

CITY OF HAYWARD

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



CITY OF
HAYWARD
HEART OF THE BAY

Agenda

Monday, January 9, 2017

4:30 PM

City Hall, Conference Room 2A

Council Sustainability Committee

CALL TO ORDER**ROLL CALL****PUBLIC COMMENTS:**

(The Public Comment section provides an opportunity to address the City Council Committee on items not listed on the agenda as well as items on the agenda. The Committee 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 Committee is prohibited by State law from discussing items not listed on the agenda, any comments on items not on the agenda will be taken under consideration without Committee discussion and may be referred to staff.)

REPORTS/ACTION ITEMS

1. [MIN 17-001](#) Approval of Minutes of Council Sustainability Meeting on November 14, 2016.

 Attachments: [Attachment I Minutes of Council Sustainability Meeting on November 14, 2016](#)

2. [ACT 17-001](#) Downtown Specific Plan - Sustainability Discussion

 Attachments: [Attachment I Staff Report](#)
 [Attachment II November 15, 2016, City Council/Planning Commission Work Session Minutes](#)
 [Attachment III Key General Plan Goals, Policies and Programs](#)
 [Attachment IV Project Scope of Work](#)

3. [ACT 17-005](#) Sustainable Groundwater Management Act (SGMA): Options for the Formation of a Groundwater Sustainability Agency under SGMA

 Attachments: [Attachment I Staff Report](#)

4. [ACT 17-002](#) Compact of Mayors

 Attachments: [Attachment I Staff Report](#)

5. [ACT 17-006](#) Drinking Water Quality Update
Attachments: [Attachment I Staff Report](#)
6. [RPT 17-003](#) Overview of Regional Energy Efficiency Programs: Energy
 Council, EBEW, and BayREN
Attachments: [Attachment I Staff Report](#)
7. [RPT 17-001](#) Semi-Annual Update on City's Waste Reduction and Recycling
 Programs
Attachments: [Attachment I Staff Report](#)
8. [RPT 17-002](#) Statistics on Property Assessed Clean Energy Projects
Attachments: [Attachment I Staff Report](#)
 [Attachment II PACE Projects in Hayward as of December 2016](#)
9. [RPT 17-004](#) Civic Spark Presentation
Attachments: [Attachment I Staff Report](#)
10. [RPT 17-005](#) Upcoming Agenda Topics
Attachments: [Attachment I Staff Report](#)

FUTURE AGENDA ITEMS**COMMITTEE MEMBER/STAFF ANNOUNCEMENTS AND REFERRALS****ADJOURNMENT****NEXT REGULAR MEETING, 4:30 PM, MONDAY, MARCH 13, 2017**



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
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File #: MIN 17-001

DATE: January 9, 2017

TO: Council Sustainability Committee

FROM: Director of Utilities & Environmental Services

SUBJECT

Approval of Minutes of Council Sustainability Meeting on November 14, 2016.

RECOMMENDATION

That the Committee reviews and approves the minutes of the Council Sustainability Committee meeting on November 14, 2016.

ATTACHMENTS

Attachment I Minutes of Council Sustainability Meeting on November 14, 2016

CITY COUNCIL SUSTAINABILITY COMMITTEE MEETING
Hayward City Hall – Conference Room 2A
777 B Street, Hayward, CA 94541-5007

November 14, 2016
4:30 p.m. – 6:30 p.m.

MEETING MINUTES

CALL TO ORDER: Meeting called to order at 4:30 p.m. by Chair Al Mendall.

ROLL CALL:

Members

- Al Mendall, City Council Member/CSC Chair
- Elisa Márquez, City Council Member
- Francisco Zermeño, City Council Member

Staff:

- Alex Ameri, Director of Utilities & Environmental Services
- David Rizk, Director of Developmental Services
- Jan Lee, Water Resources Manager
- Steve Osborne, Acting Building Official
- Erik Pearson, Environmental Services Manager
- Mary Thomas, Management Analyst
- Jennifer Yee, Sustainability Technician
- Gillian Corral, CivicSpark AmeriCorps Fellow
- Christopher Sturken, CivicSpark AmeriCorps Fellow
- Carol Lee, Administrative Secretary (Recorder)

Others:

- Jillian Buckholz, Director of Sustainability, California State University East Bay (CSUEB)
- Steven Dunbar, Hayward Resident
- Shova Ale Magar, Waste Management of Alameda County (WMAC)
- Erika Solis, WMAC
- Vanessa Barberis, WMAC

PUBLIC COMMENTS

None

1. Approval of Minutes of Council Sustainability Meeting on September 12, 2016.

The Committee approved the minutes of the Council Sustainability Committee meeting of September 12, 2016.

2. Update on 2016 CalGreen and 2016 Energy Code

Steven Osborne, Acting Building Official, presented on the City's 2016 Building Codes, which will be in effect on January 1, 2017. Mr. Osborne pointed out an error to the staff report, which stated that buildings, statewide, produced approximately 40% of carbon emissions. He noted that building emissions produce about 10% of the total carbon emissions in California.

Discussion ensued among Committee members and City staff regarding the presented cost savings for the state's energy efficiency standards for new buildings and appliances, rebates for tank-less water heaters, the cost difference between on-demand water heaters and conventional water heater, and the ability to recycle old water heaters.

Chair Mendall requested that staff work on a list for developers with options to go above code on energy efficiency, noting that this will be helpful for those who seek exceptions.

Steven Dunbar, member of the public, asked staff to consider more stringent green and energy efficiency codes for nonresidential and multi-family residential buildings. He stated that renters have little control over the energy efficiency of the buildings in which they reside.

3. Construction & Demolition Debris Recycling Requirements

Utilities & Environmental Services Director Ameri introduced the report, noting that the City was a pioneer in requiring Construction & Demolition debris (C&D) recycling, and introduced Sustainability Technician Jennifer Yee, who presented an overview of proposed changes to the City's C&D Recycling Ordinance.

Ms. Yee discussed the proposed updates to the ordinance to meet or supersede the California Green Building Standards Code (CALGreen) as it pertains to debris recycling. She presented options for the City's threshold to determine which projects must comply with the ordinance and proposed options for the required recycling rate of C&D debris. Staff also recommended updating the ordinance to require that all the mixed C&D debris be taken to a third-party verified recycling facility.

Council Member Márquez inquired as to how WMAC determines their C&D debris recycling rates, and how does staff ensure that contractors comply. Director Ameri stated that the rates charged to customers were negotiated as part of the Franchise Agreement. He further explained that staff has a system in place to keep a record and train contractors on C&D recycling requirements.

Chair Mendall noted that he would only be in favor of the third-party verified recycling facility requirement if the companies had the ability to be inspected,

certified and approved for use. Ms. Yee explained that provisions would be included to allow additional companies to be certified as a third-party recycling facility.

It was moved by Council Member Márquez, seconded by Council Member Zermeno, and carried unanimously, to bring the proposed updates to the C&D debris recycling ordinance to City Council.

The Committee was in favor of both actions recommended by staff.

4. Overview of the Sustainable Groundwater Management Act

Utilities & Environmental Services Director Ameri provided an overview of Hayward's groundwater history and recent events pertaining to groundwater management. He introduced Jan Lee, Water Resources Manager, who presented an overview of the Sustainable Groundwater Management Act (SGMA) and its applicability to Hayward.

Discussion ensued among Committee members and City staff regarding the portion of the Niles Cone Basin and the East Bay Plain Basin that the City overlies, the location and use of the City's five emergency wells, potential uses for groundwater, recharge opportunities, Hayward's inability to apply to be a Groundwater Sustainability Agency (GSA) for the portion of the Niles Cone Basin underlying the City, and Hayward's cooperative discussions with East Bay Municipal Utilities District (EBMUD) on groundwater management of the East Bay Plain Basin.

Chair Mendall expressed his concerns over the fact that Alameda County Water District (ACWD) was written into SGMA as the exclusive local agency to manage ground water for the Niles Cone Basin. He strongly expressed the importance that Hayward be identified as a GSA for the East Bay Plain Basin with full decision-making abilities.

There was agreement to continue to work with EBMUD in exploring options to collaborating on a Groundwater Sustainability Plan (GSP) to streamline efforts and maximize cost savings.

Staff will prepare a formal recommendation for the Committee's consideration for the meeting on January 9, 2017.

5. California Youth Energy Services (CYES)– 2016 Results

Director Ameri announced the report and introduced Sustainability Technician Jennifer Yee, who highlighted the results and benefits of the City's participation in CYES.

The Committee expressed appreciation for the program. Council Member Márquez expressed her desire to have Rising Sun speak at the Youth Commission, and suggested that staff advocate the Youth Commission as a source of recruits for next year. Staff affirmed the suggestion.

Chair Mendall suggested that East Bay Community Energy would be a strategic partner in the future for this program.

6. City Efforts Related to Upcoming Mountain Tunnel Shutdowns

Utilities & Environmental Services Director Ameri provided an overview of the report and introduced Water Resources Manager Jan Lee, who presented the report.

Discussion ensued among Committee members and City staff regarding water quality during the planned shutdowns, the source of the water that Hayward water customers will receive, impacts on customers, potential variations to operating pressure in the water system, estimated costs, and potential mitigation.

Chair Mendall urged staff to scrutinize all potential issues that may arise from the upcoming Mountain Tunnel Shutdowns and see to it that issues with potential negative impact on the City are mitigated appropriately.

7. Sustainability City Year Program

Staff stated that the item was an informational report.

Jillian Buckholz, Director of Sustainability, CSUEB, encouraged Committee members and City staff to view a two-minute video prepared by Pioneers for Sustainable Communities, CSUEB's Sustainable City Year Program. She noted that additional information can be found on the [SustainEB](#) webpage.

Council Member Zermeño requested that City staff work with staff at Chabot College to implement a similar program.

Council Member Márquez commended staff and CSUEB faculty for their collaboration in this program. She also requested that the Committee be able to provide input for potential future project ideas. She noted that illegal dumping is a problem in the City and if the City and students could tackle the issue, the impacts would greatly improve the City.

Ms. Buckholz invited staff and the Committee Members to come visit classes at CSUEB to engage the students and promote Sustainability. Chair Mendall expressed interest in this opportunity. Ms. Buckholz further explained that each class will be preparing a final report on their project, and a couple of students could present their reports to the Committee as requested by Chair Mendall.

8. Administrative Rule 3.9 – Environmentally Preferred Purchasing Policy

Director Ameri stated that the item was an informational report.

Council Member Márquez noted that Administrative Rule 3.9 requires updated verbiage on page four, in the last paragraph. She commented that the composition of the Council Sustainability Committee has since changed.

[Note: The edits will be incorporated in the next update of Administrative Rule 3.9].

Jillian Buckholz, Director of Sustainability, CSUEB, mentioned that the University is putting forth purchasing policies designed to lower greenhouse gases, and offered suggestions for the City to consider.

9. 2016 SunShares Program

Mary Thomas, Management Analyst, noted that the item was an informational report, and that staff was available to answer any questions.

The Committee asked staff to evaluate the use of staff time for this program if it continues in 2017.

10. 2017 Agenda Topics

Council Member Márquez requested that staff look into and apply for a grant that the East Bay Regional Park District has received from the U.S. Department of Transportation to complete its East Bay Bicycle and Pedestrian Network.

Chair Mendall suggested that staff provide an update to Ms. Márquez's request in March when reporting on the Bicycle Master Plan.

[Note: Staff will follow up and report back to the Committee in March].

COMMITTEE MEMBER/STAFF ANNOUNCEMENTS AND REFERRALS:

Utilities & Environmental Services Director Ameri reported that Proposition 67 passed and Proposition 65 did not, which was in line with what the Committee recommended. Director Ameri also announced that the City made the list of the EPA's Green Power Partnership Top 30 On-site Generation, noting that a lot of that success was due to the efforts at the Water Pollution Control Facility. He also shared that the WPCF Manager and WPCF Operations & Maintenance Manager recently resigned to work for other agencies with higher compensation.

Lastly, Director Ameri expressed his appreciation for City Manager Kelly McAdoo and her efforts in reviewing and commenting on each report prepared for the Committee, as she did previously in her role as Assistant City Manager, noting that her hard work is greatly appreciated.

ADJOURNMENT: 6:36 p.m.

Attendance	Present 11/14/16 Meeting	MEETINGS		
		Present to Date This Fiscal Year	Excused to Date This Fiscal Year	Absent to Date This Fiscal Year
Elisa Márquez	✓	2	0	0
Al Mendall*	✓	3	0	0
Francisco Zermeño	✓	3	0	0

✓ = Present O = absent X = excused

* Chair



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777 B Street
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File #: ACT 17-001

DATE: January 9, 2017

TO: Council Sustainability Committee

FROM: Development Services Director and Director of Utilities & Environmental Services

SUBJECT

Downtown Specific Plan - Sustainability Discussion

RECOMMENDATION

That the Council Sustainability Committee reviews this report and provides feedback to City staff regarding the sustainability issues (bike/pedestrian infrastructure, complete streets, green infrastructure, trees, etc.) the Committee would like to see City staff and the consultant team focus on as part of the Downtown Specific Plan project.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	November 15, 2016, City Council/Planning Commission Work Session Minutes
Attachment III	Key General Plan Goals, Policies and Programs
Attachment IV	Project Scope of Work



DATE: January 9, 2016

TO: Council Sustainability Committee

FROM: Development Services Director

SUBJECT: Downtown Specific Plan – Sustainability Discussion

RECOMMENDATION

That the Council Sustainability Committee reviews this report and provides feedback to City staff regarding the sustainability issues (bike/pedestrian infrastructure, complete streets, green infrastructure, trees, etc.) the Committee would like to see City staff and the consultant team focus on as part of the Downtown Specific Plan project.

SUMMARY

The purpose of this item is to provide the Council Sustainability Committee an opportunity to provide input regarding key sustainability topics and issues the Committee would like to be addressed in the Downtown Specific Plan.

BACKGROUND

The Downtown Specific Plan project was initiated early last year. In September of 2016, after terminating the agreement with the initially selected consultant due to concerns with performance, Lisa Wise Consulting (LWC) was selected to continue the Downtown Specific Plan project. A kickoff meeting involving LWC and the project team occurred on September 9th, and work on the project has restarted. The Downtown Specific Plan Task Force met on December 12, 2016 (see summary of that meeting below). A community workshop and design charrette is planned for the first quarter in 2017, to obtain input from the community and policy makers, including input regarding sustainability issues.

November 15, 2016 Joint City Council/Planning Commission Work Session – The City Council and Planning Commission held a joint work session in November of 2015. Among the various items discussed by Council members and Commissioners, concerns related to bike and pedestrian safety in Downtown, bike rental, bike parking, walkability, and encouraging more sustainable modes of transportation to access public transportation were discussed (Attachment II).

December 12, 2016 Downtown Specific Plan Task Force Meeting – The Task Force held their first meeting where LWC presented information on the specifics of the project, including the role of the Task Force, the tentative meeting schedule for the next six (6) months, a review of

applicable General Plan policies and programs, and ideas for community engagement. LWC also led the Taskforce through a discussion on key issues facing Downtown, strengths of Downtown, opportunities for improvement and utilizing the Specific Plan as a vehicle for change within the Plan area. Task Force members also discussed ideas for bicycle and pedestrian improvements within the Plan area.

The tentative date for the next Task Force meeting is January 23, 2017. The topic of discussion for their next meeting will be a market analysis of the Plan area.

DISCUSSION

The Downtown Specific Plan project is scheduled to address sustainability during the first workshop at the end of January (tentatively scheduled for January 25, 2017) and during the five-day design charrette (tentatively scheduled for March 14th through the 18th). City staff and the consultant team are currently evaluating infrastructure needs in the plan area and gaining a basic understanding of various aspects of Downtown Hayward. Once this information gathering phase has been completed, the consultant team and staff will evaluate sustainability methods that can be applied to various parts of the Plan area.

The goal of this informational item is to obtain input from the Sustainability Committee members regarding sustainability strategies that can be incorporated into the Downtown Plan. Staff and the consultant team look forward to making Downtown Hayward more people friendly and walkable, especially along A Street and Mission and Foothill Boulevards. Emphasis on bicycle and pedestrian improvements, crafting a thoughtful parking strategy, and inclusion of better/efficient lighting, landscaping and street furniture will be considered as part of creating a sustainable and desirable Downtown area.

Attachment III lists goals, policies and programs contained in the General Plan to assist the Committee in formulating sustainability recommendations for potential inclusion in the draft Downtown Plan. Also attached is the project scope which highlights aspects of the project

ECONOMIC IMPACT

It is anticipated that the Downtown Specific Plan will help transform the Plan area into a vibrant retail destination location for Hayward, thus creating positive economic benefits resulting in new businesses bringing additional sales tax revenue to the City. The Plan will build upon previous successes and help create a more active and lively downtown.

Also, having a Plan and code that clarifies the community vision will help streamline the development review process, which is critical for new developers and tenants interested in investing in our Downtown.

FISCAL IMPACT

The Downtown Specific Plan effort is funded through a federally funded grant approved by the Alameda County Transportation Commission (ACTC) on March 27, 2014. These funds are

part of the One Bay Area Grant (“OBAG”) program of which a portion of Priority Development Area (“PDA”) planning and implementation funds were allocated to ACTC from the Metropolitan Transportation Commission for local PDA planning and implementation projects. A total of \$950,000 will come from ACTC for the Downtown Specific Plan project.

On April 5, 2016, Council approved a funding request for an additional \$230,000 (\$75,000 grant matching fund was previously approved) for the project. In order to offset this General Fund impact, as well as provide a consistent stream of revenue to support Advance or Long-Range/Policy Planning activities, staff will be recommending that the current General Plan Implementation fee be expanded/increased to create a new Policy Planning Fee.

SUSTAINABILITY FEATURES

The Downtown Plan will promote sustainability and sustainability features will be identified during the development of the Downtown Plan, with key input from the Council Sustainability Committee and the public. It is anticipated that the Plan will encourage green infrastructure, bicycle and pedestrian infrastructure, trees, etc.

PUBLIC CONTACT

There has been no public contact in conjunction with this Committee item. As the project unfolds, the Downtown Specific Plan project will have extensive public outreach as part of the Plan development process and additional opportunities for input from the Sustainability Committee. Stakeholder interviews, workshops, a charrette, and additional City Council and Planning Commission meetings will occur, as identified in Attachment II. Task Force meetings will be an integral part of a way to participate in the Downtown Specific Plan process. Additionally, presentations to the Economic Development Committee, the Chamber of Commerce and other associated downtown business groups will occur. The project team will reach out to Downtown building owners, commercial real estate brokers, neighborhood/homeowners’ associations, Cal State East Bay, BART, and AC Transit to afford opportunities for input and participate in the plan process.

NEXT STEPS

A community workshop and design charrette will occur during the first quarter of 2017. A schedule of future Downtown Specific Plan meetings and events will be posted on the City’s website and forwarded to the Sustainability Committee once it is finalized.

Prepared by: Damon Golubics, Senior Planner

Reviewed by: David Rizk, AICP, Director of Development Services

Recommended by: Alex Ameri, Director of Utilities & Environmental Services

Approved by:

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

Kelly McAdoo, City Manager

Resolution 16-208, “Resolution Approving Purchase Orders for GPS-Based Emergency Vehicle Preemption System Associated with the Fire Stations 1-6 and Fire Training Improvement Project”

Resolution 16-209, “Resolution Authorizing the Amendment of Resolution 15-116 for Capital Improvement Projects for Fiscal Year 2016, Relating to an Appropriation of Funds from Measure C Fund (Fund 101) for the Fire Stations 1-6 and Fire Training Center Improvements – Design, Project No. 07474”

There was Council consensus to hear Legislative Business No. 17 prior to the Work Session section of the agenda.

