVID-19 impacts to carshare services and publicly shared vehicles, HOP does not anticipate offering these services in FY2022. Staff is in communication with CRIL and will continue to offer support as CRIL explores alternatives.

***Status: On hold in FY 2021-2022***

**COVID-19 Program Impacts**

Due to the State of Emergency and the Alameda County Shelter-in-Place Order, many seniors, identified as individuals who are at higher risk for serious illness, remain at home and practice social distancing. As a result, many seniors have experienced a sudden reduction to their access to essential supplies and food. Many have or may experience further income impacts related to the COVID-19 virus, reducing already limited resources. Currently, there has been an overall reduction in the demand for transportation services and an increase in the demand for meal deliveries to homebound seniors. In response, staff partnered with HOP service providers to meet the increased demand to provide services to deliver essential goods and meals to homebound seniors and people with disabilities.

At the conclusion of FY 2020, the majority of HOP service providers did not meet their targeted goals.

Of the seven HOP programs:

- One exceeded their quantitative objectives for serving Hayward residents (172%)
- Five obtained between 11% and 88% of their quantitative objectives for serving Hayward residents
- One was not able to provide services (unrelated to COVID-19)

Staff was in communication with these agencies throughout the year and exceptions were made as the inability to meet their targets were largely associated with COVID-19 constraints or City related guidance around the modification or limitation of non-essential travel and social gathering.

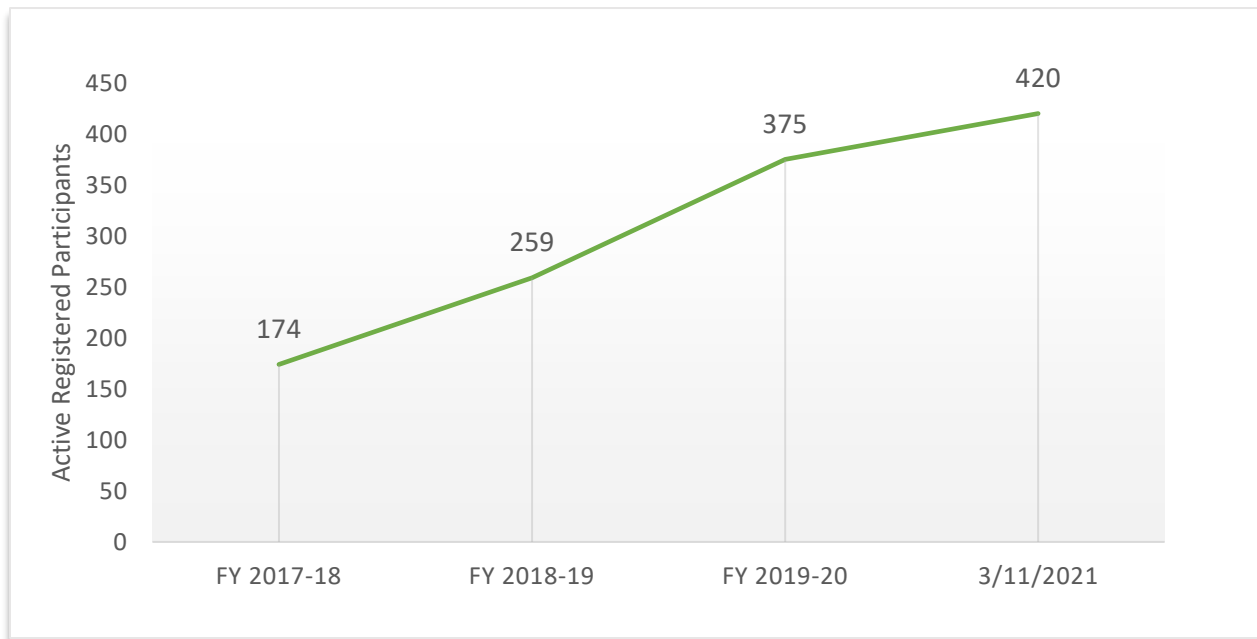
City guidance included:

- Limiting non-essential travel
- Temporarily suspending group trips
- Temporarily suspending in-person training/workshops

Many of HOP service providers have adapted their service delivery model to continue services while adhering to federal, State and local guidelines. While efforts continue to be made to provide quality services while adhering to COVID-19 guidelines, any additions or deviations from the current plan will be in accordance with the program guidelines and presented to Alameda CTC staff prior to implementation.

Despite the impacts that COVID-19 has had on public transportation, ridesharing, and specialized transit, including City-based programs, the number of active registered HOP participants continue to grow year over year as shown in Figure 1 on the following page.

**Figure 1. Active Registered Participants Over Time**



### **ECONOMIC IMPACT**

The HOP is supported exclusively by Alameda County Measure B/BB funds. The service offers cost-effective transportation alternatives for eligible residents on fixed incomes. Caregivers also benefit when loved ones have reliable transportation options.

### **STRATEGIC ROADMAP**

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

*Project 8, Parts 8.e, 8.f:      Implement the Bike and Ped Master Plan  
   Assess Safe Route for Seniors in the downtown area  
   Implement Route for Seniors in the downtown area*

Through the joint efforts of HOP and Hayward Public Works, the SR4S project will address the need for streetscape improvements to expand accessibility for seniors starting in the Downtown area. As a result, these modifications will improve accessibility and walkability for all.

### **FISCAL IMPACT**

The proposed FY 2022 Annual Paratransit Program Plan has no impact to the City's General Fund. The program costs, including City staff and administrative costs, are entirely offset by the City's Measure B/BB Paratransit special revenue fund derived from Measure B/BB sales

tax revenues administered by Alameda CTC. The estimated combined fund balance of Measure B/BB at the end of FY 2021 is \$2.1M. Additionally, the City's combined FY 2022 Measure B/BB direct local distribution of paratransit funds is projected to be \$1.7M. The total available funds are approximately \$3.8M, which is sufficient for the FY 2022 estimated program costs shown in Table 2 shown below.

**TABLE 2. FY 2022 ESTIMATED PROGRAM COST**

<b>CATEGORY</b>	<b>AMOUNT</b>
<b>Program Administration</b>	\$550,000
<b>Research, Marketing &amp; Data Collection</b>	\$75,000
<b>Service Providers/Program</b>	
RydeTrans (Group Trips)	\$75,000
ASEB (Specialized Transportation)	\$75,000
CRIL (Travel Training)	\$75,000
SOS Meals on Wheels (Meal Delivery)	\$90,000
LIFE ElderCare (Door-through-Door)	\$95,000
HOP Means-Based Fare Program	\$125,000
Eden I&R (On-demand rides, includes ride subsidies)	\$358,460
Safe Route for Seniors Project (Capital)	\$1,000,000
<b>Total</b>	<b>\$2,518,460</b>

## **SUSTAINABILITY FEATURES**

Several paratransit programs promote the use of public transportation and vehicle sharing, thereby reducing the number of vehicles on the road, as well as associate emissions.

## **PUBLIC CONTACT**

The Paratransit Program Plan is typically presented at various organizations that serve seniors and people with disabilities throughout the year. Public feedback is received, and based on the feedback collected, staff evaluates the program and recommends changes in order to meet the unique needs of the community. While public presentations were not made at senior centers and skilled nursing facilities this year, the public had the opportunity to provide comments on SR4S program at the following meetings and community events:

- June 27, 2019 at Hayward Area Senior Center – Japanese Garden
- July 2, 2019 at Hayward Senior Apartments
- July 22, 2020 Council Infrastructure Committee Meeting
- October 27, 2020 City Council Meeting
- March 8, 2021 Community meeting

The public also had the opportunity to provide comments on the draft FY 2022 Paratransit Program Plan at the Community Services Commission meeting of February 17, 2021.

In the spring, in anticipation of restrictions being lifted, staff plans to promote HOP programs and resources, including the Means-Based Fare Program, and provide guidance via a direct mailer that will include a survey to collect feedback from active participants.

## **NEXT STEPS**

Staff recommends that Council adopts the attached resolution approving the FY 2022 Annual Paratransit Program Plan and authorizing the City Manager to negotiate and execute all agreements necessary for program implementation. Should Council adopt the resolution, staff will meet with representatives from each contracting agency to facilitate contract execution so that there will be a continuation of delivery of Paratransit services.

*Prepared by:* Carol Lee, Management Analyst

*Recommended by:* Monica Davis, Community Services Manager  
Jennifer Ott, Assistant City Manager

*Approved by:*

A handwritten signature in black ink, appearing to read 'Kelly McAdoo', written over a horizontal line.

Kelly McAdoo, City Manager

Hayward Operated Paratransit Program  
FY 2022 Measure B/BB Annual Paratransit Program Funding Recommendations

ATTACHMENT II

CATEGORY	AGENCY	PROGRAM	FY21 FUNDING	FY 2022 REQUESTS	FY 2022 RECOMMENDED
Management/Overhead	City of Hayward	Program Administration	\$ 550,000.00	\$ 550,000.00	\$ 550,000.00
Customer Service/Outreach	City of Hayward	Research, Marketing & Data Collection	\$ 75,000.00	\$ 75,000.00	\$ 75,000.00
Group Trips Program	RydeTrans (A-Paratransit)	Group Trips	\$ 75,000.00	\$ 75,000.00	\$ 75,000.00
Specialized Accessible Van Service	Alzheimer's Services of the East Bay (ASEB)	Specialized Transportation	\$ 75,000.00	\$ 75,000.00	\$ 75,000.00
Mobility Management and/or Travel Training	Community Resources for Independent Living (CRIL)	Travel Training	\$ 75,000.00	\$ 75,000.00	\$ 75,000.00
Meal Delivery	SOS Meals on Wheels	Meal Delivery	\$ 90,000.00	\$ 90,000.00	\$ 90,000.00
Door-through-Door/Volunteer Driver Program	LIFE ElderCare	Door-through-Door	\$ 75,000.00	\$ 95,000.00	\$ 95,000.00
Means-Based Fare Programs	City of Hayward	Means-Based Fare Program	\$ 110,000.00	\$ 125,000.00	\$ 125,000.00
Same-Day Transportation Program	Eden Information & Referral	VIP ZIP (On-demand rides in partnership with TNCs)	\$ 335,000.00	\$ 358,460.00	\$ 358,460.00
Capital Expenditure	City of Hayward (Public Works Transportations Division)	Safe Route for Seniors Project (Capital)	\$ 800,000.00	\$ 1,000,000.00	\$ 1,000,000.00
<b>TOTAL</b>			<b>\$ 2,260,000.00</b>	<b>\$ 2,518,460.00</b>	<b>\$ 2,518,460.00</b>



## FY 2021-22 Annual Paratransit Program Plan Application for Measures B and BB Funding

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• [www.AlamedaCTC.org](http://www.AlamedaCTC.org)

The Alameda County Transportation Commission (Alameda CTC) requires recipients of paratransit funding to participate in an Annual Program Plan Review process. Recipients are required to complete and submit a program plan application to Alameda CTC that outlines their prior expenditures and anticipated revenues and expenditures related to delivering paratransit services to seniors and people with disabilities in Alameda County.

