

# **CITY OF HAYWARD**

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



CITY OF  
**HAYWARD**  
HEART OF THE BAY

## **Agenda**

**Tuesday, February 5, 2019**

**7:00 PM**

**Council Chambers**

**City Council  
and  
GHAD Board of Directors Meeting**

**CONCURRENT MEETING OF THE SPECIAL JOINT HAYWARD  
GEOLOGIC HAZARD ABATEMENT DISTRICT BOARD OF DIRECTORS AND  
CITY COUNCIL**

\*\*\*\*

**HAYWARD GEOLOGIC HAZARD ABATEMENT DISTRICT (GHAD)  
BOARD OF DIRECTORS MEETING**

**CALL TO ORDER Pledge of Allegiance: Council/GHAD Member Márquez**

**ROLL CALL**

**PUBLIC HEARING**

1.     [PH 19-008](#)     Accept Petition for Annexation of the Ersted Property (Tract 8439) into the Existing Hayward GHAD; Accept Draft Ersted Property Plan of Control (December 24, 2018); Adopt Hayward GHAD Resolution No. 19-01 to Direct a Public Hearing be Held after Providing no less than 20 days Notice to the Landowners in the Annexation Area to Consider the Proposed Annexation of Territory into the Existing Hayward GHAD, and Hear any Written Objection Thereto; and Direct the Hayward GHAD Manager, or their Designee, to Mail, by First Class Mail, a Written Notice of the Hearing to Consider the Proposed Annexation and the Proposed Plan of Control to Each Owner of Real Property as Required by GHAD Law (Report from GHAD Manager Harrell)

**Attachments:**     [Attachment I Staff Report](#)  
                          [Attachment II Resolution No. 19-01](#)  
                          [Attachment III Ersted Petition for Annexation](#)

The Hayward Geologic Hazard Abatement District Board of Directors Adjourns and Reconvenes into the Meeting of the City Council

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**CITY COUNCIL MEETING****CLOSED SESSION ANNOUNCEMENT****PUBLIC COMMENTS**

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

**ACTION ITEMS**

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

**CONSENT**

1.     [MIN 19-013](#)     Minutes of the City Council Meeting on January 15, 2019  
  
      **Attachments:**   [Attachment I Draft Minutes of 1/15/2019](#)
  
2.     [CONS 19-041](#)     Authorization for the City Manager to Accept and Appropriate  
                              \$200,000 in Awarded Grant Funding from the State of  
                              California Office of Traffic Safety for the Hayward Police  
                              Department  
  
      **Attachments:**   [Attachment I Staff Report](#)  
                              [Attachment II Resolution](#)  
                              [Attachment III STEP Grant Agreement](#)
  
3.     [CONS 19-060](#)     Amendments to the Water Supply Agreement with the City and  
                              County of San Francisco and Wholesale Customers - Approval  
                              of Resolution Authorizing the City Manager to Execute the  
                              Amended and Restated Agreement  
  
      **Attachments:**   [Attachment I Staff Report](#)  
                              [Attachment II Resolution](#)

4.     [CONS 19-068](#)     Approval of Execution of Joint Exercise of Powers Agreement Relating to the California Public Finance Agency to Allow the Existing Leisure Terrace Apartment Complex Located at 1638 E Street to Apply for Four Percent Low Income Housing Tax Credits to Convert All Units to Deed Restricted Affordable Housing Units

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

5.     [CONS 19-069](#)     South Hayward Youth and Family Center - Authorization to Negotiate and Execute 1) an Agreement with Alameda County to Accept \$500,000, and 2) a Professional Services Agreement with RossDrulisCusenbery, Inc. (RDC) for Building Program and Design Services

**Attachments:**     [Attachment I Staff Report](#)  
                              [Attachment II Resolution Alameda County](#)  
                              [Attachment III Resolution RDC](#)  
                              [Attachment IV Phase I and II Descriptions](#)  
                              [Attachment V RDC Proposal](#)  
                              [Attachment VI RDC Cost](#)

#### LEGISLATIVE BUSINESS

6.     [LB 19-010](#)     Review and Approve Recommended Garbage and Recycling Rates Adjustment for 2019-2020 (Report from Director of Utilities and Environmental Services Ameri)

**Attachments:**     [Attachment I Staff Report](#)  
                              [Attachment II Resolution](#)  
                              [Attachment III Rates survey 2019](#)

#### CITY MANAGER'S COMMENTS

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

#### COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS

Oral reports from Council Members on their activities, referrals to staff, and suggestions for future agenda items.

#### ADJOURNMENT

**NEXT MEETING, February 19, 2019, 7:00 PM****PUBLIC COMMENT RULES**

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

**PLEASE TAKE NOTICE**

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

**PLEASE TAKE FURTHER NOTICE**

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

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

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

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



# CITY OF HAYWARD

Hayward City Hall  
777 B Street  
Hayward, CA 94541  
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**File #:** PH 19-008

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**DATE:** February 5, 2019

**TO:** Geologic Hazard Abatement District Board

**FROM:** GHAD Manager and GHAD Attorney

**SUBJECT**

Accept Petition for Annexation of the Ersted Property (Tract 8439) into the Existing Hayward GHAD; Accept Draft Ersted Property Plan of Control (December 24, 2018); Adopt Hayward GHAD Resolution No. 19-01 to Direct a Public Hearing be Held after Providing no less than 20 days Notice to the Landowners in the Annexation Area to Consider the Proposed Annexation of Territory into the Existing Hayward GHAD, and Hear any Written Objection Thereto; and Direct the Hayward GHAD Manager, or their Designee, to Mail, by First Class Mail, a Written Notice of the Hearing to Consider the Proposed Annexation and the Proposed Plan of Control to Each Owner of Real Property as Required by GHAD Law

**RECOMMENDATION**

1. Accept the Petition for Annexation of the Ersted Property (Tract 8439) into the existing Hayward Geologic Hazard Abatement District ("GHAD") and the draft Ersted Property Plan of Control (December 24, 2018) attached to the Petition;
2. Adopt the attached Resolution No. 19-01 to do the following:
  - (a) Conduct a Public Hearing 20 days after notice is sent to property owners within the territory requesting the annexation to consider the proposed annexation of territory into the existing Hayward GHAD and the draft Plan of Control, and hear any objections thereto; and
  - (b) Direct the Hayward GHAD Manager, or their designee, to mail, by first class mail, a written notice of the hearing to consider the proposed annexation and the draft Plan of Control to each owner of real property as required by GHAD law.

**SUMMARY**

In approving the 59-unit townhome project referred to as Ersted Property (Tract 8439) ("Ersted Project"), the City imposed a condition of approval (no. 46) requiring that the Ersted Project to be annexed into the existing Hayward GHAD. Consistent with GHAD law, the owner of the Ersted Project, Hayward Tennyson, LLC, filed a Petition for Annexation with the GHAD Clerk on December 27, 2018. The GHAD Board is being asked to accept this Petition and set a public hearing to take place 20 days after the hearing notice is sent by the GHAD Manager to the effected property owners. At this upcoming hearing,

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**File #:** PH 19-008

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the GHAD Board will consider the annexation request, including the draft Plan of Control and hear any objections to the request.

**ATTACHMENTS**

Attachment I	Staff Report
Attachment II	Resolution 19-01
Attachment III	Petition for Annexation

**HAYWARD  
GEOLOGIC HAZARD ABATEMENT DISTRICT**

**TO:** Hayward GHAD Board of Directors

**FROM:** GHAD Manager  
GHAD Attorney

**BOARD MEETING DATE:** February 5, 2019

**SUBJECT:** Accept Petition for Annexation of the  
Ersted Property (Tract 8439) into the Hayward GHAD

**RECOMMENDATION(S):**

1. ACCEPT the Petition for Annexation of the Ersted Property (Tract 8439) into the existing Hayward Geologic Hazard Abatement District (“GHAD”) and the draft Ersted Property Plan of Control (December 24, 2018) attached to the Petition;
2. ADOPT the attached Resolution No. 19-01 to do the following:
  - (a) CONDUCT a Public Hearing 20 days after notice is sent to property owners within the territory requesting the annexation to consider the proposed annexation of territory into the existing Hayward GHAD and the draft Plan of Control, and hear any objections thereto; and
  - (b) DIRECT the Hayward GHAD Manager, or their designee, to mail, by first class mail, a written notice of the hearing to consider the proposed annexation and the draft Plan of Control to each owner of real property as required by GHAD law.

**SUMMARY:**

In approving the 59 unit townhome project referred to as Ersted Property (Tract 8439) (“Ersted Project”), the City imposed a condition of approval (no. 46) requiring the Ersted Project to be annexed into the existing Hayward GHAD. Consistent with GHAD law, the owner of the Ersted Project, Hayward Tennyson, LLC, filed a Petition for Annexation with the GHAD Clerk on December 27, 2018. The GHAD Board is being asked to accept this Petition and set a public hearing to take place 20 days after the hearing notice is sent by the GHAD Manager to the effected property owners. At this upcoming hearing, the GHAD Board will consider the annexation request, including the draft Plan of Control and hear any objections to the request.

**BACKGROUND AND DISCUSSION:**

On March 1, 2016, the Hayward City Council adopted Resolution No. 16-030 approving the formation of the Hayward Geologic Hazard Abatement District (GHAD) and appointed itself to serve as the GHAD Board of Directors.

Currently, The Reserve development (Tract 7620) is the only property within the GHAD. As allowed by GHAD Law, Hayward Tennyson, LLC as the owner of the Ersted Project, submitted a Petition for Annexation into the Hayward GHAD (attached to Resolution No 19-01). In approving the Ersted Project, the City of Hayward imposed Condition of Approval No. 46 requiring that the Ersted Project be annexed into the GHAD prior to recordation of the final map for the Ersted Project. To satisfy this requirement, the owner of the Ersted Project has petitioned the GHAD Board of Directors for annexation into the GHAD. The territory to be annexed into the GHAD and the boundaries of the Ersted Project are the same.

In connection with the proposed annexation, a draft Plan of Control has been prepared. The Plan of Control is separate from the La Vista (The Reserve) Plan of Control and describes the work contemplated for the Ersted Project, including maintenance and monitoring activities, including slopes, retaining walls, subdrains, storm drain facilities, and concrete-lined drainage ditches. The draft Plan of Control is being reviewed by the GHAD Manager and GHAD Attorney and any revisions will be presented to the GHAD Board at the hearing on the Petition.

GHAD law requires that the Petition for Annexation be placed on the GHAD Board agenda and thereafter, a public hearing be conducted to consider the Petition. Notice of the hearing must be sent to those real property owners within the boundaries of the requested annexation area 20 days before the hearing takes place.

#### **FISCAL IMPACT:**

The Petitioner of the Petition for Annexation is responsible for funding all activities undertaken by the GHAD up and until the GHAD Improvements, as defined in the Plan of Control, are accepted by the GHAD. Thereafter, the GHAD is funded 100% through assessments levied on properties within the Ersted portion of the GHAD. Therefore, there is no impact on the City's General Fund.

If annexation is approved, the funding for the GHAD activity on the proposed annexed area to prevent, mitigate, abate, and control geologic hazards will be based on an assessment, and such funds will be collected and used in connection with the Ersted Plan of Control. The proposed assessment will be supported by a detailed Engineer's Report prepared by a registered professional engineer certified by the State of California, and will be considered at a subsequent date in accordance with Proposition 218. The proposed assessment does not impact or change the existing assessments for The Reserve (La Vista) landowners in the GHAD.

*Prepared by:* The GHAD Manager and GHAD Attorney

*Recommended by:* GHAD Manager ATTACHMENTS:

A. Resolution No. 19-01, attaching Petition for Annexation

15342.000.000

February 5, 2019

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**THE BOARD OF DIRECTORS OF HAYWARD  
GEOLOGIC HAZARD ABATEMENT DISTRICT**

**RESOLUTION NO. 19-01**

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**RESOLUTION ACCEPTING PETITION FOR ANNEXATION OF THE ERSTED  
PROPERTY AND DIRECTING A PUBLIC HEARING BE HELD ON THE REQUEST  
FOR ANNEXATION**

**WHEREAS**, on March 1, 2016, the Hayward City Council adopted Resolution No. 16-030 approving the formation of the Hayward Geologic Hazard Abatement District (GHAD) and appointed itself to serve as the GHAD Board of Directors.

**WHEREAS**, the GHAD boundaries currently include The Reserve development (Tract 7620).

**WHEREAS**, as allowed by GHAD law (Public Resources Code §26568.1), the GHAD Board is now presented with the Petition for Annexation of Territory to the Hayward GHAD ("Petition"), which is attached hereto as Attachment 1. The territory proposed to be annexed into the GHAD is referred to as the Ersted property (Tract 8439) and is described in the legal description and identified in the boundary map set forth in the Petition.

**WHEREAS**, the GHAD Board is presented with the draft Ersted Property Plan of Control dated December 24, 2018 ("Plan of Control"), which is attached to the Petition. The Plan of Control describes potential geologic hazards within the territory to be annexed and addresses the prevention, mitigation, abatement and control of such hazards.

**The Board of Directors of the GHAD HEREBY RESOLVES THAT:**

1. This Resolution No. 19-01 is made pursuant to the provisions of Division 17 of the Public Resources Code with particular references to Chapter 1 (commencing with Section 26500), Article 3 (commencing with Section 26550) and Article 4 (commencing with Section 26561).

2. The Petition is substantially in the form described in Sections 26552 of the Public Resources Code; and the Plan of Control is substantially in the form described in Section 26509 of the Public Resources Code.

3. These proceedings are exempt from the provisions of the California Environmental Quality Act (Pub. Res. Code §§21000 et seq.) in accordance with Public Resources Code Section 21080(b)(4).

4. The GHAD Board has been presented with the Petition and draft Plan of Control;



5. As required by GHAD law, a public hearing on the Petition and proposed annexation will be held after notice is provided to the landowners within the annexation area no less than 20 days before the public hearing is scheduled.

6. The GHAD Clerk, or designee, shall mail, by first class mail, a written notice of the hearing on the annexation, along with a copy of the GHAD Petition, to all owners of real property within the proposed district pursuant to Public Resources Code Sections 26561, 26562 and 26563 to consider the proposed annexation and the proposed Plan of Control.

7. The recitals are incorporated herein by this reference.

This Resolution shall become effective immediately upon its passage and adoption.

**HAYWARD, CALIFORNIA, February 5, 2019**

**PASSED BY THE FOLLOWING VOTE:**

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**Attachment 1** – Petition for Annexation dated December 27, 2018

**PETITION FOR ANNEXATION OF TERRITORY TO THE  
HAYWARD GEOLOGIC HAZARD  
ABATEMENT DISTRICT PURSUANT TO  
DIVISION 17 (commencing with section 26500)  
OF THE PUBLIC RESOURCES CODE  
OF THE STATE OF CALIFORNIA**

TO: The Clerk of the Hayward Geologic Hazard Abatement District ("GHAD")

The undersigned owner of land within the boundaries of the territory proposed to be annexed to the GHAD hereby requests that the Board of Directors of the GHAD ("GHAD Board") initiate proceedings to annex the territory described in Exhibit A ("Legal Description") and Exhibit B ("Plat to Accompany Legal Description"), attached hereto, to the GHAD pursuant to Article 3 (commencing with Public Resources Code § 26550) and Article 4 (commencing with Public Resources Code § 26561) of Chapter 2 of Division 17 of the Public Resources Code (§ 26500 *et seq.*). Said owner is the owner of all the territory proposed to be annexed.

(a) This petition is made pursuant to Division 17 of the Public Resources Code with particular reference to Article 3 (commencing with Section 26550) and Article 4 (commencing with Section 26561).

(b) Opposite the signature of the petitioner is an indication of the lot, tract and map number or other legal description sufficient to identify the signature of the petitioner as that of an owner of land within the territory proposed to be annexed to the GHAD.

(c) Opposite the signature of the petitioner is an indication of the date on which said petitioner's signature was affixed to this petition.

(d) The following documents are attached to this petition and are incorporated herein by this reference as if set forth in full in the petition:

1. A legal description of the boundaries of the territory proposed to be annexed to the GHAD (Exhibit "A");

2. A plat of the boundaries of the territory proposed to be annexed to the GHAD (Exhibit "B"); and

3. Annexation Documents for the Ersted Development including a Plan of Control prepared by an Engineering Geologist certified pursuant to Section 7822 of the California Business and Professions Code, which describes in detail geologic hazards, their location and the areas affected thereby, and a plan for their prevention, mitigation, abatement, and control thereof (Exhibit C).