JOINT CITY COUNCIL/PLANNING COMMISSION WORK SESSION

Planning Commission Members Julius Willis Jr., Daniel Goldstein, Al Parso-York, Brian Schott, Diane McDermott, Mariellen Faria, and Chair Heather Enders attended the meeting.

14. Downtown Specific Plan - Project Overview, Update and Discussion (Report from Development Services Director Rizk) **WS 16-068**

Staff report submitted by Development Services Director Rizk, dated November 15, 2016, was filed.

Development Services Director Rizk announced the report and introduced Ms. Lisa Wise with Lisa Wise Consulting, Inc., who provided a synopsis of the Downtown Specific Plan.

Mayor Halliday opened public comments at 9:32 p.m.

Ms. Lisa Brunner, Hayward resident, urged support for safe bike lanes; and suggested that the Council consider reverting A Street back to a two-way street to mitigate traffic and encourage a pedestrian friendly environment.

Mr. Sid Hamadeh, Eko Coffee business owner, noted that identifying the appropriate staff and pooling the right stakeholders was key in the implementation of the Downtown Specific Plan.

Mayor Halliday closed the public comments at 9:39 p.m.

Discussion ensued among Planning Commission Members and Ms. Lisa Wise regarding: Opticos Design and the five-day charrette and General Plan implementation fees.

Planning Commission and City Council members offered the following related to key issues facing Downtown: traffic partners are not optimal; not enough parking space; traffic speed is dangerous particularly on Foothill and Mission Boulevards; there are concerns with pedestrian and bike safety; the Loop needs to be addressed; concerns with height of proposed developments; and increase in crime.



ATTACHMENT II

MINUTES OF THE SPECIAL JOINT CITY COUNCIL/PLANNING COMMISSION
MEETING OF THE CITY OF HAYWARD
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, November 15, 2016, 7:00 p.m.

Planning Commission and City Council members concurred with the strengths in Downtown and offered the following: build upon historical and cultural resources to understand the City's roots and use resources such as the Hayward Historical Society and the Japanese Garden; and utilize the thriving Art community.

Planning Commission and City Council members agreed with the opportunities for improvement and offered the following: have more youth and family entertainment and activities; have affordable housing within developments to create a more inclusive and cohesive community; have Class A office space to create a strong retail presence; encourage more sustainable modes of transportation such as bikes to get to public transportation; restore parking spaces and address traffic light timing; create an entertainment district that is accessible and with buffers for those who live nearby; include Mission Boulevard on the Plan; have rental bikes and incorporate space in community parks where bikes can be locked; hold business owners of empty lots accountable and address eyesores; convert B and C Streets into two-way streets and revert A Street back a two-way street; have more commercial office space; have hotel and banquet facilities; build on business successes and consider leveraging resources and incentives for businesses wishing to expand; partner with educational institutions to offer administrative offices in Downtown; create a vibrant Downtown; improve signage and lighting; increase sidewalk seating; have an art gallery; bring stores that compliment Southland Mall; pursue a convention center; consider alluring commuters that travel on the Corridor to use public transportation; and consider the idea of closing B and Main streets on Sundays to test if it increases walkability.

Planning Commission and City Council members offered the following recommendations for next steps: consider morning and evening workshops and design charrettes and consider offering childcare during the workshops; ensure other means of participation such as online survey; reach out to the community that does not use social media and those with limited English usage; focus on Downtown businesses and what they envision for the Plan; engage the community by soliciting input and going door to door; hold events that include the northern as well as southern districts; involve the Hayward Youth Commission for input related to youth entertainment/activities; engage educational institutions such as California State University and Chabot College; have the implementation plan ready to be executed; and during the implementation phase of the Plan consider recommendations to get a hotel, commercial office space and entertainment usage.

WORK SESSION

There was Council consensus to postpone Work Session No. 15 to November 29, 2016, and to allow public comments on the item.

15. Review of Affordable Housing Resources and Strategies in Hayward (Report from Library and Community Services Director Reinhart) **WS 16-065**

Sustainability and Key Goals, Policies and Programs from the Land Use and Community Character (LU) and Mobility (M) Sections of the General Plan

The following General Plan goals, policies and programs will be evaluated as part of the Downtown Specific Plan project with an eye towards sustainability:

Goal LU-1

Promote local growth patterns and sustainable development practices that improve quality of life, protect open space and natural resources, and reduce resource consumption, traffic congestion, and related greenhouse gas emissions.

Goal LU-2

Revitalize and enhance Hayward's Priority Development Areas to accommodate and encourage growth within compact, mixed-use, and walkable neighborhoods and districts that are located near the city's job centers and regional transit facilities.

Policy LU-2.1 Downtown Arts and Entertainment

The City shall encourage private-sector investment in Downtown to transform it into a safe, vibrant, and prosperous arts and entertainment district that offers enhanced shopping, dining, recreational, and cultural experiences and events for residents, families, college students, and visitors.

Policy LU-2.2 Downtown Activities and Functions

The City shall maintain the Downtown as a center for shopping and commerce, social and cultural activities, and political and civic functions.

Policy LU-2.3 Downtown Pedestrian Environment

The City shall strive to create a safe, comfortable, and enjoyable pedestrian environment in the Downtown to encourage walking, sidewalk dining, window shopping, and social interaction.

Policy LU-2.4 Downtown Retail Frontages

The City shall require retail frontages and storefront entrances on new and renovated buildings within the "retail core" of Downtown Hayward, which includes properties along:

- "A" Street between Mission Boulevard and Foothill Boulevard
- "B" Street between Watkins Street and Foothill Boulevard
- "C" Street between Mission Boulevard and Foothill Boulevard
- Main Street between "A" Street and "C" Street
- Mission Boulevard between "A" Street and "C" Street
- Foothill Boulevard between "C" Street and City Center Drive

This policy does not apply to historic buildings that were originally designed without a retail frontage or storefronts.

Policy LU-2.5 Downtown Housing

The City shall encourage the development of a variety of urban housing opportunities, including housing units above ground floor retail and office uses, in the Downtown to:

- Increase market support for businesses,
- Extend the hours of activity,
- Encourage workforce housing for a diverse range of families and households,
- Create housing opportunities for college students and faculty, and
- Promote lifestyles that are less dependent on automobiles.

Policy LU-2.6 Downtown BART Station

The City shall encourage a mix of commercial, office, high-density residential, and mixed-use development in the area surrounding the Downtown BART Station.

Policy LU-2.7 Downtown Specific Plan

The City shall develop, maintain, and implement a Specific Plan to establish a vision for Downtown Hayward and to guide and regulate future development and infrastructure improvements.

Goal M-1

Provide a comprehensive, integrated, and connected network of transportation facilities and services for all modes of travel.

Policy M-1.2 Multimodal Choices

The City shall promote development of an integrated, multi-modal transportation system that offers desirable choices among modes including pedestrian ways, public transportation, roadways, bikeways, rail, and aviation.

Policy M-1.3 Multimodal Connections

The City shall implement a multimodal system that connects residents to activity centers throughout the city, such as commercial centers and corridors, employment centers, transit stops/stations, the airport, schools, parks, recreation areas, and other attractions.

M-1.6 Bicycling, Walking, and Transit Amenities

The City shall encourage the development of facilities and services, (e.g., secure term bicycle parking, street lights, street furniture and trees, transit stop benches and shelters, and street sweeping of bike lanes) that enable bicycling, walking, and transit use to become more widely used modes of transportation and recreation.

Goal M-2

Connect Hayward to regional and adjacent communities' transportation networks and reduce the impacts of regional through traffic in Hayward.

Policy M-2.4 Regional Transit Options

The City shall work with adjacent communities, AC Transit, BART, and Amtrak to assess transit options and provide facilities and services that efficiently move local and regional transit riders through Hayward.

Goal M-3

Provide complete streets that balance the diverse needs of users of the public right-of-way.

Policy M-3.1 Serving All Users

The City shall provide safe, comfortable, and convenient travel along and across streets to serve all users, including pedestrians, the disabled, bicyclists, and motorists, movers of commercial goods, and users and operators of public transportation.

Policy M-3.2 Non-Auto Needs

The City shall consider the needs of transit riders, pedestrians, people in wheelchairs, cyclists, and others in long-range planning and street design.

Policy M-3.10 Motorists, Bicyclists, and Pedestrian Conflicts

The City shall develop safe and convenient bikeways and pedestrian crossings that reduce conflicts between pedestrians, bicyclists, and motor vehicles on streets, multi-use trails, and sidewalks.

Goal M-5

Provide a universally accessible, safe, convenient, and integrated pedestrian system that promotes walking.

Policy M-5.1 Pedestrian Needs

The City shall consider pedestrian needs, including appropriate improvements to crosswalks, signal timing, signage, and curb ramps, in long-range planning and street design.

Policy M-5.2 Pedestrian System

The City shall strive to create and maintain a continuous system of connected sidewalks, pedestrian paths, creekside walks, and utility greenways throughout the city that facilitates convenient and safe pedestrian travel, connects neighborhoods and centers, and is free of major impediments and obstacles.

Policy M-5.3 Access to Transit

The City shall enhance and maintain sidewalk and other pedestrian improvements for access to key transit stops and stations for seniors and other persons with special needs.

Policy M-5.4 Sidewalk Design

The City shall require that sidewalks, wherever possible, be developed at sufficient width to accommodate pedestrians including the disabled; a buffer separating pedestrians from the street and curbside parking; amenities; and allow for outdoor uses such as cafes.

Policy M-5.5 Streetscape Design

The City shall require that pedestrian-oriented streets be designed and maintained to provide a pleasant environment for walking including shade trees; plantings; well-designed benches, trash receptacles, and other furniture; pedestrian-scaled lighting fixtures; wayfinding signage; integrated transit shelters; public art; and other amenities.

Policy M-5.6 Safe Pedestrian Crossings

The City shall strive to improve pedestrian safety at intersections and mid-block locations by providing safe, well-marked pedestrian crossings, bulb-outs, or median refuges that reduce crossing widths, and/or audio sound warnings.

Goal M-6

Create and maintain a safe, comprehensive, and integrated bicycle system and support facilities throughout the city that encourage bicycling that is accessible to all.

Policy M-6.1 Bikeway System

The City shall maintain and implement the Hayward Bicycle Master Plan.

Policy M-6.2 Encourage Bicycle Use

The City shall encourage bicycle use in all neighborhoods, especially where short trips are most common.

Policy M-6.3 Appropriate Bikeway Facilities

The City shall provide bikeway facilities that are appropriate to the street classifications and type, traffic volume, and speed on all right-of-ways.

Goal M-7

Improve coordination among public agencies and transit providers to meet public transit needs and provide greater mobility.

Policy M-7.3 Transit Service Expansion

The City shall collaborate with BART and AC Transit to expand short- and long-term opportunities to expand services (e.g., extend rapid bus service from Bayfair to the

South Hayward BART Station), pursue a hydrogen fueling station for both buses and personal vehicle use, and improve transit stations by expanding amenities at stations.

Policy M 7.10 New Facilities

The City shall work with transit providers to incorporate transit facilities into new private development and City project designs including incorporation of transit infrastructure (i.e., electricity, fiber-optic cable, etc.), alignments for transit route extensions, and new station locations.

Policy M 7.11 Shuttle Service

The City shall evaluate the need for shuttle service citywide and support public and private efforts and activities to bridge gaps in existing transit service.

Goal M-8

Encourage transportation demand management strategies and programs to reduce vehicular travel, traffic congestion, and parking demand.

Policy M-8.1 Increase Vehicle Occupancy

The City shall work with a broad range of agencies (e.g., Metropolitan Transportation Commission, BAAQMD, AC Transit, Caltrans) to encourage and support programs that increase vehicle occupancy including the provision of traveler information, shuttles, preferential parking for carpools/vanpools, transit pass subsidies, and other methods.

Policy M-8.2 Citywide TDM Plan

The City shall maintain and implement a citywide Travel Demand Management Program, which provides a menu of strategies and programs for developers and employers to reduce single-occupant vehicle travel in the city.

Policy M-8.3 Employer Based Strategies

The City shall encourage employers to participate in TDM programs (e.g., guaranteed ride home, subsidized transit passes, carpool and vanpool programs) and to participate in or create Transportation Management Associations to reduce parking needs and vehicular travel.

Policy M-8.4 Automobile Trip Reduction

The City shall encourage employers to provide transit subsidies, bicycle facilities, alternative work schedules, ridesharing, telecommuting and work-at-home programs, employee education, and preferential parking for carpools/vanpools.

Policy M-8.5 Commuter Benefits Program

The City shall assist businesses in developing and implementing commuter benefits programs (e.g., offers to provide discounted or subsidized transit passes, emergency

ride home programs, participation in commuter rideshare programs, parking cash-out or parking pricing programs, or tax credits for bike commuters).

Policy M-8.6 Car/Bike Sharing Programs

The City shall assist businesses in developing and implementing car and bike sharing programs, and shall encourage large employers (e.g., colleges, Hayward Unified School District (HUSD)) and the BART stations to host car and bike sharing programs available to the public.

Policy M-8.7 Public-Private Transportation Partnerships

The City shall encourage public-private transportation partnerships (e.g., car sharing companies) to establish programs and operations within the city to reduce single-occupant vehicle use.

Policy M-8.8 Regional TDM Program

The City shall implement the Alameda County Transportation Commission Travel Demand Management Element of the Congestion Management Program, which includes a checklist covering specific TDM strategies that the city could employ as part of its own TDM plan (e.g., preferential parking, car/van pools, casual car pools, subsidized transit passes).

Policy M-8.9 City Facility Locations

When making decisions about where to rent or build new City facilities, the City shall give preference to locations that are accessible to an existing public transit line or ensure that public transit links (e.g. bus lines) are extended to the new locations.

Goal M-9

Provide and manage a balanced approach to parking that meets economic development and sustainability goals

Policy M-9.4 Parking Management

The City shall continue to coordinate with other public and institutional parking suppliers (e.g., BART, Chabot College, and Cal State University, East Bay) to provide sufficient parking, and to implement parking charges and preferential parking programs (e.g. designated parking spaces for carpool/vanpool, electric vehicle, and carshare closer to building entrances.), and shall work with such agencies to minimize the impacts of their parking policies on adjacent residential streets.

Policy M-9.8 Downtown Parking

The City shall maintain and implement a Downtown Parking Management Plan that considers consolidation and expansion of downtown parking with multi-level parking structures and other options to address Downtown parking needs.

Policy M-9.9 Alternative Fuel Vehicle Parking

The City shall require new private parking lots to grant low-carbon vehicles access to preferred parking spaces, and shall require new private parking lots to provide electric vehicle charging facilities. The City shall provide electric vehicle charging facilities in public parking lots.

Policy M-9.10 Unbundled Multifamily Parking

The City shall encourage multifamily development projects to separate (i.e., unbundle) the cost of parking from lease or rent payments.

Policy M-9.11 Multifamily Charging Stations

The City shall consider requiring electric vehicle charging stations in new multifamily development projects.

City of Hayward
Downtown Specific Plan, Code, and EIR
Draft Scope of Work
Revised – February 10, 2016

Lisa Wise Consulting, Inc. (LWC) and the Consultant Team propose the following Scope of Work to complete the City of Hayward Downtown Specific Plan, Code, and EIR. The Scope of Work is organized into ten tasks, from project initiation to adoption of the Specific Plan and certification of the environmental document. LWC remains available and amenable to revise the Scope of Work as well as the timeline and budget to accommodate the City's expectations.

The Consultant Team includes Lisa Wise Consulting, Inc., Opticos Design, Inc., MJB Consulting, Nelson\Nygaard Consulting, Kittelson & Associates, Inc. (KAI), Sherwood Design Engineers (SDE), and PlaceWorks. The table below presents the changes in the Consultant Team from the original 2014 LWC led proposal.

LWC Team		
Primary Discipline	2014 Proposal	Recommended Nov 2015
Lead, Planning, Economics, Outreach	Lisa Wise Consulting, Inc.	Same
Urban Design	Opticos Design, Inc.	Same
Downtown Retail Expert	MJB Consulting	Same
Multimodal Mobility, Parking	Nelson Nygaard Consulting	Same
Technical Modeling and EIR	Kittelson & Associates, Inc.	Same
Sustainable Infrastructure	Sherwood Design Engineers	Reduced Role
CEQA	MIG Consulting, Ascent	PlaceWorks
Economics	Metropolitan Research and Econ.	Covered by LWC/MJB
Crime Prevention Through Design	Local Government Commission	Covered by Consultant Team
Web-Based Platform	Urban Insight	Not Included

TASK 1: PROJECT INITIATION & BACKGROUND ANALYSES

The primary objectives of Task 1 are to establish a clear direction for the project, collect baseline data, and develop a relationship with the Task Force.

TASK 1.1: PROJECT COORDINATION MEETING & SITE TOUR

The Consultant Team will prepare for and attend one project coordination meeting with Staff to discuss project goals, objectives, schedule, and areas of concern. As part of this meeting, the Consultant Team will also conduct a walking/driving tour of the Project Area with Staff, collect preliminary data, and photo document important intersections, corridors, parcels, and buildings. LWC will prepare and submit a Coordination Meeting and Site Tour Summary Memo and conduct one round of review and edit with the City, if needed.

LWC will also prepare and submit to the City a draft Project Management Plan (PMP) for review and comment as a part of this Task (see deliverables below). Review of the draft PMP at the Coordination Meeting will help the Consultant Team better achieve City goals and meet or exceed community expectations for the project. The draft PMP will include the Scope of Work, roles and responsibilities, schedule, turnaround times for producing

documents, protocol for City comments on deliverables (i.e. one set of consolidated comments), table of public meetings with dates and purpose, communication protocol, and invoicing requirements. LWC will conduct one round of review and edit on the PMP with the City, if needed.

TASK 1.2: BACKGROUND DATA COLLECTION & REVIEW

The Consultant Team will rely on the October 2015 Hayward Downtown Specific Plan Existing Conditions and Opportunities Analysis (Dyett & Bhatia), which will not be revised or reproduced as part of this Scope of Work. However, as necessary, the Consultant Team will complete a focused review of relevant documents and background data in order to gain a better understanding of existing land use policy and configuration, civil infrastructure, transit, circulation and parking, and economic and demographic conditions to establish a foundation from which to conduct on-going research and inform the prioritization of the most important issues to be considered in the Specific Plan process.

TASK 1.3: COMMUNITY OUTREACH STRATEGY

The Consultant Team, led by LWC, will develop a comprehensive Community Outreach Plan (COP) that 1) describes outreach objectives, 2) lists proposed meetings and events, and 3) establishes a tentative schedule. The COP will assure the Project messaging and communication with the community is clear and consistent, emphasizes feedback loops to ensure better outcomes, and stress multiple and substantive opportunities for the community to engage in the process. LWC will prepare and submit to the City a draft COP for review and comment and finalize the document after one round of revisions (see deliverables below).

The Consultant Team will work closely with the City to assure that COP establishes a blueprint for engaging local residents, businesses, property owners, elected officials, neighborhood groups, faith-based and conservation organizations, as well as public agencies. As described throughout the Scope of Work, components of the community outreach strategy include facilitation of the Task Force, stakeholder interviews (see Task 1.7), a Design Charrette (see Task 2), and workshops as outlined under individual tasks. It is anticipated that all Task Force meetings are public meetings. The Table below lists all proposed meetings.