### Requirements and Instructions

The Annual Paratransit Program Plan Application includes the following documents:

1. Paratransit Program Plan Application (this MS Word document)
2. Paratransit Program Plan Attachments A-D (Tables A, B, C, and D of the provided MS Excel workbook) *NOTE: The FY 2021-22 Program Plan Excel workbook contains a tab to report on FY 2019-20 performance and budget (Attachment Table A). The FY 2019-20 program information entered into Table A will be used to monitor program performance and, where applicable, should align with program information included in the FY 2019-20 compliance report.*
3. References:
  - a. FY 2021-22 Measure B and Measure BB Paratransit DLD Revenue Projections, (distributed to ParaTAC, January 2021)
  - b. Alameda CTC Special Transportation for Seniors and People with Disabilities (Paratransit) Implementation Guidelines and Performance Measures, revised November 2020 – Draft, pending PAPCO approval on February 22, 2021
  - c. Alameda CTC Timely Use of Funds Policy, adopted December 2015

**Submit the Word and Excel files listed above electronically via email by February 26, 2021 to Krystle Pasco at [kpasco@alamedactc.org](mailto:kpasco@alamedactc.org).**

*Be sure to include your agency name and FY 21-22 in the file name of both the Word document and the Excel workbook (e.g., Albany\_FY21-22\_Paratransit\_Program\_Application.doc).*

If you have questions, please contact Krystle Pasco via email or phone at (510) 208-7467.



## FY 2021-22 Annual Paratransit Program Plan Application

### Due by February 26, 2021

CONTACT INFORMATION	
Agency:	CITY OF HAYWARD
Contact Name:	CAROL LEE
Title:	MANAGEMENT ANALYST
Phone Number:	510-583-5343
E-mail Address:	CAROL.LEE@HAYWARD-CA.GOV

Date Submitted: **February 26, 2021**

#### TYPES OF SERVICES PROVIDED

1. **What type of paratransit projects and programs will be funded, fully or partially, with Measures B and BB Direct Local Distribution (DLD, pass-through) and paratransit discretionary grant funds?** To answer this question, complete Attachment Table B (Table B tab of the Microsoft Excel workbook).

Below is a list of the types of services/programs that are eligible for Alameda CTC funding. For detailed information about these eligible services, including minimum service requirements and performance measures, refer to the Alameda CTC's Special Transportation for Seniors and People with Disabilities (Paratransit) Implementation Guidelines, revised November 2020 (provided with the application materials).

- **Management/Overhead:** Program oversight, planning, budgeting, participation in regional/countywide meetings. Include admin/labor even if it is paid by the City/transit agency for accurate reporting of full program expenses.
- **Customer Service/Outreach:** Activities associated with educating consumers about services that are available to them, answering questions from consumers and taking, tracking and responding to complaints and commendations. Include costs even if paid by the City/transit agency for accurate reporting of full program expenses.
- **ADA Paratransit:** Paratransit services provided by fixed-route transit operators to fulfill requirements under the American's with Disabilities Act (ADA).
- **Same-Day Transportation Program:** Provides a same day, curb-to-curb service intended for situations when consumers cannot make their trip on

a pre-scheduled basis; allows eligible consumers to use taxis or Transportation Network Companies (TNCs) (at program discretion) at a reduced fare.

- **Specialized Accessible Van Service:** Specialized van service provides accessible, door-to-door trips on a pre-scheduled or same-day basis. These services are generally implemented as a supplement to a same-day program that does not meet critical needs for particular trips in accessible vehicles in certain communities.
- **Accessible Fixed-Route Shuttle:** Generally accessible vehicles that operate on a fixed route and schedule to serve common trip origins and destinations, e.g. senior centers, medical facilities, grocery stores, BART stations, other transit stations, community centers, commercial districts, and post offices.
- **Group Trips Program:** Round-trip accessible van rides for pre-planned outings or to attend specific events or go to specific destinations for fixed amounts of time, e.g. shopping trips or religious services. Trips usually originate from a senior center or housing facility.
- **Door-through-Door/Volunteer Driver Program:** Pre-scheduled, door-through-door services that are generally not accessible; rely on volunteers to drive eligible consumers for critical trip needs, such as medical trips. May also have an escort component.
- **Mobility Management and/or Travel Training:** Covers a wide range of activities, such as travel training, trip planning, and brokerage. Does not include provision of trips. (This is considered "non-trip provision").
- **Means-Based Fare Programs:** Program to subsidize any service for customers who are low-income and can demonstrate financial need.
- **Meal Delivery:** Program to fund meal delivery to the homes of individuals who are transportation disadvantaged. Currently, only existing operating programs can continue to use Measure B funds for these service costs. No new meal delivery services can be established.
- **Capital Expenditure:** Capital purchase or other capital expenditure.
- **Note on volunteer driver programs and mobility management/training:** If your program is using DLD funds, but not discretionary grant funds, you may be required to submit further information.

**A. Explain the impact of the COVID-19 pandemic on the FY 2019-20 and FY 2020-21 programs.**

Due to the State of Emergency and the Alameda County Shelter-in-Place Order, many seniors, identified as individuals who are at higher risk for serious illness, remain at home and practice social distancing. As a result, many seniors have experienced a sudden reduction to their access to essential supplies and food, including those who reside in the City of Hayward. Many have or may experience further income impacts related to the COVID-19 pandemic, reducing already limited resources. Over the last year, staff has noticed a reduction in the demand for transportation services and an increase in the demand for meal deliveries to homebound seniors.

At the conclusion of FY 2020, the majority of Hayward Operated Paratransit (HOP) service providers did not meet their targeted goals.

Of the 7 HOP programs:

- 1 exceeded their quantitative objectives for serving Hayward residents (172%)
- 5 obtained between 11% and 88% of their quantitative objectives for serving Hayward residents
- 1 was not able to provide services (unrelated to COVID-19)

Staff was in communication with these agencies throughout the year and exceptions were made as the inability to meet their targets were associated with COVID-19 constraints or City related guidance around the modification or limitation of non-essential travel and social gathering.

City guidance included:

- Limiting of non-essential travel
- Temporarily suspending group trips
- Temporarily suspending in-person training/workshops

Many of HOP service providers have adapted their service delivery model to continue services while adhering to Federal, State and local guidelines.

**B. Provide a short narrative description of your agency's FY 2021-22 program.**

The Hayward Operated Paratransit (HOP) program provides paratransit and related services to eligible enrolled residents and their attendants who live in Hayward, the unincorporated areas of San Leandro, Castro Valley, San Lorenzo, Ashland, Cherryland, and Fairview. Per Alameda CTC Implementation Guidelines, The HOP is available to seniors (70+) and individuals between the ages of eighteen (18) and sixty-nine (69) years old with a certified disability and unable to drive or use public transportation.

The HOP currently operates eight (8) paratransit and transportation related programs to provide a broad range of mobility options in addition to those offered by public transit.

**C. Explain how the suite of services offered is targeted towards the seniors and people with disabilities in your community. Why have these services been selected to meet the trip needs of your consumers over other eligible service types? How do these services enhance their quality of life and help them meet basic life needs?**

The following is a brief overview of the suite of services targeted to seniors (70+) and qualifying individuals with disabilities in the Hayward service area:

**EDEN Information & Referral (EDEN I & R) - VIP ZIP program:** Through a partnership with EDEN I & R, The HOP offers rides through TNC (transportation network company) providers *Lyft Concierge* and *Uber Health*. This partnership with EDEN I & R does not require enrolled clients have a smart phone to access Lyft/Uber rides. Clients call EDEN I & R directly, and EDEN I & R staff arranges for the ride using a specially equipped software system.

**Group transportation:** Pre-scheduled, accessible trips for a minimum group of four are offered to enrolled HOP riders. Group trips are available primarily to senior housing complexes, skilled nursing facilities and various community organizations serving seniors and people with disabilities. Group trips offer participants social outings to reduce isolation.

**Travel training:** Mobility management workshops and classes are available to groups or individuals and conducted by the CRIL Travel Training Coordinator. Participants receive training in a wide variety of transportation options including accessing AC Transit and BART, obtaining Clipper cards, enrolling in paratransit services and travel safety tips. In FY21, CRIL started offering 1-on-1 consultations and support groups remotely via telephone, email, or web conference.

**LIFE Eldercare – VIP Rides:** Volunteer driver-based mobility program for seniors and people with disabilities to supplement both public transportation and Paratransit services for individuals who would benefit from a door-through-door service experience. Volunteers help clients with destination assistance, light shopping, and other mobility related services. In FY2, LIFE ElderCare's DthruD program evolved to help seniors avoid the exposure of shopping for food, and instead stay safe in their homes by deliver free groceries from food banks and LIFE's food depots.

**Alzheimer's Services of the East Bay (ASEB):** ASEB provides door-to-door transportation through specially trained drivers in lift equipped vans to individuals with dementia attending a local day program. In FY21, ASEB pivoted to include the delivery of activity kits to Hayward area participants who are sheltering-in-place and unable to attend ASEB (in-center) at this time. These kits help to stimulate their minds and provide structured interaction between the participant and the caregiver. ASEB continues to provide support to participants/caregivers electronically or telephonically and hosts family caregiver support groups via Zoom on a bi-weekly basis.

**SOS Meals on Wheels:** Meals on Wheels program provides and nutritionally balanced meals to homebound seniors residing in the Hayward service area through a network of trained volunteer drivers.

**Means-Based Fare program:** Subsidized Lyft/Uber fare program for enrolled HOP clients with demonstrated financial need. To qualify, clients must meet HUD/federal income limits for extremely-low income and submit income documentation.

**Purchase of AC Transit Easy Passes:** In partnership with the City of Hayward Housing Division – purchasing AC Transit Easy Passes for use by qualifying residents of newly proposed senior housing developments and the newly approved Homeless Navigation Center operated by Bay Area Community Services. Residents who meet HOP and Alameda CTC Implementation Guidelines will be assessed by a property /case manager and provided scholarships through Easy Passes to aid in accessing transportation to employment or social services-related appointments.

**ADA Improvements to Sidewalks and Streets:** In partnership with Hayward Public Works Department to make ADA improvements to sidewalks and streets near senior housing and disabled services providers. Measure BB funds will be allocated to the installation of curb cuts and sidewalk widening to accommodate wheelchairs and mobility devices. The City of Hayward and The HOP partnered with local senior housing facilities, senior centers, and nonprofit provider CRIL to gather information from seniors and people with disabilities about locations that do not currently have access or in need of rehabilitation. Phase I of the project will be offered in coordination with the Hayward Downtown Specific Plan to enhance projects within 5 miles of the Hayward Downtown. This area includes five senior housing developments and three nonprofit offices serving disabled clients.