Exhibits: A - Legal Description  
B – Plat to Accompany Legal Description  
C – Plan of Control for Ersted Property

By:



Name: Chris Conklin

Title: Vice President

Date: 12/27/18

Assessor's Parcel Number(s): 073C-0461-001-12 and 078C-0461-001-14

15342.000.000  
December 27, 2018

**EXHIBITS A and B**

Legal Description and Plat to Accompany Legal Description

15342.000.000  
December 27, 2018

**EXHIBIT "A"**  
LEGAL DESCRIPTION  
GEOLOGIC HAZARD ABATEMENT DISTRICT  
ERSTED PROPERTY - TRACT 8439

REAL PROPERTY IN THE CITY OF HAYWARD, ALAMEDA COUNTY, AND STATE OF CALIFORNIA  
DESCRIBED AS FOLLOWS:

BEING ALL OF LOTS 1-59 INCLUSIVE AND PARCELS "A" THRU "Q" INCLUSIVE AS SHOWN ON THAT  
CERTAIN MAP, TRACT MAP 8439, FILED FOR RECORD ON \_\_\_\_\_, IN BOOK \_\_\_\_ OF PAGES \_\_\_\_\_,  
ALAMEDA COUNTY RECORDS.

CONTAINING AN AREA OF 17.21 ACRES MORE OR LESS.

THIS DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH  
THE PROFESSIONAL LAND SURVEYORS ACT.

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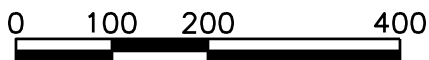
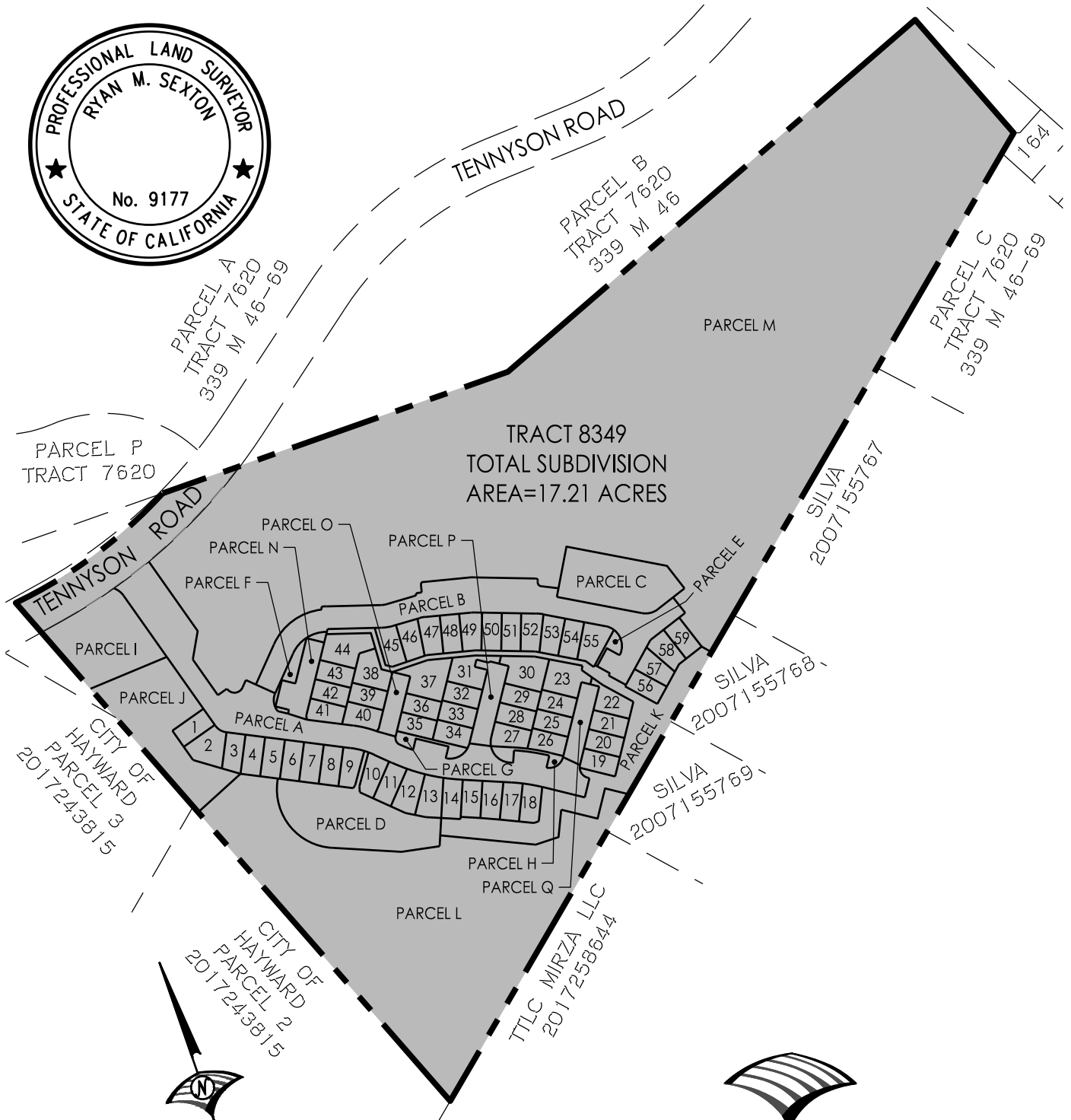
RYAN M. SEXTON / PLS 9177  
DECEMBER 13, 2018



# EXHIBIT 'B'

PLAT TO ACCOMPANY  
DESCRIPTION

GEOLOGIC HAZARD ABATEMENT DISTRICT  
ERSTED PROPERTY - TRACT 8439  
CITY OF HAYWARD  
COUNTY OF ALAMEDA STATE OF CALIFORNIA



SCALE: 1" = 200'

## WOOD RODGERS

BUILDING RELATIONSHIPS ONE PROJECT AT A TIME

4670 WILLOW ROAD, STE. 125 TEL 925.847.1556  
PLEASANTON, CA 94588 FAX 925.847.1557

DEC 13, 2018

3121020

SHEET 1 OF 2

## **EXHIBIT C**

### Plan of Control for Ersted Property

15342.000.000  
December 27, 2018



**HAYWARD GEOLOGIC HAZARD ABATEMENT DISTRICT (GHAD)**  
HAYWARD, CALIFORNIA

**PLAN OF CONTROL  
FOR ERSTED PROPERTY**

**SUBMITTED TO**  
Mr. Chris Conklin  
Grupe Investment Company, LLC  
3255 West Monarch Lane, 4<sup>th</sup> Floor  
Stockton, CA 95219

**PREPARED BY**  
ENGEO Incorporated

December 24, 2018

**PROJECT NO.**  
15342.000.000

**DRAFT A**

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**ENGEO**  
— Expect Excellence —



Project No.  
**15342.000.000**

December 24, 2018

Mr. Chris Conklin  
Grupe Investment Company, LLC  
3255 West Monarch Lane, 4th Floor  
Stockton, CA 95219

Subject: Ersted Property, Tract 8439  
Hayward, California

**GEOLOGIC HAZARD ABATEMENT DISTRICT (GHAD)  
PLAN OF CONTROL**

Dear Mr. Conklin:

Attached is the Plan of Control for the Ersted Property (Tract 8439) within the Hayward Geologic Hazard Abatement District (GHAD). This Plan of Control satisfies portions of Condition of Approval Number 46 related to annexation of Tract 8439 into the Hayward GHAD.

We are pleased to be of service to you on this project. If you have any questions concerning the contents of our report, please do not hesitate to contact us.

Sincerely,

ENGEO Incorporated

Eric Harrell, CEG  
eh/pcg/bvv

Paul C. Guerin, GE

**DRAFT A**

## TABLE OF CONTENTS

### LETTER OF TRANSMITTAL

<b>1.0</b>	<b>AUTHORITY AND SCOPE .....</b>	<b>1</b>
1.1	PROPERTY IDENTIFICATION.....	1
<b>2.0</b>	<b>BACKGROUND .....</b>	<b>1</b>
2.1	ERSTED PROPERTY .....	1
2.2	OPEN SPACE .....	1
<b>3.0</b>	<b>SITE GEOLOGY – SUBDIVISION 8439 .....</b>	<b>2</b>
3.1	GEOLOGIC SETTING .....	2
3.1.1	Artificial Fill.....	2
3.1.2	Residual Soil .....	2
3.1.3	Landslide Deposits.....	2
3.2	BEDROCK .....	3
3.2.1	Franciscan Complex Bedrock.....	3
3.2.2	Knoxville Formation .....	3
3.3	GROUNDWATER .....	3
3.4	SEISMIC SOURCES.....	3
<b>4.0</b>	<b>GEOLOGIC HAZARDS.....</b>	<b>4</b>
4.1	SLOPE INSTABILITY .....	4
4.1.1	Fault Rupture and Creep .....	5
4.1.2	Seismically Induced Ground Shaking .....	5
4.1.3	Expansive Near-Surface Soils .....	6
4.1.4	Existing Uncompacted Fill.....	6
4.1.5	Shallow Groundwater.....	6
<b>5.0</b>	<b>CRITERIA FOR GHAD RESPONSIBILITY .....</b>	<b>6</b>
5.1	ISOLATED OR REMOTE FEATURE REQUIRING MITIGATION .....	6
5.2	SINGLE PROPERTY .....	7
5.3	GEOLOGIC HAZARDS RESULTING FROM NEGLIGENCE OF PROPERTY OWNER .....	7
5.4	PROPERTY NOT ACCEPTED .....	7
5.5	GEOLOGIC HAZARD WHICH REQUIRES EXPENDITURE IN AMOUNT EXCEEDING THE VALUE OF THE THREATENED OR DAMAGED IMPROVEMENT .....	7
5.6	GHAD FUNDING OR REIMBURSEMENT FOR DAMAGED OR DESTROYED STRUCTURES OR SITE IMPROVEMENTS.....	7
5.7	NO REIMBURSEMENT OF EXPENSES INCURRED BY PROPERTY OWNERS .....	8
<b>6.0</b>	<b>ACCEPTANCE.....</b>	<b>8</b>
6.1	ACTIVATION OF ASSESSMENT .....	8
6.2	RESPONSIBILITY FOR GHAD ACTIVITIES.....	8
6.3	OWNERSHIP OF THE OPEN SPACE .....	8
6.4	PROCESS FOR TRANSFERRING RESPONSIBILITY FOR GHAD ACTIVITIES.....	9

## TABLE OF CONTENTS (Continued)

<b>7.0</b>	<b>HAYWARD GHAD MONITORING, MAINTENANCE AND REPAIR RESPONSIBILITIES .....</b>	<b>10</b>
7.1	GEOTECHNICAL TECHNIQUES FOR MITIGATION OF LANDSLIDE AND EROSION HAZARDS .....	10
<b>8.0</b>	<b>PRIORITY OF GHAD EXPENDITURES .....</b>	<b>11</b>
<b>9.0</b>	<b>MAINTENANCE AND MONITORING SCHEDULE .....</b>	<b>11</b>
<b>10.0</b>	<b>OWNERSHIP AND MANAGEMENT.....</b>	<b>13</b>
<b>11.0</b>	<b>GLOSSARY .....</b>	<b>14</b>
<b>12.0</b>	<b>RIGHT-OF-ACCESS .....</b>	<b>14</b>

## SELECTED REFERENCES

### APPENDIX A: FIGURES

### APPENDIX B: EXHIBIT A –Legal Description Geologic Hazard Abatement District, Ersted Property – Tract 8439 EXHIBIT B – Plat to Accompany Legal Description

## 1.0 AUTHORITY AND SCOPE

Under Condition of Approval No. 46 for the Ersted Property, Tract 8439 ("Project"), the City of Hayward has required that the Project be annexed into the existing Hayward GHAD prior to recordation of the final map for the Project. To satisfy this requirement, the current owner of the Project has petitioned the Hayward GHAD Board of Directors for annexation into the existing Hayward GHAD ("GHAD" or "District").

On March 1, 2016, the Hayward City Council adopted Resolution No. 16-030 approving and forming the Hayward GHAD under the authority of California Public Resources Code (Division 17, commencing with Section 26500). The Hayward City Council members serve as the Board of Directors of the Hayward GHAD. The La Vista (The Reserve) development is also included within the Hayward GHAD; however, the La Vista development has its own plan of control.

Section 26509 of the Public Resources Code requires a Plan of Control, prepared by a State-Certified Engineering Geologist, as a prerequisite to formation of a GHAD or annexation into an existing GHAD. Pursuant to Section 26509, this Plan of Control was prepared by an Engineering Geologist certified pursuant to Section 7822 of the Business and Professions Code and describes, in detail, the geologic hazards, their location, and the area affected by them. It also provides a plan for the prevention, mitigation, abatement, or control thereof.

As used in this Plan of Control, and as provided in Section 26507, "geologic hazard" means an actual or threatened landslide, land subsidence, soil erosion, earthquake, fault movement, or any other natural or unnatural movement of land or earth.

### 1.1 PROPERTY IDENTIFICATION

The land within the proposed GHAD annexation boundary ("GHAD Boundary") is shown on the GHAD Boundary Plat (Appendix B, Exhibit B). The GHAD Boundary includes all areas within the proposed Project. The legal description of the land to be included within the GHAD Boundary is included in Appendix B, Exhibit A. Current Assessor's Parcel Numbers (APN) within the GHAD Boundary include 078C-0461-001-13 and 078C-0461-001-14.

## 2.0 BACKGROUND

### 2.1 ERSTED PROPERTY

As proposed, the Project includes 59 duplex and triplex townhome units. Additional improvements and parcels include private streets, open-space parcels, future GHAD-owned open-space parcels, landscape parcels, a water quality/flow control basin, a trail, a dual-use detention basin and a water quality/detention basin. The project covers a total of 17.23 acres. Site access to the Project will be via Tennyson Road along the northwestern portion of the development.

### 2.2 OPEN SPACE

Title for parcels within the GHAD Boundary labeled L and M (collectively, the "GHAD Parcels") (shown in Appendix B, Exhibit B) will be conveyed to the GHAD as provided in Sections 6.3 and 6.4 below. As the open space within and immediately adjacent to the Project is an amenity that benefits all of the property owners within the Project, the funding of the maintenance of the open space will be shared by all current and future owners of residential parcels within the GHAD

Boundary. The future GHAD-owned parcels (L and M) are approximately 11.46 acres in area. Two wetland areas are partially or completely located within Parcel M.

Within the GHAD Parcels, the GHAD will assume responsibilities that relate to its position as a GHAD and duties as a responsible landowner. The GHAD is charged with responsibilities that relate to the prevention, mitigation, abatement, or control of geologic hazards, which includes the maintenance of drainage facilities and associated improvements. This will include the monitoring and maintenance of drainage facilities that, if subject to improper care, could result in decreased slope stability, a primary concern of the GHAD. The drainage facilities include concrete-lined drainage ditches and open space storm drain facilities.

The GHAD will mitigate or abate landslide or erosion hazards that could directly affect improved, developed, and accepted properties (as defined in Section 6) within the Project in accordance with Section 5. The GHAD will also perform maintenance of water control and conveyance facilities and assume other peripherally related open-space responsibilities, such as vegetation management for fire suppression, trail maintenance, and selected other maintenance activities associated with the GHAD Parcels. Additionally, the GHAD shall have the right to approve any construction, maintenance or repair in the GHAD Parcels that the GHAD determines has the potential to impact geologic stability.

### **3.0 SITE GEOLOGY – SUBDIVISION 8439**

#### **3.1 GEOLOGIC SETTING**

The Project is located within the Coast Ranges geologic province of California, a series of northwest-trending ridges and valleys. Bedrock in the province has been folded and faulted during regional uplift beginning in the Pliocene period, roughly 4 million years before present. Geologic maps of the area prepared by Graymer and others (1995) indicate the Ersted property is underlain by Franciscan Complex Rocks and the Jurassic Age Knoxville formation (Berlogar Stevens and Associates (BSA, 2017).

##### **3.1.1 Artificial Fill**

Areas of pre-existing fills have been noted on and upslope of a ridge within the Development Area (BSA, 2017). BSA provided recommendations that non-engineered fill below the proposed lots, slopes and other improvements be removed and replaced with engineered fill.

##### **3.1.2 Residual Soil**

Residual natural soils, derived by weathering of the underlying parent bedrock, were reported west of the Project where elevations are below 50 feet above mean sea level. The residual soils generally consist of dark brown to red-brown dry, medium stiff to stiff silty clay and sandy clay (BSA, 2017).

##### **3.1.3 Landslide Deposits**

A landslide was identified by BSA during the referenced geotechnical investigation (BSA, 2017). The landslide is located in the area of a proposed engineered fill slope for the Development Area. As recommended in the geotechnical investigation report, the landside material will be removed and replaced with subdrained engineered fill as part of the corrective grading work.

## **3.2 BEDROCK**

As mentioned above, the Ersted Property is underlain by bedrock of the Franciscan and Knoxville formations.

### **3.2.1 Franciscan Complex Bedrock**

Franciscan Complex rocks are described as sheared and metamorphosed greywacke, shale, mafic volcanic rock, chert, ultramafic rock, limestone and conglomerate (BSA, 2017).