In the case of web-based outreach, LWC will rely on the City's website, Facebook page, and Twitter account to inform the community on project progress, announce opportunities for participation, and gather input. As project deliverables are completed, LWC will provide graphics, documents, narrative, and maps for online posting. A description of the online media outreach campaign will be included in the COP. It is expected that the City will manage and maintain online media.

The City will be responsible for noticing, organizing, securing locations, and providing refreshments, if any. The Consultant Team will work closely with the City to develop and refine outreach materials and collaborate on scheduling meetings as the project progresses.

Complete List of Meetings and Outreach Events		Consultant Attendance
#	Meeting	
Task 1: Project Initiation and Background Analysis		
1	Task 1.1: Project Coordination Meeting & Site Tour	All
2	Task 1.4: Task Force Meeting #1 – Intro & Direction Setting	LWC, ODI, PW, NN
3	Task 1.7: Stakeholder Interviews	LWC, ODI, MJB
5	Task 1.8: Task Force Meeting #2 – Mkt Analysis & Comm. Char.	LWC, ODI, MJB
Task 2: Visioning and Direction Setting		
5	Task 2.1: Public Workshop – Kick-off & Visioning	LWC, ODI, PW
6	Task 2.2: Staff & Agency Meeting	LWC, PW
7	Task 2.3: Task Force Meeting #3 – Pre-charrette	LWC, ODI
Task 3: Design Charrette and Preferred Alternative		
8	Task 3.1: Pre-charrette Meeting (Staff)	LWC, ODI
9	Task 3.2: Five-Day Design Charrette	All
10	Task 3.5: Task Force Meeting #4	LWC, ODI
11	Task 3.6: City Council/Planning Commission Study Session	LWC, ODI, NN
Task 4: Admin Draft Specific Plan		
12	Task 4.2: Task Force Meeting #5	LWC
13	Task 4.4: Staff Meeting on Admin Draft Specific Plan	LWC
14	Task 4.5: Task Force Meeting #6	LWC, NN
15	Task 4.6: Task Force Meeting #7	LWC
Task 5: Code		
16	Task 5.1: Code Coordination Meeting	LWC, ODI
17	Task 5.7: Task Force Meetings #8 and #9	LWC, ODI
18	Task 5.6: Public Workshop	LWC, ODI
Task 6: Public Review Draft Specific Plan		
19	Task 6.2: Open House Meetings - PRD Specific Plan (2)	LWC, ODI, NN
20	Task 6.2: City Council / Planning Commission Hearing on the PRD Specific Plan and Code	LWC
Task 7: Environmental Impact Report		
21	Task 7.2: Scoping Meeting	PW
22	Task 7.5: Internal Focus Group & Staff Meetings on EIR	PW, KAI
23	Task 7.6: Task Force Meeting #10	PW, KAI
24	Task 7.7: Planning Commission Meeting (Draft EIR)	PW, KAI
Task 8: Hearing Draft Specific Plan and Code		
25	Task 8.1: Task Force Meeting #11 on Final Draft Documents	LWC
Task 9: Planning Commission Hearing		
26	Task 9.1: Planning Commission Hearing	LWC, PW, NN
Task 10: City Council Hearing		
27	Task 10.1: City Council Adoption Hearing	LWC, PW, NN

TASK 1.4: TASK FORCE MEETING #1

The Consultant Team will meet with the Task Force to introduce individual team members, describe roles and responsibilities, provide an overview of the Scope of Work focusing on opportunities for public participation, and discuss the goals and expectations of the Task Force on behalf of their constituents.

For all Task Force meetings, LWC will prepare a concise Task Force Meeting Summary. Summaries will identify key takeaways and action items. For each Meeting Summary, LWC will conduct one round of review and edit with the City to produce a final version of the Task Force Meeting Summary, which will be appropriate for posting (excerpt or in its entirety) on the website, web page and/or on project-related social media. The City will be responsible for confirming the date, time, and place of the meeting, and coordinating participation of Task Force members.

TASK 1.5: MARKET DEMAND ANALYSIS

Building off the 2013 Economic Development Strategic Plan, the Consultant Team, experts in development feasibility, retail environments, and entertainment districts, will conduct a market analysis of existing and future demand for retail, entertainment, office, and residential space. This analysis will be used to inform the optimal mix of uses in creating a vibrant and sustainable downtown, and it will be used as the basis for strategic economic development recommendations in the Specific Plan goals, policies, programs, and development standards.

Much of the material that would normally go into a market demand analysis, such as demographic trends of Hayward, is already presented in the Dyett and Bhatia Background Report. Therefore, the scope of this market analysis will focus more on updating market metrics; evaluating opportunities and constraints the existing conditions present to future revitalization efforts; and crafting repositioning strategies consistent with the City's goal to revitalize and enhance the Downtown Hayward.

The Consultant Team will also assess the feasibility of development on select opportunity sites that are representative of potential market scenarios (approximately four). The feasibility analysis will provide tools the City may draw upon in future economic development efforts and could include a vacant/underutilized lot survey and an infrastructure system evaluation matrix (in context of market competitiveness). (Note: See also Task 2.3 for discussion of analysis of the Preferred Alternative.)

A key effort of the team will be to augment the retail market metrics in the Dyett and Bhatia background report with a robust retail strategy in support of the City's economic revitalization goals for downtown. MJB Consulting will devise a realistic strategy for "positioning" Downtown Hayward within the broader retail/entertainment ecology (e.g. target customer, merchandise mix, price point, etc.) and will identify the kinds of concepts and operators that would correspond to such positioning. This strategy will be grounded in nuanced analyses of the two interrelated yet discrete "markets" that impact retail potential: consumers buying goods and services from retailers and retailers leasing space from landlords. For these analyses, MJB will draw on the data already collected by EPS as part of this planning process, and will undertake any additional research deemed necessary following a more thorough read of EPS' findings. The team will also focus considerable

attention on the qualitative dimension of retail revitalization, specifically, the role of “psycho-graphics” and sensibilities and the influence of perceptions and narratives.

TASK 1.6: COMMUNITY FORM & CHARACTER ANALYSIS

ODI will conduct a community form and character analysis of the Plan Area. This analysis will include mapping and graphics of existing zoning, figure ground plans, and public amenities to frame the existing physical framework and design opportunities and constraints. In particular, this analysis will prepare the Consultant Team for the Design Charrette and identify opportunity sites for further analysis.

TASK 1.7: STAKEHOLDER INTERVIEWS

The Consultant Team, with assistance from the City, will develop a comprehensive and diverse contact list of potential participants for personal and small group interviews that includes public officials, representatives from special districts and regional agencies, transit agency partners, local community groups, service organizations, businesses, neighborhood groups, developers, local colleges, and other interest groups. LWC will lead the interview process and enlist members of the Consultant Team where necessary to assist. Interviews will be conducted over the course of two days at City facilities and follow up interviews on the phone and via email will be conducted, as needed, to achieve the target a total of twenty (20) interviews.

Individual and small group interviews are intended to give the Consultant Team greater insight into the highest priority issues in the Plan Area from the perspective of a “user” or local stakeholder. This more intimate approach enables the Consultant Team to gather insight that they would not be able to gather in larger settings where group dynamics play a greater influence. LWC will work closely with the City to develop a survey instrument and protocol aimed at gathering key input while not posing a burden to respondents. The survey will employ open-ended questions which enable the interviewee to drive the process in a conversational style. This method is extremely effective at gathering accurate data and helping create a connection between the project and the community.

LWC will summarize the findings of the interviews in a Stakeholder Interview Summary, a concise memo that assesses the type or affiliation of participants in the interviews, number of interviews conducted, and responses to individual survey questions. LWC will conduct one round of review and edits with the City to produce a final version of the Stakeholder Interview Summary, which will be appropriate for posting (excerpt or in its entirety) on the website, web page and/or on project-related social media.

TASK 1.8: TASK FORCE MEETING #2

The Consultant Team will meet with the Task Force to discuss the market analysis, community character analysis, the results of the stakeholder interviews, and the upcoming workshop in Task 2.

TASK 1 DELIVERABLES

1. Coordination Meeting & Site Tour Summary (pdf)
2. Project Management Plan (pdf)
3. Community Outreach Plan (pdf)
4. Market Demand Analysis – PowerPoint Format (ppt and pdf)

5. Community Form and Character Analysis (pdf)
6. Stakeholder Interview Summary (pdf)
7. Task Force Meetings Summaries (2) (pdf)

TASK 2: VISIONING AND DIRECTION SETTING

TASK 2.1: PUBLIC WORKSHOP

Prior to the Design Charrette in Task 3, the Consultant Team will conduct a public workshop to: 1) provide an overview of the project, 2) summarize data and trends, including the market demand and the community form and character analysis, and 3) engage community members in a feedback loop about their concerns, priorities, and vision for Downtown. The Consultant Team will work closely with the City to determine the most effective workshop strategy such as breakout groups, facilitated dialogue, mapping exercises, roving topic stations, or open Q&A.

LWC will summarize the findings from the workshop in a concise Workshop Summary Memo that identifies the workshop agenda, engagement methods used at the workshop, affiliation and number of participants, and feedback gathered from the attendees. LWC will conduct one round of review and edits on the Memo with to produce a final version of the Workshop Summary Memo, which will be appropriate for posting (excerpt or in its entirety) on the website, web page and/or on project-related social media.

TASK 2.2: STAFF AND AGENCY MEETING

The Consultant Team will facilitate a meeting with the City and key agencies to: 1) engage them in the project, 2) inform them on goals and objectives, 3) outline progress to date, 4) provide a summary of community input received to date, 5) gather technical support and guidance on existing conditions and critical elements of the Plan Area, such as land use, zoning, mobility, transit, infrastructure, public services, safety, and financing, and 6) establish the range of alternatives that will be explored during the charrette.

Anticipated attendees from the City include representatives from the Development Services Department, Economic Development Department, Fire Department, Police Department, Library and Community Services Department, and Public Works Department. Other key agencies include, but are not limited to infrastructure and transit service providers, such as BART and AC Transit; Hayward Unified School District; Hayward Area Recreation and Park District; and CSU East Bay.

LWC will summarize the findings from the Staff and Agency Meeting and identify attendees and their affiliations in a concise Staff and Agency Meeting Summary Memo. The Summary Memo will also identify key takeaways, and action items. LWC will conduct one round of review and edits with the City to produce a final version of the Task Force Meeting Summary Memo, which will be appropriate for posting (excerpt or in its entirety) on the website, web page and/or on project-related social media.

TASK 2.3: TASK FORCE MEETING #3

The Consultant Team will meet with the Task Force to discuss the results of the interviews and workshop and the goals and objectives of the Charrette.

TASK 2 DELIVERABLES

1. Public Workshop Presentation Materials & Summary Memo (pdf)
2. Staff and Agency Meeting Summary (pdf)
3. Task Force Meeting Summary (1) (pdf)

TASK 3: DESIGN CHARRETTE & PREFERRED ALTERNATIVE DEVELOPMENT

The Consultant Team, led by Opticos Design, will conduct a five-day Charrette to generate detailed design alternatives for Downtown opportunity areas and effectively engage stakeholders, property owners, businesses, City decision makers, and Staff in development of a Preferred Alternative for the Plan Area. For this task, the City will be responsible for preparing and distributing noticing materials.

TASK 3.1: PRE CHARRETTE LOGISTICS & PREPARATION

As part of this task, the Consultant Team will meet with the City and establish goals for the charrette, provide input to the City on the logistics, and establish a clear, detailed agenda for the charrette.

TASK 3.2: FIVE-DAY DESIGN CHARRETTE - DEVELOPING PREFERRED ALTERNATIVE

Opticos Design shall set up a studio on site in Hayward to work collaboratively with the community. The following will be included in the charrette:

Opening Presentation: The opening presentation is designed to engage stakeholders and the public on concepts related to design, land use, mobility, public amenities, and other core components of the Plan (meeting should include Planning Commission (PC), City Council (CC), and other boards and commissions).

Focused Meetings & Presentations: Focused meetings with City Staff, outside agencies, and other key stakeholders, as needed, during the charrette.

At one of these meetings, MJB Consulting will provide basic education -- in language that is clear, accessible and jargon-free — on the logic and theory that underlies how different kinds of retailers think about site location; what they typically consider, value and seek; and what all of it means for Downtown Hayward. All of the stakeholders involved in retail revitalization — municipal staffers, elected officials, community groups, property owners, non-retail brokers, etc. — would be invited and encouraged to attend. MJB has found in the past that this sort of workshop can help immensely in managing expectations from the outset as well as ensuring constructive input throughout the planning process.

Nelson\Nygaard will participate in the charrette and present on the multi-modal aspects of the Plan focusing on the concept of “Complete Streets”, that meet the needs of all users, including pedestrians, bicyclists, transit users, and motorists, with a particular attention to the connections between the BART station and the rest of Downtown.

Kittelson & Associates will participate in the charrette to discuss traffic circulation and the potential conversion of B and C Streets from one-way to two-way traffic.

SDE will lead a discussion/presentation on stormwater management, green infrastructure solutions for urban environments and opportunities and constraints related to utilities.

Open Studio: The open studio is time scheduled at key points throughout the charrette for the public to view and comment on the work produced during the charrette.

Preferred Alternative: The charrette will be utilized to generate and obtain community feedback on a number of plan alternatives, specific design solutions, and streetscape improvements, working toward the determination of a Preferred Alternative for land use and circulation. The Preferred Alternative will provide the foundation for Specific Plan content, including policies and implementation actions.

Final Presentation: The Consultant shall conduct a closing presentation to highlight the work done and conclusions made during the charrette.

TASK 3.3: PREFERRED ALTERNATIVE FRAMEWORK

Based on the work completed at the charrette, the Consultant Team will prepare a Preferred Alternative Framework. The Framework will describe the Preferred Alternative, guiding principles, and potential development intensities. The Framework will consist primarily of maps, graphics, and images.

As part of the Framework, LWC will conduct a feasibility analysis for infill development on several infill sites that are likely to include three sites identified in previous planning efforts: the former Hayward City Hall and conference center, the area of A Street between the BART station and Mission Boulevard, and the area of the current and proposed sites of the Hayward Library.

The Consultant Team will approach the analysis from the perspective of a future developer and will prepare a pro-forma based on the community vision. If the community vision for the opportunity sites produces infeasible financial results, LWC will recommend strategies (funding and other) the City may pursue to make desired development feasible. MJB will also assess the retail/entertainment potential of the opportunity sites identified, indicating, in each case, what kinds of tenants (if any) would be realistic and under what conditions (e.g. square footage, location, rents/concessions, etc.).

TASK 3.4: ONLINE COMMENT FORUM

The Consultant Team will employ an on-line comment forum, such as Open Town Hall or MySidewalk, to supplement the results of the charrette and gather input on the Preferred Alternative. This tool will make it easier for residents to participate in the process, provide another avenue to solicit feedback, and help to cast a wider net to gather input.

TASK 3.5: TASK FORCE MEETING #4

The Consultant Team will meet with the Task Force to review and solicit input on the Preferred Alternative Framework and prepare for the joint City Council/Planning Commission Study Session.

TASK 3.6: CITY COUNCIL/PLANNING COMMISSION STUDY SESSION

The Consultant Team will present information collected to date, results of the charrette, and the Preferred Alternative Framework to a joint session of the City Council and Planning Commission. Input and comments received during the study session will be incorporated in the Draft Specific Plan and the Preferred Plan will be revised, as necessary.

TASK 3 DELIVERABLES

1. Preferred Alternative Framework (pdf)
2. Online Tool Result Memo (pdf)
3. Task Force Meeting Summary (1) (pdf)
4. City Council/Planning Commission Summary (pdf)

TASK 4: ADMINISTRATIVE DRAFT SPECIFIC PLAN

In this Task, the Consultant Team will work together to prepare the Administrative Draft Specific Plan, incorporating the work completed in the preceding tasks.

TASK 4.1: ANNOTATED TABLE OF CONTENTS

LWC will develop an Annotated Table of Contents (TOC) for Staff review. The annotated TOC will present the general structure and provide a brief discussion of components to be included in the Specific Plan.

TASK 4.2: TASK FORCE MEETING #5

LWC will meet with the Task Force to discuss the Annotated Table of Contents and structure of the Administrative Draft Specific Plan.

TASK 4.3: PREPARE ADMINISTRATIVE DRAFT SPECIFIC PLAN

Based on the Preferred Alternative and Staff and Task Force input on the Annotated TOC, the Consultant Team will prepare an illustrated Administrative Draft Specific Plan for Staff review and comment. Unless directed otherwise, the Admin Draft Specific Plan will cover the following components:

Background & Relationship to GP & ZO: Provide an overview of existing conditions, discuss compliance with State enabling legislation, and summarize consistency with the City's recently adopted General Plan, Zoning Ordinance, and other relevant documents.

Community Involvement: Recap the community involvement process undertaken to generate alternatives and select the Preferred Alternative.

Land Use: The Consultant Team will incorporate the Preferred Plan and developed in Task 2, including land uses, intensities, and the proposed development program.

Affordable Housing: LWC will prepare an affordable housing strategy that builds on the existing Housing Element Goals to facilitate the production of affordable housing units in Downtown Hayward. The strategy will identify partnerships,

incentives, and financing mechanisms to help provide a range of housing options and minimize displacement of lower income Hayward residents.

Multimodal Access & Connectivity: Nelson\Nygaard will lead the multi-modal access and connectivity element. Collaborating closely with BART and AC Transit, Nelson\Nygaard will also develop strategies to improve connections between Downtown Hayward, Hayward BART station, and surrounding destinations, including Amtrak, Cal State East Bay, Chabot College, and industrial employment areas to the east. This component of the Specific Plan will draw from the findings of the Downtown Hayward Parking Study led by CDM Smith and the Caltrans funded shuttle feasibility study (expected July 2016), provide additional information and analysis as necessary, and make recommendations regarding all modes of transportation within the project area, addressing elements such as:

- A coherent and effective street network, cross sections, and performance standards for streets, intersections, greenways, and trails in coordination with regional planning efforts, that will result in the creation of “Complete Streets”, which meet the needs of all users, including pedestrians, bicyclists, transit users, and motorists, with a particular attention to the connections between the BART station and the rest of Downtown.
- An effective parking plan that implements the strategies of the Downtown Hayward Parking Study, including proposed public parking facilities and design and performance standards for private parking.
- An integrated transit network that: coordinates with AC Transit’s long term planning efforts and considers additional services as required; integrates preferred alternatives of the City-wide shuttle service considered by the recent Caltrans-financed study
- Further development of plans to improve the BART station plaza with additional bike storage, lighting, and signage.
- Bike and pedestrian improvements that set the stage for the City-wide bicycle and pedestrian plan updates.

The recommendations will be designed to help achieve overall community goals for economic development, environmental protection, and quality of life, such as:

- Providing “complete streets” for travel by all modes, as well as transit and shuttle services, giving residents a wide range of transportation choices. This work will include coordination with the larger Alameda CTC – Countywide Multimodal Arterial Plan and the Central County Complete Streets Implementation Study , for which the City of Hayward will be collaborating to ensure that consistent standards are developed for major arterial streets.
- Providing parking that is efficiently located and shared, in order to minimize parking construction costs and improve urban design.
- Ensuring the feasibility of desired types of development in the project area.
- Providing effective and efficient connectivity and integration among all modes of transportation.