- D. List the most common trip destinations for seniors and people with disabilities in your community that your services are designed to serve, e.g. dialysis centers, hospitals, major shopping complexes, senior centers. Please report separately, if available, for ADA paratransit, Same-Day Transportation (taxi and TNC), Specialized Accessible Van, and/or Accessible Fixed-Route Shuttle if applicable.**

The top destinations reported by HOP clients:

- Retail and grocery shopping centers (including Food Bank)
- Medical offices
- Hospitals
- Dialysis centers
- Banks
- Social services-related organizations
- Regional Parks

- E. Please provide your average trip length, if available, and any interesting outliers, e.g. a significantly short or long trip associated with one of the common trip destinations above.**

Between July 2019 and June 2020, the average length of ride for VIP ZIP, HOP's most frequently used program, was 5.22 miles. About 82% of the rides are 8 miles or less in length. The majority of rides that exceed that distance are to and from medical offices and hospitals.

- 2. Will your agency's program for FY 2021-22 conform to the Paratransit Program Implementation Guidelines, as required?**

[X] Yes

[ ] No

**A. If “No”, explain below and contact Alameda CTC staff to discuss** (prior to February 26, 2021)

N/A

- 3. If proposing any service or program changes in FY 2021-22 from the current year, FY 2020-21, describe the changes and explain why they are proposed.** Describe how these changes will impact the ability of seniors and people with disabilities in your community to meet their basic life needs.

**Accessible Car-Sharing Program- Suspended**

Hayward Operated Paratransit (HOP) was in partnership with CRIL to offer short-term reservations of two wheelchair-accessible vans with hand and foot controls. Membership with Getaround was required for this enhanced car-sharing service. In FY20, CRIL advised the City that they would have to temporarily suspend services due to challenges with their insurance provider. Getaround is a peer-to-peer carsharing marketplace in the San Francisco area that enables private car owners to offer on-demand vehicle rentals. CRIL had commercial auto insurance but it did not cover third-party liability, which was required by Getaround.

CRIL has conducted research but has been unable to find any insurance company/broker that is willing to cover third-party liability, not even for an increased premium. While there are funds set aside for this program in FY21, at this time, it does not appear that HOP will be able to provide this service. Given the challenges around securing appropriate insurance coverage and COVID-19 impacts to carshare services and publicly shared vehicles, HOP does not anticipate offering these services in FY2022. Staff is in communication with CRIL and will continue to offer support as CRIL explores alternatives.

**Travel Training (Hayward Area Recreation and Parks District Program (HARD) Mobility Specialist)**

In FY 2020 HOP partnered with HARD, sharing a part-time Mobility Specialist, to link HOP enrolled seniors to other social services including housing, food and in-home supportive care programs. This partnership ended in FY 2020 after the annual program plan was submitted. HARD eliminated that position, and HOP contracted the former incumbent on a part-time basis in FY21.

**Means Based Fare Program – Expansion**

Expanding the Scholarship Program to include free AC Transit bus/paratransit passes for use by qualifying residents who demonstrate a financial need. To qualify, clients must meet HUD/federal income limits for extremely-low income and submit income documentation. This will allow participants, who do not participate in VIP ZIP, to receive free AC Transit bus passes.

- 4. Looking ahead, beyond FY 2021-22, do you anticipate major service changes? Please briefly describe.** Describe major changes such as beginning or ending a type of service anticipated within the next five years.

Hayward will continue to review data and assess client needs to ensure programs are best serving the community. Should changes need to be made, Hayward is open to explore alternative services.

#### NEW PROGRAM ELEMENTS REQUIRING ALAMEDA CTC STAFF REVIEW

- 5.** The November 2020 Paratransit Program Implementation Guidelines require Alameda CTC staff review of several program elements ***prior to implementation***. The program elements requiring staff review are listed as items 5A – 5F below and for each item, further explanation is requested. **If your FY 2021-22 program plan includes any of the elements listed, in the box provided below, list the elements and the requested explanation for each. It is not necessary to include elements that were included in the FY 2020-21 Plan and are unchanged.** Applicants must address any applicable paratransit projects and programs listed in Attachment Table B.
- A. Planned capital expenditure** (describe planned capital expenditures, such as purchase of vehicles or durable equipment)
  - B. Same-Day Transportation Program that includes use of Transportation Network Companies (TNCs)** (describe the proposed service including how subsidies will be provided and how capacity will be managed)
  - C. Same-Day Transportation Program that includes incentives to drivers and/or transportation providers** (describe the proposed incentives)
  - D. Accessible Shuttle Service** (for new shuttles – describe service plan and how city is coordinating with the local fixed route transit provider)
  - E. New mobility management and/or travel training programs** (describe the well-defined set of activities)
  - F. Low-income requirements and outreach for any means-based fare programs** (describe the proposed subsidy and the means that will be used to determine and verify eligibility and the method of outreach for the program)

**Means Based Fare/Scholarship Program – Expansion**

Exploring the expansion of the Means Based Fare Program to include free AC Transit bus/paratransit passes for use by qualifying residents who demonstrate a financial need. To qualify, clients must meet HUD/federal income limits for extremely-low income and submit income documentation. This will allow participants to receive 20 AC Transit Day-Passes per month.

#### DEVELOPMENT OF PROGRAM PLAN

- 6. How was consumer input sought in development of the program and selection of the services offered?** Describe all general outreach activities undertaken in

connection with this plan, including consumer or public meetings; meetings with other agencies; presentations to boards, commissions, or committees. If possible, provide dates for these activities. Note below if this plan was reviewed by a local paratransit advisory committee, including the name of the committee, and the date of the meeting.

Programs and services included in the FY 21-22 Program Plan were presented at the meeting bodies and community events listed below and developed with the consideration of feedback provided.

June 27, 2019, at Hayward Area Senior Center – Japanese Garden

July 2, 2019, at Hayward Senior Apartments

July 22, 2020 Council Infrastructure Committee Meeting

October 27, 2020 City Council Meeting

February 17, 2021 Community Services Commission Meeting

March 8, 2021 Public meeting (virtual) to introduce and receive feedback on proposed improvements of four intersections in Downtown Hayward as part of the City of Hayward's Safe Routes for Seniors (SR4S) Program

**7. Describe any outreach, surveys and/or analysis conducted to develop this plan and to determine the types of services the program offers.**

The HOP conducted a Community Needs Assessment in 2019 to explore community needs and requests. The next HOP survey is planned for late spring 2021. Ongoing feedback is collected from HOP participants.

**8. Describe how results from the community outreach, surveys and/or analysis described in Questions 6 and 7 were used to guide the development of the program plan.**

After the first quarter of FY21, EDEN I & R reported that some participants expressed concerns about the limited availability of WAV rides. Staff explored alternatives to increase the availability of WAV rides. With the guidance of Alameda CTC staff and consultants, the City was prepared to launch a pilot to offer same-day WAV rides through a service provider that had specialized wheelchair accessible vehicles. Fortunately, prior to the pilot launch, WAV rides became available through Uber Health. The City will continue to monitor the situation and maintain partnerships in order to be prepared should this issue arise in the future or if the demand for WAV rides exceed the capacity of the current TNC partners.

**9. Describe any innovative, emerging technology or non-traditional elements integrated into the program plan.**

The HOP VIP Zip program continues to utilize emerging technology by cooperating with TNCs to help address the need for on-demand same-day service through a web-based platform. In addition, mobility management workshops and family caregiver support groups are now available virtually.

**10. Was this program plan approved by a governing body (or is it scheduled for action)?** *This is not required by the Alameda CTC. Jurisdictions should follow their established internal process.*



☒ Yes  
☐ No

A. If "Yes", provide the name of the governing body and planned or actual approval date.

Scheduled for City Council review (April 6, 2021)

## OUTREACH

**11. How do community members and potential users learn about the Alameda CTC-funded services provided in your community?** Specify for each of the paratransit projects and programs listed in Attachment Table B.

Potential users primarily access information about The HOP through direct contact with the paratransit program. Ongoing outreach is conducted by the Paratransit Coordinator and the Travel Trainer. Services are also advertised through the following: City website; Community Access Channel 15; Mobile home park newsletters; CRIL; The Hayward Public Library; Various dialysis and medical treatment centers; Kaiser Hospital San Leandro; St. Rose Hospital; The Hayward Senior Center; The San Leandro Senior Center; The Castro Valley Senior Center.

## ELIGIBILITY AND ENROLLMENT

**12. What are your requirements for eligibility? (e.g., age, residency, income, ADA-certification status, or other verification of disability).**

Hayward service area residents who are senior (70+) or disabled adults (18+) who are unable to use public transportation because of infirmity or disability or for whom East Bay Paratransit (EBP) is not an option are eligible to enroll. An application must be submitted and approved to enroll, and all applicants are encouraged to enroll concurrently with EBP. Applicants under the age of 70 must submit a medical certification form signed by a physician or social worker. To qualify for Means based fare programs, applicants must qualify by income (50% of AMI) and provide supporting documentation (proof of SSI/SDI, bank statements, most recent tax return, etc). All applicants must also apply concurrently with EBP to enroll with the HOP.

**13. How do consumers enroll in your program? Include how long the enrollment process takes, and how soon newly enrolled applicants can use the services offered.**

Applications are accepted year-round and typically reviewed within 24 hours of receipt during business hours, however due to COVID-19 impacts, this process may have taken longer in FY21. Applicants determined eligible are mailed an enrollment packet within 3-5 business days of processing. Enrollment packets can be expedited to same-day of receipt for those with urgent travel needs.

## CUSTOMER SATISFACTION

**14. Describe your complaint and commendation process.** Describe your process from beginning to end, including instructions you provide to customers for filing

program suggestions, complaints or commendations, your documentation procedures, and your follow up.

The HOP program Rider's Guide includes information detailing the service communication process. Enrolled riders, their attendants/caregivers, and others serving seniors and the disabled can provide feedback to City staff in writing, via telephone, email or through the city website at any time. Complaints and commendations are documented by City staff and shared with the appropriate vendor. All complaints are investigated by the paratransit staff and a response is typically provided with 48 hours of receipt.

**A. Describe any common or recurring service complaints, commendations and/or suggestions your program has received.** Specify for each of the paratransit projects and programs listed in Attachment Table B.

*(Complaints are defined as phone calls, letters, or emails received for the specific purpose of making a complaint.)*

In FY 2021, VIP ZIP riders expressed concerns about the limited availability of WAV rides and the cancellation charges that occurred when rides were cancelled.

On several occasions, frequent, long-term participants offered commendations for the customer service that Eden I & R staff has provided.

**B. Describe any changes you have made to your program as a result of these customer complaints, commendations and suggestions.**

In response to the concern listed in section A, EDEN I & R staff provides exceptional customer service and often advocates for HOP participants in order to obtain refunds for charges incurred for cancelled rides. In the first half of FY 2021, over 330 additional rides were attempted by EDEN I & R staff, but either no driver was available, rides were cancelled by the driver, or rides were cancelled at the fault of the client. This often led to cancellation charges. Only a small number of cancelled rides actually incurred charges, as Eden I & R staff advocates for HOP riders to get refunds when cancellations are made at no fault of the client. Furthermore, HOP worked with EDEN I & R to create a direct mailer to active HOP participants providing tips and recommendations to adjust to COVID-19 impacts to the program to increase customer safety and satisfaction. This direct mailer was distributed in September 2020 in English and Spanish.