### **3.2.2 Knoxville Formation**

The Development Area is reportedly underlain by interbedded brown to black shale and brown to greenish-gray greywacke sandstone identified as Knoxville formation. Exposures of the Knoxville formation are reported to be generally weak to moderately strong, highly fractured to crushed, and thinly bedded (BSA, 2017).

## **3.3 GROUNDWATER**

Several springs were observed in the vicinity of quarry cut slopes during previous field reconnaissance activities and during grading for the adjacent La Vista development. An extensive array of subdrains was installed as part of the corrective grading for the La Vista development. Groundwater was encountered in exploratory Trenches T-7, T-9, and T-10 excavated along the northeastern edge of the Development Area at a depth of 4 feet below the ground surface (BSA, 2017). Groundwater was encountered in Boring B-6 advanced in 2017 at a depth of 27 feet below the ground surface. It should be noted that fluctuations in groundwater levels occur seasonally and over a period of years because of variations in precipitation, temperature, irrigation, and other factors.

## **3.4 SEISMIC SOURCES**

Approximately one-half of the Project area lies within the mapped Alquist-Priolo Earthquake Fault Hazard Zone for the Hayward Fault, established by the California Geological Survey (CGS). A geologic map of the Project, including the location of the Hayward Fault zone as determined by site-specific mapping, is shown on Figure 1 in Appendix A. The fault zone consists of a band of sheared soil and rock designated by BSA as the “concentrated fault zone”. BSA logged two additional shear zones outside the main “concentrated fault zone”. BSA recommended setbacks from the “BSA Fault A” and “BSA Fault B” that establishes the Development Area.

An earthquake of moderate to high magnitude generated within the San Francisco Bay Region, similar to those that have occurred in the past, could cause considerable ground shaking at the Project. The Hayward Fault is considered capable of generating an earthquake with a maximum moment magnitude of 7.1. Other seismic sources near the Project include the Calaveras Fault (approximately 7 miles to the northeast) and the San Andreas Fault (approximately 16 miles to the southwest). The Calaveras Fault is considered capable of generating an earthquake with a maximum moment magnitude of 6.8, and the San Andreas Fault is considered capable of generating an earthquake with a maximum moment magnitude of 7.9.

## 4.0 GEOLOGIC HAZARDS

The following geologic hazards were identified for the Project in the referenced geotechnical investigation and are expected to remain to some extent after site grading has been completed.

- Slope instability
- Fault rupture and creep
- Seismically induced ground shaking
- Expansive near-surface soils
- Existing uncompacted fill
- Shallow groundwater

### 4.1 SLOPE INSTABILITY

Earth stability is the GHAD's primary geotechnical concern within the GHAD Boundary. This is not unique to this project, but is of importance for hillside projects in the San Francisco Bay Area. This section describes several types of slope instability that are within the GHAD's responsibility, subject to the provisions of Sections 6 and 7.

In the referenced geotechnical investigation, a small landslide was noted above a swale along the southern property limit. The landslide is located in the area of a proposed engineered fill slope. As recommended in the geotechnical investigation report, the landslide material will be removed and replaced with subdrained engineered fill as part of the corrective grading work.

Landslides are a common geologic phenomenon and are part of the process of mass wasting. Weathered or fractured bedrock and soil are transported downslope over geologic time as a result of gravitational and hydrostatic forces. A landslide is a deposit of soil and/or bedrock moving downward from its original position under the influence of gravity. Landslides include a variety of morphologies and are further defined by type of materials, wetness, and mode of movement. They can consist of mass movements of earth materials that are primarily intact and occur along discrete shear surfaces. These surfaces (shear or slip planes) can be rotational (conchoidal or concave), such as for earth slumps, or planar, as for translational earth slide or bedrock block slides. Most landslides are truly "complex landslides", sliding, falling and flowing with more than one type of movement and/or material.

Falls are an abrupt free-fall of earth materials off cliffs, steep cuts, or steep stream banks, while earthflows are mass movements of earth materials in which the type of movement is one of flowing. When composed of soil finer than gravel size, the flowing material is commonly called a mudflow. A debris flow/debris avalanche is composed of natural earth materials, artificial fill, and/or organic debris, which flow downslope with speed. Most of the material is transported away from the area of initial ground failure.

Slope failures are also often triggered by increased pore water pressure due to the infiltration of rainwater. The resulting decrease of shear resistance (internal resistance to deformation by shearing) can cause the slope to move. The level of groundwater table varies with the amount of rainfall for the area. If rainfall is higher than average during the winter season, the water table will become higher than average on a hillslope and groundwater pressures may become sufficiently high to initiate slope movement.



Landslides located within open space areas are natural landforms that do not require mitigation except where they affect man-made improvements. Debris catchment areas are the principal mitigation method used within the GHAD for areas between potentially unstable slopes and improvements. The debris catchment structures include debris benches, debris berms, and runoff areas. GHAD maintenance of the areas will be critical to maintain adequate protection for the Site Improvements (as defined in Section 11.0). Maintenance and monitoring of these areas is described in Section 9. Potential mitigation and repair measures for GHAD areas near development are discussed in Section 7.

Soil creep is the slow, often imperceptible, deformation of slope materials under low stress levels, which normally affects the shallow portion of the slopes, but can be deep seated where a weak zone of soil or bedrock exists. It results from gravitational and seepage forces, and may be indicative of conditions favorable for landsliding. Creep can be caused by wetting and drying of clays, by solution and crystallization of salts, by the growth of roots, by burrowing animals and by downslope movement of saturated ground. Colluvium refers to the mantle of loose soil and weathered bedrock debris that progresses down hillsides by creep.

The GHAD shall also be concerned with erosion and sedimentation in open space or affecting developed lots or improvements. Erosion is defined as the process by which earth materials are loosened and removed by running water on the ground surface or in the subsurface. Sedimentation is the depositing or settling of soil or rock particles from a state of suspension in a liquid.

Hilly terrain open space, either in a natural condition or particularly on excavated slopes, can be subject to erosion. Landslide deposits which are sometimes in a loosened condition are particularly prone to erosion. Earth flow-, debris flow- and mud flow-type landslides typically have an area of deposition or accumulation (sedimentation area) at their base. Graded slopes in the GHAD, particularly those in excess of 20 feet in vertical height or those not sufficiently vegetated, can be subject to erosion and therefore a source of transported sediment.

#### 4.1.1 Fault Rupture and Creep

With the Hayward fault and its associated splays crossing the Project, there is a hazard of primary fault rupture in the event of an earthquake on the Hayward fault. A moderate to strong earthquake could result in lateral and/or vertical offset, which could pose an adverse impact to structures and improvements. Additionally, the Hayward Fault may experience slow-moving offset, or creep, during the design life of the development. To mitigate the hazard of fault rupture and creep beneath development envelope, 50-foot-wide structural setbacks have been established centered on the Hayward fault and on mapped splays. As identified in the geotechnical investigation (BSA, 2017), with the designated setbacks, the potential for ground rupture within the development area is low. Practical measures to reduce the potential for disruption of utilities due to fault creep or fault rupture at fault crossings should be undertaken.

#### 4.1.2 Seismically Induced Ground Shaking

As identified in the geotechnical investigation report, an earthquake of moderate to high magnitude generated within the San Francisco Bay Region could cause considerable ground shaking at the Ersted property, similar to that which has occurred in the past. To mitigate the shaking effects, all structures should be designed using sound engineering judgment and the latest building code requirements, as a minimum.



Seismic slope stability analysis was incorporated in the corrective grading plans for the graded portions of the properties; however, seismically generated slope failures could occur in open space areas outside of the development limits. Proposed catchments, including debris benches, berms, and runout areas, will be maintained to reduce the potential for impacts to the project from upslope failures.

#### 4.1.3 Expansive Near-Surface Soils

Fine-grained near-surface soils at the site could exhibit a moderate to high potential for expansion. These potentially expansive soils could impact the planned site development. Expansive soils shrink and swell as a result of moisture changes. This can cause heaving and cracking of slabs-on-grade, pavements and structures founded on shallow foundations. The potential for expansive soils has been identified in the geotechnical report for the property. Shrink and swell of expansive soils on slopes are a portion of the mechanism of creep movement which can result in shallow slope instability. Within the open space area, slope instability caused by expansive soil creep will be addressed by the GHAD subject to the exceptions in Section 5.0.

#### 4.1.4 Existing Uncompacted Fill

As identified in the referenced geotechnical investigation report, uncompacted fill exists from past exploratory excavations and from past onsite grading activities. As recommended, undocumented fill materials in the northeastern area and within the development area will be removed during corrective grading.

#### 4.1.5 Shallow Groundwater

As identified in the referenced geotechnical investigation report, groundwater was encountered as shallow as 4 feet below the existing ground surface within the northern and northeastern Development Area. As recommended in the referenced geotechnical investigation report, deep subdrains should be installed along the northern and northeastern limits of the development area. Additional subdrains are planned on fill slopes, retaining walls and as recommended by the geotechnical engineer.

## 5.0 CRITERIA FOR GHAD RESPONSIBILITY

In forming the GHAD and establishing the assessment levels and budgets for the Project, it is important to clearly define the limits of the GHAD's responsibilities. The GHAD will accept responsibility for property as described in Section 6 of this Plan of Control; however, the intent of this Plan of Control is not to extend the GHAD's responsibilities to every potential situation of instability; rather, the following are exclusions from GHAD responsibility.

### 5.1 ISOLATED OR REMOTE FEATURE REQUIRING MITIGATION

The GHAD shall not have responsibility to monitor, abate, mitigate or control slope instability that does not involve damage to or pose a significant threat to damage Site Improvements. As used herein, the term "Site Improvements" means buildings, public and private roads, sidewalks, utilities, improved trails, swimming pools, tennis courts, gazebos, cabanas, geologic stabilization features, or similar improvements.

## **5.2 SINGLE PROPERTY**

The GHAD will not prevent, mitigate, abate or control geologic hazards which are limited in area to a single parcel of property unless the geologic hazard has damaged, or poses a significant threat of damage to Site Improvements located on other property within the GHAD Boundary. This exclusion does not apply to geologic hazards existing on (i) open space property owned by any homeowner's associations or (ii) the GHAD-owned parcels.

## **5.3 GEOLOGIC HAZARDS RESULTING FROM NEGLIGENCE OF PROPERTY OWNER**

The GHAD may, in the GHAD Manager's sole discretion, decline to prevent, mitigate, abate or control geologic hazards which occurred or resulted from any negligence of the homeowner and/or the homeowner's contractors, agents or employees in developing, investigating, grading, constructing, maintaining or performing or not performing any post-development work on the subject property as long as the geologic hazard is limited to a single lot, pursuant to the single-property exclusion noted above. If the GHAD bears expense as the result of negligence described in this section, the GHAD may pursue reimbursement from the negligent parties.

## **5.4 PROPERTY NOT ACCEPTED**

The GHAD shall not have responsibility to repair damage, which is situated on a parcel of real property, which the GHAD has not accepted in accordance with Section 6 below. The GHAD, however, may monitor, abate, mitigate or control geologic or hydrogeologic hazards on a parcel of real property which the GHAD has not accepted in accordance with Section 6 and is not excluded from GHAD responsibility by Sections 5.1, 5.2, and 5.3, provided, however, that GHAD responsibility on such parcel shall be limited to the extent necessary to address damage to, or a significant threat of damage to Site Improvements which are within a parcel of real property which the GHAD has accepted in accordance with Section 6. Should the District be required to respond to a geologic hazard outside the GHAD Boundary, the District may take such actions as may be appropriate to recover costs incurred as a result of preventing, mitigating, abating or controlling such geologic hazard from the responsible party, if any.

## **5.5 GEOLOGIC HAZARD WHICH REQUIRES EXPENDITURE IN AMOUNT EXCEEDING THE VALUE OF THE THREATENED OR DAMAGED IMPROVEMENT**

The GHAD may elect not to prevent, mitigate, abate or control a geologic hazard where, in the GHAD Manager's sole discretion, the anticipated expenditure required to be funded by the GHAD to prevent, mitigate, abate or control the geologic hazard will exceed the value of the structure(s) and site improvement(s) threatened with damage or loss.

## **5.6 GHAD FUNDING OR REIMBURSEMENT FOR DAMAGED OR DESTROYED STRUCTURES OR SITE IMPROVEMENTS**

In the event a residence or any other structure, Site Improvement or landscaping is damaged or destroyed due to, or as a result of, a geologic hazard, the GHAD may fund or reimburse the property owner for the expenses necessary to repair or replace the damaged or destroyed structure, Site Improvement or landscaping. Unless authorized by the Board of Directors, the dollar amount of the GHAD funding or reimbursement may not exceed ten percent (10%) of the costs incurred by the GHAD in preventing, mitigating, abating or controlling the geologic hazard.

responsible for the damage<sup>1</sup>. In the event the geologic hazard damaged or destroyed a structure, Site Improvement or landscaping which violated any provisions of the City Building Code or City Ordinance Code at the time of its installation or improvement, the GHAD may decline to provide any funding, or reimbursement to the property owner, for repair or replacement of the damaged structure, Site Improvement or landscaping.

## **5.7 NO REIMBURSEMENT OF EXPENSES INCURRED BY PROPERTY OWNERS**

The GHAD will not be obligated to reimburse a property owner for expenses incurred for the prevention, mitigation, abatement, or control of a geologic hazard absent a written agreement between the property owner and the GHAD to that effect, which agreement has been executed prior to the property owner incurring said expenses, and following an investigation conducted by the GHAD.

## **6.0 ACCEPTANCE**

### **6.1 ACTIVATION OF ASSESSMENT**

An annual assessment shall be promptly authorized on all residential parcels within the Project as shown on Appendix B, Exhibit B. The assessment shall be levied by the GHAD on each individual parcel beginning the first fiscal year following issuance of a building permit for that parcel.

### **6.2 RESPONSIBILITY FOR GHAD ACTIVITIES**

Hayward Tennyson, LLC currently owns the developable parcels shown on the Vesting Tentative Subdivision Map and shall have the responsibility to perform all the activities of the GHAD on the property within Subdivision 8439. Such responsibility shall be eligible for transfer to the GHAD at 9:00 a.m. on the day exactly three years after the first residential building permit is issued by the City of Hayward ("Transfer Eligibility Date"). The period between the levying of the GHAD assessment and the GHAD accepting maintenance responsibility of the GHAD activities as defined in Section 7 below will allow the District to accumulate reserve funds without incurring significant expenses.

### **6.3 OWNERSHIP OF THE OPEN SPACE**

Ownership of the GHAD Parcels L and M shown on Appendix B, Exhibit B will be conveyed by the Developer to the GHAD at the end of the transfer process described in Section 6.4, which shall be the date the GHAD becomes responsible for oversight of the actual physical maintenance of the GHAD Parcels as provided in this Section. The Developer shall record a grant deed transferring fee title to the GHAD for the GHAD Parcels. The grant deed(s) must first be reviewed and approved by the GHAD Manager and GHAD Attorney.

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<sup>1</sup> For example, if a landslide causes \$10,000 in structural damage to each one of four neighboring homes for a total of \$40,000 in structural damage and it costs the GHAD \$100,000 to design and install a new retaining wall to abate the slide, the District may only reimburse each property owner \$2,500 of their \$10,000 in structural damage.

## 6.4 PROCESS FOR TRANSFERRING RESPONSIBILITY FOR GHAD ACTIVITIES

After the Transfer Eligibility Date for one or more GHAD Parcels, the process for transferring responsibility for performing GHAD Activities on such Parcel(s) shall be as follows:

1. Up to one year in advance of the Transfer Eligibility Date or in any subsequent year, at its discretion, the Developer may apply to the GHAD ("Transfer Application") to transfer the responsibility for performing GHAD Activities (as such term is defined in Section 7.0 herein below) for such Parcel(s) to the District.
2. Within 30 days of receiving such Transfer Application, the GHAD Manager shall verify that all the facilities for which the GHAD will have maintenance responsibility have been approved, constructed and maintained according to the City of Hayward approved plans and specifications for the individual improvements, and that such facilities are operational and in good working order.
3. Within 15 days of such inspection, the GHAD will send the Developer a list ("Punch list") of all of the items that need to be constructed, repaired or otherwise modified in order to comply with the city-approved plans and specifications.
4. The Developer shall notify the GHAD Manager when it has completed the items identified on the Punch list. Within 30 days of receipt of such notice, the GHAD Manager shall verify that all Punch list items have been completed and notify the Developer that the District accepts responsibility for performing all future GHAD activities on such Parcel(s).
5. The GHAD Manager shall confirm that the reserve requirement defined in the Engineer's Report approved by the GHAD Board has been met. The Engineer's Report is the document that establishes the individual property owners' GHAD assessment limit based on the projected expenses (budget) of the GHAD.
6. Prior to the GHAD accepting any responsibility for GHAD Activities, the Developer shall record a Declaration of Restrictive Covenants, Right of Entry and Disclosures Regarding Geologic Hazard Abatement District ("Declaration") as approved by the GHAD Manager and GHAD Attorney and as discussed in Section 12.
7. Any monies owed to the GHAD by the Developer have been paid.