- Minimizing motor vehicle trips, congestion, and pollution. Specific recommendations may address a possible conversion of B and C Streets to two-way travel.
- Maximizing transit ridership, in order to maximize the public's return on its investment in public transit.

Throughout this task, Nelson\Nygaard will work closely with the Consultant Team to simultaneously achieve several imperatives for transit-oriented development: helping to further develop Downtown Hayward as a great place, enabling efficient movement by a variety of transportation modes, and finding creative solutions to resolve the tension and trade-offs between sometimes conflicting objectives.

Nelson\Nygaard will also support Kittleson & Associates in preparing the analysis that is to be included in the project's environmental review document and that will address transportation-related matters.

Parking Analysis: Nelson\Nygaard will lead the parking analysis in a collaborative manner that maintains consistent messaging across all project components and team members. This element of the Plan will implement strategies of the Downtown Hayward Parking Study and will include:

- Development of appropriate vehicular and bicycle parking standards and strategies, given the land use goals and vision for the Specific Plan.
- Shared parking strategies to maximize the efficiency of existing parking facilities, limit the construction of unneeded new parking facilities, and maximize the feasibility of the construction.
- Appropriate pricing strategies and/or permit parking programs, if necessary and not already addressed by the CDM Smith Downtown Hayward Parking Study.
- Potential expansion of the South Hayward BART station JPA, with attention to the impacts of the parking fees implemented in South Hayward and city-owned garages.
- Transportation Management Strategies to reduce parking demand and encourage non-auto modes of transportation.

Infrastructure & Utilities: Based on the Preferred Land Use Alternative and new or revised street alignments, Sherwood Design Engineers (SDE) will provide water, sewer, and utility recommendations. This will include: evaluating water and sewer distribution needs created by changes in density and relocating utilities, if needed, to accommodate circulation and other infrastructure improvements. SDE will prepare maps and cost estimates, within an order of magnitude, the Preferred Alternative for the upgrades and improvements defined in the Specific Plan.

SDE will also develop water and sewer usage criteria in order to evaluate and track capacity consumption. SDE will provide innovative strategies for the City to reduce water use and promote the use of non-potable water within the City. Precedents from other Cities and site/district scale strategies appropriate to Hayward will be

discussed. A Water Supply Assessment (WSA) pursuant to SB 610 is not included in this Scope of Work.¹

Although stormwater management is required by the City of Hayward and Alameda County for new construction sites, these requirements are limited to certain types/sizes of projects. SDE will work with the Consultant Team to develop site-specific strategies to improve stormwater quality throughout the Plan Area. These strategies will be integrated with the other components of the Plan to produce synergistic benefits. The final deliverable will be a map that indicates locations where specific green infrastructure interventions can be implemented to treat stormwater runoff. Examples of these interventions could be landscape-based stormwater management best management practices (i.e. wetlands, rain gardens, wet ponds) integrated into the key opportunity sites, neighborhood parks, underutilized street ROWs, etc.

Public Facilities Services: The Consultant Team will evaluate existing public facilities and services, such as schools, parks, fire, and police, and provide recommendations for additional services, if needed.

Implementation Plan & Financing Strategy: LWC will develop an Implementation Plan that identifies feasible actions the City can take to implement the Specific Plan. The Implementation Plan will include a list of catalytic public and private projects the City may undertake to bring about economic revitalization in the Downtown area and funding strategies for these catalytic projects.

The implementation Plan will also include actions for the City to implement other Plan priorities, such as targeted industry outreach, marketing and branding campaigns, entertainment district promotion efforts, community benefits, public art, streetscape amenities, signage programs, community coalition-building, infrastructure improvements, and other items that could catalyze beneficial economic revitalization in Downtown Hayward. Such actions will be prioritized into short-, medium-, and long-term horizons.

Funding sources for projects and improvements may include tax increment –backed public bonds, tax credit allocations, grants, and community foundation resources, among others. Funding strategies may include working with the existing Downtown Hayward Business Improvement District, formation of a community foundation, and establishment of a special district (community facilities district, enhanced infrastructure financing district, or other).

¹ Based on build-out projections in the Specific Plan, anticipated future water demands within the EBMUD and City of Hayward service territories may be accounted for in their respective Urban Water Management Plans and the City of Hayward General Plan. The Consultant Team will work with City staff to review available data and determine the extent of analysis required for compliance with SB 610.

TASK 4.4: STAFF REVIEW OF ADMIN DRAFT SPECIFIC PLAN AND SECOND ADMIN DRAFT
LWC and the Consultant Team will review the Admin Draft Specific Plan with key City and outside agency Staff, provide clarifications as needed, and facilitate Staff input. All Staff input will be compiled into a single list of non-conflicting comments by the City. LWC will revise the Administrative Draft Specific Plan and prepare a Second Administrative Draft Specific Plan for review with the Task Force.

TASK 4.5: TASK FORCE MEETING #6

LWC will meet with the Task Force to present and discuss the Administrative Draft Specific Plan and clarify any questions regarding its content. This meeting will focus on land use and mobility.

TASK 4.6: TASK FORCE MEETING #7

LWC will meet with the Task Force to discuss programs and implementation measures contained in the Specific Plan. This meeting will focus on economics and financing.

TASK 4 DELIVERABLES

1. Annotated Table of Contents (pdf)
2. First Administrative Draft Specific Plan (original source file and one hard copy)
3. Second Administrative Draft Specific Plan (original source file and one hard copy)
4. Task Force Meeting Summaries (3) (pdf)

TASK 5: CODE

The following Tasks outline the steps to complete the Code. The timing of work and deliverables will be coordinated with the development, review, and adoption of the Specific Plan as determined by the Consultant Team and the City. It is assumed that the Code would be a hybrid (conventional and form-based) code, with form-based zones developed for the pre-identified focus areas.

TASK 5.1: CODE COORDINATION MEETING

The Consultant Team will prepare for and attend a Code Coordination Meeting with City Staff. The Consultant Team will discuss problems or issues with current regulations relevant to the Specific Plan, identify project goals, and review the project timeline.

TASK 5.2: CODE DIAGNOSIS, MICROSCALE ANALYSIS, AND APPROACH

The Consultant Team will conduct an analysis of the existing Zoning Code to determine the best approach to restructuring, revising, and improving the Code, including a targeted micro-scale analysis of areas to analyze opportunities and constraints for development. Tasks to be performed at this stage include:

- Analyze the existing Zoning Code, form-based codes, design guidelines, and other regulatory documents, and summarize key issues and regulatory impediments relevant to implementing the Specific Plan.
- Document the block and lot-level pattern of development (“micro-scale analysis”) of three or four pre-identified ‘focus areas’ in order to calibrate the Code to existing conditions. The purpose of this work is to calibrate appropriate development

standards to existing urban patterns and lot sizes in the focus areas. The analysis will build upon the Community Form and Character Analysis (Task 1.6).

- Prepare an annotated outline, style sheet, and sample layouts for the Code.

The Consultant Team will prepare a memo summarizing the Code diagnosis.

TASK 5.3: ADMINISTRATIVE DRAFT CODE

Based on the results of Task 4.2 and input from Staff, the Consultant Team will prepare the Administrative Draft Code. It is anticipated that the Consultant Team will develop a combination of conventional and form-based zones (up to four form-based zones. The form-based code could be developed to incentivize lot assembly and new development over time. For example, greater intensity or height could be allowed if lots are assembled.

The Code components may include, but are not limited to:

- Applicability and Intent
- Zones
- Development Standards and Building Placement
- Use Tables
- Frontage Standards
- Civic Space Standards
- Parking
- Procedures (the Code will rely on existing City procedures where appropriate)
- Definitions
- Regulating Plan

TASK 5.4: ADMINISTRATIVE DRAFT CODE REVIEW

LWC and the Consultant Team will review the Admin Draft Code with key Staff, provide clarifications as needed, and facilitate Staff input. All City Staff input will be compiled into a single list of non-conflicting comments. (Note: A second admin draft Code will not be prepared. Components of the Code will be presented to the Task Force in Task 4.5.)

TASK 5.5: TASK FORCE MEETINGS (#8-#9)

The Consultant Team will conduct two meetings with the Task Force to present and discuss the following topics related to the Code, such as the Code Diagnosis, Micro-scale analysis, and Approach, and Zones and Development Standards.

TASK 5.6: PUBLIC WORKSHOP

The Consultant Team will prepare for and conduct a public workshop to introduce major components of the Code. The Team will present the major components of the Code and facilitate a public discussion. The City will be responsible for securing a meeting space and distributing outreach materials via email and other avenues.

TASK 5 DELIVERABLES

1. Code Diagnosis, Micro-scale analysis, and Approach Memo (pdf)
2. Administrative Draft Code (original source file and one hard copy)
3. Task Force Meeting Summaries (2) (pdf)
4. Public Workshop Presentation Materials and Summary (pdf)

TASK 6: PUBLIC REVIEW DRAFT (PRD) SPECIFIC PLAN AND CODE

TASK 6.1: PREPARE PUBLIC REVIEW DRAFT SPECIFIC PLAN AND CODE

The Consultant Team will prepare a Public Review Draft Specific Plan and Code (including maps) based on input from the Task Force, Staff, and public meetings.

TASK 6.2: OPEN HOUSE MEETINGS ON PRD SPECIFIC PLAN AND CODE

LWC and select members of the Consultant Team will prepare for and facilitate a total of two (2) Open House Meetings to present and discuss the Public Review Draft Specific Plan and Code. Additionally, LWC will present the PRD Specific Plan and Code for comment at a joint Planning Commission and City Council meeting. LWC will document and compile input received. The Consultant Team will work closely with the City to determine the most effective workshop strategy such as breakout groups, facilitated dialogue, roving topic stations, or open Q&A. The City will be responsible for preparing and distributing all noticing materials for the Meetings.

TASK 6 DELIVERABLES

1. Public Review Draft Specific Plan and Code (original source file and one hard copy)
2. Public Workshop/Open House meeting materials and presentations (pdf)
3. Joint Planning Commission and City Council meeting on the Public Review Draft Specific Plan and Code
4. Compiled Public Comments (pdf)

TASK 7: ENVIRONMENTAL IMPACT REPORT

PlaceWorks will lead the preparation of the Environmental Impact Report. Kittleson will conduct the traffic and transportation analysis.

TASK 7.1: NOTICE OF PREPARATION

PlaceWorks will prepare the Notice of Preparation (NOP) for the Specific Plan EIR. PlaceWorks will then help City staff distribute the NOP to the State Clearinghouse and local agencies to begin the 30-day scoping process.

TASK 7.2: SCOPING MEETING

PlaceWorks will attend a public scoping meeting to hear public comments on the environmental issues to address in the EIR. We assume that this meeting could be part of a regularly scheduled Planning Commission meeting.

TASK 7.3: ADMINISTRATIVE DRAFT EIR

In this task, PlaceWorks will prepare the Administrative Draft Program EIR at a level adequate to satisfy all CEQA requirements. The Administrative Draft Program EIR will include the introduction, document summary, Project Description, setting, impacts, and mitigation measures for all CEQA-required topic areas. The ADEIR will also cover the following topics: executive summary, alternatives evaluation, CEQA required assessment conclusions, scoping sessions summary, references, and report preparers.

The Administrative Draft Program EIR will address impacts in the following areas at a minimum:

- Aesthetics
- Air Quality and Greenhouse Gas Emissions
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise and Vibration
- Population and Housing
- Public Services & Recreation
- Transportation and Traffic
- Utilities and Public Services

Transportation and Traffic: Kittelson & Associates, Inc. (KAI) would be responsible for conducting the traffic analysis and preparing the draft transportation section for the EIR. The analysis would be approached from a programmatic level tiering off the General Plan but with more detail around the opportunity sites. The analysis would be fully consistent with the new Traffic Impact Analysis Guidelines currently being prepared by City. The transportation section of the EIR will include:

- **Setting.** To the extent possible, KAI will base the traffic EIR task on the completed Hayward 2040 General Plan as well as the recent Downtown Specific Plan Existing Condition Report.
- **Significance Thresholds.** Although the latest guidelines for S.B. 743 were released on January 20, 2016² and include VMT-based metrics, the traffic impact analysis will continue to apply level of service, but Kittelson will provide VMT summaries for informational purposes.
- **Scenarios.** KAI will analyze impacts for existing plus project, and cumulative plus project conditions.
- **Analysis Locations.** Consistent with the Existing Conditions Report, KAI will analyze impacts at a maximum of 25 study intersection. This assumes that the City will provide the traffic counts for the 12 intersections that are not reported in the Existing Conditions Report. No new traffic counts are included in this budget.
- **Cumulative.** KAI envisions the cumulative analysis for the traffic to be consistent with the general plan analysis with some additional effort to quantify the opportunity sites trip generation (as discussed previously) and overlaid on the cumulative modeling conducted as part of the Hayward 2040 General Plan using the Alameda Countywide Projections 2009 model. This will ensure consistency with the recently adopted general plan analysis. If the opportunity site land uses were represented as part of the General Plan, then there would be no new

² Office of Planning and Research. *Revised Proposal on Update to the CEQA Guidelines on Evaluation Transportation Impacts in CEQA*, January 20, 2016

impacts. But if the new sites reflect higher densities or different land uses, then KAI would identify any new potential impacts and mitigations.

- If the opportunity sites generate more than 100 net new peak hour trips, KAI would also address the CMP analysis to satisfy the requirements of the Alameda CTC for the land use analysis program.

TASK 7.4: PUBLIC REVIEW DRAFT EIR PUBLICATION

Based on comments received from City staff, PlaceWorks will revise the Administrative Draft EIR to create the Draft EIR for circulation and public review. Prior to circulating the Draft EIR, PlaceWorks will submit a Screencheck draft for City staff review.

TASK 7.5: INTERNAL FOCUS GROUP AND STAFF MEETINGS ON EIR SECTIONS

During the review period, the City will hold a series of focus group and staff meetings, as necessary. The focus group will include regional agencies, public service providers, and stakeholders. City staff will hold meetings with responsible parties to solicit comments on the relevant Draft EIR sections. PlaceWorks will be available for advice and provide meeting materials, as necessary. One staff person will attend up to two (2) two-hour meetings to provide assistance to the City. It is assumed that City staff will provide written comments to PlaceWorks after these meetings.

TASK 7.6: TASK FORCE MEETING #10

The Consultant Team will meet with the Task Force to review the Draft EIR sections.

TASK 7.7: PLANNING COMMISSION MEETING (DRAFT EIR)

PlaceWorks and Kittelson will attend one (1) public hearing with the Planning Commission on the Draft EIR. The hearing will allow the Commission to comment and recommend changes to the Draft EIR.

TASK 7.8: FINAL EIR AND MITIGATION MONITORING PROGRAM PREPARATION

Following the mandatory CEQA 45-day review period, PlaceWorks will prepare a Draft of responses to all comments received during the circulation period. Based on the City's comments on the draft responses to comments, PlaceWorks will prepare a Final EIR that shows all changes to the Draft EIR based on comments received. The Final EIR will also include a revised summary of impacts and mitigation measures and will include all comments and responses received on the Draft EIR. A Mitigation Monitoring and Reporting Program (MMRP) will be assembled by PlaceWorks to ensure that procedures are put in place so that the EIR mitigation measures are carried out in an appropriate, timely, and verifiable manner. The MMRP will be submitted as a draft document to the City and revised for publication with the Final EIR. The City shall prepare the Findings of Fact and Statement of Overriding Considerations, if required.

TASK 7 DELIVERABLES

1. Notice of Preparation (pdf)
2. Administrative Draft EIR (pdf)
3. Task Force Meeting Summary (1) (pdf)
4. Final EIR and Mitigation Monitoring Program (pdf)

TASK 8: HEARING DRAFT SPECIFIC PLAN AND CODE

TASK 8.1: TASK FORCE MEETING #11

LWC will meet with the Task Force to present and discuss the final Draft Specific Plan, EIR, and public hearing process.

TASK 8.2: PREPARE HEARING DRAFT SPECIFIC PLAN AND CODE

The Public Review Draft will be modified according to recommendations from Staff, the Task Force, and community. The Consultant Team will prepare the Hearing Draft Specific Plan and Code.

TASK 8 DELIVERABLES

1. Hearing Draft Specific Plan and Code (original source file and pdf)
2. Task Force Meeting Summary (1) (pdf)

TASK 9: PLANNING COMMISSION MEETING

TASK 9.1: PLANNING COMMISSION MEETING

The Consultant Team will prepare for and attend one meeting with the Planning Commission to present the Final Draft Specific Plan, Code, and EIR at which the Planning Commission will recommend adoption of the Specific Plan and certification of the EIR to Council. The Consultant Team will prepare a brief PowerPoint presentation and, with assistance from City staff and facilitate a discussion with the Planning Commission on the Final Draft Specific Plan and EIR.

TASK 9.2: PREPARE FINAL SPECIFIC PLAN AND CODE FOR ADOPTION

The Consultant Team will make any final revisions per feedback from the Planning Commission and prepare the Final Specific Plan for Adoption.

TASK 9.3: PREPARE FINAL EIR FOR ADOPTION

PlaceWorks will incorporate revisions into the Final EIR.

TASK 9 DELIVERABLES

1. Prepare for and attend one Planning Commission Hearing
1. Final Specific Plan and Code (original source file and one hard copy)
2. Final EIR

TASK 10: CITY COUNCIL ADOPTION OF SPECIFIC PLAN & EIR CERTIFICATION

TASK 10.1: CITY COUNCIL ADOPTION HEARING

The Consultant Team will prepare for and attend one public meeting before the City Council to present the Final Specific Plan and Code for adoption and EIR for certification. The Consultant Team will prepare a brief PowerPoint presentation and, with assistance from City staff and facilitate a discussion with the City Council on the Final Specific Plan, Code, and EIR.

TASK 10.2: FINAL ADOPTED SPECIFIC PLAN

The Consultant Team will make any final modifications to the Adopted Specific Plan, Code, and EIR, as needed, and deliver a complete digital document package to the City.

TASK 10 DELIVERABLES

1. Prepare for and attend one City Council Hearing
2. Adopted Specific Plan (final modifications, as needed)



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
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File #: ACT 17-005

DATE: January 9, 2017

TO: Council Sustainability Committee

FROM: Director of Utilities & Environmental Services

SUBJECT

Sustainable Groundwater Management Act (SGMA): Options for the Formation of a Groundwater Sustainability Agency under SGMA

RECOMMENDATION

That the Committee reviews this report and recommends to the City Council that the City of Hayward become the Groundwater Sustainability Agency for the portion of the East Bay Plain Basin that underlies the City.

ATTACHMENTS

Attachment I Staff Report



DATE: January 9, 2017

TO: Council Sustainability Committee

FROM: Director of Utilities & Environmental Services

SUBJECT

Sustainable Groundwater Management Act (SGMA): Options for the Formation of a Groundwater Sustainability Agency under SGMA

RECOMMENDATION

That the Committee reviews this report and recommends to the City Council that the City of Hayward become the Groundwater Sustainability Agency for the portion of the East Bay Plain Basin that underlies the City.

SUMMARY

The Sustainable Groundwater Management Act (SGMA) was signed into law in 2014 and took effect in 2015. This historic legislation requires, for the first time, comprehensive and sustainable management of California's groundwater resources. SGMA provides a framework for sustainable management of groundwater at the local level through formation of Groundwater Sustainability Agencies (GSAs) and implementation of Groundwater Sustainability Plans (GSPs). The Committee received information at the November 14, 2016 meeting about SGMA and its applicability to the City. Since then, staff has continued to explore the feasibility of the City becoming a GSA and held discussions with interested stakeholders. This report updates the Committee on groundwater activities and staff's recommendations relative to SGMA.