**EXPECTED DEMAND/USE OF SERVICES**

**15. How many people are/have been/will be registered in the program during the following time periods? Fill in the boxes below.**

<b>Registrants at beginning of FY 2019-20</b>	259 Active Registrants
<b>Registrants at end of FY 2019-20</b>	375 Active Registrants
<b>Current Registrants for FY 2020-21</b>	419 Active Registrants

<b>Projected Registrants for FY 2021-22</b>	450 Active Registrants
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**A. Based on the registration projection provided, explain why you expect your program registration to increase, decrease or stay the same compared to the current year.**

HOP had initially expected starting the fiscal year with around 450 active participants. That was not the case as the rate of receiving new applications declined in Q4 of FY 2019-2020. In the first seven months, there was an increase of 44 active HOP participants. Based on this rate of increase, HOP finds that 450 active participants by the end of FY 2020-2021 is reasonable.

**16. What are the current program registrant demographics for FY 2020-21, if available? Fill in the boxes below.**

<b>Race/Ethnicity (check all that apply, individuals may be listed in multiple categories)</b>	
American Indian or Alaska Native	2
Asian	80
Black or African American	35
Hispanic or Latino	44 (Hispanic)
Native Hawaiian or Other Pacific Islander	0
White	100
Other	8
<b>Disability (check all that apply, individuals may be listed in multiple categories)</b>	
Mobility/Physical	
Spinal Cord (SCI)	
Head Injuries (TBI)	
Vision	
Hearing	
Cognitive/Learning	
Psychological	
Invisible	
<b>Household Income</b>	
< \$27,450	
\$27,451-\$45,700	

\$45,701-\$54,840	
\$54,841-\$73,100	
> \$73,101	

**A. Based on the current program demographics, describe any demographic trends you foresee for FY 2021-22.**

Based on the current reported demographics, there is insufficient data to draw projected trends. 36% of the active participants list had no information provided. HOP will continue to refine the data collection process in order to provide more constructive information in the future.

**17. Do you expect the total number of one-way trips provided by your program in FY 2021-22 to increase, decrease or stay the same compared to the current year, FY 2020-21? Why?**

HOP expects the number of one-way trips to increase in FY 2021-2022 compared to the current year due to the expanding dissemination of COVID-19 vaccines and the reopening of non-essential businesses as that may impact the demand for transportation services.

**18. Do the ridership numbers reported in Attachments Table A and Table B include companions and/or attendants?**

☐ Yes

☒ No

**A.** If "Yes", and if known, what percent of total ridership are companions/attendants? *(If providing an estimate, please clearly indicate it as such.)*

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**19. Please provide the number of trips provided to consumers who required an accessible vehicle, if available.** If trips were provided in more than one service (e.g. taxi, TNC, specialized accessible van, etc.), please specify for each.

<b>Number of trips provided to consumers who require an accessible vehicle in FY 2019-20</b>	223 (TNC) 289 (group trip)
<b>Number of trips provided to consumers who require an accessible vehicle in FY 2020-21 as of Dec. 31, 2020</b>	112 (TNC)
<b>Number of trips projected to consumers who require an accessible vehicle in FY 2021-22</b>	275 (TNC)

## VEHICLE FLEET

**20. Provide details regarding your vehicle fleet.** To answer this question, complete Attachment Table D (Table D tab of the Excel workbook).

## SAFETY AND PREPAREDNESS

**21. Describe any safety incidents recorded by your program in FY 2019-20, or to date in FY 2020-21.** Specify for each of the paratransit projects and programs listed in Attachment Table B. *(Report incidents resulting in any of the following: a fatality other than a suicide; injuries requiring immediate medical attention away from the scene for two or more persons; property damage equal to or exceeding \$7,500; an evacuation due to life safety reasons; or a collision at a grade crossing.)*

N/A

**22. If possible, describe your city's or your program's emergency preparedness plan.** Specify when the plan was last prepared or updated. Does the plan include the paratransit program? Indicate if it is available online or can be provide upon request. If available online, please include a link in the comment box below.

The City of Hayward's Comprehensive Emergency Management Plan (CEMP) is an internal document that addresses the City of Hayward's responsibilities in emergencies associated with natural disaster, human-caused emergencies, and technological incidents. It provides a framework for coordination of response and recovery efforts within the City in coordination and with local, State, and Federal agencies. The CEMP establishes an emergency organization to direct and control operations during a period of emergency by assigning responsibilities to specific personnel.

While the CEMP does not directly include the Hayward Operated Paratransit program, it does encompass provisions that account for the transportation of individuals with disabilities and individuals who require alternative modes of transportation. Furthermore, the CEMP comprises resources in the event of an emergency for seniors, including but not limited to meals, home care, and transportation.

## FINANCES: PROGRAM REVENUE AND COST

**23. Detail your FY 2021-22 program's total estimated revenue (all fund sources) and total cost by completing Attachment Table C (Table C tab of the Excel workbook).** For program components funded all or in part with a Measure B/BB discretionary grant, segregate the grant funding by entering it in the "Other Measure B/BB" column.

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**24. Describe below the "Management/Overhead" and "Customer Service and Outreach" costs included in Attachment C and how these cost allocations were determined?** (These two categories are defined under Question 1). *The amount spent on Customer Service/Outreach and Management/Overhead is to be included as part of the total program cost, even if it is not funded with Alameda CTC funding. This includes city/agency staff time paid for by a city's general fund.*

### A. Management/Overhead Costs

Funds:

- 1) Direct staff costs (salaries/benefits) based on program oversight, planning, budgeting, customer service and outreach (Measure B/BB and City of Hayward CDBG (10%) shared costs);
- 2) Insurance costs (Measure B- 100%); Direct program costs including printing, supplies, computer/IT support, travel, etc. (Measure B and Hayward CDBG (10%) shared costs).

### B. Customer Service and Outreach Costs

Customer outreach includes daily operational activities such as fielding customer inquiries, application distribution and processing, database maintenance, group trip scheduling and monitoring, etc. Other related activities include community presentations, and identification of potential partnerships. Marketing materials, vehicle signage and potentially street signage are also included.

## PROGRAM FUNDING RESERVES

**25. If your paratransit program is anticipated to have a remaining balance of Measure B/BB DLD funding at the end of FY 2021-22, as shown in Attachment Table C, please explain. How do you plan to expend these funds and when?**

As currently projected, the HOP anticipates a remaining balance of Measure B/BB DLD funding at the end of FY21-22. Staff continues to explore innovative ways to utilize funds as part of developing a long-term strategic plan. This process will include analyzing service gaps and planning small scale pilot programs to potentially address local needs and concerns. All additions or deviations from the proposed plan will be presented to Alameda CTC staff prior to implementation.

In addition, HOP will continue to partner with Hayward Public Works & Utilities Department to extend the Safe Routes for Seniors (SR4S) program to additional locations within the City. The planned SR4S ADA improvements to sidewalks and streets in FY22 are estimated at \$1M.

## MISCELLANEOUS

**26. Use this space to provide any additional notes or clarifications about your program plan.**

The near and long-term impacts of COVID-19 may influence many of HOP's programs and services. While the degree is still unknown, FY 2022 may still see the changes seen in FY 2020 and FY 2021. Staff will continue to work with service partners to maximize program effectiveness while simultaneously evaluate current approaches to providing services in order to ensure equity.

If COVID-19 constraints or City related guidance around the modification or limitation of non-essential travel and social gathering continue, HOP will update Alameda CTC staff of any potential impacts to the quantity of planned units (trips, meals, etc.).

HAYWARD CITY COUNCIL

RESOLUTION NO. 21-

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

RESOLUTION AUTHORIZING THE CITY MANAGER TO IMPLEMENT AN ANNUAL PARATRANSIT PLAN AND NEGOTIATE AND EXECUTE ALL DOCUMENTS RELATED TO AND IN SUPPORT OF PARATRANSIT ACTIVITIES INCLUDING THE ADMINISTRATION OF THE HAYWARD OPERATED PARATRANSIT (HOP) PROGRAM

WHEREAS, voters approved the 20-year Measure B half-cent transportation sales tax on November 7, 2002 and the funding agreement of the measure between the Alameda County Transportation Commission and the City of Hayward; and

WHEREAS, voters approved the 20-year Measure BB half-cent transportation sales tax on November 4, 2014 and the funding agreement of the measure between the Alameda County Transportation Commission and the City of Hayward.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby authorizes and directs the City Manager to implement the FY 2022 Annual Paratransit Plan submitted to the Alameda County Transportation Commission consistent with the terms of the City's contract with the Alameda County Transportation Commission for Measure B/BB paratransit funds.

BE IT FURTHER RESOLVED that the City Manager shall have the authority to approve and amend current service contracts and execute purchase orders as necessary to deliver the service to Central Alameda County participants.



IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2021

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



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**File #:** WS 21-016

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**DATE:** April 6, 2021

**TO:** Mayor and City Council

**FROM:** Assistant City Manager

**SUBJECT**

Community Agency Funding: Fiscal Year 2022 Community Agency Funding Recommendations for Services; Arts & Music; and Economic Development and Infrastructure; and Overview of the FY 2022 Annual Action Plan

**RECOMMENDATION**

That the Council:

1. Conducts a work session regarding the FY 2022 Community Agency Funding recommendations prepared by the Community Services Commission;
2. Reviews and comments on the draft funding recommendations; and
3. Reviews and comments on the overview of the FY 2022 Annual Action Plan.

**SUMMARY**

This report provides an overview of the FY 2022 Community Agency Funding process, the Community Services Commission (CSC) Application Review Committees' (ARCS) proposed funding recommendations for consideration, and next steps in the funding process. Funding is allocated from two sources: Hayward's Community Development Block Grant (CDBG) annual entitlement and the City's General Fund.

Notably, there was a significant increase in requested FY 2022 funding compared to previous years, and no comparable increase in available FY 2022 funds. Therefore, the ARCs were faced with challenging decisions about how to appropriately allocate funds with consideration for the CSC and City's goals to provide resources and services for those in the community who need it the most. The proposed funding is summarized by category in Table 1 on the following page and in detail in Attachment II.

While the CSC developed their initial recommendations in February, the City was notified on March 2, 2021, that it would receive a CDBG entitlement award that exceeds the amount staff estimated for the ARC deliberations. The CSC met again on March 17, 2021, and formally recommended the adjusted FY 2022 funding allocations, which were based on the ARC's recommended percentage allocations for any additional funds available beyond what staff initially estimated.

This report summarizes the funding recommendations for the City's annual entitlement of CDBG funds (\$1,566,255) for economic development, infrastructure, and public services, and \$536,950 in General Funds for social services and arts and music programs. The report concludes with a high-level overview of the Department of Housing and Urban Development's (HUD) required FY 2022 Annual Action Plan, which specifies the City's priority needs and goals for using CDBG entitlement funds in FY 2022.