As part of the transfer, the Developer of the GHAD Parcel(s) to be transferred will provide the GHAD, for its use, copies of the applicable geotechnical exploration reports, as-built grading plans, as-built corrective grading plans, as-built improvement plans, as-built subdrain plans or other pertinent documents as requested by the GHAD.

The GHAD is not responsible for maintaining any GHAD activities until it accepts such responsibilities pursuant to this section. Hayward Tennyson, LLC will remain responsible for all GHAD activities until the GHAD accepts responsibility pursuant to this section.

## **7.0 HAYWARD GHAD MONITORING, MAINTENANCE AND REPAIR RESPONSIBILITIES**

Several entities shall have ownership and maintenance duties of common space within the Project. The GHAD will assume monitoring and maintenance responsibilities for the following site facilities and activities ("GHAD Activities"):

- General maintenance of the surface drainage improvements within the GHAD Boundary with the exception of the water quality/flow control basin. The GHAD is responsible for general monitoring, maintenance, and repair of the concrete-lined drainage ditches, storm drain inlets and outlets in open space, subdrain outlets, and risers.
- Monitoring and maintenance of measurement devices, such as piezometers, inclinometers, and tiltmeters, if any.
- Maintenance of existing property line/boundary fencing on Parcels L and MN.
- Debris benches and or catchment structures.
- Storm drain inlets, outfalls and pipelines within Parcels L and M.
- Maintenance including trails within Parcels L and M.
- Slopes.
- Vegetation control for fire suppression on Parcels L and M.

### **7.1 GEOTECHNICAL TECHNIQUES FOR MITIGATION OF LANDSLIDE AND EROSION HAZARDS**

The techniques that may be employed by the GHAD to prevent, mitigate, abate, or control geologic hazards include, but are not limited to, the following.

- Removal of the unstable earth mass.
- Stabilization (either partial or total) of the landslide by removal and replacement with compacted, drained fill.
- Construction of structures to retain or divert landslide material or sediment.
- Construction of erosion control devices such as gabions, riprap, geotextiles, or lined ditches.
- Placement of drained engineered buttress fill.
- Placement of subsurface drainage devices (e.g. underdrains or horizontal drilled drains).
- Slope correction (e.g. gradient change, biotechnical stabilization, slope trimming or contouring).

- Construction of additional surface ditches and/or detention basins, silt fences, sediment traps, or backfill or erosion channels.

Potential landslide and erosion hazards can often best be mitigated by controlling soil saturation and water runoff and by maintaining the surface and subsurface drainage system.

## 8.0 PRIORITY OF GHAD EXPENDITURES

Emergency response and scheduled repair expenditures by the GHAD are to be prioritized by the GHAD Manager, utilizing his or her discretion, based upon available funds and the approved operating budget. When available funds are not sufficient to undertake all of the identified remedial and preventive stabilization measures, the expenditures are to be prioritized as follows in descending order of priority:

- (A) Prevention, mitigation, abatement or control of geologic hazards that have either damaged or pose a significant threat of damage to residences, critical underground utilities or paved streets.
- (B) Prevention, mitigation, abatement or control of geologic hazards which have either damaged or pose a significant threat of damage to ancillary structures, including but not limited to water quality facilities, pools, cabanas or restroom buildings.
- (C) Prevention, mitigation, abatement or control of geologic hazards which have either damaged or pose a significant threat of damage to open space amenities.
- (D) Prevention, mitigation, abatement or control of geologic hazards which have either damaged or pose a significant threat of damage limited to loss of landscaping or other similar non-essential amenities.
- (E) Prevention, mitigation, abatement or control of geologic hazards existing entirely on open-space property and which have neither damaged nor pose a significant threat of damage to any Site Improvements.

In performing its duties as described above, the GHAD may seek reimbursements from public and private entities including, but not limited to, FEMA, City and County agencies, insurance companies, etc.

## 9.0 MAINTENANCE AND MONITORING SCHEDULE

Geologic features and GHAD-maintained improvements defined in Section 7.0 should be inspected by GHAD staff or GHAD-assigned consultants as presented below. The site inspections should be undertaken at appropriate intervals as determined by the GHAD Manager using supporting documents prepared for the Project and the Site Improvements. The GHAD budget should provide for three or more inspections in years of heavy rainfall. Generally, the inspections should take place in October, prior to the first significant rainfall; mid-winter as necessary during heavy rainfall years; and in early April at the end of the rainy season. The frequency of the inspections should increase, depending upon the intensity and recurrence of rainfall.

The Developer shall provide to the GHAD copies of geologic or geotechnical exploration reports related to site development and the GHAD shall retain these reports in the records of the GHAD.



In addition, copies of any earthwork-related testing and observation reports that will be finalized at the completion of grading, when as-built drawings are available, shall be provided to the GHAD by the Developer and maintained as part of the GHAD records.

Following are guidelines for a monitoring plan. The actual timing, scope, frequency and other details regarding such maintenance, inspection and similar activities shall be at the discretion of the GHAD Manager.

- A State-licensed Professional Engineer and/or Professional Geologist should carry out a geologic reconnaissance of the slopes for indications of erosion or slope failures. Open space slope area monitoring would include observation of debris benches. The removal of accumulated debris from the bench, including rockfall material, should be undertaken in a manner that maintains the capacity of the bench to protect Site Improvements.
- A State-licensed Professional Engineer and/or Professional Geologist should carry out an inspection of lined surface ditches. Repairs and maintenance, as needed, should be undertaken including removal of excess silt or sediment in ditches and patching or replacement of cracked or broken ditches, prior to the beginning of the next rainy season.
- Subsurface drain outlets and horizontal drilled drain outlets, if any, should be checked. Water flowing from these outlets should be measured and recorded during each inspection.
- Piezometers to measure groundwater levels, or instruments such as inclinometers or tiltmeters measuring potential slope instability should be monitored as recommended, if installed.
- Settlement monitoring devices, if any, should be measured periodically and tracked. In the event of anomalous readings or excessive settlement, the monitoring frequency should be increased.
- Inlets, outfalls or trash racks, if used, must be kept free of debris and spillways maintained. Additionally, water detention facilities and water quality facilities should be inspected and maintained. It is anticipated that initially, at least once every two (2) years, cleanup of vegetation and removal of silt would be in order. Attention should be given to plantings or other obstructions which may interfere with access by power equipment.
- Retaining walls should be inspected for evidence of distress, such as tilting and/or structural failure. Repairs and maintenance would be undertaken only in the event that the structural integrity of the wall has been compromised or if the wall distress poses a threat to the integrity of adjacent structures.
- An annual inspection shall be made by a State-licensed Professional Engineer and/or Certified Engineering Geologist to assess the effectiveness of the preventive maintenance program and to make recommendations as to which landslide or erosion measures should be undertaken in the next fiscal year. Any appropriate site-specific study of landslide or erosion conditions shall be determined at that time. Consultants, if necessary, will be retained to undertake the needed studies. An annual inspection report to the GHAD shall be prepared by the Professional Engineer and/or Certified Engineering Geologist.

## 10.0 OWNERSHIP AND MANAGEMENT

Ownership, funding sources and maintenance responsibilities shall be as shown on the following table. Parcel designations are derived from the final map (Reference 6).

**TABLE 10.0: THE ERSTED PROPERTY  
Long-Term Ownership and Management Matrix**

FACILITY/FUNCTION	MAINTENANCE ENTITY	FUNDING	TENTATIVE MINIMUM ACCEPTANCE DATE	OWNERSHIP
<b>1. Developed Area</b>				
a. Single-Family Residential Parcels – Duplex and Triplex (59 units)	Privately Owned and Maintained			
b. Common Area Parcels (“C”, “D”, “E”, “F”, “G”, “H”, “J”, and “K”)	Homeowner’s Association (HOA)	HOA	Not Applicable	HOA
c. Roads and Bridges (Parcels “A”, “B”, “N”, “O”, “P”, and “Q”)				
i. Court “A”, “B” and Drive Aisles “N” through “Q”	HOA	HOA	Not Applicable	HOA
ii. Bridge	HOA	HOA	Not Applicable	HOA
iii. Storm Drain Improvements	HOA	HOA	Not Applicable	HOA
d. Water Quality/Flow Control Basin (Parcel “I”)				
i. Ornamental Landscape Maintenance and Replacement	HOA	HOA	Not Applicable	HOA
ii. Functional Maintenance, Repair, and Replacement	HOA	HOA	Not Applicable	HOA



FACILITY/FUNCTION	MAINTENANCE ENTITY	FUNDING	TENTATIVE MINIMUM ACCEPTANCE DATE	OWNERSHIP
<b>2. GHAD-Owned Parcels – Landowner Responsibilities</b>				
<b>Pretransfer Period</b>				
a. Parcels “L” and “M”				
i. Gates, Fencing, and Signage	Developer	Private Funding	3 Years	Developer
ii. General Maintenance including Graffiti and Litter Removal	Developer	Private Funding	3 Years	Developer
iii. Vegetation Management for Fire Suppression	Developer	Private Funding	3 Years	Developer
<b>Post Transfer Period</b>				
a. Parcels “L” and “M”				
i. Gates, Fencing, and Signage	GHAD	Assessment	Perpetual	GHAD
ii. General Maintenance including Graffiti and Litter Removal	GHAD	Assessment	Perpetual	GHAD
iii. Vegetation Management for Fire Suppression	GHAD	Assessment	Perpetual	GHAD

## 11.0 GLOSSARY

**Development Area** – General area of residences and associated improvements shown on Figure 1.

**Engineer’s Report** - The document that establishes the individual property owners’ GHAD assessment limit based on the projected expenses (budget) of the GHAD.

**Geologic Hazard** - An actual or threatened landslide, land subsidence, soil erosion, earthquake, fault movement, or any other natural or unnatural movement of land or earth (Section 26507).

**Geological Hazard Abatement District (GHAD) Manager** – An entity employing a licensed Geotechnical Engineer who will oversee the operations of the GHAD, including preparation of GHAD budgets. The GHAD Manager is hired by and reports to the GHAD Board of Directors.

**Site Improvements** - Buildings, public and private roads, sidewalks, utilities, improved trails, swimming pools, tennis courts, gazebos, cabanas, geologic stabilization features, or similar improvements.

## 12.0 RIGHT-OF-ACCESS

The GHAD Board of Directors, officers, employees, consultants, contractors, agents, and representatives shall have the right to enter upon all lands within the GHAD Boundary as shown

on Appendix B, Exhibit B, for the purpose of performing the GHAD Activities defined in this Plan of Control. Such GHAD Activities include, but are not limited to the inspection, maintenance and monitoring of those improvements listed in Section 7.0. Should the District need to access private residential lots to fulfill its duties under the Plan of Control, the District shall provide the affected landowner and/or resident with 72 hours advanced notice unless, in the reasonable judgment of the District, an emergency situation exists which makes immediate access necessary to protect the public health and safety, in which case no advanced notice is required, but the District shall inform the landowner and/or resident as soon as reasonably possible.

The foregoing right-of-entry provision shall be recorded in the chain of title for all Project residential parcels and common area lots, and it shall be included in all Covenants, Conditions and Restrictions (CC&Rs) and homebuyer disclosure statements prepared for parcels within the GHAD Boundary.

DRAFT

## SELECTED REFERENCES

1. Berlogar Stevens and Associates, Design Level Geotechnical Investigation, Proposed Residential Development, Tennyson Property – APN 078C-0461-001-013, Tennyson Road East of Mission Boulevard, Hayward, California; October 17, 2017; Project No. 3823.102.
2. Hayward, City of, Resolution No. 16-030 – Ordering Formation of the Hayward Geologic Hazard Abatement District (GHAD) and Appointing the Members of the Hayward City Council to Act as the GHAD Board of Directors, March 1, 2016.
3. Hayward, City of, Resolution No. 18-030 – Adopting the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program and Approving the Planned Development Rezone with a Vesting Tentative Tract Map Pertaining to Construction of 59 New Townhome Residences at a site south of the New Tennyson Road Extension between Mission Boulevard and Vista Grande Drive, 2018.
4. Hayward Planning Division, City of, Planning Commission Application No. 201705848, Vesting Tentative Map 8439, PD Rezone and Mitigated Negative Declaration with Mitigation Monitoring and Reporting Program Conditions of Approval.
5. The Grupe Company, Vesting Tentative Tract Map, Ersted Property – Tract 8439, City of Hayward, California, October 2, 2017 with latest revision April 23, 2018.
6. Wood Rodgers, Final Map (Draft), Tract 8439, City of Hayward, County of Alameda, State of California, Job No. 3121015, November 2018.