BACKGROUND

Groundwater provides a significant portion of California's water supply. In average years, underground basins, known as aquifers, supply about one-third of the water used by the State's cities and farms. In drought years, groundwater provides more than one-half of the water used by Californians. The recent drought has highlighted the importance of groundwater and the need to protect this resource against unsustainable groundwater pumping and irreversible environmental impacts such as land subsidence.

The passage of SGMA in 2014 fundamentally changed management of groundwater in California. After many efforts to encourage local agencies to manage groundwater on a voluntary basis, SGMA marks the first time the State has mandated regulations for managing groundwater. SGMA provides a framework for sustainable management of groundwater supplies by local authorities, with a limited role for State intervention, only if necessary, to protect the resource. SGMA

requires that all medium- and high-priority ranked groundwater basins in California, which account for over 95% of groundwater use in the State, be sustainably managed by 2022. Local agencies must assume the role of groundwater regulators through the formation of local GSAs and implementation of GSPs. SGMA envisions a collaborative process in which local agencies, cities, counties, and other stakeholders work cooperatively to obtain sustainability in their respective groundwater basins.

At a local level, SGMA will have a significant impact on Hayward's current and future ability to use groundwater. The City overlies portions of two medium-priority groundwater basins—the Niles Cone Basin and the East Bay Plain Basin (see Figure 1). Although Hayward has not relied on groundwater for day-to-day water supplies since the early 1960s, the City has a long groundwater use history. For over a century, Hayward relied entirely on groundwater for water supplies. In the 1950s, the City began supplementing its groundwater use with surface water from the San Francisco Public Utilities Commission (SFPUC), before switching exclusively to surface water after an agreement was signed with SFPUC in 1962 to supply all City water needs. However, it became evident that the SFPUC's regional water system was prone to damage from earthquakes and potentially long-term water delivery disruption. To mitigate the risks, the City embarked in the early 1980s on an evaluation of its groundwater and construction of a group of water wells for use in emergencies resulting in disruption of SFPUC water supplies. Following the Loma Prieta earthquake, the City accelerated construction of five wells and completed and placed them on standby by the mid 1990s. The wells are currently permitted for emergency use.

The City's emergency wells are an important part of our water supply and critical to our ability to reliably deliver water in the event of an earthquake or other disruptions to our imported surface water supply. The total rated capacity of the wells is approximately 13.6 million gallons per day (MGD) which is the sum of individual well production on a short-term basis. The firm capacity or expected production that the wells could sustain over a longer duration when operated together is likely less than 10 MGD, which is approximately 60-70% of the City's current average daily consumption. Two of the City's emergency wells are located in the Niles Cone Groundwater Basin and the remaining three are located in the East Bay Plain Groundwater Basin. Figure 2 illustrates the location of Hayward's wells relative to basin boundaries.

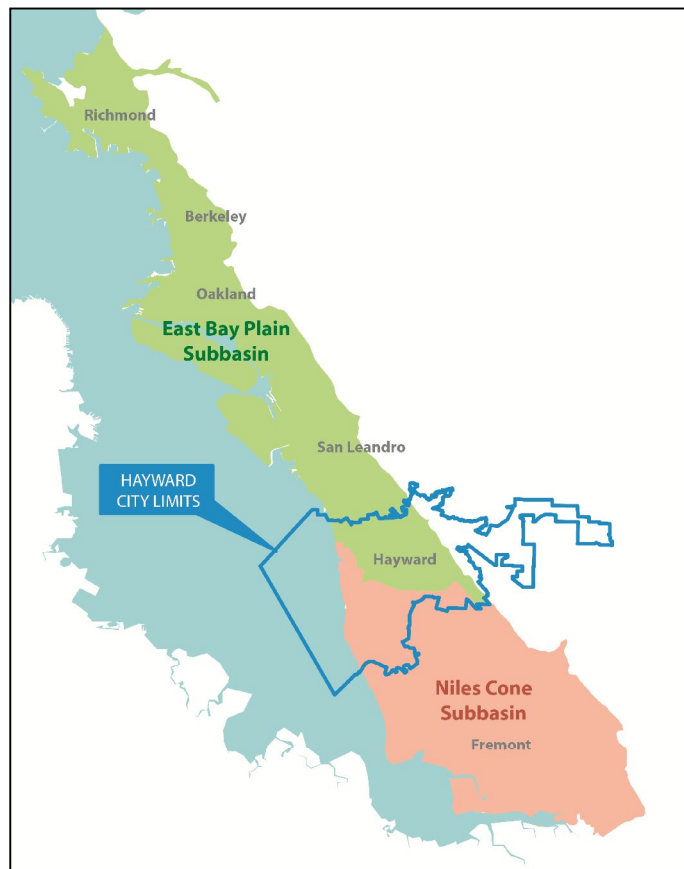


Figure 1. Local Groundwater Basins

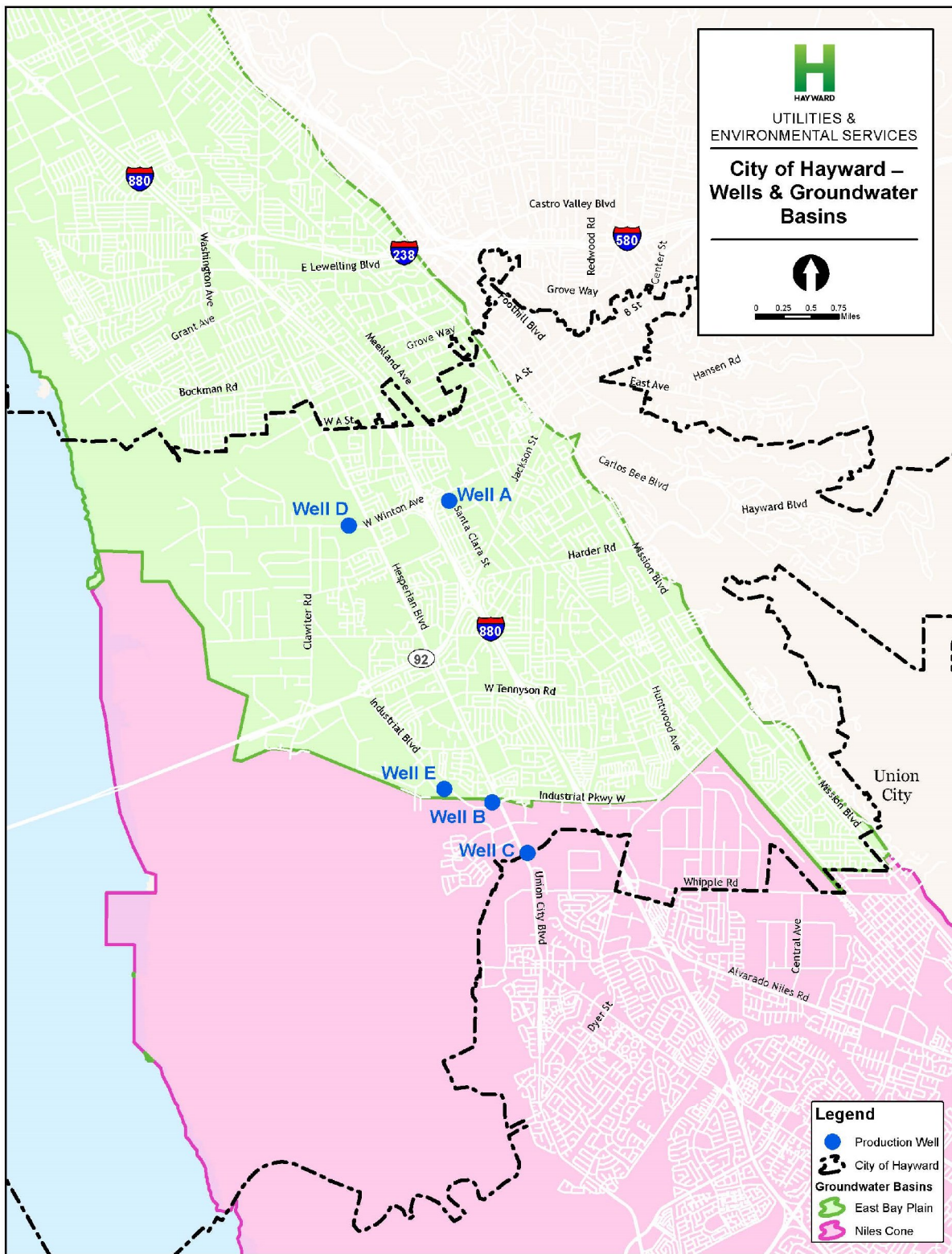


Figure 2. City of Hayward Well and Groundwater Basin Location Map

GSA Formation Options

SGMA requires the formation of GSAs to ensure sustainable management of all medium- and high-priority ranked groundwater basins. Any local agency, or combination of agencies, with water supply or land use authorities within a groundwater basin, may form a GSA and carry out groundwater management responsibilities. If no local agency accepts GSA status, the responsibility falls to the State. The State would then manage the basin under a provisional status, passing on costs to local agencies and perhaps take away eligibility for State funding until a local agency accepts responsibility and becomes a GSA.

SGMA grants certain authorities to GSAs, including the ability to take actions to investigate and monitor basin conditions, assess fees, and require measurement and reporting of groundwater extraction. A GSA also has the authority to develop and enforce regulations pertaining to groundwater use. GSAs can acquire and import other water supplies, including surface water, for the purposes of sustainable groundwater management.

SGMA designates certain agencies as exclusive local agencies to manage groundwater within their statutory boundaries in recognition that these agencies already have existing authorities to manage groundwater. Exclusive agencies are still required to comply with SGMA's extensive requirements for stakeholder outreach and coordination with cities and other land use agencies. The Alameda County Water District (ACWD) is designated as the exclusive local agency to manage groundwater in the Niles Cone Basin, which means that no other local agency can file to be a GSA for this basin.

On November 10, 2016, the ACWD governing board adopted a resolution to form a GSA for the Niles Cone Basin. While ACWD currently manages groundwater under existing regulatory authorities, becoming a GSA could provide ACWD with additional authorities granted by SGMA to GSAs that could further ACWD's ability to sustainably manage the Niles Cone Basin. As a GSA, ACWD is required to maintain a list of persons interested in receiving notices regarding SGMA-related efforts. The City has formally requested to be added to ACWD's list of interested parties that ACWD will use to ensure regular communication with stakeholders. Since a substantial portion of South Hayward overlies the Niles Cone Groundwater Basin, staff has expressed to ACWD the City's interest in understanding and being engaged in ACWD's groundwater management efforts that have the potential to affect the City of Hayward.

SGMA requires that GSAs be formed to manage the East Bay Plain Basin. In August 2016, the East Bay Municipal Utility District (EBMUD) filed to be a GSA for the portion of the East Bay Plain Basin that underlies the EBMUD service area. Following public noticing and a 90-day review period, the Department of Water Resources (DWR) formally designated EBMUD as a GSA for the East Bay Plain Basin. As both a water purveyor and land use agency, the City of Hayward is eligible to become a GSA for the remaining portion of the East Bay Plain Basin that underlies the City. The Committee was briefed on SGMA and the City's GSA options at its November 14 meeting, and expressed preliminary support for the City filing an application to become the GSA for the portion of the East Bay Plain Basin that underlies Hayward.

GSP Preparation and Implementation

A key responsibility of being a GSA is the preparation and implementation of a GSP. The document will generally consist of a description of the basin and aquifer, baseline conditions and basin objectives, management actions to achieve the objectives, and a monitoring plan. It will be subject to public review and governing body approval. GSPs for medium-priority basins, such as the East Bay Plain Basin must be completed and adopted by January 31, 2022. Progress reports are to be submitted to DWR annually, beginning in April 2022, and GSPs are required to be updated every five years.

GSPs are intended to sustainably manage and utilize groundwater without causing “undesirable results,” which include:

- Lowering of groundwater levels
- Reduction in groundwater storage
- Seawater intrusion
- Degraded water quality
- Land subsidence
- Depletion of interconnected surface water

At the November 14 meeting, the Committee was briefed on options to prepare a GSP for the East Bay Plain Basin. Staff discussed that EBMUD and Hayward could coordinate on the preparation of separate GSPs or work cooperatively to prepare a single Hayward-EBMUD GSP for the East Bay Plain Basin. The Committee expressed interest in having Hayward work cooperatively with EBMUD on a single GSP to potentially reduce duplication of technical work and thus the cost of preparing the GSP.

SGMA also provides for a GSA or exclusive local agency to submit an Alternative to a GSP to comply with the requirements of SGMA. The Alternative must be submitted to DWR by January 1, 2017. Alternatives will be reviewed by DWR and must meet the criteria of being functionally equivalent to a GSP to be approved. On December 8, 2016 ACWD’s Board authorized staff to submit an Alternative to a GSP to meet the requirements of SGMA. ACWD’s submittal must explain how the elements of the Alternative are functionally equivalent to a GSP, including addressing how the interests of basin stakeholders have been considered. As a significant stakeholder in the Niles Cone Groundwater Basin, the City will be reviewing ACWD’s Alternative submission to ensure that Hayward’s interests are considered and protected.

DISCUSSION

Since the November 14 meeting, staff has continued to review the SGMA legislation, the process for becoming a GSA, and the responsibilities and commitments associated with preparing a GSP.

GSA Formation Process and Timeline

Staff is affirming its recommendation that the City file an application with DWR to become the GSA for the portion of the East Bay Plain Basin that underlies Hayward. As a GSA, Hayward will

be better positioned to protect its ability to sustainably, reliably and flexibly manage groundwater resources. Being a GSA would further demonstrate Hayward's commitment to groundwater management and increase the City's voice in regional groundwater management. It will also preserve Hayward's ability to develop groundwater projects in the future.

As discussed in November, formation of a GSA follows a prescribed process that includes stakeholder outreach and involvement, a public hearing, and governing board approval. SGMA requires formation of GSAs by June 30, 2017. The timeline must allow for DWR to notice an agency's GSA application for a 90-day period before the agency can formally be designated a GSA. The following table summarizes actions needed to comply with SGMA requirements and deadlines for forming a GSA.

Action	Date
CSC Recommendation to Council	January 9, 2017
Public hearing and Council consideration	February 2017
Submittal of GSA application to DWR	February 2017
90-day notification period	March - May, 2017
GSA approval by DWR	June 2017

On December 12, 2016 City staff convened a stakeholder meeting that included representatives from EBMUD, ACWD, the County of Alameda, and DWR. Staff provided an overview of the City's groundwater interests and proposed approach for complying with SGMA, including potentially becoming a GSA for a portion of the East Bay Plain Basin. All parties expressed interest in working cooperatively to implement SGMA locally and there were no concerns expressed by any of the participants with Hayward potentially becoming a GSA.

Staff has also initiated outreach to other local interested parties, such as the Hayward Area Park and Recreation District (HARD) and Chabot College, both of which use some groundwater for irrigation, as well as regional entities like the Bay Area Water Supply and Conservation Agency and San Francisco Public Utilities Commission. Staff invited interested parties to participate in Hayward's stakeholder process.

GSP Preparation

Since November, City staff has met with representatives from EBMUD to determine the feasibility and desirability of jointly preparing a single GSP for the East Bay Plain Basin. Working cooperatively with EBMUD could significantly reduce duplication of technical work and thus the cost of preparing the GSP. Further, it would position the City more favorably to receive grant funding for preparing the GSP. Alternatively, as discussed with the CSC on November 14, the City and EBMUD could each prepare individual GSPs for the basin so long as the sustainability goals and technical information used to develop the GSPs are coordinated and consistent. A separate GSP would provide the City with greater control and oversight over preparing and implementing the GSP.

Based on discussions with EBMUD and DWR, staff is recommending the approach of working cooperatively with EBMUD to prepare a joint Hayward-EBMUD GSP. The joint GSP would

include management zones along jurisdictional lines that would allow for both Hayward and EBMUD to develop independent, but coordinated, institutional and management actions needed to ensure sustainability within their respective management zones.

If the Committee recommends to Council on January 9 that the City prepare a joint Hayward-EBMUD GSP for the East Bay Plain Basin, staff would then proceed to work with EBMUD staff to develop an agreement and scope of work for preparation of the joint GSP. The goal of both parties would be to have sufficient information available to apply for grant funding from DWR in mid-2017 to help fund preparation of the GSP.

ECONOMIC IMPACT

The economic impact of the City becoming a GSA for a portion of the East Bay Plain Basin has not yet been fully evaluated, and will depend in large part on the activities required to manage the basin. There is potential need for some of the costs to be recovered in water rates in future years, but these costs are not expected to significantly impact customer rates.

FISCAL IMPACT

The Water Improvement Fund includes funds for groundwater-related activities such as preparation of a GSP and its implementation actions. Staff believes that the resources are sufficient to complete the technical studies and investigations necessary to prepare the GSP. Costs to implement the GSP will depend on the actions identified in the GSP that are necessary to ensure long-term basin sustainability. Some of the costs could potentially be offset by grants and cost-sharing with EBMUD if a joint GSP is pursued. There would be no impact on the General Fund.

SUSTAINABILITY FEATURES

Water Resources. Hayward's active participation in becoming a GSA and developing a GSP would provide Hayward with the authority to ensure that groundwater beneath the City is protected and sustainably managed for the future. A long-term commitment to groundwater increases Hayward's overall water supply reliability and provides opportunities to diversify and maximize local supplies to respond to future water supply uncertainties such as the impacts of climate change.

PUBLIC CONTACT

SGMA requires extensive outreach and involvement of stakeholders. All matters related to forming a GSA and adopting a GSP are subject to public review. Formation of a GSA must be approved by the City Council after a public hearing. GSAs must also maintain a list of interested stakeholders to be used throughout the process to ensure regular communication. The GSP will be made available to the public for comment and adopted by the GSA at the conclusion of a public hearing.

The City's desire is to work in an open and collaborative way with the public and local agency stakeholders to implement SGMA requirements. As described in the Discussion section, staff convened a meeting of stakeholders on December 12, 2016 to provide an overview of the City's interest and approach to complying with SGMA. In addition, staff also performed outreach to groundwater users within the City and neighboring agencies to discuss Hayward's SGMA approach and invite parties to participate in the stakeholder process.

NEXT STEPS

It is anticipated that City Council consideration of becoming a GSA for a portion of the East Bay Plain Basin will be scheduled for February 2017. Staff will then complete the application and submit it to DWR in a timely manner so that the City is designated as a GSA by June 30, 2017. Staff will also remain engaged in the implementation of SGMA by neighboring water agencies and at the State level and periodically report back to the Committee.

Prepared by: Jan Lee, Water Resources Manager

Recommended by: Alex Ameri, Director of Utilities & Environmental Services

Approved by:



Kelly McAdoo, City Manager



CITY OF HAYWARD

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File #: ACT 17-002

DATE: January 9, 2017

TO: Council Sustainability Committee

FROM: Director of Utilities and Environmental Services

SUBJECT

Compact of Mayors

RECOMMENDATION

That the Committee reviews and comments on this report and recommends that the Mayor sign and submit the attached letter to join the Compact of Mayors.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Draft Letter of Commitment



DATE: January 9, 2017

TO: Council Sustainability Committee

FROM: Director of Utilities and Environmental Services

SUBJECT: Compact of Mayors

RECOMMENDATION

That the Committee reviews and comments on this report and recommends that the Mayor sign and submit the attached letter to join the Compact of Mayors.