**Table 1. Summary of Recommended Funding Allocation by Category**

<b>Funding Source</b>	<b>Category</b>	<b>Recipient</b>	<b>Amount</b>
General Fund	Arts & Music	Community Agencies	\$82,000
General Fund	Social Services	Community Agencies	\$404,950
CDBG	Economic Development/Infrastructure	Community Agencies	\$1,029,225
CDBG	Public Services	Community Agencies	\$311,779
<i>Total ARC Recommended Grants</i>			\$1,827,954
General Fund	Referral Services	Eden I&R	\$50,000
CDBG	HUD-Required Fair Housing Services	Community Agency	\$25,000
<i>Total Referral Services and HUD Required Fair Housing</i>			\$75,000
<b>GRAND TOTAL FY 2022 RECOMMENDED FUNDING (ALL SOURCES)</b>			\$1,902,954

## ATTACHMENTS

Attachment I      Staff Report  
Attachment II     Funding Recommendations



**DATE:** April 6, 2021

**TO:** Mayor and City Council

**FROM:** Assistant City Manager

**SUBJECT** Community Agency Funding: Fiscal Year 2022 Community Agency Funding Recommendations for Services; Arts & Music; and Economic Development and Infrastructure; and Overview of the FY 2022 Annual Action Plan

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<sup>1</sup> March 17, 2021, Staff Report and Attachments:  
<https://hayward.legistar.com/LegislationDetail.aspx?ID=4836307&GUID=38280EF7-8660-4E3F-A6CA-209EAB01E6E1&Options=&Search=>

ARC's recommended percentage allocations for any additional funds available beyond what staff initially estimated.

This report summarizes the funding recommendations for the City's annual entitlement of CDBG funds (\$1,566,255) for economic development, infrastructure, and public services,<sup>2</sup> and \$536,950 in General Funds for social services and arts and music programs. The report concludes with a high-level overview of the Department of Housing and Urban Development's (HUD) required FY 2022 Annual Action Plan, which specifies the City's priority needs and goals for using CDBG entitlement funds in FY 2022.

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<i>Total Referral Services and HUD Required Fair Housing</i>			\$75,000
<b>GRAND TOTAL FY 2022 RECOMMENDED FUNDING (ALL SOURCES)</b>			<b>\$1,902,954</b>

## BACKGROUND

The CSC serves as an advisory body to the Hayward City Council. The CSC makes recommendations to Council regarding the distribution of Infrastructure and Economic Development (Community Development Block Grant [CDBG]), Public/Social Services (CDBG/General Fund), and Arts and Music (General Fund) program funding through the annual Community Agency Funding process.

### The FY 2022 Community Agency Funding Process

The Community Agency Funding process opened with the publication (in English and Spanish) of a Notice of Funding Availability (NOFA) on October 2, 2020. The announcement was published in the Daily Review; posted to the City's website; and emailed to currently funded agencies, previously funded agencies, applicants from previous years and all other interested parties on the CSC mailing list. Several broadcast email reminders were also sent in advance of the Mandatory Bidder's Conference held on November 3, 2020.

The CSC reviews all eligible applications, and the CSC Chairperson appoints three Application Review Committees (ARCs) by funding category (Infrastructure/Economic Development, Public/Social Services, and Arts and Music) to conduct applicant interviews prior to drafting funding recommendations for Council review and approval. The three funding categories are:

<sup>2</sup> 20% of the annual entitlement is set aside for administration (e.g., staff salaries, fair housing programming) and planning activities (e.g., homelessness point in time count, homelessness reduction strategic plan).

1. **Infrastructure and Economic Development:** Affordable housing; housing rehabilitation; nonprofit facility improvements; job creation; and capacity building. Funds must meet one of three national objectives: benefit low-moderate income Hayward residents; prevent or eliminate slum blight; or meet an urgent need (i.e., disaster).
2. **Arts & Music (General Fund):** Arts and music programs that benefit Hayward residents, with an emphasis on activities that support youth education.
3. **Public/Social Services (CDBG/General Fund):** Benefit low-moderate income Hayward residents through programs to provide food security, health services, homelessness and anti-displacement services; legal services; youth and education services.

On February 17, 2021<sup>3</sup>, the CSC met and reviewed the preliminary draft recommendations made by each ARC. ARC Chairs and committee members summarized the discussion and rationale behind ARC decision-making. Additionally, the CSC heard public comment and initiated a 30-day public comment period for community members to submit feedback on the recommendations to the City and CSC. On March 17, 2021, the CSC met and unanimously voted to recommend the funding as outlined in Attachment II.

## **DISCUSSION**

### **The FY 2022 Community Agency Funding Process**

Each year, the City receives applications from community agencies requesting funding through the competitive Community Agency Funding process. The CSC is responsible for reviewing the applications, interviewing applicants, and making recommendations to the Council for how a portion of the City's General Fund and the City's CDBG entitlement award should be allocated. As part of the Community Agency Funding process, the CSC Chair appoints three ARCs to conduct applicant interviews and make preliminary recommendations for full CSC consideration.

### **Available Funding and Funding Requests**

The ARCs reviewed applications on January 23 and January 30 and made allocation recommendations using estimates made by staff based on assumed funding from the Department of Housing and Urban Development (HUD) and the City. The City was notified on March 2, 2021, that it would receive a CDBG entitlement award of \$1,566,255, which exceeds the amount staff estimated for the ARC deliberations. Staff adjusted the ARCs initial funding recommendations based on the ARCs recommended percentage allocations for any additional funds available beyond what staff initially estimated.

Table 2 that follows provides a summary of all available FY 2022 funding, updated as of March 2, 2021, with the actual CDBG entitlement award.

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<sup>3</sup> February 17, 2021, Staff Report and Attachments:

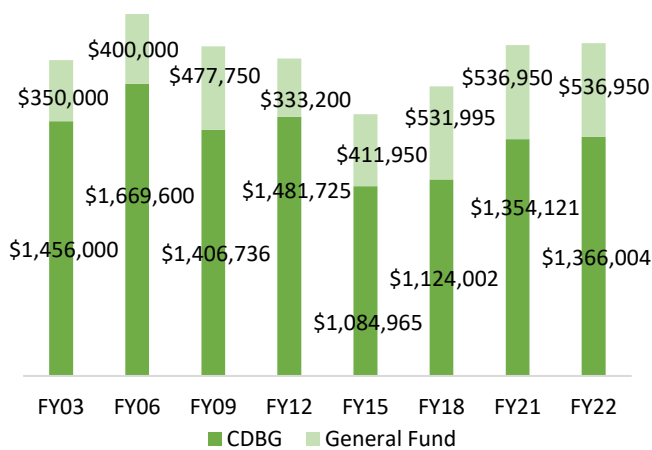
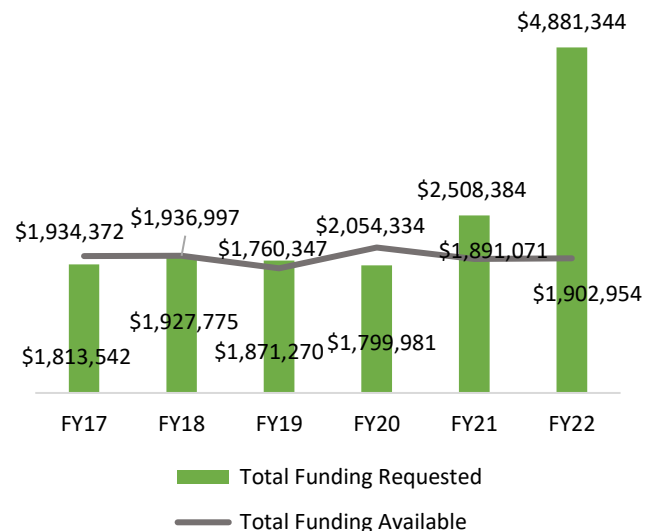
<https://hayward.legistar.com/MeetingDetail.aspx?ID=843192&GUID=F9293854-0220-405A-84B5-2945ED178553&Options=info|&Search=>

**Table 2. FY 2022 Available Funding**

Funding Source	Category	Amount Available
General Fund	Arts & Music	\$82,000
	Social Services	\$404,950
	Referral Services	\$50,000
CDBG	Economic Development & Infrastructure	\$1,029,225
	Public Services	\$311,779
	HUD Required Fair Housing Services	\$25,000
<b>TOTAL AVAILABLE FUNDING</b>		<b>\$1,902,954</b>

The City received 47 applications for FY 2022 funding by the December 11, 2020 deadline. Of those applications, nine were for new proposed programs. The majority of applications are reviewed through a competitive process to allocate \$486,950 from the General Fund and approximately \$1,300,000 from the City's CDBG entitlement, after the costs for administration and planning are set aside<sup>4</sup>.

Notably, the amount of funding requested for both General Fund and CDBG allocations increased significantly compared to previous years; however, the available funds are not expected to change from the previous year. Historically, the amount of funds available for the Community Agency Funding process has varied, as shown in Figure 1. Further, FY 2022 represents the largest disparity between agencies' funding requests and the amount of available funding, as shown in Figure 2 below.

**Figure 1. Availability of Community Agency Funding Over Time<sup>5</sup>****Figure 2. Funding Requests and Availability since FY 2017<sup>6</sup>**

<sup>4</sup> Staff estimated this allocation based on previous years' entitlement awards. The actual award was not available during the deliberations and was released on March 2, 2021.

<sup>5</sup> CDBG totals reflect the entitlement minus 20% for administration and planning. Totals for previous years do not include program income, while FY 2022 includes an estimate for program income to enable the ARCs to allocate as much as possible to CDBG-funded community agencies.

<sup>6</sup> The significant increase in funding requests for FY 2022 are partially driven by \$2.3M in requests from three agencies for capital or property acquisition projects.

The increase in requested funds, without an increase in available funds, has resulted in an even more competitive funding allocation process for FY 2022. As with last year's funding process, only two projects will be funded through a non-competitive process in FY 2022. Further discussion is provided in the following section.

In total, the Public/Social Services, Arts and Music, and Infrastructure/Economic Development ARCs interviewed applicants who requested the amounts listed in Table 3.

**Table 3. Requested FY 2022 Funding by Category**

CATEGORY	FUNDING SOURCE	NUMBER OF APPLICANTS	AMOUNT REQUESTED	AMOUNT AVAILABLE
<b>Competitive</b>				
Arts and Music	General Fund	9	\$176,827	\$82,000
Economic Development	CDBG	5	\$540,265	\$1,029,225
Infrastructure	CDBG	5	\$2,662,400	
Public Services	CDBG	6	\$593,820	\$311,779
Social Services	General Fund	20	\$833,032	\$404,950
<b>Non-Competitive</b>				
Referral Services	General Fund	1	\$50,000	\$50,000
HUD Required Fair Housing Services	CDBG	1	\$25,000	\$25,000
<b>TOTALS</b>		<b>47</b>	<b>\$4,881,344</b>	<b>\$1,902,954</b>

#### *Non-Competitive Applications*

Per the City of Hayward Compliance Policy Manual adopted by Council in 2014, in each CDBG program year, the cost of administration and HUD-related fair housing activities are subtracted from the annual entitlement award amount. In 2019, staff conducted a competitive RFP process for HUD-mandated fair housing services and Eden Council for Hope and Opportunity (ECHO) was selected. For FY 2022, \$25,000 from the CDBG Administration category is allocated to ECHO to provide fair housing services to Hayward residents. This award is required by HUD and separate from the CDBG Public Services funds available in the competitive process. Additionally, Eden I&R will receive a non-competitive services award of \$50,000 from the General Fund to operate the 211 line.