DRAFT

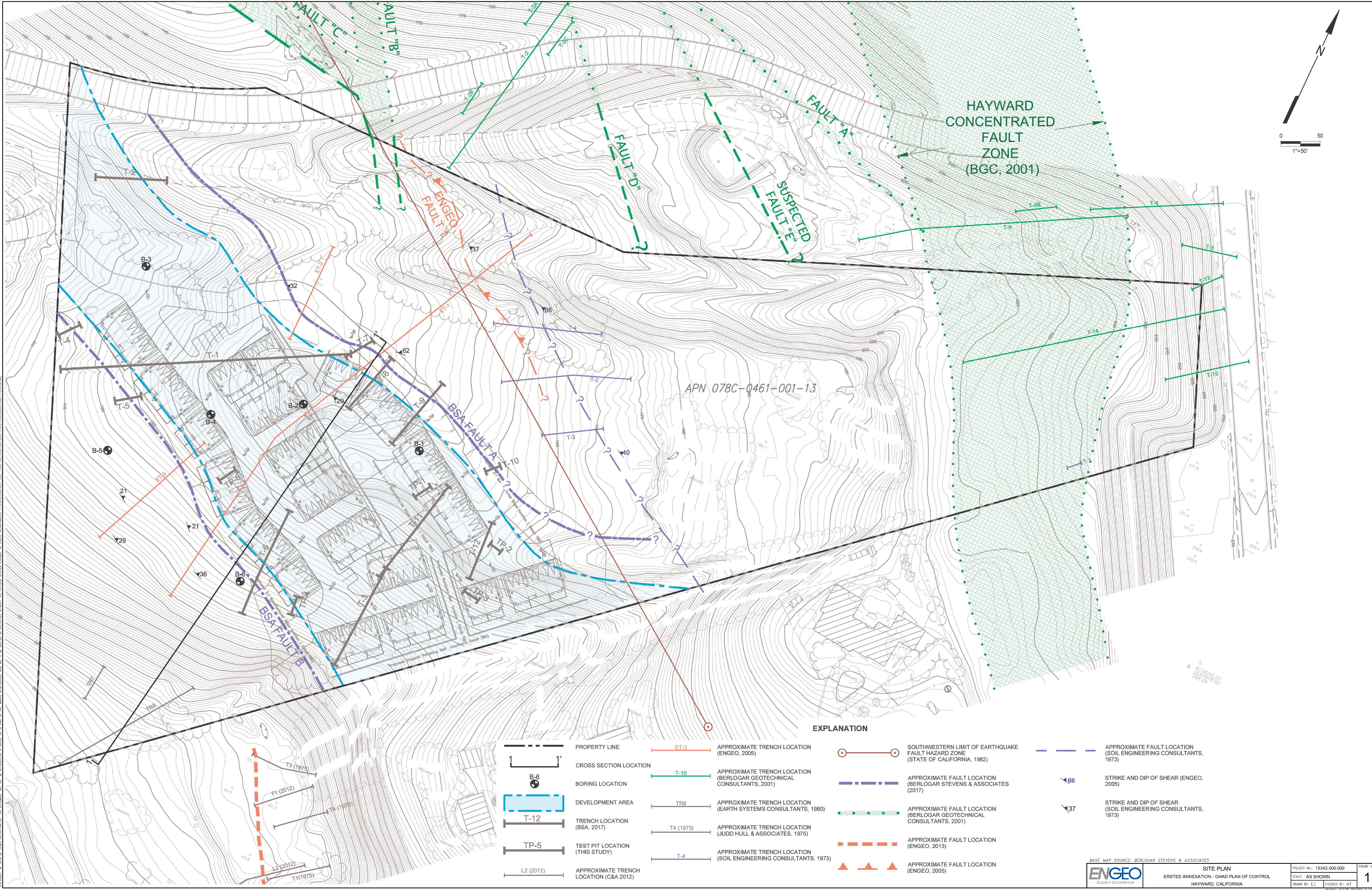
## **APPENDIX A**

**FIGURE 1: Site Plan**

**FIGURE 2: Preliminary Remedial Grading Plan**

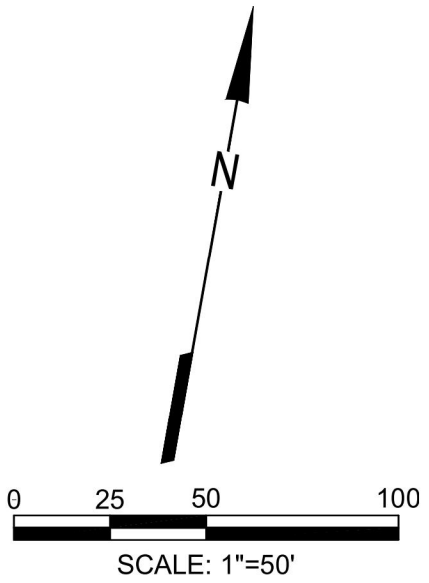
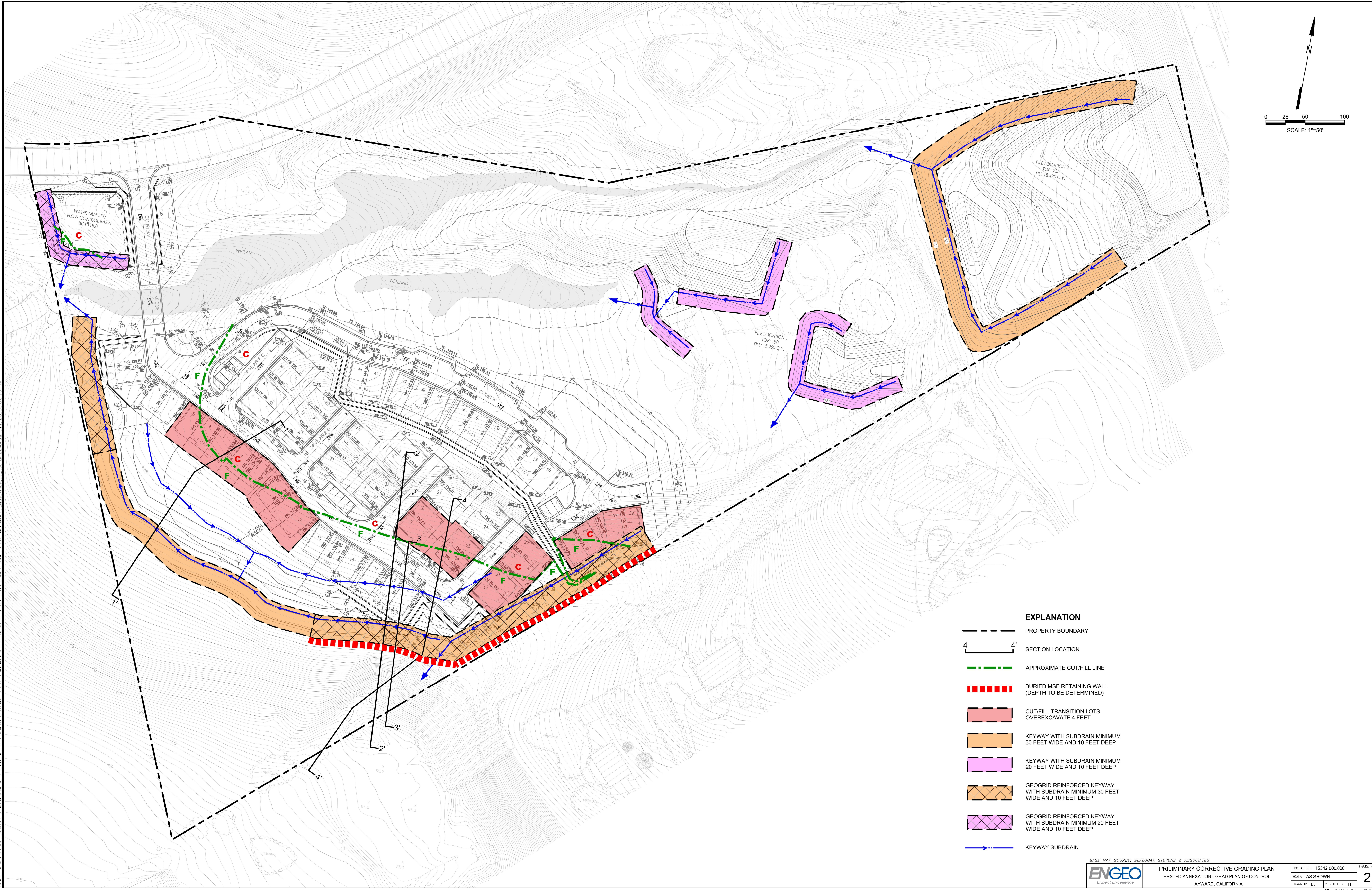
**DRAFT A**





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- EXPLANATION**
- PROPERTY BOUNDARY
  - 4' --- 4' SECTION LOCATION
  - - - - - APPROXIMATE CUT/FILL LINE
  - BURIED MSE RETAINING WALL (DEPTH TO BE DETERMINED)
  - CUT/FILL TRANSITION LOTS OVEREXCAVATE 4 FEET
  - KEYWAY WITH SUBDRAIN MINIMUM 30 FEET WIDE AND 10 FEET DEEP
  - KEYWAY WITH SUBDRAIN MINIMUM 20 FEET WIDE AND 10 FEET DEEP
  - GEOGRID REINFORCED KEYWAY WITH SUBDRAIN MINIMUM 30 FEET WIDE AND 10 FEET DEEP
  - GEOGRID REINFORCED KEYWAY WITH SUBDRAIN MINIMUM 20 FEET WIDE AND 10 FEET DEEP
  - KEYWAY SUBDRAIN





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## **APPENDIX B**

### **EXHIBIT A LEGAL DESCRIPTION**

**Geologic Hazard Abatement District, Ersted Property –  
Tract 8439**

### **EXHIBIT B Plat to Accompany Legal Description**

**DRAFT A**

**EXHIBIT "A"**  
LEGAL DESCRIPTION  
GEOLOGIC HAZARD ABATEMENT DISTRICT  
ERSTED PROPERTY - TRACT 8439

REAL PROPERTY IN THE CITY OF HAYWARD, ALAMEDA COUNTY, AND STATE OF CALIFORNIA  
DESCRIBED AS FOLLOWS:

BEING ALL OF LOTS 1-59 INCLUSIVE AND PARCELS "A" THRU "Q" INCLUSIVE AS SHOWN ON THAT  
CERTAIN MAP, TRACT MAP 8439, FILED FOR RECORD ON \_\_\_\_\_, IN BOOK \_\_\_\_ OF PAGES \_\_\_\_\_,  
ALAMEDA COUNTY RECORDS.

CONTAINING AN AREA OF 17.21 ACRES MORE OR LESS.

THIS DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH  
THE PROFESSIONAL LAND SURVEYORS ACT.

---

RYAN M. SEXTON / PLS 9177  
DECEMBER 13, 2018

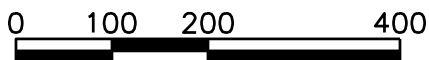
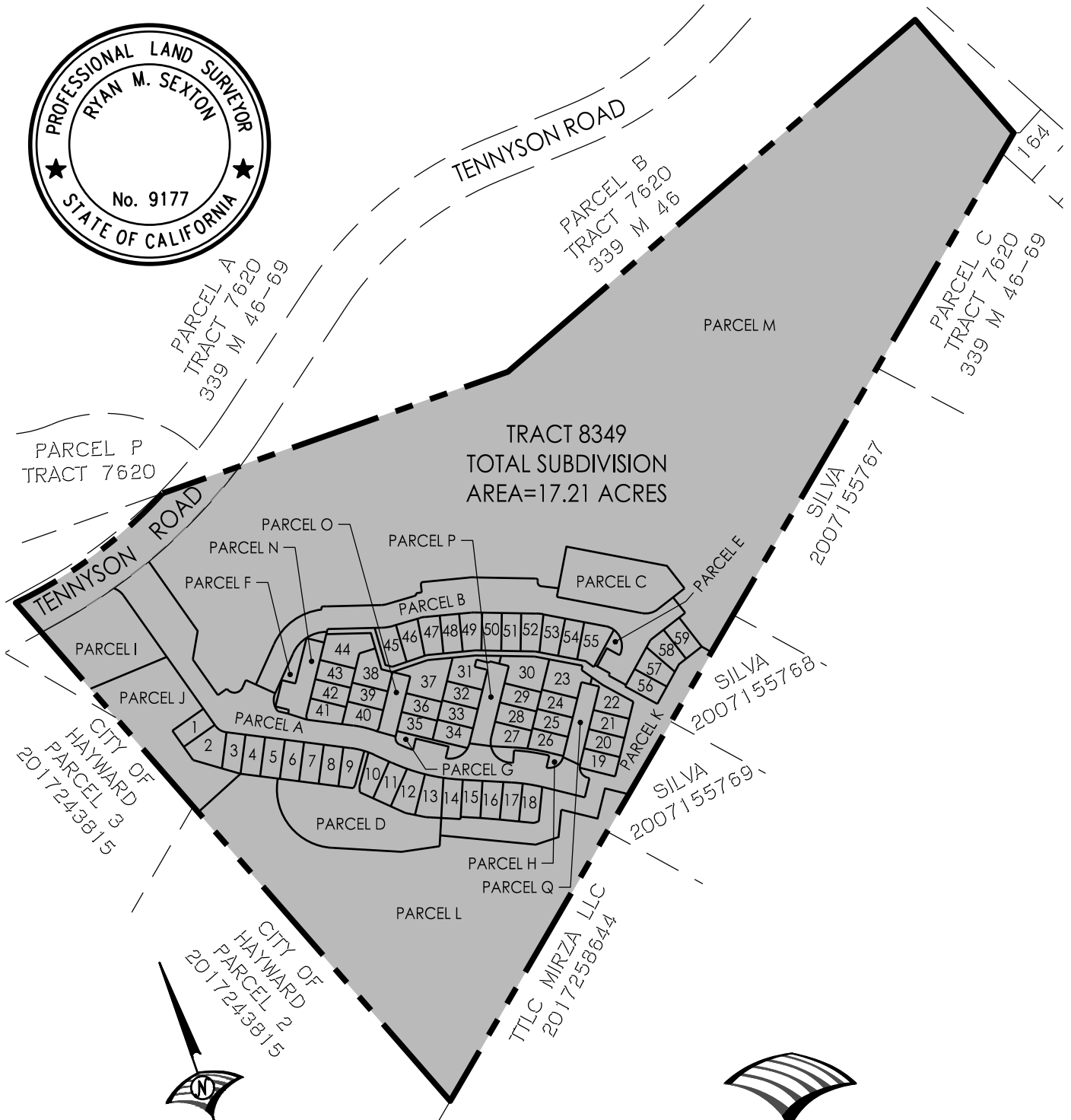




# EXHIBIT 'B'

PLAT TO ACCOMPANY  
DESCRIPTION

GEOLOGIC HAZARD ABATEMENT DISTRICT  
ERSTED PROPERTY - TRACT 8439  
CITY OF HAYWARD  
COUNTY OF ALAMEDA STATE OF CALIFORNIA



SCALE: 1" = 200'

## WOOD RODGERS

BUILDING RELATIONSHIPS ONE PROJECT AT A TIME

4670 WILLOW ROAD, STE. 125 TEL 925.847.1556  
PLEASANTON, CA 94588 FAX 925.847.1557

DEC 13, 2018

3121020

SHEET 1 OF 2



DRAFT



# CITY OF HAYWARD

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

---

**File #:** MIN 19-013

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**DATE:** February 5, 2019

**TO:** Mayor and City Council

**FROM:** City Clerk

**SUBJECT**

Minutes of the City Council Meeting on January 15, 2019

**RECOMMENDATION**

That the City Council approves the minutes of the City Council meeting on January 15, 2019.

**SUMMARY**

The City Council held a meeting on January 15, 2019.

**ATTACHMENTS**

Attachment I Draft Minutes of 1/15/2019



**MINUTES OF THE CITY COUNCIL MEETING**  
**Council Chambers**  
**777 B Street, Hayward, CA 94541**  
**Tuesday, January 15, 2019, 7:00 p.m.**

---

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

**ROLL CALL**

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

**PUBLIC COMMENTS**

Library Director Jayanti Addleman introduced herself to the City Council and community as the new library director.

The following individuals spoke about the alleged shooting of Mr. Agustin “Augie” Gonzalez by two Hayward police officers; requested the police report, video footage and any and all evidence related to the tragic incident of November 15, 2018; asked for an independent and unbiased investigation of the incident; urged for the suspension and prosecution of the two police officers; demanded accountability and justice; requested that officers be trained on how to deal with individuals undergoing mental crisis; and requested that police officers undergo psychiatric evaluation after they use excessive force against individuals with mental challenges.

Mr. Al Osorio  
Mr. Ralph Farias Jr., Hayward resident  
Ms. Silvia Brandon Perez, Hayward resident  
Ms. Diana Ponce  
Mr. Hector Hernandez-Hernandez, Hayward resident  
Mr. Gilbert Espinoza III, Hayward resident  
Ms. Maria Juarez  
Ms. Cynthia Nunes, cousin of Agustin Gonzalez  
Ms. Lourdes Garcia, Hayward resident and aunt of Agustin Gonzalez  
Ms. Beatriz Johnson, aunt of Oscar Grant  
Mr. Cephus Johnson, uncle of Oscar Grant  
Ms. Deana Abello  
Mr. Gerald Smith, Oscar Grant Committee Against Police Brutality and State Repression  
Ms. Desiree Montes, first cousin to Agustin Gonzalez  
Mr. Frank Runninghorse, Oscar Grant Committee Against Police Brutality and State Repression  
Ms. Denise Friday  
Mr. Michael Kerr  
Ms. Samantha Watts, cousin of Agustin Gonzalez

Ms. Lindsay Williams  
Ms. Karla Gonzalez, mother of Agustin Gonzalez

Mr. Charlie Peters, Clean Air Performance Professionals representative, provided documents about the water supply and environment causing concerns.

City Manager McAdoo noted that Police Chief Koller was willing to convene a meeting with members of the Gonzalez family and stepped outside the Council Chambers to gather contact information for the Gonzalez family.

Mayor Halliday called for a brief recess and reconvened the meeting shortly thereafter.

Consent Items 4 and 6 were removed from the Consent Calendar for separate vote.

## CONSENT

1. Minutes of the Special Joint City Council/Hayward Redevelopment Successor Agency Meeting on December 18, 2018 **MIN 19-005**

It was moved by Council/HRSA Member Mendall, seconded by Council/HRSA Member Márquez, and carried unanimously, to approve the minutes of the Special Joint City Council/Hayward Redevelopment Successor Agency Meeting on December 18, 2018.

2. Adoption of an Ordinance of the City of Hayward Amending Chapter 7, Article 2 of the Hayward Municipal Code by Amending Sections 7-2.00, 7-2.10, and 7-2.15 and Adding Sections 7-2.46 and 7-2.47 to Establish a “Dig Once” Policy for Installing Underground Conduits **CONS 19-003**

Staff report submitted by City Clerk Lens, dated January 15, 2019, was filed.

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

Ordinance 19-01, “An Ordinance of the City of Hayward, California, Amending Chapter 7, Article 2 of the Hayward Municipal Code by Amending Sections 7-2.00, 7-2.10, and 7-2.15 and adding Sections 7-2.46 and 7-2.47 to Establish a “Dig Once” Policy for Installing Underground Conduits”

3. Adoption of an Ordinance of the City of Hayward Amending Chapter 7 of the Hayward Municipal Code by Adding Article 4 to Establish Regulations for Wireless Communication Facilities in the Public Right of Way **CONS 19-004**

Staff report submitted by City Clerk Lens, dated January 15, 2019, was filed.



**MINUTES OF THE CITY COUNCIL MEETING**  
**Council Chambers**  
**777 B Street, Hayward, CA 94541**  
**Tuesday, January 15, 2019, 7:00 p.m.**

---

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

Ordinance 19-02, "An Ordinance of the City of Hayward Amending Chapter 7 of the Hayward Municipal Code by adding Article 4 to Establish Regulations for Wireless Communication Facilities in the Public Right of Way"

4. Resignation of Jocimara Alejandre, Jorge Mazariegos Jr., and Myles McGee from the Hayward Youth Commission and Appointment of Joshua Linares, Lizbeth Martinez and Ellette Mendall to Fulfill the Unexpired Terms **CONS 19-009**

Staff report submitted by City Clerk Lens, dated January 15, 2019, was filed.

Council Member Mendall noted he was going to recuse himself from voting on the item because a family member, Ellette Mendall, was nominated to be appointed to fulfill one unexpired term.

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

AYE: COUNCIL MEMBERS Zermeño, Márquez, Lamnin, Wahab, Salinas  
MAYOR Halliday  
NOES: None  
RECUSE: COUNCIL MEMBERS Mendall  
ABSENT: None

Resolution 19-006, "Resolution Accepting the Resignation of Jocimara Alejandre, Jorge Mazariegos Jr., and Myles McGee from the Hayward Youth Commission and Appointment of Joshua Linares, Lizbeth Martinez and Ellette Mendall to Fulfill the Unexpired Terms"

5. Resignation of Ms. Iris J. Murillo from the Library Commission and Ms. Lynne Clifton from the Keep Hayward Clean and Green Task Force Effective Immediately **CONS 19-010**

Staff report submitted by City Clerk Lens, dated January 15, 2019, was filed.