BACKGROUND

The Compact of Mayors is a coalition of cities and local governments around the world that commit to taking inventory of greenhouse gas emissions, reducing emissions, building resiliency, and increasing transparency and accountability. The Compact was launched in 2014 by the United Nations Secretary-General Ban Ki-moon and his Special Envoy for Cities and Climate Change, Michael R. Bloomberg. There are currently 612 cities around the world that have joined the Compact of Mayors, including 129 in the United States.

The Carbon Disclosure Project (CDP) is a reporting and data partner for the Compact of Mayors. CDP is a global disclosure system for companies, cities, states, and regions to track and manage their environmental impacts. Hayward reported its data to CDP in 2015 and 2016.

DISCUSSION

Staff has reviewed the requirements for the Compact of Mayors and recommends that the Committee recommend to the Council that the City commit to the Compact of Mayors. Many Bay Area cities have already committed to the Compact of Mayors including, Benicia, Berkeley, Cupertino, Emeryville, Fremont, Oakland, Palo Alto, Piedmont, Richmond, San Francisco, San José, and San Rafael.

Staff previously considered this commitment in early 2016, but requirements for phase 3 of the commitment process, the Risk and Vulnerability Assessment component, were unclear. During recent communication with CDP Cities, CDP staff evaluated Hayward's Local Hazard Mitigation Plan (LHMP) and confirmed that Hayward's LHMP fulfills the risk and vulnerability assessment requirements detailed in the Compact of Mayors' Definition of Compliance document.

Participating in the Compact of Mayors would give Hayward recognition for its commitment to addressing climate change. Joining the Compact would reaffirm Hayward's commitment to its residents and businesses by increasing transparency and accountability regarding climate change action. Upon joining, Hayward would receive an official "Compact of Mayors Commitment" badge to display on digital and/or print media. The Mayor and City Council would also have the opportunity to share this commitment at official City of Hayward events as a mark of our progress toward addressing climate change.

Committing to the Compact would enhance the City of Hayward's image. It would assure residents and businesses that the City will continue to protect and enhance its environment and promote its livability. It would reaffirm the City's commitment to adapt to a changing climate.

SUSTAINABILITY FEATURES

Signing on to the Compact of Mayors would provide an opportunity for Hayward to further document and publicize its accomplishments regarding energy efficiency, water conservation, waste reduction and reduction of greenhouse gas emissions.

ECONOMIC AND FISCAL IMPACT

There is no fiscal impact to the City and there are no known impacts to residents or businesses. The Compact is funded through Bloomberg Philanthropies. There is no cost to sign on to the Compact of Mayors and the work necessary to comply with the Compact is already programmed and budgeted. Signing on could increase private and public investor confidence in Hayward as a dependable, business-friendly city.

NEXT STEPS

If recommended by the Committee, staff will schedule this item for Council's consideration in early 2017. Upon direction from Council, staff will provide Mayor Halliday with the Compact's letter of intent for signature. Following an acknowledgement of Hayward's letter from the Compact of Mayors, staff will prepare and submit the Compact of Mayors Module, which is a component of the CDP Cities 2016 Information Request. Staff will report back to the Committee annually regarding the status of our commitment to the Compact and any future recognition that the City may receive for its commitment and/or compliance.

Research Compiled by: Chris Sturken, CivicSpark Fellow

Prepared by: Erik Pearson, Environmental Services Manager

Recommended by: Alex Ameri, Director of Utilities & Environmental Services

Approved by:

A handwritten signature in black ink, appearing to read 'K. McAdoo', is positioned above a horizontal line.

Kelly McAdoo, City Manager



CITY OF HAYWARD

Hayward City Hall
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File #: ACT 17-006

DATE: January 9, 2017

TO: Council Sustainability Committee

FROM: Director of Utilities & Environmental Services

SUBJECT

Drinking Water Quality Update

RECOMMENDATION

That the Committee reviews this report and provides direction regarding lead testing in schools.

ATTACHMENTS

Attachment I Staff Report



DATE: January 9, 2017

TO: Council Sustainability Committee

FROM: Director of Utilities & Environmental Services

SUBJECT

Drinking Water Quality Update

RECOMMENDATION

That the Committee reviews this report and provides direction regarding lead testing in schools.

SUMMARY

Public drinking water supplies must meet all federal and state water quality standards, including thresholds for lead and copper contaminants, as measured at consumers' taps. Lead and copper sampling, which is required every three years, was performed by the City of Hayward in 2016. The City met the requirements. This report provides an overview of maximum allowable levels, monitoring requirements and the results of recent lead and copper sampling activity. The report also introduces a new effort by the State to implement testing of lead levels in school drinking water and discusses recent water taste and odor episodes that have occurred within the San Francisco Public Utilities Commission (SFPUC) Regional Water System (RWS).

BACKGROUND

Public drinking water supplies are subject to stringent federal and state water quality standards to protect public health. The City of Hayward, as a water purveyor, is responsible for ensuring that the water delivered to the City's residents and businesses meets the requirements. In cooperation with Hayward's wholesale water supplier, SFPUC, the City implements rigorous water quality monitoring activities to confirm and document compliance with all standards. While water quality standards apply to a wide variety of potential contaminants, this report will focus on recent monitoring results for lead and copper. Staff is also using this report as an opportunity to briefly update the Committee on elevated levels of disinfection byproducts or DBPs that occurred in summer 2016 and the recent taste and odor complaints received by the City in December 2016.

Lead and Copper

Lead and copper are typically present in drinking water due to pipe corrosion in home plumbing systems and water service lines. Several factors play a role in the extent to which lead enters the water, including plumbing materials and the amount of wear in the pipes. Homes built before 1986 are more likely to have lead solder used on pipes.

The presence of lead and copper in drinking water is regulated through the United States Environmental Protection Agency's (EPA) Lead and Copper Rule, which requires water agencies to test lead and copper levels at consumers' taps every three years. Sampling is performed at the taps so that the results include any effect of private house plumbing systems. The most recent round of sampling was undertaken as required in 2016. Lead and copper concentrations are subject to an Action Level; that is, an agency must take corrective actions to reduce lead and copper in the water system if detected levels exceed specified thresholds. Specifically, corrective actions are triggered if 10% of the samples exceed fifteen parts per billion (ppb), also known as micrograms per liter, for lead or 1,300 ppb for copper. (As a point of reference, one ppb, or a microgram per liter, is the equivalent of a penny in \$10,000,000.)

Lead and copper sampling is implemented through voluntary consumer testing. Every three years, staff identifies representative locations throughout the City. After approval of the selected locations, residents are contacted and asked to collect water samples from their taps, following a standard procedure. Those who express a willingness to do so are provided with sampling kits, including detailed instructions. For the 2016 monitoring, fifty-nine samples were collected and analyzed. A minimum of fifty sample locations are required for the Hayward water system.

Awareness of the potential for lead in drinking water has been heightened due to recent events in Flint, Michigan, prompting increased interest in lead sampling in schools. The California Division of Drinking Water (DDW) is anticipated to issue an amended permit to all water purveyors that serve a school in December 2016. Pursuant to the amended permit, all water purveyors in California are required to test the schools in their service area for lead if sampling is requested by the institution's officials.

Disinfection Byproducts

Water disinfection is critical to public health because it prevents infectious diseases. Hayward's water is disinfected with chloramine, a combination of chlorine and ammonia, which is currently considered the best available alternative for controlling the formation of certain disinfection byproducts (DBPs). The water is disinfected by SFPUC, the City's wholesale purveyor, before water is distributed to local agencies. DBPs are chemical compounds formed by the reaction of a disinfectant with naturally present organic matter in water. Some research indicates that certain DBPs are linked to increases in cancer and other medical conditions. Thus, the EPA has established drinking water standards for two individual DBPs, chlorite and bromate, and two groups of DBPs, total trihalomethanes (TTHM) and total haloacetic acids (HAA5), all of which have been linked to health problems. Compliance with DBP limits is determined on the basis of

four-quarter running averages. Limits for TTHM and HAA5 are set at eighty ppb and sixty ppb respectively, while bromate and chlorite limits are ten ppb and 1000 ppb respectively.

Taste and Odor

Federal and state guidelines are also in place to assist water agencies in maintaining acceptable aesthetic qualities of drinking water, such as odor, taste, and appearance. These are known as “secondary maximum contaminant levels.” Water that is cloudy or unpleasant in smell or taste may cause people to stop drinking water from public systems even though the water may be safe to consume. The contaminants known to cause changes in taste, odor and appearance do not pose a risk to human health; however, standards have been set at levels below which the contaminants are typically unnoticed by the consumer.

DISCUSSION

2016 Lead and Copper Sampling Results

The City implemented lead and copper sampling in 2016 in accordance with all Lead and Copper Rule requirements established by the EPA. Staff distributed sampling kits to seventy-five homes in Hayward, and fifty-nine samples were returned for analysis. Of the fifty-nine samples, two homes, or 3.4%, had elevated lead and copper levels. While the overall results were well below the Action Level established by the EPA for corrective action, staff conducted an investigation into the causes of the elevated levels. The following are the results of staff’s investigation:

- The first home had a water softener. Water softeners tend to lower the pH levels and increase conductivity so that lead and copper may leach into the water more readily. After staff explained this to the homeowner, the homeowner opted to retain the water softening technology. The homeowner was advised that the tested water is taken at first draw, so allowing the water to run out of the tap for a brief time before consuming it can reduce the levels of contaminants. That water should be collected and saved for non-drinking purposes.
- The second home was recently renovated. Through a series of follow-up samples, staff determined that the elevated lead and copper was coming from the kitchen tap, which had a new fixture. Staff recommended that the homeowner replace the kitchen fixture.

Based on the results of the lead and copper sampling, no further action on the part of the City is needed. Lead and copper sampling will next be performed in 2019.

Lead Sampling in Schools

The potential presence of lead in school drinking water is a nation-wide issue. In August 2016, DDW first advised water purveyors that the State would be initiating an effort to learn more about the occurrence of lead in California schools. While some agencies expressed concerns regarding impact on staff resources and cost, the City staff immediately indicated our willingness

to work cooperatively with State regulators and schools to implement a lead sampling program, but also requested further guidance and instruction from the State.

In December 2016, DDW is anticipated to issue an amended permit to all water purveyors who serve a school requiring the water purveyor to work with any school that requests in writing that their water purveyor sample their school for lead. Under the new permit amendment, once a request is filed, the water purveyor must make contact with the school within sixty days to schedule a meeting to develop a sampling plan. The water purveyor has a total of ninety days from the time the request is received to finalize the sampling plan and to conduct sampling at the school. Alternatively, a water system may submit a sampling schedule to DDW if the ninety days cannot be met. Outlets for sampling need to be regularly-used drinking fountains, cafeteria/food preparation areas and reusable water bottle filling stations.

Hayward has close to fifty schools, public and private, serving kindergarten through high school grades. The Department of Education (DOE) will be sending school districts a letter to advise them of the availability of lead sampling through their water purveyor. DOE's letter will include a template request letter that can be provided to the water purveyor and links to resources and materials on lead in drinking water. City staff is currently working with DDW to understand the new requirements in the amended permit and develop an approach for working with City schools to sample for lead. Staff is requesting direction from Committee members as to whether they wish staff to follow-up with Hayward schools after they receive the DOE letter or respond on an as-requested basis.

Disinfection Byproducts

Elevated concentrations of DBPs were detected in the SFPUC RWS over the summer 2016, including in Hayward's distribution system. SFPUC conducted an investigation to determine the cause of elevated DBPs. SFPUC concluded that the higher-than-usual DBPs were actually caused by elevated Total Organic Carbon (TOC) resulting from increased natural organic debris associated with the first wet year after the drought. As noted in the Background section, DBPs are formed when the disinfectant interacts with organic matter.

Although elevated in comparison to previous sampling results, the levels of DBPs in Hayward water were below the permissible standards. Further, SFPUC has assured its wholesale customers that it will be more vigilant in monitoring TOC and disinfectant levels in the future to reduce the potential occurrence of higher DBPs in distribution systems.

Taste and Odor

At the end of November, SFPUC initiated a temporary change in water supply, switching from Hetch Hetchy to the local San Antonio Reservoir, which feeds Sunol Valley Water Treatment Plant, to perform routine maintenance on the Hetch Hetchy system. Shortly thereafter, customers of the SFPUC RWS began reporting taste and odor issues with their tap water. During the first ten days of December, the City received over forty taste and odor complaints with the water described as having an "earthy/musty" taste. Throughout the water quality episode, all state and federal drinking water quality standards continued to be met.

SFPUC traced the cause of the taste and odor issues to the presence of a dissolved compound called Geosim in the San Antonio Reservoir. Geosim is a natural byproduct of blue green algae in the water and is found in foods like fish, grapes, wine, and beets. This dissolved compound is not harmful from a public health standard. However, this compound can cause taste and odor issues in the drinking water supply, even if there are extremely small amounts of it in the water (parts per trillion). Parts per trillion is like one drop in twenty Olympic swimming pools.

In response to customer complaints, SFPUC ceased taking water from San Antonio Reservoir and began increasing its other sources of supply from Hetch Hetchy Reservoir and other local reservoirs to dilute the Geosim in the drinking water supply and alleviate the taste and odor issues.

SFPUC stressed that it is not common for algae-related taste and odor issues at this time of year. Algae is more common in the warmer months when the right combination of sunlight and nutrients stimulate algae bloom. SFPUC has stated that now that they are aware that there is the potential for winter algae problems, they will test for these constituents in the water supply, in addition to other routine testing SFPUC performs for drinking water.

Backflow Prevention Program

State drinking water regulations require public water systems to install backflow prevention devices where there is a risk of potential contamination to the drinking water system caused by the backflow of water from a customer site. The City of Hayward has approximately 2,800 backflow prevention devices located throughout the water distribution system. In accordance with state regulations, these devices are tested on an annual basis to ensure that backflow prevention devices are functioning properly. Currently, Utilities staff provides this service free of charge to customers.

In December 2016, major news outlets reported an incident which occurred in Corpus Christi, Texas where a backflow device malfunctioned and a chemical used in asphalt processing entered the water distribution system affecting 320,000 residents and thousands of businesses. For several days, water customers were advised not to use city water for drinking. The Corpus Christi incident highlights the serious threat of contamination from customer sites and the importance of properly installing and maintaining backflow prevention devices to protect against potential contaminant sources.

ECONOMIC AND FISCAL IMPACT

At this time, no significant costs are anticipated related to compliance with water quality standards, as the drinking water meets or exceeds all federal and state standards. Ongoing sampling costs are included in the Water Operating Fund budget. There are likely to be additional costs associated with assisting local schools in their assessment of lead levels; however, the actual financial impacts are not yet known. These costs can be absorbed in the current budget.

SUSTAINABILITY FEATURES

Water Quality. Water quality monitoring is critical to ensuring that water supplies meet all federal and state standards for public health.

PUBLIC CONTACT

The City prepares an annual Water Quality Report (also known as a Consumer Confidence Report) to inform consumers about the sources of their drinking water, how it is treated, and the results of water quality monitoring, including information about contaminants that were detected in the water. The Water Quality Report includes comprehensive information about lead in drinking water, the potential sources, possible health effects and steps that customers can take to reduce their exposure. The Report is available on the City's website, and printed copies may also be obtained.

Staff is working closely with the State to develop information for schools regarding lead testing and, and if the Committee so directs, will be proactive in communicating with local schools and extending offers of assistance.

During the December 2016 taste and odor episode, City staff responded to customer complaints using information prepared by SFPUC to reassure customers that the water was safe to drink and explain the cause of the taste and odor problems.

NEXT STEPS

Staff will continue to monitor water quality to ensure compliance with all regulations. If directed by the CSC to work with schools to implement lead sampling, staff will prepare a plan and schedule and initiate this work in accordance with the related State directive. Staff will update the Committee on new developments.

Prepared by: Jan Lee, Water Resources Manager

Recommended by: Alex Ameri, Director of Utilities and Environmental Services

Approved by:



Kelly McAdoo, City Manager



CITY OF HAYWARD

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File #: RPT 17-003

DATE: January 9, 2017

TO: Council Sustainability Committee

FROM: Director of Utilities & Environmental Services

SUBJECT

Overview of Regional Energy Efficiency Programs: Energy Council, EBEW, and BayREN

RECOMMENDATION

This is an informational report.

ATTACHMENTS

Attachment I Staff Report



DATE: January 9, 2017

TO: Council Sustainability Committee

FROM: Director of Utilities and Environmental Services

SUBJECT

Overview of Regional Energy Efficiency Programs: Energy Council, EBEW, and BayREN

RECOMMENDATION

This is an informational report.

SUMMARY

The City of Hayward participates in regional energy efficiency programs including the Alameda County Energy Council, the East Bay Energy Watch (EBEW), and the Bay Area Regional Energy Network (BayREN). This report provides an overview of each program with information about governance, budget and programs. In addition, this report includes a brief discussion about the CPUC's efforts to change the state-wide administration of energy efficiency programs.

BACKGROUND

Hayward's General Plan, adopted by Council in 2014, includes the following four programs regarding regional energy programs:

NR-9. Financing Program for Residential Energy Efficiency Retrofits. The City shall work with regional agencies and organizations to develop a residential energy efficiency retrofit financing program for single-family and multi-family homes.

NR-10. Financing Program for Commercial Energy Efficiency Retrofits. The City shall work with regional agencies and organizations to develop a commercial energy efficiency retrofit financing program for commercial and industrial properties.

NR-12. Financing Program for the Installation of Residential Renewable Energy Systems. The City shall work with regional agencies and organizations to develop a financing program for the installation of renewable energy systems on single-family and multi-family residential buildings and mobile homes.

NR-13. Financing Program for the Installation of Commercial Renewable Energy Systems. The City shall work with regional agencies and organizations to develop a financing program for the installation of renewable energy systems on commercial and industrial properties.

DISCUSSION

For several years now, staff has been actively involved with and a participant in programs funded by the Alameda County Energy Council, the East Bay Energy Watch (EBEW), and the Bay Area Regional Energy Network (BayREN).

Alameda County Energy Council – In 2009, StopWaste worked with all cities in Alameda County to pool funds from their federal Energy Efficiency and Conservation Block Grants (EECBG) to collaborate on energy efficiency programs – specifically Property Assessed Clean Energy (PACE) financing and the Energy Upgrade California program. In 2013, StopWaste’s role in facilitating energy efficiency programs for Alameda County was formalized and a joint powers agency was established to create the Alameda County Energy Council.

The Energy Council works on behalf of its member agencies to develop and implement programs and policies that reduce energy demand, increase energy efficiency, advance the use of clean, efficient and renewable resources, and help create climate resilient communities. The Energy Council assists its members in strengthening staff capacity, providing technical expertise, and securing funds to implement local sustainable energy strategies

Governance – The Energy Council is governed by a Board of Directors made up of elected officials from its member agencies. A Technical Advisory Group comprised of staff representing participating jurisdictions meets monthly and provides input on program elements and coordinates energy program related activities within the County.

Budget – The Energy Council’s budget for fiscal year 2016/2017 is approximately \$6.2 million, most of which is funded by the Bay Area Regional Energy Network (see below).