#### *Competitive Application Review*

After allocating the non-competitive projects, the remaining funds are made available to eligible community partners and social service applicants through the Community Agency Funding process. Each application is thoroughly reviewed by staff and the CSC, and agency specific questions are compiled and shared with applicants prior to their interview. During this process, agencies are given ten minutes to present their projects to the appropriate ARC, then an additional ten minutes to answer questions from the committee. This year, applicants made their presentations virtually using Microsoft Teams.

Following the interviews, each ARC engaged in extensive deliberation, weighing criteria that included agencies' capacity, leveraging of other funds, history providing quality services,



ability to meet target outcomes, and the community's need for the service. Additional consideration was taken in evaluating an agency's ability to adapt their service delivery model to continue quality services while adhering to federal, state, and local COVID-19 guidelines. Their recommendations are reported in detail in Attachment II.

## **Funding Approach**

The CSC approaches the Community Agency Funding process with the intent to use available funds for the greatest impact by providing needed services for the City's most vulnerable residents. Funding recommendations are influenced by the need for proposed services and an agency's ability to meet certain criteria. While this approach continues to shape the FY 2022 funding recommendations, the Commissioners expressed interest in exploring alternative sources of funding for some projects historically funded through the Community Agency Funding process in order to create more opportunities for innovative programs that meet the unique needs of the community. For example, the Services ARC acknowledged the importance of the SAVE COPS program, currently providing resources and support for domestic violence victims through an on-site advocate located at the Hayward Police Department (HPD). In recognition of this partnership, the CSC suggested alternatively funding these services through the HPD budget in future years, thereby freeing up additional dollars for new services.

## **Prioritization of Additional Funds**

Given the disparity between agencies' funding requests and the amount of available funding, the ARCs each engaged in two rounds of recommendations. The first round of allocations was based solely on the estimate for funds available. The second round of allocations was based on if the City of Hayward's entitlement award for CDBG funds is greater than estimated or if additional General Funds become available. This discussion becomes more applicable with the recent passage of the American Rescue Plan Act of 2021, which provides significant local assistance dollars to support community recovery from COVID. The Council is holding a separate work session this same evening on a possible allocation framework for those funds and the requests made during the CSC funding process should be kept in mind while discussing that item.

The ARCs recommended allocating additional funds as depicted in Table 4 below.

**Table 4. Methodology of Recommended Allocations for Additional Funding by Category**

CATEGORY	GUIDING PRINCIPLES
Arts and Music	<ul style="list-style-type: none"><li>• Percentage Basis</li><li>• Allocate additional funding to the three highest rated agencies</li></ul>
Economic Development/ Infrastructure	<ul style="list-style-type: none"><li>• Designated one agency to receive starter funding up to \$50,000 of additional funding</li><li>• Percentage Basis</li><li>• Use the amount the agencies were not funded as a guide for allocating additional funds</li></ul>

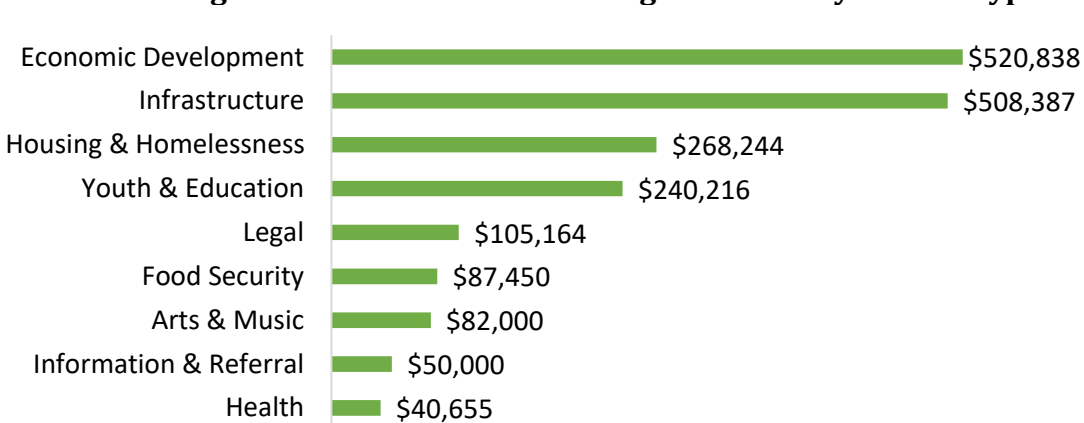
Public/Social Services	<ul style="list-style-type: none"> <li>• Percentage Basis for CDBG award to two agencies</li> <li>• Prioritize categories of food, health, and housing and defer to staff to distribute additional General funds</li> </ul>
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As previously stated, the City was notified on March 2, 2021, that it would receive a CDBG entitlement award of \$1,566,255, which exceeds the amount staff estimated for the ARC deliberations. The adjusted funding recommendations are based on the ARC's recommended percentage allocations for additional funds shown on the previous page.

## Recommended Allocations

Each ARC's deliberations resulted in preliminary recommendations, which were reviewed by the CSC at the February 17, 2021 meeting.<sup>7</sup> The CSC heard public comment, then the Chairs and committee members of each ARC summarized the discussion and decision-making of their ARC during the CSC meeting. The CSC discussed exploring alternative funding sources for the Hayward Public Library's Family Education Program, such as Measure C, noting the importance and long-term need for education services. Following this discussion, the CSC came to consensus to move forward with the ARC recommendations. At the subsequent CSC meeting of March 17, 2021, the adjusted funding recommendations, which reflected the adjusted allocations based on the ARCs recommendations for the additional CDBG entitlement, was reviewed by the CSC. The CSC supported the adjusted funding recommendations, which are presented for final review in this report and Attachment II. Figure 3 presents a summary of their recommendations by the type of service each agency provides.

**Figure 3. Recommended Funding Allocation by Service Type**



## COVID-19 Impacts

The global COVID-19 pandemic has intensified the acute housing crisis in Hayward and surrounding Bay Area cities and created a greater need for timely homelessness response and intervention, particularly for individuals with increased health vulnerabilities.

<sup>7</sup> February 17, 2021, Staff Report and Attachments:

<https://hayward.legistar.com/MeetingDetail.aspx?ID=843192&GUID=F9293854-0220-405A-84B5-2945ED178553&Options=info|&Search=>

In recognition of these crises and considering emerging needs resulting from the pandemic, the Services ARC prioritized protecting basic needs such as food access and healthcare and preventing homelessness. Through this approach, the Services ARC considered the extent to which applicants' programs and services would increase food security, health services, and support to the City's unstably housed and homeless.

## **Racial Equity**

In alignment with the Racial Equity Action Plan, the CSC engaged in discussions around the importance of funding programs and services that are designed to advance racial equity and opportunities for all people in Hayward. As part of the FY 2022 funding process, staff responded to the request of the CSC by implementing changes to collect additional data from agencies about their staffing, in addition to the individuals that they serve.

The Commissioners stated their desire to include racial equity to the criteria for future funding and expressed interest in further supporting minority-led organizations, especially Black-led organizations in the future.

## **The Annual Action Plan**

### *Overview*

HUD requires that the City update its Annual Action Plan each year. The Annual Action Plan carries out the Consolidated Plan, which is updated every five years. Council approved the current FY 2021-2025 Consolidated Plan on June 23, 2020.<sup>8</sup> The Consolidated Plan identifies: affordable housing, homelessness, housing preservation, and permanent supportive housing; community development of public facilities and public services; elderly, youth, and family education services; and economic development as priority needs for the City.

The FY 2022 Annual Action Plan summarizes the actions, activities, and financial resources to be used in FY 2022 to address the priority needs and goals identified in the 2021-2025 Consolidated Plan. Community input gathered during the Consolidated Planning process informed the development of these priority needs and goals. To achieve the City's goals for the use of CDBG funds, the FY 2022 Annual Action Plan includes the projects listed in Table 5.

**Table 5. FY 2022 Annual Action Plan Projects**

<b>Project</b>	<b>Description</b>	<b>Sample Activities</b>
Public Facilities and Infrastructure	Improve and expand access to public infrastructure through development activities. Public facilities may include neighborhood facilities, non-profit agencies' facilities, community centers, and parks and recreation facilities.	<ul style="list-style-type: none"><li>• Repairs for non-profit facilities and shelters</li><li>• Development to improve ADA compliance for public facilities</li></ul>

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<sup>8</sup> June 23, 2020 Staff Report and Attachments:  
<https://hayward.legistar.com/LegislationDetail.aspx?ID=4576644&GUID=7D9A237D-8934-4D4A-94FA-CFF24B9589CA&Options=&Search=>

<b>Project</b>	<b>Description</b>	<b>Sample Activities</b>
Public Services	Provide supportive services for low-income and special needs populations, including services to address homelessness.	<ul style="list-style-type: none"> <li>• Homelessness outreach services</li> <li>• Youth and adult education programming</li> </ul>
Housing Programs	Provide rehabilitation resources for low-income homeowners to reduce risk of displacement and homelessness.	<ul style="list-style-type: none"> <li>• Minor and substantial home repair grants</li> </ul>
Economic Development	Provide economic development support to small businesses and individuals seeking employment training to create or retain permanent jobs.	<ul style="list-style-type: none"> <li>• Technical assistance to small businesses</li> <li>• Grants to small businesses</li> <li>• Employment training programs</li> </ul>
Acquisition, Disposition, Clearance, Relocation	Increase the supply of affordable housing and temporary shelter through acquisition of land and real property.	<ul style="list-style-type: none"> <li>• Acquisition of property to increase capacity of City's shelter system</li> </ul>
Administration	Citywide administration of the CDBG program for FY 2022	<ul style="list-style-type: none"> <li>• Staffing costs for administering the grant</li> <li>• Planning projects for future programs or development projects</li> </ul>

### *Timeline*

Staff will publish a draft of the FY 2022 Annual Action Plan for public comment on April 6, 2021, with a Public Hearing for comment and Council recommendation for approval on April 27, 2021. Concurrent to the City's public comment period, staff must submit a draft of the Annual Action Plan to the County for publishing in conjunction with the HOME Consortium's Annual Action Plan comment period on April 12, 2021. The City's public comment period will conclude on May 6, 2021 and staff will submit the report to HUD no later than Friday, May 14, 2021.

## **ECONOMIC IMPACT**

The proposed programs funded through CDBG and the General Fund's Social Services programs have a collective positive economic impact on the community, as they will increase food security; provide vital support services to help individuals and families maintain and obtain housing, such as legal aid, fair housing services, shelter, and home rehabilitation; and infuse capital and provide training for local small business.