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

Resolution 19-005, “Resolution Accepting the Resignations of Iris J. Murillo from the Library Commission and Lynne Clifton from the Keep Hayward Clean and Green Task Force”

6. Declaration of a Climate Emergency **CONS 19-015**

Staff report submitted by Utilities and Environmental Services Director Ameri, dated January 15, 2019, was filed.

Mayor Halliday announced there was a request to speak on the item.

Mayor Halliday opened the public comments section at 8:01 p.m.

Mr. Glenn Kirby, Sierra Club representative, voiced his support for a declaration of a climate emergency.

Ms. Silvia Brandon Perez, Hayward resident, noted the demolition of the former library was not environmentally sound and expressed the need for a shelter for homeless individuals.

Mr. Frank Burton, Hayward resident, spoke in support of the resolution endorsing the declaration of a climate emergency.

Mr. Paul W. Rea, Hayward resident, expressed support for the proposed resolution and suggested that more trees be planted in the city, greenway along the BART line and local solar panels.

Council Member Mendall offered a motion per staff recommendation with a minor correction to a typographical error on page two, seventh Whereas, to read “2040” instead of “20430”

Council Member Zermeño seconded the motion.

Council Member Wahab expressed support for the motion and urged staff to reach citywide zero greenhouse gas emissions earlier than 2030.

It was moved by Council Member Mendall, seconded by Council Member Zermeño, and carried unanimously, to approve the following with a minor correction to a typographical error on page two, seventh Whereas to read “2040” instead of “20430”:

Resolution 19-007, “Resolution Endorsing the Declaration of a Climate Emergency and Requesting Regional Collaboration on an Immediate Just Transition and Emergency Mobilization Effort to Restore a Safe Climate”

**WORK SESSION**

7. Downtown Specific Plan Project Update (Report from Development Services Director Simpson) **WS 19-002**



**MINUTES OF THE CITY COUNCIL MEETING**  
**Council Chambers**  
**777 B Street, Hayward, CA 94541**  
**Tuesday, January 15, 2019, 7:00 p.m.**

---

Staff report submitted by Development Services Director Simpson, dated January 15, 2019, was filed.

Development Services Director Simpson announced the report and introduced Senior Planner Golubics who provided a synopsis of the staff report. Ms. Lisa Wise, Lisa Wise Consulting President, and Ms. Kathryn Slama, Senior Associate with Lisa Wise Consulting, Inc., provided a project overview of the Downtown Specific Plan project.

Mayor Halliday opened the public comments section at 8:38 p.m.

Mr. Didacus Ramos, Hayward resident, urged the Council to address the vacancy rate in downtown and changes to two-way streets, and recommended that the Plan be accomplished within the proposed timeline.

Ms. Allison Lasser, Hayward resident and Sprinkler Fitters Local 483 member, urged the City for a Plan that enables projects being built by local construction workforce and encourages the use of apprenticeship opportunities in its construction.

Mayor Halliday closed the public comments section at 8:44 p.m.

Council Members commended City staff, Lisa Wise Consulting and the Downtown Specific Plan Task Force for the community outreach regarding the Downtown Specific Plan. Council Members were in general agreement with the overall vision for the downtown and offered the following suggestions: make A Street's two-way street change a higher priority and make B Street's change a lower priority; consider turning a section of C Street into a two-way street; consider fixing the Loop a priority; continue the outreach to vacant property owners to fill vacancies; identify opportunities to add more parks and open space in the downtown; consider having Greyhound and Amtrak stations; work on the East Bay Greenway project; have project labor agreements to ensure that local residents are employed; collaborate with Waze App to diminish speeding in neighborhoods; make sure the soil instability on Russell Street is addressed; preserve longtime residents and merchants in the downtown; encourage and incentivize opportunities to work with the building trades; be inclusive to different types of mobilities and physical limitations; place emphasis on lighting and signage; consider adding parking on both sides of Mission Boulevard; hold BART accountable for improvements and hold a meeting with BART representatives; be mindful of the type of advertisement on billboards on Foothill and Mission Boulevards; collect data of the neighborhoods that are represented in the meetings related to the Plan; ensure that social media postings about the Plan have a link to the Plan; focus on road treatments to slow traffic; preserve ground level commercial space; ensure downtown streets, sidewalk and retails are zoned appropriately for families and children; be cognizant of the unbundled parking intent to reduce parking and not impact renters with parking cost; accomplish the Plan within the timeline; be mindful of impact of higher density on services; consider dedicated bike lanes with parking on Mission and Foothill Boulevards; make the corner of B Street and Mission Boulevard safer to cross; and consider a staggered junction light at Jackson Street and Mission Boulevard.



## **PUBLIC HEARING**

### **8. Hayward Executive Airport Hangar Rental Rates – Amendment to FY 2019 Master Fee Schedule (Report from Interim Public Works Director Ameri) PH 19-004**

Staff report submitted by Interim Public Works Director Ameri, dated January 15, 2019, was filed.

Interim Public Works Director Ameri provided a synopsis of the staff report.

City staff clarified questions from Council Members related to the proposed rental rates 2019-2022; the Airport Rent Study report; the Federal Aviation Administration (FAA) investigation and determination; and the ongoing maintenance fees and deferrals.

Mayor Halliday opened the public hearing at 9:43 p.m.

Ms. Kate Turney, Hayward Hangar Group representative, submitted a written statement and spoke in opposition to the 51% proposed hangar rent increase.

Mr. Jerry Turney, Hayward Hangar Group representative, submitted a written statement and spoke about competitive and comparable airport data.

Mr. Bob Burnett spoke about the findings of the hangar rate study and urged the Council to review it before voting on the rent increase.

Mayor Halliday closed the public hearing at 9:53 p.m.

The City Council thanked the Hayward Hangar Group and City staff for the ongoing conversations related to hangar rental rates.

Council Member Zermeño recommended that airport tenants continue to collaborate with City staff ensuring the interest of general improvements and safety of the airport.

Council Member Zermeño offered a motion per staff's recommendation.

Council Member Mendall seconded the motion.

Council Member Lamnin noted she preferred having the airport rents increased using the consumer price index (CPI) for the next two-year cycle and base subsequent rent increases on the facility study.

Council Member Mendall clarified there was no secret plan to demolish any City owned hangars and he would not vote to reduce the number of airport owned T-hangars. Council Member Mendall noted the proposed increase was reasonable and appropriate to maintain the airport.



**MINUTES OF THE CITY COUNCIL MEETING**  
**Council Chambers**  
**777 B Street, Hayward, CA 94541**  
**Tuesday, January 15, 2019, 7:00 p.m.**

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Council Member Salinas noted that airport tenants and City staff had negotiated fairly and looked forward to seeing the benefits for the airport in the coming years.

Mayor Halliday noted the airport was an enterprise fund, revenues covered the airport expenses, and a rent increase was necessary.

Council Member Wahab noted her support for the motion recognizing the increase was reasonable.

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

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

Resolution 19-008, "Resolution Amending the Master Fee Schedule and Approving Airport Rates and Charges"

**LEGISLATIVE BUSINESS**

9. Update on Commercial Cannabis Permit Process and Future Rounds and Appropriation of Funds for Commercial Cannabis Permit Program Second Tier Review (Report from City Manager McAdoo) **LB 19-003**

Staff report submitted by Deputy City Manager Ott and Development Services Director Simpson, dated January 15, 2019, was filed.

City Manager McAdoo announced the report and introduced Management Analyst II Stefanski and Principal Planner Lochirco who provided a synopsis of the report.

Discussion ensued among Council Members and City staff regarding options for required over-concentration buffer for retail dispensaries and options for second round of commercial cannabis permits; over-concentration buffer from land uses; and commercial cannabis land use locations.

Mayor Halliday opened the public hearing at 10:57 p.m.

Ms. Gina Vanderhorst submitted a card but did not speak.

Mr. Shane Gill, Manifest LLC President, urged the Council to prioritize the first round of applications and get them completed before bringing new applicants and start the Request for Proposals (RFP) process for new applicants as soon as possible.

Mr. Stephen Cassidy submitted a written statement requesting that applications for microbusiness licenses from all previous applicants for commercial cannabis licenses be accepted and not limit the review to the five applicants for microbusinesses that received below threshold scores.

Ms. Denise Martellacci, Hayward resident, supported reducing or eliminating the over-concentration buffer and make sure that public safety is not compromised by lowering the score.

Ms. Melissa Shuen-Mallory, Union City resident, expressed support for expanding interview thresholds for commercial cannabis.

Ms. Cecily Brewster, General Counsel for BAS Research, expressed support for expanding interview thresholds for commercial cannabis.

Mr. Bao Le, manufacturing use operator, expressed support for expanding interview thresholds for commercial cannabis and recommended a face to face interview process.

Mr. Sean Kali-Rai, cannabis lobbyist, urged support for expanding interview score thresholds and removing interview thresholds for delivery businesses.

Mr. Douglas Chloupek, Jiva Life representative and manufacturing use licensee, urged support for expanding interview score thresholds

Mr. Richard Fierro, Hayward resident, recommended against the elimination of interview thresholds for cannabis delivery businesses.

Mr. David Benett, CBRA Inc., representative, urged support for expanding interview score thresholds.

Ms. Vanessa Loera, Aunty Honey's representative, spoke in favor of reducing or eliminating the over-concentration buffer for retail dispensaries.

Mr. Esther Lopez, Aunty Honey's representative, spoke about the measurement for the buffer and noted there were forty locations that were identified for her business.

Mr. Keith Freeman, Organic Demeter representative, requested that the City reconsider the applications that were received during the first round of applications and were not selected.



**MINUTES OF THE CITY COUNCIL MEETING**  
**Council Chambers**  
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**Tuesday, January 15, 2019, 7:00 p.m.**

---

Mr. Pat Doherty, Hayward Station Inc., representative, spoke in favor of reducing or eliminating the over-concentration buffer for retail dispensaries and urged the City to complete the process with the licensed businesses.

Mr. Hector Villasenor, Jiva Life representative, supported maintaining the over concentrated buffer and opening the process to the first round of applicants.

Mayor Halliday closed the public hearing at 11:34 p.m.

Council Member Mendall noted support for either Option 1 (reducing the over-concentration buffer to 500 feet) or Option 2 (adding flexibility to the over-concentration buffer); and he was amenable to considering businesses with current cannabis licenses that had applied for other categories and had scores above the threshold, and was also open to granting licenses to existing non-cannabis businesses that had submitted applications for cannabis products.

Council Member Zermeño offered a motion to eliminate the 1,000-feet requirement from the zoning ordinance by way of a zoning text amendment (Option 1), expand interview thresholds for commercial cannabis (Round 1, Tier2), and have the second round of RFP for six or twelve months and appropriate \$70,000 for consultant services.

Council Member Mendall seconded the motion with a friendly amendment to reduce the over-concentrated buffer to 500 feet and reduce the interview score threshold to 500 points for all categories.

Council Member Zermeño was amenable to the friendly amendment.

Council Member Wahab expressed support for the motion and suggested that second tier of cannabis businesses be allowed to submit addendums to improve scores, move forward with the second RFP sooner, request stronger community benefits and requirements for local hire, earmark revenue for City reserves or development of affordable housing, and have the land use requirement ahead of time during the application process.

Council Member Salinas noted that while there were medical benefits to cannabis, he had heard concerns from downtown businesses about overcrowding of existing businesses. Council Member Salinas thought it made more sense to favor maintaining the over-concentrated buffer and place a six to twelve-month moratorium on new cannabis uses.

Council Member Márquez noted she could not support the motion on the floor and her preference was for the motion to be separated into three parts or table the item to a work session to allow further discussion.

Discussion ensued among Council Members and City staff about the motion on the floor.

It was moved by Council Member Zermeño, seconded by Council Member Mendall, and carried with the following vote, to reduce the over-concentrated buffer for retail dispensaries to 500 feet:

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

It was moved by Council Member Zermeño, seconded by Council Member Mendall, and carried with the following vote, to reduce the score threshold to 500 for all categories for a second round of interviews and approve the resolution:

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

Resolution 19-009, “Resolution Appropriating \$70,000 from the General Fund (Fund 100) to fund Consultant Services Related to the Review and Interviewing of Second Tier Applications from the First Round of Commercial Cannabis Permits”

It was moved by Council Member Zermeño, seconded by Council Member Mendall, and carried with the following vote, to conduct a second round of Requests for Proposals (RFP) in six to twelve months;

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

10. Approval of City of Hayward Response to CASA Compact: A 15-Year Emergency Policy Package to Confront the Housing Crisis in the San Francisco Bay Area (Report from City Manager McAdoo) **LB 19-008**

Staff report submitted by Deputy City Manager Ott, dated January 15, 2019, was filed.

City Manager McAdoo provided a synopsis of the staff report.



**MINUTES OF THE CITY COUNCIL MEETING**  
**Council Chambers**  
**777 B Street, Hayward, CA 94541**  
**Tuesday, January 15, 2019, 7:00 p.m.**

---

Council Member Márquez asked for the Regional Housing Needs Assessment (RHNA) number of housing units. Deputy City Manager indicated the information would be included in the February 19, 2019 work session.

Mayor Halliday opened the public hearing at 12:12 p.m.

Ms. Sylvia Brandon Perez, Hayward resident, expressed the need to do more beyond a moratorium on rent stabilization to address the homelessness crisis.

Mr. Sean Kali-Rai, cannabis lobbyist, spoke about homelessness and externalities that are created by companies that create super profits.

Mayor Halliday closed the public hearing at 12:18 p.m.

Council Member Lamnin offered a motion per staff's recommendation with two modifications for the letter: 1) decrease the cost of housing production; and 2) incentivize participation in apprenticeship programs to attract individuals who are facing housing instability and are vulnerable to displacement and/or eviction.

Council Member Márquez seconded the motion.

Council Member Mendall noted there was a typographical error in the letter that needed to be corrected.

It was moved by Council Member Lamnin, seconded by Council Member Márquez, and carried unanimously, to approve the letter with two modifications: 1) decrease the cost of housing production; and 2) incentivize participation in apprenticeship programs to attract individuals who are facing housing instability and are vulnerable to displacement and/or eviction.

#### **CITY MANAGER'S COMMENTS**

There were none.

#### **COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS**

Council Member Márquez announced the annual Martin Luther King Jr. birthday celebration at Chabot College Buffington Visual & Performing Arts Center on January 19, 2019.

Council Member Wahab recommended that City staff bring forward options for Fire and Police personnel to receive in-depth mental health and de-escalation training. Council members were amenable to the recommendation.

## **ADJOURNMENT**

Mayor Halliday adjourned the meeting at 12:32 a.m., in memory of Dr. Grant Peterson and Reverend Dr. Jesse L. Davis, Sr.

Dr. Grant Peterson served as an Associate Superintendent of New Haven Unified School District; was a pioneer on curriculum/instructional/staff development for LGBT (Lesbian, Gay, Bisexual, and Transgender) issues; served on the Hayward Unified School District Board of Trustees; mentored students and provided faculty/professional training around issues of equity and inclusion; and was known for his integrity and leadership.

Reverend Dr. Jesse L. Davis, Sr., was the pastor of Shiloh Baptist Church where he pastored for 50 years and was a strong contributor to Hayward and helped improve the church area.

Mayor Halliday asked City staff to work with both families to plant trees in memory of Dr. Grant Peterson and Reverend Dr. Jesse L. Davis, Sr.

## **APPROVED**

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Barbara Halliday  
Mayor, City of Hayward

## **ATTEST:**

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Miriam Lens  
City Clerk, City of Hayward



# CITY OF HAYWARD

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

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**File #:** CONS 19-041

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**DATE:** February 5, 2019

**TO:** Mayor and City Council

**FROM:** Chief of Police

**SUBJECT**

Authorization for the City Manager to Accept and Appropriate \$200,000 in Awarded Grant Funding from the State of California Office of Traffic Safety for the Hayward Police Department

**RECOMMENDATION**

That the Council authorizes the acceptance and appropriation of \$200,000 in grant funding from the State of California Office of Traffic Safety for the Hayward Police Department.

**SUMMARY**

The State of California Office of Traffic Safety awarded the Hayward Police Department \$200,000 as part of a Selective Traffic Enforcement Program (STEP) grant. The Hayward Police Department plans to use these funds to reduce the number of persons killed and injured in collisions involving alcohol and other collision causing factors. Staff requests Council authorization and appropriation of \$200,000 in grant funds.

**ATTACHMENTS**

Attachment I	Staff Report
Attachment II	Resolution Authorizing Agreement
Attachment III	State of California Office of Traffic Safety Grant Agreement





DATE: February 5, 2019

TO: Mayor and City Council

FROM: Chief of Police

SUBJECT: Authorization for the City Manager to Accept and Appropriate \$200,000 in Awarded Grant Funding from the State of California Office of Traffic Safety for the Hayward Police Department

#### RECOMMENDATION

That the Council authorizes the acceptance and appropriation of \$200,000 in grant funding from the State of California Office of Traffic Safety for the Hayward Police Department.