Programs – The following program priorities were approved by the Energy Council Board for 2016-2018:

- Single-Family and Multifamily Retrofits
- Innovative Financing
- Labeling and Recognition Programs
- Codes & Standards
- Integrated Services for Small/Medium Commercial Business
- Water/Energy Nexus
- Fuel Switching
- Grid Solutions

Since 2012, the Energy Council has supported EBEW partnership through strategic planning, increasing staff capacity of participating jurisdictions, and promoting business participation in local energy efficiency programs. In 2016 Alameda and Contra Costa County jurisdictions voted for Energy Council to assume the role of Administrator of the partnership. In addition to energy efficiency programs, the Energy Council has assisted Hayward and other cities with technical assistance regarding zero net energy (ZNE); climate action planning, including greenhouse gas inventories; and resiliency planning.

East Bay Energy Watch – The East Bay Energy Watch (EBEW) is one of 21 local government partnerships with Pacific Gas and Electric (PG&E). EBEW, made up of the counties of and cities within Alameda and Contra Costa Counties, is the largest energy watch program in PG&E's territory. Energy Watch programs are funded by California Public Utilities Commission (CPUC) with California utility ratepayer funds. EBEW was initiated by the cities of Berkeley, Oakland, and Emeryville in 2004. Starting in 2010, other Alameda County cities began to participate and soon after, the program expanded to include active participation from most of the cities in Contra Costa County.

Governance – The EBEW is governed by a Strategic Advisory Committee (SAC), which is made up of staff from each of the member jurisdictions. StopWaste is the administrator and coordinates the SAC. The SAC is also supported by close involvement of PG&E staff. The SAC has two co-chairs, one from Alameda County and one from Contra Costa County. In 2017 and 2018 staff from San Pablo and Hayward will serve as co-chairs.

Budget – EBEW's annual budget is approximately \$900,000, which funds a variety of programs described below. The annual budget is voted on by the SAC and is subject to approval by PG&E and the CPUC.

Programs – EBEW programs are operated by contractors known as program implementers such as Rising Sun, DNV-GL, Community Energy Services Corporation (CESC), and Quantum Energy Services & Technologies (QuEST). EBEW programs include:

- *Civic Spark*: The Civic Spark program places full-time college graduates within local governments providing sustainability assistance and building capacity to address climate change. The Civic Spark program is an AmeriCorps program administered by the Local Government Commission in partnership with the Governor's Office of Planning and Research.
- *Municipal Implementation Team (MIT)*: The MIT program serves local governments and special districts by providing technical assistance including engineering support, project development, Energy Star benchmarking, on-bill financing from PG&E, and monitoring performance of municipal buildings.
- *California Youth Energy Services (CYES)*: The CYES program provides Green House Calls to residents in participating jurisdictions. The Green House Calls are conducted by youth employees who check for resource conservation opportunities and install free equipment to help homeowners save energy, water, and money.

- *Small Business Programs:*
 - *Your Energy Manager (YEM):* Businesses receive free analysis for energy and water efficiency upgrades, including incentives and financing options.
 - *SmartLights:* This program offers free technical assistance and instant rebates to help defray the cost of upgrading and/or repairing existing equipment. SmartLights helps with comprehensive lighting retrofits; refrigeration tune-ups, controls, and seals replacement; and referrals to appropriate HVAC programs.
 - *The Business Energy Services Team (BEST):* BEST offers a comprehensive package of energy-efficiency measures. A free energy assessment is conducted to identify potential energy-saving equipment options and determine potential incentives. Participating independent contractors can install recommended improvements.

Bay Area Regional Energy Network – California’s energy efficiency programs have traditionally been administered by the independently operated utilities as directed by the California Public Utilities Commission (CPUC). In 2013, the CPUC invited local governments to submit proposals for a new mode for collaboration and administration of energy efficiency programs. Los Angeles County and the Bay Area responded and beginning in 2013/2014, the CPUC has been funding the Southern California Regional Energy Network (SoCalREN) and the BayREN.

Governance - BayREN serves the nine county Bay Area and is administered by the Association of Bay Area Governments (ABAG). ABAG facilitates a “Coordinating Circle” with representatives from each of the nine counties. StopWaste staff represents Alameda County on the committee.

Budget – The CPUC authorized a \$13.3 million budget for BayREN’s 2016 portfolio, which included three programs (single-family, multifamily, codes and standards) and three financing pilots. ABAG in turn provided the Energy Council with a budget of approximately \$6 million for the programs listed below.

Programs – The Alameda County Energy Council serves as the regional program lead for the BayREN’s multi-family program. In 2016, approximately \$5.7 million of the Energy Council’s budget was for the multi-family program, which included the Capital Advance Financing Pilot, Evaluation, Measurement & Verification (EM&V) activities, regional marketing activities and coordination of local outreach activities. Other BayREN programs that the Energy Council supports are:

- outreach for single-family programs including the regional Home Upgrade Advisor service, Home Upgrade, and Home Energy Score.
- local outreach for the Codes and Standards program.
- local outreach for the Commercial PACE program.
- local outreach for the Pay As You Save (PAYS) financing pilot programs
- manage the Bay Area Multifamily Capital Advance Pilot (BAMCAP), including recruitment of lenders and promotion of the financing product to property owners and multifamily brokers.

California Energy Efficiency Coordinating Committee – Historically, the CPUC has authorized energy efficiency programs on a three-year cycle. This has caused various programs and incentives to start and stop with the funding cycle, making it challenging for contractors, program implementers, and customers to carry out energy efficiency improvements. In 2013, the CPUC approved a ten-year funding approach implementing a “rolling portfolio” with periodic reviews to allow for more continuous funding of programs. In October 2015, the CPUC called for program administrators to submit Business Plans proposing programs that will achieve the CPUC’s goals for the ten-year period from 2018 through 2028. Draft Business Plans have been prepared by BayREN, PG&E, MCE (Marin Clean Energy), the Local Government Sustainable Energy Coalition (LGSEC) and others. The CPUC established the California Energy Efficiency Coordinating Committee (CAEECC) to facilitate an open process for collaboration and review of draft business plans. Public comments on the business plans were due November 21, 2016 and final business plans are due to the CPUC by January 15, 2017. Regardless of the business plan selected by the CPUC, the regional landscape with respect to energy programs is likely to change in the coming years.

SUSTAINABILITY FEATURES

Participation in regional energy programs allows Hayward to benefit from regional marketing activities and to access funding that would otherwise be unavailable. Such programs focus on improving energy efficiency, increasing the use of renewable energy, and conserving water – all of which support the City’s sustainability and long term greenhouse gas reduction goals.

NEXT STEPS

It is possible that East Bay Community Energy may seek approval from the CPUC to administer energy efficiency programs. If this occurs, it may result in a reorganization of the programs discussed in this report. Staff is currently working with EBEW to review different scenarios for how the various energy efficiency programs may be assigned and managed. Regardless, staff will continue to be an active participant in the programs described in this report and will update the Committee as new information becomes available.

Prepared by: Erik Pearson, Environmental Services Manager

Recommended by: Alex Ameri, Director of Utilities and Environmental Services

Approved by:



Kelly McAdoo, City Manager



CITY OF HAYWARD

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File #: RPT 17-001

DATE: January 9, 2017

TO: Council Sustainability Committee

FROM: Director of Utilities & Environmental Services

SUBJECT

Semi-Annual Update on City's Waste Reduction and Recycling Programs

RECOMMENDATION

That the Committee reviews and comments on this report.

ATTACHMENTS

Attachment I Staff Report



DATE: January 9, 2017

TO: Council Sustainability Committee

FROM: Director of Utilities & Environmental Services

SUBJECT

Semi-Annual Update on City's Waste Reduction and Recycling Programs

RECOMMENDATION

That the Committee reviews and comments on this report.

SUMMARY

This report provides an update on the solid waste, recycling, and organic materials services Waste Management of Alameda County (WMAC) provides Hayward residents and businesses under the City's contract that commenced March 1, 2015. This report also provides updates on WMAC's progress toward meeting contractual performance targets, as well as on the City's 2015 diversion rate. This report also includes a summary of the City's compliance with Alameda County Waste Management Authority's (ACWMA) mandatory recycling ordinance as well as an overview of outreach activities conducted to inform residents, businesses, and multi-family property managers about the expansion of the mandatory recycling ordinance and the variety of services available under the City's contract with WMAC.

BACKGROUND

In accordance with the requirements of Measure D, a County Charter initiative amendment passed in 1990, the Alameda County Recycling Board established the goal of at least 75% diversion of all discarded materials in Alameda County by 2010. In 2007, Hayward City Council adopted a goal of diverting at least 75% of waste from the landfill by 2010 and in 2015, the City's actual diversion rate was 73%. The City's contract with WMAC establishes diversion goals based on the tons of material collected as recyclables, organics, or solid waste to be landfilled. The diversion goals identified in the WMAC contract are designed to help the City achieve an 80% diversion rate by 2018. In conjunction with the City's contract with WMAC, staff manages a variety of programs intended to help the City achieve its diversion goals. The last report on solid waste reduction and recycling presented to the Committee was on [March 14, 2016](#).

General Plan Policies – Hayward's General Plan, adopted on July 1, 2014, includes the following policies related to solid waste, recycling and organics collection:

Public Facilities and Services, Policy 7.4 Solid Waste Diversion – The City shall comply with State goals regarding diversion from landfill, and strive to comply with the provisions approved by the Alameda County Waste Management Authority (ACWMA).

Public Facilities and Services, Policy 7.21: Mandatory Recycling – The City shall implement mandatory recycling for commercial and multifamily uses and work with ACWMA to increase participation in this program.

Public Facilities and Services, Policy 7.14 Commercial Recycling – The City shall encourage increased participation in commercial and industrial recycling programs, and strive to comply with the recycling provisions approved by the ACWMAB. The City shall work with ACWMA to provide technical assistance to businesses to implement mandatory recycling.

DISCUSSION

Staff continues to work with WMAC to increase participation in on-going waste diversion programs as well as in newer programs that became available March 1, 2015 when the current WMAC Franchise Agreement (Agreement) commenced. The Agreement includes several provisions WMAC must follow to improve solid waste management in Hayward and ensure the City, its residents, and businesses comply with State and County waste management regulations. Some provisions include: Franchise Recovery Rate targets and increased diversion of material from landfill; dedicated outreach resources; enhanced bulky items collection services; and compost giveaway events.

Mandatory Recycling Ordinance – The ACWMA enacts and implements County-wide ordinances and diversion programs to help member agencies achieve their waste reduction and diversion goals. In January 2012, the ACWMA Board approved a mandatory recycling ordinance, which includes a goal to reduce the amount of recyclable and compostable materials landfilled to no more than 10% by 2020. The ordinance consists of two phases, and Council opted to participate in each phase.

Phase 1, which took effect July 1, 2012, required large businesses (those with four cubic yards or more of weekly garbage service) and all multi-family property owners to arrange for collection of recyclables. Hayward has met the multi-family property provisions of Phase 1 of the ordinance in that all multi-family properties have arranged for collection of recyclables.

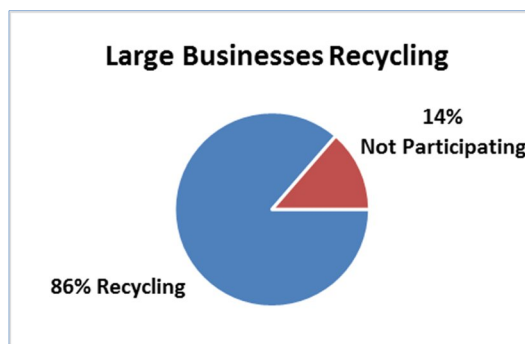
Phase 2 of the ordinance, which took effect January 1, 2016, requires all businesses to implement recycling and some businesses such as food processors, grocers, and restaurants that regularly generate organics (food scraps and food-soiled paper) to implement separate organics collection. Phase 2 also requires multi-family properties with five or more units to implement separate organics collection. The City's contract with WMAC initiated organics

collection service to multi-family properties free of charge, and offers organics service to businesses at 50% of the comparable garbage rate.

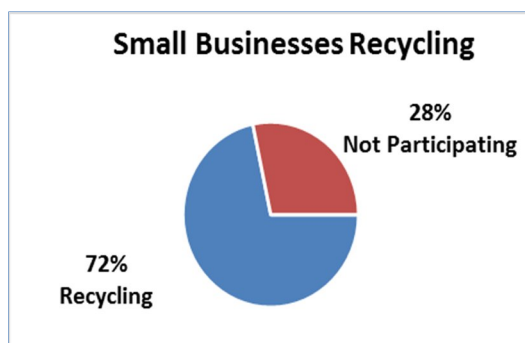
City and WMAC staff continue to work with multi-family properties and businesses to help them meet the provisions of Phase 2 of the ordinance. Currently 57% of Hayward multi-family properties with five or more units participate in organics collection services, and 76% of all Hayward businesses subscribe to recycling services. Over the past year, the total number of businesses in Hayward (both large and small) subscribing to recycling services increased about 5%. The table below summarizes the number and percent of businesses and multi-family properties that have arranged with WMAC for collection of recyclables and organics and is based on data provided by WMAC. Entities may also comply with the ordinance by arranging with other service providers, or self-hauling their recyclables and organics for donation or sale.

Mandatory Recycling Ordinance: Summary of Participation

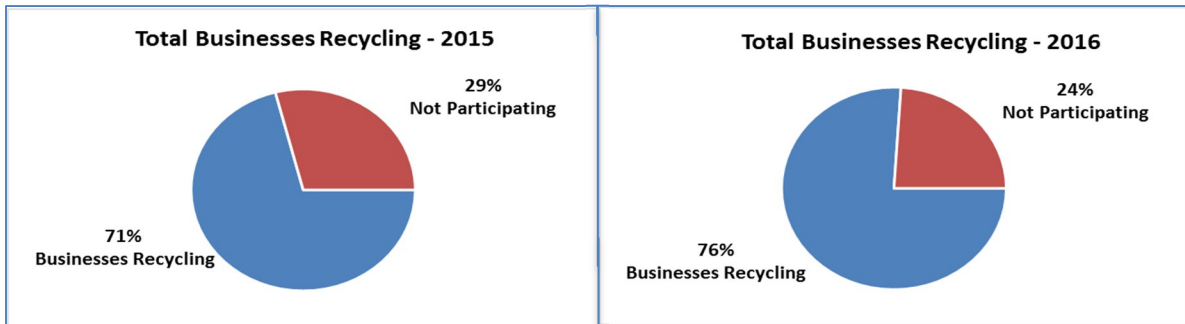
Phase 1: Collection of Recyclables from Large Businesses	No. Accounts	Percent
Total subject to Ordinance	763	
Currently subscribing to service	659	86%
Balance that have not subscribed to WMAC service	104	14%



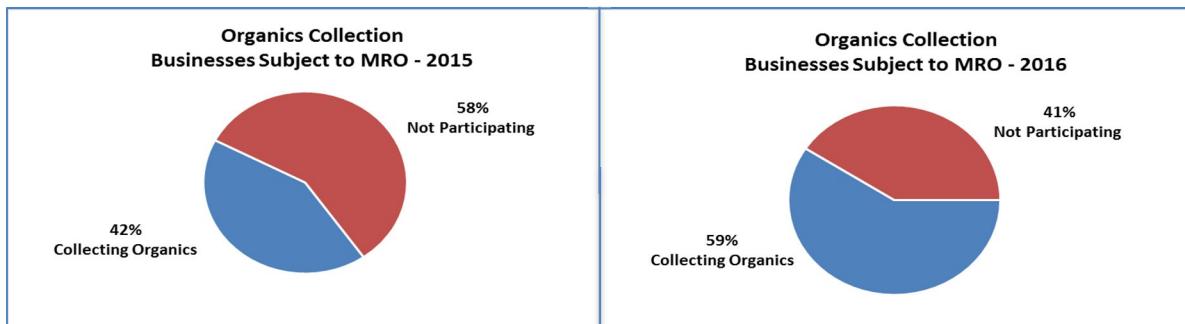
Phase 2: Collection of Recyclables from Small Businesses	No. Accounts	Percent
Total subject to Ordinance	1,930	
Currently subscribing to service	1,384	72%
Balance that have not subscribed to WMAC service	546	28%



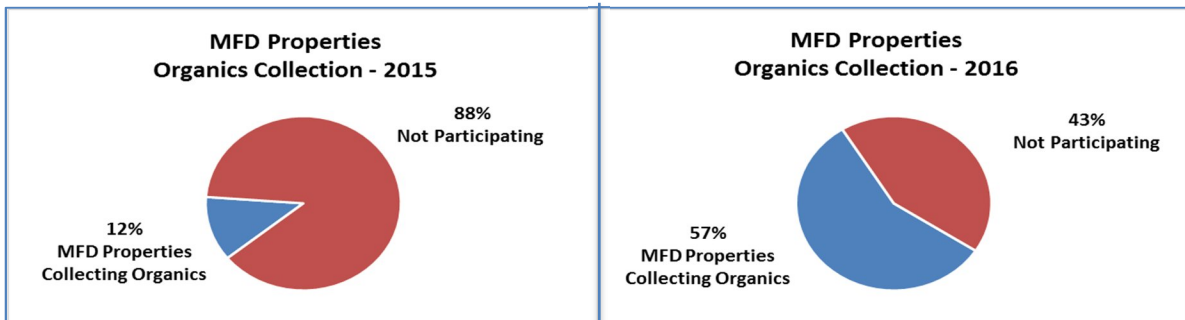
Collection of Recyclables from All Hayward Businesses	Year	Percent
Percent subscribing to service	2015	71%
Percent subscribing to service	2016	76%



Collection of Organics from Businesses Subject to the Ordinance	Year	Percent
Percent subscribing to service	2015	42%
Percent subscribing to service	2016	59%



Collection of Organics from Multi-Family Properties	Year	Percent
Percent subscribing to service	2015	12%
Percent subscribing to service	2016	57%



At the commencement of the Agreement, WMAC was very slow to implement the required additional level of WMAC staffing dedicated to perform outreach. This additional staff is mandated by the Agreement and paid for by pass-through costs. Currently, WMAC staff, including two to three interns dedicated to Hayward, and City staff continue to work with the remaining businesses and multi-family properties to provide assistance to implement both services.

Enforcement of the ordinance is performed by ACWMA inspectors or staff from participating municipalities. Notices of violation may only be issued after three warning letters have been mailed and assistance to implement services has been offered. ACWMA may only issue notices after receiving written approval by staff from participating municipalities. ACWMA assumes all costs to implement the enforcement program, including inspection, enforcement procedures, and assistance to businesses to implement required programs.