## **STRATEGIC ROADMAP**

These funding allocation recommendations support several of the City's Strategic Roadmap priority areas, including Preserve, Protect, & Produce Housing; Grow the Economy; Improve Infrastructure; and Support Quality of Life. The recommendations are not specifically related to a project identified in the Strategic Roadmap.

## **FISCAL IMPACT**

The CDBG Program has a neutral impact on the City's General Fund, as a portion of CDBG funds (up to 20%) may be used to pay for eligible Planning and Administration of the Program. Historic reductions to the City's CDBG grant size and diminishing program income have resulted in equivalent reductions to available funds and to the administrative cap. The CDBG program remains an administratively complex undertaking requiring enhanced dedication of resources from recipients and subrecipients to meet federal reporting standards. Social Services and Arts & Music funds are General Fund-based and subject to Council discretion. If other General Fund obligations require reductions to Social Services or Arts & Music funding, individual grants would be adjusted on a percentage basis accordingly. Historically, Council has acknowledged Social Services grants support "safety net" services (i.e., food, housing, support services for low-income people, and information and referral) and has refrained from reducing or eliminating funding based on fiscal impact.

## **PUBLIC CONTACT**

The Public Comment period for the recommended funding allocations and FY 2022 Annual Plan is in place from April 6, 2021, through May 6, 2021. Public comment on both the Annual Action Plan and the Community Agency Funding Process will be heard at the Public Hearing on April 27, 2021. Additionally, prior to this Work Session item, the public had the opportunity to provide public comment on the community agency funding process at the CSC's February 17, 2021 and March 17, 2021, meetings. Public comment can be reviewed in the Attachment I Staff Report of the CSC's March 17, 2021, meeting.<sup>9</sup>

## **NEXT STEPS**

Next steps include the following:

- On Tuesday, April 27, 2021, a Public Hearing will be held regarding the FY 2022 funding recommendations and FY 2022 Annual Action Plan at the City Council Meeting.
- On Thursday, May 6, 2021, the City's public comment period will conclude.
- Staff will address public comment and on May 14, 2021, will submit the FY 2022 Annual Action Plan to HUD.

*Prepared by:* Amy Cole-Bloom, Management Analyst  
Carol Lee, Management Analyst

*Recommended by:* Monica Davis, Community Services Manager  
Jennifer Ott, Assistant City Manager

*Approved by:*



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Kelly McAdoo, City Manager

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<sup>9</sup> March 17, 2021, Staff Report and Attachments:

<https://hayward.legistar.com/LegislationDetail.aspx?ID=4836307&GUID=38280EF7-8660-4E3F-A6CA-209EAB01E6E1&Options=&Search=>

COMMUNITY SERVICES COMMISSION COMMUNITY AGENCY FUNDING RECOMMENDATIONS FY 2022					
CATEGORY	AGENCY	PROJECT	FY 2021 FUNDING	FY 2022 REQUESTS	FY 2022 RECOMMENDATIONS
<b>CDBG - PUBLIC SERVICES</b>					
Housing & Homelessness	A-1 Community Housing Services*	Housing Counseling*	\$ -	\$ 27,314	\$ 20,000
Housing & Homelessness	Abode Services	AC Impact	\$ 54,786	\$ 54,786	\$ 27,899
Housing & Homelessness	Building Opportunities for Self Sufficiency (BOSS)	South County Homeless Project (SCHP)	\$ 35,731	\$ 36,000	\$ 20,000
Housing & Homelessness	Eden Council for Hope and Opportunity (ECHO Housing)	Tenant/Landlord Services	\$ 25,000	\$ 25,000	\$ 20,000
Housing & Homelessness	Eden Council for Hope and Opportunity (ECHO Housing)**	Fair Housing	\$ 25,000	\$ 25,000	\$ 25,000
Legal	Centro Legal de la Raza	Tenant Rights Program	\$ 74,570	\$ 270,000	\$ 75,164
Youth & Family	Hayward Public Library	Family Education Program	\$ 131,568	\$ 180,720	\$ 148,716
<b>TOTAL FY 2022 CDBG PUBLIC SERVICES</b>			<b>\$ 346,655</b>	<b>\$ 618,820</b>	<b>\$ 336,779</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	\$ 30,000
Economic Development	City of Hayward, Economic Development Division	City of Hayward, Small Business Grant Program	\$ 100,000	\$ 100,000	\$ 100,000
Economic Development	Community Child Care Council (4-Cs) of Alameda County	Child Care Initiative Project	\$ 40,000	\$ 45,000	\$ 45,000
Economic Development	Downtown Streets, Inc. (2015)	Hayward Downtown Streets Team	\$ 236,414	\$ 235,886	\$ 224,166
Economic Development	Love Never Fails	Get With IT- Empowering and educating low income gender and racially diverse people for careers in IT	\$ 104,370	\$ 129,379	\$ 121,672
Infrastructure-Neighborhood Facilities	FESCO	Les Marquis House Emergency Shelter	\$ -	\$ 28,000	\$ 28,000
Infrastructure-Neighborhood Facilities	Love Never Fails	I AM 'Launch' House	\$ -	\$ 609,400	\$ 60,606
Infrastructure-Neighborhood Facilities	Ruby's Place	Shelter Expansion with Tiny Homes	\$ -	\$ 500,000	\$ 44,781
Infrastructure-Neighborhood Facilities	St. Rose Hospital Foundation	Senior Population Health ~ Sub Acute Facility	\$ 150,000	\$ 1,200,000	\$ 50,000
Infrastructure-Property Rehabilitation	Habitat for Humanity East Bay/Silicon Valley	Home Repair Program	\$ 180,000	\$ 175,000	\$ 175,000
Infrastructure-Property Rehabilitation	Rebuilding Together Oakland	Rehabilitation and Repair	\$ 150,000	\$ 150,000	\$ 150,000
<b>TOTAL FY 2022 CDBG ECONOMIC DEVELOPMENT &amp; INFRASTRUCTURE</b>			<b>\$ 960,784</b>	<b>\$ 3,202,665</b>	<b>\$ 1,029,225</b>
<b>GENERAL FUND - ARTS &amp; MUSIC</b>					
Arts & Music	Hayward Area Forum for the Arts dba Sun Gallery	Sun Gallery Programs	\$ 18,000	\$ 29,000	\$ 15,000
Arts & Music	Hayward Area Historical Society	Discovery Kits	\$ 8,860	\$ 21,500	\$ 13,160
Arts & Music	Hayward Area Historical Society***	Band & Orchestra Festival	\$ 9,000	\$ 7,000	\$ 4,750
Arts & Music	Hayward Area Historical Society***	Hayward Arts Council	\$ 16,000	\$ 25,000	\$ 16,000
Arts & Music	Hayward Area Historical Society***	Hayward Municipal Band	\$ 7,072	\$ 14,000	\$ -
Arts & Music	Love Never Fails	Healing Arts	\$ 10,473	\$ 49,337	\$ 11,795
Arts & Music	Pacific Chamber Orchestra	Discover Music educational assemblies for the HUSD Elementary Schools	\$ 8,800	\$ 12,000	\$ 7,500
Arts & Music	West Coast Blues Society*	Russell City Blues Series & Juneteenth Celebration*	\$ -	\$ 15,000	\$ 10,000
Arts & Music	Youth Orchestra of Southern Alameda County (ERYO)	Hayward Scholarships/Stipends	\$ 3,795	\$ 3,990	\$ 3,795
<b>TOTAL FY 2022 ARTS &amp; MUSIC RECOMMENDATIONS</b>			<b>\$ 82,000</b>	<b>\$ 176,827</b>	<b>\$ 82,000</b>
<b>GENERAL FUND - SERVICES</b>					
Food Security	Alameda County Community Food Bank	Food Distribution - Food Purchase Program (Soc Svcs)	\$ 35,000	\$ 35,000	\$ 30,000
Food Security	First Presbyterian Church of Hayward DBA South Hayward Parish	Case Management Services	\$ 29,950	\$ 63,825	\$ 34,950
Food Security	Spectrum Community Services	Meal Program for Seniors	\$ 17,200	\$ 22,500	\$ 22,500
Health	Bay Area Community Health	HIV Program - Early Intervention Services	\$ 15,000	\$ 20,000	\$ 15,000
Health	Tiburcio Vasquez Health Center, Inc.	Care Coordination and Crisis Services*	\$ -	\$ 57,012	\$ 25,655
Housing & Homelessness	Community Resources for Independent Living (CRIL)	Hayward Housing Services	\$ 15,000	\$ 25,000	\$ 11,665
Housing & Homelessness	Eden United Church of Christ	Newcomer Navigation Center	\$ 10,000	\$ 30,000	\$ 10,000
Housing & Homelessness	Family Violence Law Center	Family Violence and Homelessness Prevention Project	\$ 37,350	\$ 60,000	\$ 30,000
Housing & Homelessness	La Familia Counseling Service	FESCO Les Marquis House - Emergency Shelter	\$ 25,000	\$ 50,000	\$ 25,000
Housing & Homelessness	Love Never Fails	Hope & A Future*	\$ -	\$ 108,933	\$ 40,000
Housing & Homelessness	Rubys Place	Shelter and Children	\$ 25,000	\$ 60,000	\$ 25,000
Housing & Homelessness	SAVE/COPS	SAVE/COPS	\$ 13,680	\$ 14,585	\$ 13,680
Information & Referral	Eden I&R, Inc. **	2-1-1 Communication System	\$ 50,000	\$ 50,000	\$ 50,000
Legal Services	Immigration Institute of the Bay Area	Legal Services for Immigrants	\$ 15,000	\$ 40,000	\$ 20,000
Legal Services	Legal Assistance for Seniors (LAS)	Legal Services & Education to Hayward Seniors	\$ 10,000	\$ 20,000	\$ 10,000
Youth & Education	East Bay Agency for Children (EBAC)	Hayward HUB Family Resource Center	\$ 20,000	\$ 50,000	\$ 22,500
Youth & Education	Eden Youth and Family Center	Eden Youth and Family Center	\$ 20,000	\$ 50,000	\$ 22,500
Youth & Education	Fresh Lifelines for Youth, Inc.*	FLY Law and Leadership Program*	\$ -	\$ 22,000	\$ 12,000
Youth & Education	Hayward Adult School	Hayward Adult School Computer Lab*	\$ -	\$ 37,777	\$ -
Youth & Education	Hayward Adult School	Raising Leaders in Hayward-Workshops & Internships	\$ 14,850	\$ 16,400	\$ 12,000
Youth & Education	Horizon Services, Inc.	Lambda Project	\$ 17,350	\$ 50,000	\$ 22,500
<b>TOTAL FY 2022 SOCIAL SERVICES RECOMMENDATIONS</b>			<b>\$ 370,380</b>	<b>\$ 883,032</b>	<b>\$ 454,950</b>

\*New agency/program applying for funds

\*\*Non-competitive award

\*\*\*Fiscal Sponsor

All amounts are preliminary and subject to change. Final award amounts will be authorized by Hayward City Council in April 2021. CDBG awards are dependent upon FY 2022 federal funding allocations and GF awards are subject to available budgetary funding.