#### SUMMARY

The State of California Office of Traffic Safety awarded the Hayward Police Department \$200,000 as part of a Selective Traffic Enforcement Program (STEP) grant. The Hayward Police Department plans to use these funds to reduce the number of persons killed and injured in collisions involving alcohol and other collision causing factors. Staff requests Council authorization and appropriation of \$200,000 in grant funds.

#### BACKGROUND AND DISCUSSION

Funds were awarded to the Hayward Police Department as part of a Selective Traffic Enforcement Program (STEP) grant issued by the California Office of Traffic Safety. The California Office of Traffic Safety strives to eliminate traffic deaths and injuries by making grants available to local and state public agencies for programs that help them enforce traffic laws, educate the public in traffic safety, and provide varied and effective means of reducing fatalities, injuries, and economic losses from collisions.

The Hayward Police Department plans to use these funds to reduce the number of persons killed and injured in collisions involving alcohol and other collision causing factors. Strategies include the following:

- (a) Impaired driving enforcement.
- (b) Enforcement focusing on distracted driving.
- (c) Seat belt enforcement.
- (d) Special enforcement encouraging motorcycle safety.
- (e) Enforcement and public education in areas with high bicycle/pedestrian collisions.
- (f) Media outreach strategies designed to enhance public awareness, educate the public, and deter poor behavior.

## FISCAL IMPACT

Accepting the Selective Traffic Enforcement Program (STEP) grant funds will have no net impact on the City's General Fund.

## STRATEGIC INITIATIVES

The STEP Grant supports the Complete Streets Strategic Initiative. The purpose of the Complete Streets Strategic Initiative is to build and maintain streets that are safe, comfortable, and convenient for travel for everyone, regardless of age or ability; including motorists, pedestrians, bicyclists, and public transportation riders. This item supports the following goal and objective:

Goal 1: Prioritize safety for all modes of travel.

Objective 1: Reduce speeding and aggressive driving behavior through 4 E's i.e. Education, Enforcement, Empowerment, and Engineering.

## NEXT STEPS

If the Council authorizes this action, staff will appropriate the funding into the Police Department's budget and administer the grant per the terms and conditions of the Office of Traffic Safety agreement.

Prepared by: Jason Martinez, Police Captain

Recommended by: Mark Koller, Chief of Police

Approved by:



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Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 19-

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

RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT AND  
APPROPRIATE \$200,000 IN FUNDING FROM THE STATE OF CALIFORNIA  
OFFICE OF TRAFFIC SAFETY FOR THE HAYWARD POLICE DEPARTMENT

WHEREAS, the State of California Office of Traffic Safety has agreed to award the City of Hayward Police Department \$200,000 to implement best practice strategies under the Selective Traffic Enforcement Program (STEP); and,

WHEREAS, the Hayward Police Department shall use these funds to reduce the number of persons killed and injured in traffic collisions involving alcohol and other primary collision factors under the provisions of the grant agreement;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized and directed to accept and appropriate \$200,000 in funding from the California Office of Traffic Safety.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2019

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:  
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:


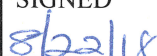
ABSENT: COUNCIL MEMBERS:

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

APPROVED AS TO FORM:

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

中国书画函授大学肇庆分校  
 肇庆分校建校二十周年纪念册

10. PROJECTED EXPENDITURES						
FUND	CFDA	ITEM/APPROPRIATION	F.Y.	CHAPTER	STATUTE	PROJECTED EXPENDITURES
402PT-19	20.600	0521-0890-101	2018	2018	29/18	\$125,000.00
164-AL-19	20.608	0521-0890-101	2018	2018	29/18	\$75,000.00
				<b>AGREEMENT TOTAL</b>		<b>\$200,000.00</b>
<i>I CERTIFY upon my own personal knowledge that the budgeted funds for the current budget year are available for the period and purpose of the expenditure stated above.</i>				AMOUNT ENCUMBERED BY THIS DOCUMENT		
				<b>\$200,000.00</b>		
				PRIOR AMOUNT ENCUMBERED FOR THIS AGREEMENT		
OTS ACCOUNTING OFFICER'S SIGNATURE			DATE SIGNED	TOTAL AMOUNT ENCUMBERED TO DATE		
				<b>\$200,000.00</b>		

## **1. PROBLEM STATEMENT**

Hayward is the 6th largest city in the San Francisco Bay area with the 3rd largest industrial region which increases our daily population to nearly 400,000 people. Hayward is also known as the "Heart of the Bay" due to its centralized proximity to major highways (SR 92 and 238) and interstate roadways (580/880) leading to and from the region, further adding to the number of vehicles traveling through the city daily. Hayward is also home to many large retail shopping centers including the Southland Mall, along with two schools of higher education; Chabot College and California State University - East Bay.

Hayward had recently adopted a multi-dimensional approach to traffic related issues known as a "Traffic Calming" strategy, adopting the well-known pillars of Education, Enforcement and Engineering. Through this approach our Traffic Bureau is becoming very involved with both the community and the Public Works Division to focus on shared goals and creating a safe environment for all conveyances and pedestrians alike. Additionally, our City Council has placed a priority on reducing traffic collisions as a goal during FY2017-2018. This STEP Grant will assist the Traffic Bureau attain that goal.

During the past three years we have experienced a near consistent number of fatal collisions; eight in 2014 and 2015, six in 2016, and eight in 2017. Nearly half of those fatal collisions involved bicyclists and pedestrians, and many of those parties were determined to be "at-fault." According to the 2015 OTS collision rankings, among 57 similar sized cities, Hayward is ranked poorly for victims injured/killed when they are pedestrians and bicyclists. We also rank 20th for DUI related fatal and injury collisions when drivers are between the ages of 21-34.

As mentioned above, since our city is traveled heavily by commuters daily, we have a high number of motorcyclists using our roadways. Also contributing to the high number of collisions involving motorcyclists is the mild weather climate most of the year. This may explain why we have been ranked between 27rd and 10th out of 57 similar sized cities when incidents involve injuries or deaths to motorcycle riders (OTS Rankings, 2013-2015).

Monthly over the past three years, Hayward averaged between 75-100 documented injury and non-injury collisions. Of those incidents, about one-fourth of them involved unlicensed and suspended drivers or were a result of a hit-and-run misdemeanor or felony. The relationship between those two categories is undeniably related.

The current state of the economy coupled with low unemployment rates has resulted in more vehicles on our busy roadways which may explain the increasing number of traffic collisions, despite our best enforcement efforts combined with the supplemented Grant Enforcement deployments. The Traffic Officers are assigned to the high-collision intersections daily for several hours during their shift where they enforce the top-3 primary collision factors relevant to those areas. A common result of these enforcement efforts is an increase in collisions in the surrounding areas. We have a positive impact when concentrating on a specific area, but it appears that after the drivers pass by our location their driving habits revert to the top-3 PCF's. To combat this result and when staffing allows, Traffic Officers deploy out into the adjoining areas to increase the area of enforcement. This approach has been proven to be effective over time.

The Traffic Bureau is currently staffed with six Motorcycle Officers, one Sergeant, a secretary and a Community Service Officer. The Department has historically staffed the Traffic Unit with ten Motorcycle Officers but due to sworn vacancies, a priority has been placed on staffing the patrol division; however, the Department anticipates all sworn vacancies to be filled in mid-2018 and it is anticipated that they will add two additional Motorcycle Officers to the Traffic Unit. To help in achieving this goal and continuing to provide high enforcement activity, two additional motorcycles will be needed to be added to the unit. Studies have proven that officers deployed on motorcycles are significantly more efficient and effective than those who conduct traffic enforcement activity in vehicles. The addition of this equipment will allow the Traffic Unit to continue to grow and increase its ability to impact traffic needs and concerns in the city.

An increase in DUI directed enforcement has increased the number of DUI arrests and as a result, the lab cost due to the blood work needed to successfully investigate and prosecute the violators. The current cost for a blood draw to be completed is \$100. With the funding requested and using the statistics from previous DUI enforcement patrols and checkpoints, it is expected that this funding will yield approximately 70 DUI arrests requiring 70 blood draws to take place, increasing our lab costs by \$7000.



Future grant funding for enforcement operations will assist with the reduction of fatal and injury collisions by allowing the Traffic Officers to supplement their enforcement with overtime shifts having some measurable improvement. The long-term goal of the Department is to fully staff the Traffic Unit with the intent to maximize the use of those resources in lieu of grant funding.

## 2. PERFORMANCE MEASURES

### A. Goals:

1. Reduce the number of persons killed in traffic collisions.
2. Reduce the number of persons injured in traffic collisions.
3. Reduce the number of pedestrians killed in traffic collisions.
4. Reduce the number of pedestrians injured in traffic collisions.
5. Reduce the number of bicyclists killed in traffic collisions.
6. Reduce the number of bicyclists injured in traffic collisions.
7. Reduce the number of persons killed in alcohol-involved collisions.
8. Reduce the number of persons injured in alcohol-involved collisions.
9. Reduce the number of persons killed in drug-involved collisions.
10. Reduce the number of persons injured in drug-involved collisions.
11. Reduce the number of persons killed in alcohol/drug combo-involved collisions.
12. Reduce the number of persons injured in alcohol/drug combo-involved collisions.
13. Reduce the number of motorcyclists killed in traffic collisions.
14. Reduce the number of motorcyclists injured in traffic collisions.
15. Reduce hit & run fatal collisions.
16. Reduce hit & run injury collisions.
17. Reduce nighttime (2100 - 0259 hours) fatal collisions.
18. Reduce nighttime (2100 - 0259 hours) injury collisions.

### B. Objectives:

1. Issue a press release announcing the kick-off of the grant by November 15. The kick-off press releases and media advisories, alerts, and materials must be emailed to the OTS Public Information Officer at <a href="mailto:pio@ots.ca.gov">pio@ots.ca.gov</a> , and copied to your OTS Coordinator, for approval 14 days prior to the issuance date of the release.	<b>Target Number</b> 1
2. Participate and report data (as required) in the following campaigns, National Walk to School Day, NHTSA Winter & Summer Mobilization, National Bicycle Safety Month, National Click it or Ticket Mobilization, National Teen Driver Safety Week, National Distracted Driving Awareness Month, National Motorcycle Safety Month, National Child Passenger Safety Week, and California's Pedestrian Safety Month.	10
3. Develop (by December 31) and/or maintain a "HOT Sheet" program to notify patrol and traffic officers to be on the lookout for identified repeat DUI offenders with a suspended or revoked license as a result of DUI convictions. Updated HOT sheets should be distributed to patrol and traffic officers monthly.	12
4. Send law enforcement personnel to the NHTSA Standardized Field Sobriety Testing (SFST) (minimum 16 hours) POST-certified training.	5
5. Send law enforcement personnel to the NHTSA Advanced Roadside Impaired Driving Enforcement (ARIDE) 16 hour POST-certified training.	5
6. Conduct DUI/DL Checkpoints. A minimum of 1 checkpoint should be conducted during the NHTSA Winter Mobilization and 1 during the Summer Mobilization. To enhance the overall deterrent effect and promote high visibility, it is recommended the grantee issue an advance press release and conduct social media activity for each checkpoint. For combination DUI/DL checkpoints, departments should issue press releases that mention DL's will be checked at the DUI/DL checkpoint. Signs for DUI/DL checkpoints should read "DUI/Driver's License Checkpoint Ahead." OTS does not fund or support independent DL checkpoints. Only on an exception basis and with OTS pre-approval will OTS fund checkpoints that begin prior to 1800 hours. When possible, DUI/DL Checkpoint screeners should be DRE- or ARIDE-trained.	2
7. Conduct DUI Saturation Patrol operation(s).	48
8. Conduct Traffic Enforcement operation(s), including but not limited to, primary collision	52

factor violations.	
9. Conduct highly publicized Distracted Driving enforcement operation(s) targeting drivers using hand held cell phones and texting.	52
10. Conduct highly publicized Motorcycle Safety enforcement operation(s) in areas or during events with a high number of motorcycle incidents or collisions resulting from unsafe speed, DUI, following too closely, unsafe lane changes, improper turning, and other primary collision factor violations by motorcyclists and other drivers.	52
11. Conduct Nighttime (1800-0559) Click It or Ticket enforcement operation(s).	48
12. Conduct highly publicized pedestrian and/or bicycle enforcement operation(s) in areas or during events with a high number of pedestrian and/or bicycle collisions resulting from violations made by pedestrians, bicyclists, and drivers.	52

### 3. METHOD OF PROCEDURE

#### A. **Phase 1 – Program Preparation (1<sup>st</sup> Quarter of Grant Year)**

- The department will develop operational plans to implement the “best practice” strategies outlined in the objectives section.
- All training needed to implement the program should be conducted this quarter.
- All grant related purchases needed to implement the program should be made this quarter.
- In order to develop/maintain the “Hot Sheets,” research will be conducted to identify the “worst of the worst” repeat DUI offenders with a suspended or revoked license as a result of DUI convictions. The Hot Sheets may include the driver’s name, last known address, DOB, description, current license status, and the number of times suspended or revoked for DUI. Hot Sheets should be updated and distributed to traffic and patrol officers at least monthly.
- Implementation of the STEP grant activities will be accomplished by deploying personnel at high collision locations.

#### Media Requirements

- Issue a press release announcing the kick-off of the grant by November 15, but no earlier than October 1. If unable to meet the November 15 date, communicate reasons to your OTS Coordinator. The kick-off press releases and any related media advisories, alerts, and materials must be emailed for approval to the OTS Public Information Officer at [pio@ots.ca.gov](mailto:pio@ots.ca.gov), and copied to your OTS Coordinator, 14 days prior to the issuance date of the release.

#### B. **Phase 2 – Program Operations (Throughout Grant Year)**

The department will work to create media opportunities throughout the grant period to call attention to the innovative program strategies and outcomes.

#### Media Requirements

- Send all grant-related activity press releases, media advisories, alerts and general public materials to the OTS Public Information Officer (PIO) at [pio@ots.ca.gov](mailto:pio@ots.ca.gov), with a copy to your OTS Coordinator. The following requirements are for grant-related activities and are different from those regarding any grant kick-off release or announcement.
- If an OTS-supplied, template-based press release is used, there is no need for pre-approval, however, the OTS PIO and Coordinator should be copied when at the same time as the release is distributed to the press.
- If an OTS-supplied template is not used, or is substantially changed, a draft press release shall be sent to the OTS PIO for approval. Optimum lead-time would be 10 days prior to the release distribution date, but should be no less than 5 working days prior to the release distribution date.
- Press releases reporting the immediate and time-valued results of grant activities such as enforcement operations are exempt from the recommended advance approval process, but still should be copied to the OTS PIO and Coordinator when the release is distributed to the press.
- Activities such as warrant or probation sweeps and court stings that could be compromised by advanced publicity are exempt from pre-publicity, but are encouraged to offer embargoed media coverage and to report the results.
- Use the following standard language in all press, media, and printed materials: Funding for this program was provided by a grant from the California Office of Traffic Safety, through the National Highway Traffic Safety Administration.
- Email the OTS PIO at [pio@ots.ca.gov](mailto:pio@ots.ca.gov) and copy your OTS Coordinator at least 30 days in advance, a short description of any significant grant-related traffic safety event or program so OTS has sufficient notice to



arrange for attendance and/or participation in the event.

- Submit a draft or rough-cut of all printed or recorded material (brochures, posters, scripts, artwork, trailer graphics, etc.) to the OTS PIO at [pio@ots.ca.gov](mailto:pio@ots.ca.gov) and copy your OTS Coordinator for approval 14 days prior to the production or duplication.
- Space permitting, include the OTS logo, on grant-funded print materials; consult your OTS Coordinator for specifics and format-appropriate logos.
- Contact the OTS PIO or your OTS Coordinator, sufficiently far enough in advance of need, for consultation when deviation from any of the above requirements might be contemplated

**C. Phase 3 – Data Collection & Reporting (Throughout Grant Year)**

- Invoice Claims (due January 30, April 30, July 30, and October 30)
- Quarterly Performance Reports (due January 30, April 30, July 30, and October 30)
  - Collect and report quarterly, appropriate data that supports the progress of goals and objectives.
  - Provide a brief list of activity conducted, procurement of grant-funded items, and significant media activities. Include status of grant-funded personnel, status of contracts, challenges, or special accomplishments.
  - Provide a brief summary of quarterly accomplishments and explanations for objectives not completed or plans for upcoming activities.
  - Collect, analyze and report statistical data relating to the grant goals and objectives.

**4. METHOD OF EVALUATION**

Using the data compiled during the grant, the Grant Director will complete the “Final Evaluation” section in the fourth/final Quarterly Performance Report (QPR). The Final Evaluation should provide a brief summary of the grant’s accomplishments, challenges and significant activities. This narrative should also include whether goals and objectives were met, exceeded, or an explanation of why objectives were not completed.