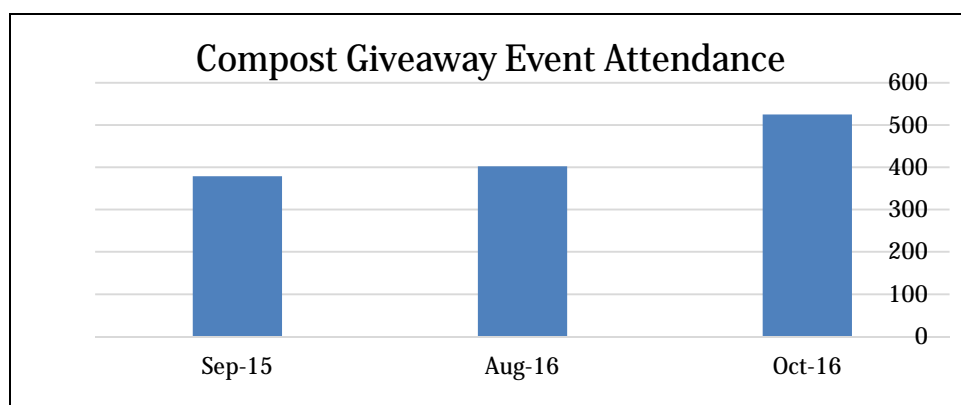
Outreach to Multi-Family Properties – In 2015, ACWMA mailed three letters to multi-family property managers informing them of the expanded mandatory organics recycling requirements. The letters offered resources and assistance to help properties comply with the ordinance. In 2016, ACWMA continued outreach to multi-family properties through social media and email. City and WMAC staff also continue to work with property managers and owners to implement organics services and facilitate bulky item removal. Presentations to tenants are coordinated with WMAC and the property manager. Brochures have also been distributed at each of the Hayward Downtown Street Parties and to the Keep Hayward Clean & Green Task Force. In addition, the City and WMAC collaborate to design and send bill inserts and mailings throughout the year to help inform residents of program parameters.

Outreach to Businesses – Three letters summarizing the expanded requirements of Phase 2 of the ordinance were mailed to businesses in May through November of 2016, offering resources and assistance to help them comply with the ordinance. WMAC representatives dedicated to assisting Hayward businesses offer waste assessments and employee training to help facilitate implementation of programs. City assistance includes offering labels for containers and posters for reference by employees and patrons. City staff will continue to disseminate informational materials to businesses via field visits and inserts with bills issued by WMAC, and to inform businesses that recyclables collection is available at 20% of the comparable garbage rate, and organics collection is available at half the price of regular garbage collection. Although not always the case, numerous businesses, including restaurants, grocers, and food processors, have been able to reduce garbage service and cost after implementing one or both services.

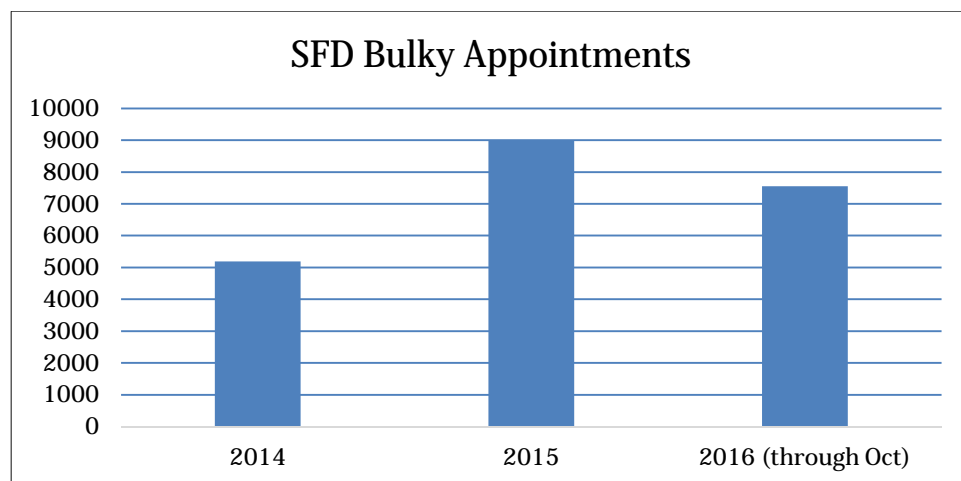
Outreach to Single-Family Residents – The mandatory recycling ordinance does not apply to single-family households. However, staff conducts outreach to single-family households to help residents properly sort recyclables and increase their organics diversion by placing food scraps and food-soiled paper in the green bin. Informational materials to single-family residents include bill inserts that highlight the twice-annual bulky item appointments and the variety of other services that continue to be offered. Additionally, the City's website and WMAC's website each offer residents and businesses extensive information regarding

recycling and available services. WMAC also mails postcards describing removal of bulky items to all households, and sends holiday tree removal instruction postcards to all residents.

Compost Giveaways – A provision of the WMAC Agreement requires WMAC provide Hayward residents with 5,000 one cubic-foot bags of compost annually. The City distributes these bags of compost to residents by means of compost giveaway events held twice a year on Saturdays. During these events residents drive to a designated venue and City staff loads bags of compost into residents' vehicles. Since the inception of the contract in March 2015, the City has hosted three events and given nearly 7,000 bags of compost to more than 1,200 residents. The events are promoted via inserts in garbage bills, flyers at libraries, and by way of Nextdoor.com. Surveys conducted at the events indicate an overwhelmingly positive response from residents.



Bulky Item Collection – The WMAC Agreement offers Hayward single-family households and multi-family properties two free collections annually of bulky items such as furniture, mattresses, and appliances. From 2014 to 2015, the number of bulky item collections from single-family households increased by about 73%, from about 5,191 collections in 2014 to 8,995 collections in 2015. Through October of 2016, 7,555 collections have occurred from single-family homes, and 336 from multi-family properties.

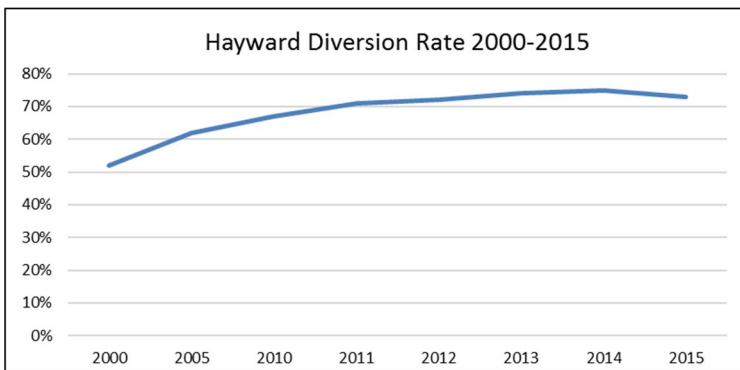


Franchise Recovery Rates and CalRecycle Landfill Diversion Rate – CalRecycle’s diversion rate takes into consideration all wastes generated within Hayward’s boundaries – some of which, is not hauled by WMAC. The Franchise Recovery Rate is an annual benchmark included in the WMAC Agreement to track WMAC’s performance diverting material from landfill. It measures only the material collected and managed by Waste Management and the required Franchise Recovery Rate gradually increases each year of the contract to reach 80% by 2024, the final year of the Agreement. In calendar year 2015, WMAC achieved a Franchise Recovery Rate of 37.4%. This rate is short of the 46% contractual requirement for 2015. As of October 2016, WMAC is achieving a Franchise Recovery Rate of 37.1%, well below the target of 50% for 2016. Staff is working with WMAC to confirm the calculation of WMAC’s recovery rate in the first two years of the contract, which have not nearly met the requirements.

WMAC periodically experienced challenges fully staffing its outreach team in 2015 and 2016, but expects to be fully staffed in 2017 and be able to reach more businesses and multi-family properties in 2017. Staff will continue to work closely with WMAC and their outreach team to improve the Franchise Recovery Rate.

Despite WMAC outreach staffing challenges, in 2016, the number of businesses participating in the recycling and organics collection services offered under the City’s contract with Waste Management continued to increase (or increased by 4%), and the tonnage of organics collected from apartments increased by about 55% over 2015. Participation by businesses and apartment complexes is critical because about 80% of all materials sent to landfill are generated by those two groups. Staff will continue to work with Waste Management to increase business and multi-family participation in recycling and organics collection services

Based on current information, the City’s approved CalRecycle diversion rate for 2014 will likely be about 75%. Staff calculated that the City achieved a 73% diversion rate during 2015, based on the per capita disposal rate compiled by the State and a methodology approved by CalRecycle staff.



Although the 2015 rate is lower than 2014, the rate has increased from the mid-60% range achieved from 2008-2010 to 71% in 2013. The 2015 County-wide diversion rate based on the population of each jurisdiction was 73%, in 2014 the County-wide diversion rate was also 73%.

Diversion Rate 2010-2015							
2000	2005	2010	2011	2012	2013	2014	2015
52%	62%	67%	71%	72%	74%	75%*	73%*
*CalRecycle confirming rate							

SUSTAINABILITY FEATURES

Solid waste management involves the safe and responsible management of discarded material from generation through processing to disposal. Reducing waste landfilled by maximizing the reuse, recycling, and composting of materials increases diversion, conserves natural resources, and plays an important role in making a community sustainable.

FISCAL IMPACT

Solid Waste Program staff will continue to work with the ACWMA and WMAc to coordinate implementation and enforcement of the mandatory recycling ordinance. Recycling Fund monies will be used to fund these activities, so there will be no impact to the General Fund. These funds are based on tons of garbage disposed at the landfill, and are collected and disbursed by ACWMA. Currently, there is sufficient revenue in the Recycling Fund balance to pay costs associated with implementing the ordinance. However, funds have decreased by about 50% from several years ago, as tons landfilled has decreased. To replenish the City's Recycling Fund, additional funds will be remitted to the City by WMAc per the terms of the contract starting in FY2018-2019.

NEXT STEPS

City staff will continue to offer assistance to businesses and multi-family properties to implement separate collection of recyclables and organics. Outreach efforts will continue through a variety of channels, including the Rental Housing Owners Association and the Chamber of Commerce.

In early 2017, staff will present new Construction and Demolition Debris (C&D) Ordinance language to Council. The C&D Ordinance is being updated to better-align with new State requirements and increase diversion of material from landfill.

In March 2017, staff will follow procedures outlined in the Agreement and increase the rates WMAc charges Hayward by 3%. In June 2017, City staff will follow the Agreement rate-setting procedures and begin the process of conducting an evaluation of WMAc's operating costs for 2016, the second year of the Contract. The cost analysis is part of the 2018 rate-setting process designed to ensure WMAc receives a 5.5% return on its investment to provide services to Hayward.

Prepared by: Jeff Krump, Solid Waste Program Manager

Recommended by: Alex Ameri, Director of Utilities & Environmental Services

Approved by:

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Kelly McAdoo, City Manager



CITY OF HAYWARD

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

File #: RPT 17-002

DATE: January 9, 2017

TO: Council Sustainability Committee

FROM: Director of Utilities & Environmental Services

SUBJECT

Statistics on Property Assessed Clean Energy Projects

RECOMMENDATION

That the Committee receives and accepts this information report related to the total number of PACE-funded projects completed in Hayward as of December 2016.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	PACE Projects in Hayward as of December 2016



DATE: January 9, 2017

TO: Council Sustainability Committee

FROM: Director of Utilities & Environmental Services

SUBJECT

Statistics on Property Accessed Clean Energy Projects

RECOMMENDATION

That the Committee receives and accepts this information report related to the total number of PACE-funded projects completed in Hayward as of December 2016.

SUMMARY

This is an informational report on Property Accessed Clean Energy (PACE) funding. The purpose of the report is to update the Committee on the total number of PACE-funded projects that have been completed in Hayward as of December 2016.

BACKGROUND AND DISCUSSION

Property Assessed Clean Energy (PACE) programs allow property owners to finance energy and water efficiency improvements and pay off the debt through annual installments on their property tax bill. The intent of PACE programs is to provide an additional means of financing to make environmentally sustainable property improvements more affordable and accessible to property owners. The potential benefits of PACE financing over other financing options include 100% financing for eligible improvements, a longer repayment period of up to twenty years, and the reliability of pre-approved contractors.

Although the City of Hayward has not received any complaints from residents utilizing the PACE program, as with most financing mechanisms, PACE programs can present risks to consumers. A few cases have been reported in California related to contractors misrepresenting financing terms to customers. In these cases, the related PACE Program has removed the contractor from its list of certified contractors and has refused to finance the proposed work.

In addition, the State of California is now monitoring many PACE Programs through its California Alternative Energy and Advanced Transportation Financing Authority (CAEATFA). The Authority administers the State's Loss Reserve Program, which makes first mortgage lenders whole for losses if a PACE lien is in foreclosure. To date, CAEATFA has not received

any claims on the loss reserve. CAEATFA collects statewide information on PACE participation, which can be found here: www.treasurer.ca.gov/caeatfa/pace/

PACE Projects in Hayward

The City Council has authorized the seven PACE programs listed below to operate in Hayward. All of the programs serve commercial customers and five serve residential customers.

An inquiry was received about the possibility of the City using PACE for upgrades to City facilities. None of the programs below serve municipal customers because municipalities are exempt from property tax and therefore lack the mechanism to repay the PACE financing.

Residential and Commercial Properties

- [CaliforniaFIRST](#) – Authorized January 5, 2010 (see [Council report](#))
- [AllianceNRG](#) – Authorized July 7, 2015 as part of OpenPACE (see [Council report](#))
- [HERO Program](#) – Authorized July 7, 2015 (see [Council report](#))
- [PACE Funding](#) – Authorized July 7, 2015 as part of OpenPACE (see [Council report](#))
- [Ygrene Funding](#) – Authorized November 3, 2015 (see [Council report](#))

Commercial Properties Only

- [Figtree Financing](#) – Authorized January 29, 2014 (see [Council report](#))
- [CleanFund](#) – Authorized July 7, 2015 as part of OpenPACE (see [Council report](#))

PACE Program Participation –Attachment II summarizes the number of projects approved and funded for each PACE program to date. In addition, some of the PACE Programs have provided data on the kilowatts of solar installed and/or energy saved and the estimated greenhouse gas emissions reductions and water savings.

FISCAL AND ECONOMIC IMPACTS

There is no fiscal impact to the City's General Fund or other City funds by participating in PACE programs. PACE programs use private sector capital to provide property owners with funding.

The primary economic benefit of allowing an open PACE market in Hayward is that it increases the total amount of financing available to Hayward property owners for improvements. As mentioned above, there are also potential economic risks to property owners when they take on PACE financing. In the worst case, cost savings may not materialize as predicted and the owners could end up owing more than they can afford, which could result in increased foreclosures. However, this has not been the experience of PACE programs. On the contrary, most PACE programs claim the default rates of their property owners are lower than nationwide averages, which is reflected by the fact that there have been zero claims on the State's loss reserve to date.

SUSTAINABILITY FEATURES

Energy: Access to PACE funding enables solar photovoltaic installations and energy efficiency upgrades – both of which reduce the community's reliance on fossil fuels.

Air: Access to PACE funding enables energy efficiency upgrades, which may reduce the use of wood-burning stoves/fireplaces and related emissions.

Water: Access to PACE funding enables water upgrades, which reduce Hayward's per capita water consumption.

Prepared by: Mary Thomas, Management Analyst

Recommended by: Alex Ameri, Director of Utilities & Environmental Services

Approved by:



Kelly McAdoo, City Manager

PACE Projects in Hayward as of December 2016

PACE PROVIDER	APPLICATIONS APPROVED	POTENTIAL VALUE OF APPROVED APPLICATIONS	FINISHED PROJECTS	VALUE OF FINISHED PROJECTS	KWS OF SOLAR INSTALLED	KWH ENERGY SAVED (OVER LIFE)	METRIC TONS GHG REDUCED (OVER LIFE)	GALLONS WATER CONSERVED (OVER LIFE)
California FIRST	401	\$11,094,404	154	\$4,130,105	346	ND	5,112	4,172,989
HERO Program	122	\$11,100,000	89	\$1,100,000	ND	6,760,000	1,610	391,000
Ygrene Funding	ND	ND	51	\$841,633	50	5,700,000	1,010	3,600,000
Figtree Financing	ND		1	\$71,000	ND	ND	ND	ND
Clean Fund	7	\$5,579,000	0					
Alliance NRG	0		0					
PACE Funding	0		0					
TOTAL	530	\$27,773,404	295	\$6,142,738	396	12,460,000	7,732	8,163,989

*ND = No Data



CITY OF HAYWARD

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

File #: RPT 17-004

DATE: January 9, 2017

TO: Council Sustainability Committee

FROM: Director of Utilities & Environmental Services

SUBJECT

Civic Spark Presentation

RECOMMENDATION

This is an informational report by the City's Civic Spark Fellow, Gilee Corral.

ATTACHMENTS

Attachment I Staff Report



DATE: January 9, 2017

TO: Council Sustainability Committee

FROM: Director of Utilities and Environmental Services

SUBJECT Civic Spark Presentation

RECOMMENDATION

This is an informational report by the City's Civic Spark Fellow, Gilee Corral.

BACKGROUND

The Civic Spark program (<http://civicspark.lgc.org/>) is a branch of California's AmeriCorps program and is dedicated to building capacity for local governments to address climate change. The program places college graduates in local governments to work full time as Fellows for eleven months. The City took part in FY 2015/2016 and had its first Fellow. Her year-end presentation will be provided during the meeting.

DISCUSSION

Hayward's Civic Spark Fellow, Gilee Corral, worked on a variety of projects supporting implementation of the Climate Action Plan during 2015 and 2016. Her work included incorporating the 2005 and 2010 greenhouse gas inventories into ClearPath, a new online tool that will allow better tracking, year-to-year comparisons, and climate action planning. Other projects included work on BuildingOS, a program that allows for real-time monitoring of energy use at City facilities. Gilee will provide a summary of her accomplishments during the meeting.

FISCAL IMPACT

The total cost for placement of a Civic Spark Fellow is \$23,400 for eleven months. The East Bay Energy Watch contributed \$18,400, and the cost to the City was \$5,000.

SUSTAINABILITY FEATURES

The Civic Spark program expands staff's capacity to implement the City's Climate Action Plan and track progress related to the City's zero net energy, energy efficiency, and water conservation goals.

NEXT STEPS

Gilee's work will be continued by the current Fellow, Chris Sturken, whose fellowship will be from October 2016 through September 2017. Staff will provide an update on this project and Chris's accomplishments in 2017.

Prepared by: Erik Pearson, Environmental Services Manager

Recommended by: Alex Ameri, Director of Utilities and Environmental Services

Approved by:

A handwritten signature in black ink, appearing to read 'K. McAdoo', is positioned above a horizontal line.

Kelly McAdoo, City Manager



CITY OF HAYWARD

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

File #: RPT 17-005

DATE: January 9, 2017

TO: Council Sustainability Committee

FROM: Director of Utilities & Environmental Services

SUBJECT

Upcoming Agenda Topics

RECOMMENDATION

This is an informational report.

ATTACHMENTS

Attachment I Staff Report



DATE: January 9, 2017

TO: Council Sustainability Committee

FROM: Director of Utilities and Environmental Services

SUBJECT

Upcoming Agenda Topics

RECOMMENDATION

That the Committee reviews and comments on this report.

DISCUSSION

For the Committee's consideration, staff suggests the following agenda topics.

March 2017
Green Infrastructure Framework
Advanced Metering Infrastructure (AMI) Progress Report
Recycled Water Update
Pedestrian and Bicycle Master Plan
Bulky Pickup Service Participation
Sustainable City Year Program: Report from CSUEB Students
May 2017
Energy Performance and Disclosure – Alternative Approaches
Review of Mountain Tunnel Shutdown (January 3 – March 3)
East Bay Community Energy
Water Consumption Update & SFPUC Outlook
Unscheduled Items
Stormwater Trash Reduction Requirements
Sustainable City Year Program
Wholesale Water Rate Increase
WMAC Franchise Agreement Annual Report (July)
Laundry to Landscape Ordinance

NEXT STEPS

Upon direction from the Committee, staff will revise the above list and schedule items accordingly for the 2017 meetings.

Prepared by: Erik Pearson, Environmental Services Manager

Recommended by: Alex Ameri, Director of Utilities and Environmental Services

Approved by:

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

Kelly McAdoo, City Manager