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**File #:** WS 21-017

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**DATE:** April 6, 2021

**TO:** Mayor and City Council

**FROM:** City Manager

**SUBJECT**

Stimulus Funding Expenditure Plan: Provide Feedback on a Proposed Expenditure Framework for Stimulus Funding from the American Rescue Plan Act of 2021 to Address the Economic and Fiscal Impacts of the COVID Crisis in the City of Hayward

**RECOMMENDATION**

That Council provides feedback on a proposed expenditure framework for the \$38 million in stimulus funding to be received from the federal government by the City of Hayward pursuant to the American Rescue Plan Act of 2021 to address the economic and fiscal needs of the City of Hayward due to the COVID crisis.

**SUMMARY**

The recently passed America Rescue Plan Act of 2021 (ARPA), also known as the COVID-19 Stimulus Package, included over \$65 billion in direct federal relief to cities in order to address the economic and fiscal impacts of the COVID crisis and to assist in the recovery of local communities. The City of Hayward is estimated to receive approximately \$38 million in local relief from the federal government to address the internal and external needs of the City associated with the COVID crisis. The funding will be delivered to the City in two payments: the first 50% or \$19 million within 30-60 days and the second 50% or \$19 million within 12 months. The funds are intended to be flexible as long as they address a need in the City associated with the COVID-19 crisis and are expended by December 2024.

City staff recommend splitting the funding into two major expenditure categories in a range of approximately \$15 to \$25 million each: (1) Community Safety & Economic Recovery; and (2) Fiscal Recovery & Stabilizing City Operations. The Community Safety & Economic Recovery category will prioritize the external needs of the community in the areas of: economic development and recovery for small businesses and other impacted business industries; housing and homelessness programs and assistance for the City's most vulnerable populations; community and nonprofit programs and efforts; enhanced clean-up and maintenance; and implementation of the recommendations from the community public safety workshops. This category will focus particularly on addressing the needs of Hayward's most vulnerable populations and implementing funding and programs with an equity lens as has been done

throughout the City's COVID response. The Fiscal Recovery & Stabilizing City Operations category will focus on the internal fiscal needs of the City to stabilize City operations and services through: replenishing and offsetting the loss of past and projected City revenue, and any associated reduction in City reserves and service provision; funding to eliminate City furloughs and staffing reductions to allow the restoration of critical City services; investments in technology needed to return-to-work safely and enhance remote participation moving forward; and other building and infrastructure investments needed to help maintain and expand City operations and services in a post-COVID environment.

Upon receiving feedback from the Council, staff will develop an updated and more detailed expenditure plan for review and recommended approval at the April 27, 2021 Council meeting.

## **ATTACHMENTS**

Attachment I          Staff Report





**DATE:** April 6, 2021

**TO:** Mayor and City Council

**FROM:** City Manager

**SUBJECT** Stimulus Funding Expenditure Plan: Provide Feedback on a Proposed Expenditure Framework for Stimulus Funding from the American Rescue Plan Act of 2021 to Address the Economic and Fiscal Impacts of the COVID Crisis in the City of Hayward

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operations and services through: replenishing and offsetting the loss of past and projected City revenue, and any associated reduction in City reserves and service provision; funding to eliminate City furloughs and staffing reductions to allow the restoration of critical City services; investments in technology needed to return-to-work safely and enhance remote participation moving forward; and other building and infrastructure investments needed to help maintain and expand City operations and services in a post-COVID environment.

Upon receiving feedback from the Council, staff will develop an updated and more detailed expenditure plan for review and recommended approval at the April 27, 2021 Council meeting.

## **BACKGROUND**

The recently passed America Rescue Plan Act of 2021 (ARPA), also known as the COVID-19 Stimulus Package, included over \$65 billion in direct federal relief to cities in order to address the economic and fiscal impacts of the COVID crisis and to assist in the recovery of local communities. The City of Hayward is estimated to receive approximately \$38 million in local relief from the federal government to address the internal and external needs of the City associated with the COVID crisis. The funding will be delivered to the City in two payments: the first 50% or \$19 million within 30-60 days and the second 50% or \$19 million within 12 months. The funds are intended to be flexible as long as they address a need in the City associated with the COVID-19 crisis and are expended by December 2024. While the funds are explicitly allowed to be used to replenish loss of city revenue due to the COVID crisis, such as loss of sales, transient occupancy, and other tax and local revenues, they are prohibited from being used to fund pension obligations. There are also other specific funding opportunities in ARPA for local economic recovery outside of the local government funding, such as a Small Business Opportunity Fund to provide growth capital to main street small businesses in economically disadvantaged areas, including minority-owned businesses. The following provides a link to an overview of the entire ARPA legislation: [American-Rescue-Plan-Fact-Sheet.pdf \(whitehouse.gov\)](#). Additionally, there is anticipated to be other upcoming federal legislation to address transportation and infrastructure needs.

The Hayward community has suffered significant impacts related to the COVID crisis, including COVID-related illness and deaths, temporary and permanent business closures, loss of jobs, increased crime, blight, and illegal dumping, and increased housing instability and homelessness. These adverse impacts have hit Hayward's communities of color the hardest. Additionally, the City organization experienced a substantial decrease in City revenues and an associated reduction in City reserves, financial concessions from employees, increased need for technological support and staff resources for an abrupt transition to remote work, and intense expectations to urgently address the emergency both internally and externally.

In response to, and in spite of, all of these challenges, the Council, City organization, and its employees demonstrated remarkable leadership and dedication of financial and staff resources towards addressing these numerous problems, resulting in major accomplishments over the last year. This occurred in addition to carrying out the City's regular operations and programs. A summary of these key accomplishments include:

- Launching a [COVID telephone hotline](#) to provide reliable up-to-date information about the virus, its local impact, and the resources available;
- Establishing a local COVID testing center and eventual vaccine rollout with a priority towards Hayward's communities of color and most vulnerable populations;
- Creating and implementing a small business grant program, and outdoor permits and street closures to help restaurants and other businesses adhere to the latest public health orders and guidance;
- Developing and implementing a rent relief grant program for low-income residents;
- Enacting and extending moratoria on residential and commercial evictions due to the pandemic;
- Establishing a weekly food distribution site and program, as well as facilitating the eventual transition of management of the site to another community partner;
- Developed the Hayward Library "HPL to Go" Program to allow for contactless curbside pick up of library materials via phone or online requests;
- Supported high-need Hayward Unified School District students through the Tech Lending Library by providing over 600 devices (tablets, hotspots, and Chromebooks) to support distance learning and help close the digital divide;
- Allocating and managing over \$3 million in federal CARES Act and Community Development Block Grant monies to the City's nonprofit and community partners and programs for emergency needs;
- Developing and finding a community partner to administer the [Hayward Family Support Grants](#) program for Hayward residents with COVID income loss who were ineligible for other relief programs;
- Managing and responding to the more acute and highly visible needs of the City's unhoused populations across numerous departments, including the creation of a new hotel annex project to provide 35 additional beds of transitional housing to the City's most vulnerable homeless individuals;
- Responding to the call for police reform in the wake of the murder of George Floyd with extensive community conversations and policy innovation workshops about public safety, race, and policing;

- Transitioning much of the City's workforce and services (i.e., library, permit and housing functions, etc.), as well as Council and Commission meetings to remote work and participation; and
- Taking fiscal austerity measures and carefully managing the City's operating, capital, and emergency budgets.

These are only a few of the many ways the City has responded to the impacts of the COVID crisis.

## **DISCUSSION**

Based on a review of the ARPA legislation, community and City needs, the programs and services being offered by other public and private partners, and inter-departmental discussions, City staff recommend splitting the funding into two major expenditure categories in a range of approximately \$15 to \$25 million each: (1) Community Safety & Economic Recovery; and (2) Fiscal Recovery & Stabilizing City Operations.

The Community Safety & Economic Recovery category is proposed to prioritize the external needs of the community in the following key areas:

- Economic development and recovery for small businesses and other impacted business industries;
- Housing and homelessness programs and assistance for the City's most vulnerable populations;
- Community and nonprofit programs and efforts;
- Enhanced clean-up and maintenance; and
- Implementation of the recommendations from the community public safety workshops.

The Fiscal Recovery & Stabilizing City Operations category is proposed to focus on the internal fiscal and organizational needs of the City to stabilize operations and services by:

- Replenishing and offsetting the loss of past and projected City revenue, and an associated reduction in City reserves;
- Funding to eliminate City furloughs and staffing reductions to allow the restoration of critical City services;

- Investing in technology needed to return-to-work safely and to facilitate ongoing remote Council, employee and community participation in local services and operations; and
- Funding other building and infrastructure investments needed to help maintain and expand City operations and services in a post-COVID environment.

In addition, staff developed general guidelines for identifying specific projects and programs for use of Hayward's stimulus funding that will be developed over the next couple of weeks:

1. Falls into one of the established two expenditure categories: Community Safety & Economic Recovery, and Fiscal Recovery & Stabilizing City Operations;
2. Addresses the established internal and external needs created due to the COVID crisis that can be substantiated by data;
3. Meets multiple public purposes or is cross-departmental;
4. Fills a funding gap and/or leverages other sources of funds;
5. Helps create more sustainable sources of local funding in the future;
6. Ineligible or unlikely to be funded through other source of funds;
7. Can be expended prior to December 2024, the ARPA deadline for expenditure of all stimulus funds; and
8. Can be implemented with existing or one-time contract staff resources and does not create a long-term fiscal liability.

Staff seeks Council guidance this evening on the proposed expenditure framework for stimulus funding, including the guidelines for identifying specific projects and programs moving forward. Upon receiving feedback from the Council, staff will develop an updated and more detailed expenditure plan for review and recommended approval at the April 27, 2021 Council meeting.

## **ECONOMIC IMPACT**

As described above, the City and local community have experienced adverse economic impacts related to the COVID crisis. The expenditure of stimulus funding over the next 3.5 years will make a substantial difference in helping the local economy recover from the pandemic.

## **FISCAL IMPACT**

The COVID crisis has resulted in significant fiscal impacts to the City of Hayward and its employees. Since the crisis started, excluding the costs associated with staffing the efforts listed above, the City has expended over \$5 million in direct services to the community to address COVID impacts. The City is projected to experience a total reduction of approximately \$9.2 million in City reserves by the end of this fiscal year due to a loss of tax and other City revenues. Additionally, employees contributed approximately \$2.3 million in financial concessions and furloughs in 2020 to assist the City in stabilizing its operations and services. The expenditure of stimulus funding over the next 3.5 years will significantly help the City to stabilize its operations and fiscal situation.

## **STRATEGIC ROADMAP**

Although this agenda item supports all of the Strategic Priorities in the City's approved Strategic Roadmap, it is not currently a specific project within the final Roadmap.

## **NEXT STEPS**

Upon receiving feedback from the Council, staff will develop an updated and more detailed expenditure plan for review and approval at the April 27, 2021 Council meeting.

*Prepared and Recommended by:* Jennifer Ott, Assistant City Manager  
Dustin Claussen, Finance Director

Approved by:



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Kelly McAdoo, City Manager