**5. ADMINISTRATIVE SUPPORT**

This program has full administrative support, and every effort will be made to continue the grant activities after grant conclusion.

**GRANT AGREEMENT**

Schedule B

GRANT NUMBER

PT19047

FUND NUMBER	CATALOG NUMBER (CFDA)	FUND DESCRIPTION	TOTAL AMOUNT
402PT-19	20.600	State and Community Highway Safety	\$125,000.00
164 AL-19	20.608	Minimum Penalties for Repeat Offenders for Driving While Intoxicated	\$75,000.00

COST CATEGORY	CFDA	TOTAL COST TO GRANT
<b>A. PERSONNEL COSTS</b>		
Positions and Salaries		
<u>Full-Time</u>		\$0.00
<u>Overtime</u>		
DUI/DL Checkpoints	20.608	\$30,000.00
DUI Saturation Patrols	20.608	\$40,000.00
Traffic Enforcement	20.600	\$24,180.00
Distracted Driving	20.600	\$24,180.00
Motorcycle Safety	20.600	\$24,180.00
Pedestrian and Bicycle Enforcement	20.600	\$24,180.00
Night-time Click It Or Ticket	20.600	\$22,280.00
<u>Part-Time</u>		\$0.00
Category Sub-Total		\$189,000.00
<b>B. TRAVEL EXPENSES</b>		
In State Travel	20.600	\$6,000.00
		\$0.00
Category Sub-Total		\$6,000.00
<b>C. CONTRACTUAL SERVICES</b>		
		\$0.00
Category Sub-Total		\$0.00
<b>D. EQUIPMENT</b>		
		\$0.00
Category Sub-Total		\$0.00
<b>E. OTHER DIRECT COSTS</b>		
DUI Checkpoint Supplies	20.608	\$1,000.00
Phlebotomist	20.608	\$4,000.00
Category Sub-Total		\$5,000.00
<b>F. INDIRECT COSTS</b>		
		\$0.00
Category Sub-Total		\$0.00
<b>GRANT TOTAL</b>		<b>\$200,000.00</b>

<b>BUDGET NARRATIVE</b>	
<b>PERSONNEL COSTS</b>	<b>QUANTITY</b>
DUI/DL Checkpoints - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.	2
DUI Saturation Patrols - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.	48
Traffic Enforcement - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.	52
Distracted Driving - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.	52
Motorcycle Safety - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.	52
Pedestrian and Bicycle Enforcement - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.	52
Night-time Click It Or Ticket - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.	48
<b>TRAVEL EXPENSES</b>	
In State Travel - Costs are included for appropriate staff to attend conferences and training events supporting the grant goals and objectives and/or traffic safety. Local mileage for grant activities and meetings is included. Anticipated travel may include the Governor's Highway Safety Association conference and the annual International Association of Chiefs of Police DRE conference which are both scheduled for Anaheim. All conferences, seminars or training not specifically identified in the Budget Narrative must be approved by OTS. All travel claimed must be at the agency approved rate. Per Diem may not be claimed for meals provided at conferences when registration fees are paid with OTS grant funds.	1
<b>CONTRACTUAL SERVICES</b>	
-	
<b>EQUIPMENT</b>	
-	
<b>OTHER DIRECT COSTS</b>	
DUI Checkpoint Supplies - On-scene supplies needed to conduct sobriety checkpoints. Costs may include 28" traffic cones, MUTCD compliant traffic signs, MUTCD compliant high visibility vests (maximum of 10), traffic counters (maximum of 2), generator, gas for generators, lighting, reflective banners, electronic flares, PAS device supplies, heater, propane for heaters, fan, anti-fatigue mats, and canopies. Additional items may be purchased if approved by OTS. The cost of food and beverages will not be reimbursed.	1
Phlebotomist - To draw and collect blood samples from suspected DUI drivers on scene as evidence in support of DUI convictions in a court of law.	1
<b>INDIRECT COSTS</b>	
-	
<b>STATEMENTS/DISCLAIMERS</b>	
There will be no program income generated from this grant.	

Nothing in this "agreement" shall be interpreted as a requirement, formal or informal, that a particular law enforcement officer issue a specified or predetermined number of citations in pursuance of the goals and objectives.

**CERTIFICATIONS AND ASSURANCES****HIGHWAY SAFETY GRANTS****(23 U.S.C. CHAPTER 4 AND SEC. 1906, PUB. L. 109-59, AS AMENDED)**

Failure to comply with applicable Federal statutes, regulations, and directives may subject Grantee Agency officials to civil or criminal penalties and/or place the State in a high-risk grantee status in accordance with 49 CFR §18.12.

The officials named on the grant agreement, certify by way of signature on the grant agreement signature page, that the Grantee Agency complies with all applicable Federal statutes, regulations, and directives and State rules, guidelines, policies and laws in effect with respect to the periods for which it receives grant funding. Applicable provisions include, but are not limited to, the following:

- 23 U.S.C. Chapter 4—Highway Safety Act of 1966, as amended
- 49 CFR Part 18—Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments
- 23 CFR Part 1300—Uniform Procedures for State Highway Safety Grant Programs

**NONDISCRIMINATION**

(applies to subrecipients as well as States)

The State highway safety agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination ("Federal Nondiscrimination Authorities"). These include but are not limited to:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin) and 49 CFR part 21;
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. 324 et seq.), and Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683 and 1685-1686) (prohibit discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. 794 et seq.), as amended, (prohibits discrimination on the basis of disability) and 49 CFR part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. 6101 et seq.), (prohibits discrimination on the basis of age);
- The Civil Rights Restoration Act of 1987, (Pub. L. 100-209), (broadens scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal aid recipients, subrecipients and contractors, whether such programs or activities are Federally-funded or not);
- Titles II and III of the Americans with Disabilities Act (42 U.S.C. 12131-12189) (prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing) and 49 CFR parts 37 and 38;

- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (prevents discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations); and
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (guards against Title VI national origin discrimination/discrimination because of limited English proficiency (LEP) by ensuring that funding recipients take reasonable steps to ensure that LEP persons have meaningful access to programs (70 FR 74087-74100)).

The State highway safety agency—

- Will take all measures necessary to ensure that no person in the United States shall, on the grounds of race, color, national origin, disability, sex, age, limited English proficiency, or membership in any other class protected by Federal Nondiscrimination Authorities, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of its programs or activities, so long as any portion of the program is Federally-assisted;
- Will administer the program in a manner that reasonably ensures that any of its subrecipients, contractors, subcontractors, and consultants receiving Federal financial assistance under this program will comply with all requirements of the Non-Discrimination Authorities identified in this Assurance;
- Agrees to comply (and require its subrecipients, contractors, subcontractors, and consultants to comply) with all applicable provisions of law or regulation governing US DOT's or NHTSA's access to records, accounts, documents, information, facilities, and staff, and to cooperate and comply with any program or compliance reviews, and/or complaint investigations conducted by US DOT or NHTSA under any Federal Nondiscrimination Authority;
- Acknowledges that the United States has a right to seek judicial enforcement with regard to any matter arising under these Non-Discrimination Authorities and this Assurance;
- Agrees to insert in all contracts and funding agreements with other State or private entities the following clause:

“During the performance of this contract/funding agreement, the contractor/funding recipient agrees—

- a. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;
- b. Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in appendix B of 49 CFR part 21 and herein;
- c. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the State highway safety office, US DOT or NHTSA;
- d. That, in event a contractor/funding recipient fails to comply with any nondiscrimination provisions in this contract/funding agreement, the State highway safety agency will have the right to impose such contract/agreement sanctions as it or NHTSA determine are appropriate, including but not limited to withholding payments to the contractor/funding

recipient under the contract/agreement until the contractor/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part; and

- e. To insert this clause, including paragraphs (a) through (e), in every subcontract and sub agreement and in every solicitation for a subcontract or sub-agreement, that receives Federal funds under this program.

## **POLITICAL ACTIVITY (HATCH ACT)**

(applies to subrecipients as well as States)

The State will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

## **CERTIFICATION REGARDING FEDERAL LOBBYING**

(applies to subrecipients as well as States)

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

## **RESTRICTION ON STATE LOBBYING**

(applies to subrecipients as well as States)

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

## **CERTIFICATION REGARDING DEBARMENT AND SUSPENSION**

(applies to subrecipients as well as States)

### **Instructions for Primary Tier Participant Certification (States)**

1. By signing and submitting this proposal, the prospective primary tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.

2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective primary tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary tier participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.
4. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary tier participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
7. The prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency may terminate the transaction for cause or default.

#### **Certification Regarding Debarment, Suspension, and Other Responsibility Matters-Primary Tier Covered Transactions**

- (1) The prospective primary tier participant certifies to the best of its knowledge and belief, that it and its principals:
  - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;



(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) Where the prospective primary tier participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

### **Instructions for Lower Tier Participant Certification**

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded, as used in this clause, are defined in 2 CFR parts 180 and 1200.

You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

**Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transactions:**

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

**BUY AMERICA ACT**

(applies to subrecipients as well as States)

The State and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase with Federal funds only steel, iron and manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification for approval by the Secretary of Transportation.

**PROHIBITION ON USING GRANT FUNDS TO CHECK FOR HELMET USAGE**

(applies to subrecipients as well as States)

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

**LAW ENFORCEMENT AGENCIES**

All subrecipient law enforcement agencies shall comply with California law regarding profiling. Penal Code section 13519.4, subdivision (e), defines "racial profiling" as the "practice of detaining a suspect based on a broad set of criteria which casts suspicion on an entire class of people without any individualized suspicion of the particular person being stopped." Then, subdivision (f) of that section goes on to provide, "A law enforcement officer shall not engage in racial profiling."



# CITY OF HAYWARD

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

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**File #:** CONS 19-060

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**DATE:** February 5, 2019

**TO:** Mayor and City Council

**FROM:** Director of Utilities & Environmental Services

**SUBJECT**

Amendments to the Water Supply Agreement with the City and County of San Francisco and Wholesale Customers - Approval of Resolution Authorizing the City Manager to Execute the Amended and Restated Agreement

**RECOMMENDATION**

That the Council adopts a resolution approving the proposed amendments to the 2009 Water Supply Agreement (WSA) with the City and County of San Francisco and authorizing the City Manager to execute the amended and restated WSA.

**SUMMARY**

Hayward receives its water supply from the San Francisco Public Utilities Commission (SFPUC) under the terms of a 1962 individual water sales agreement, as well as the 2009 Water Supply Agreement (WSA) between San Francisco and wholesale water customers. There are seven provisions within the WSA identified by the Bay Area Water Supply and Conservation Agency (BAWSCA) and SFPUC as requiring amendment. BAWSCA represents the interests of the twenty-six entities that purchase water from SFPUC. On September 25, 2018, the Hayward City Council approved a resolution authorizing BAWSCA to represent Hayward in negotiations with San Francisco on the proposed amendments to the WSA. City staff closely monitored the progress of negotiations. The negotiations are now complete, and the proposed amendments to the WSA were approved by SFPUC on December 11, 2018. Wholesale water customers, including Hayward, have been asked to consider approval of the proposed amendments and the amended and restated WSA by March 2019.

Council Sustainability Committee Recommendation

The Council Sustainability Committee reviewed the proposed amendments at its January 14, 2019 meeting and unanimously recommended approval.

**ATTACHMENTS**

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**File #:** CONS 19-060

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Attachment I	Staff Report
Attachment II	Resolution



DATE: February 5, 2019

TO: Mayor and City Council

FROM: Director of Utilities & Environmental Services

SUBJECT: Amendments to the Water Supply Agreement with the City and County of San Francisco and Wholesale Customers – Approval of Resolution Authorizing the City Manager to Execute the Amended and Restated Agreement

#### RECOMMENDATION

That the Council adopts a resolution approving the proposed amendments to the 2009 Water Supply Agreement (WSA) with the City and County of San Francisco and authorizing the City Manager to execute the amended and restated WSA.

#### SUMMARY

Hayward receives its water supply from the San Francisco Public Utilities Commission (SFPUC) under the terms of a 1962 individual water sales agreement, as well as the 2009 Water Supply Agreement (WSA) between San Francisco and wholesale water customers. There are seven provisions within the WSA identified by the Bay Area Water Supply and Conservation Agency (BAWSCA) and SFPUC as requiring amendment. BAWSCA represents the interests of the twenty-six entities that purchase water from SFPUC. On September 25, 2018, the Hayward City Council approved a resolution authorizing BAWSCA to represent Hayward in negotiations with San Francisco on the proposed amendments to the WSA. City staff closely monitored the progress of negotiations. The negotiations are now complete, and the proposed amendments to the WSA were approved by SFPUC on December 11, 2018. Wholesale water customers, including Hayward, have been asked to consider approval of the proposed amendments and the amended and restated WSA by March 2019.

#### Council Sustainability Committee Recommendation

The Council Sustainability Committee reviewed the proposed amendments at its January 14, 2019 meeting and unanimously recommended approval.

#### BACKGROUND

The City of Hayward purchases one hundred percent of its water supply from the SFPUC's Regional Water System. This water supply is governed by two agreements: 1) the 1962 water sales agreement between the City of Hayward and the San Francisco Water Department; and 2) the Water Supply Agreement (WSA) between San Francisco and all wholesale customers,

including Hayward, and subsequent amendments. The 1962 agreement primarily addresses the quantity of water to be delivered to Hayward and is the document under which Hayward is assured of receiving sufficient quantities to meet its demand as long as adequate water supplies are available. The WSA focuses on issues of common interest to all wholesale customers, such as the calculation of wholesale rates and allocation of system costs.

Hayward is a member agency of BAWSCA, which represents the interests of the twenty-six entities that purchase water from San Francisco. In 2006, Hayward delegated authority to BAWSCA to negotiate the WSA, with the condition that Hayward staff be present at the negotiation meetings. Wholesale customers, including Hayward, also approved Amendment No. 1 in 2013, to prohibit changes to the Hetch Hetchy Reservoir unless there is an amendment to the WSA. In 2014, Hayward also delegated authority to BAWSCA to initiate, defend, and settle arbitration related to the WSA.

BAWSCA administers the WSA on behalf of its members. Several sections of the WSA have been identified as requiring amendment to address substantive issues that have arisen during implementation of the WSA. On September 25, 2018, the City Council approved a resolution authorizing BAWSCA to represent Hayward in negotiations with San Francisco on eight specific and discrete WSA provisions. BAWSCA and SFPUC concluded their negotiations in November 2018 and SFPUC approved the proposed contract amendments on December 11, 2018. Staff received regular briefings from BAWSCA during the negotiations with San Francisco.

## DISCUSSION

BAWSCA and San Francisco originally identified four items each to be included in the negotiations. One of San Francisco's proposed items related to increasing the debt coverage ratio to be consistent with the SFPUC's current policy. During negotiations, BAWSCA and San Francisco determined that the WSA already includes the necessary provisions to implement the revised debt coverage ratio and, therefore, no amendment is needed. The remaining seven proposed amendments are largely administrative and would not change the structure of the WSA or the fundamental rights of any of the member agencies to receive water under the WSA. They would not have an adverse impact on Hayward.

### Proposed Amendments

The following table briefly describes the issues and proposed amendments. The first four are issues of concern to BAWSCA and the last three are issues raised by SFPUC.

WSA PROVISION REQUIRING AMENDMENT	ISSUE	OUTCOME
1. Tier 1 Drought Allocation	<p>The WSA includes a procedure for calculating how available water supplies are divided between San Francisco and wholesale customers during droughts (Tier 1 Drought Allocation). The Tier 1 formula, which was adopted in 2000, requires higher cutbacks by the wholesale customers based on the assumption that the wholesale customers have the ability to cut back more in a drought than San Francisco. Various factors that affect this formula have changed, notably lower water use by wholesale customers. If the Tier 1 allocation formula had been applied during the 2014-2017 drought, San Francisco retail customers would have received a positive allocation of water while wholesale customers would have been required to significantly cutback water use.</p>	<p>Change to existing formula to require a minimum 5% cutback by SFPUC's retail customers. Water saved as a result of the 5% reduction would be allocated to wholesale customers, while additional water conserved by retail customers would remain in storage for allocation in future successive dry years.</p>
2. SFPUC 2018 Decisions Regarding San Jose and Santa Clara and Increase in Water Supply for Permanent Customers	<p>Unlike other BAWSCA member agencies, the cities of San Jose and Santa Clara currently have interruptible contracts for water from SFPUC. The WSA requires that SFPUC decide by December 31, 2018 on whether to make San Jose and Santa Clara permanent customers of the SFPUC and whether to increase the supply assurance for permanent customers. Events since 2009 have made it difficult for the SFPUC to conduct the necessary supply analyses and environmental assessment to make these decisions. It is in the parties' interest to extend the decision deadline.</p>	<p>Extension of SFPUC's decisions to December 31, 2028 in order to evaluate water supplies and impacts on other wholesale customers. The amendment also extends the notification for potential termination of deliveries to San Jose and Santa Clara from 5 years to 10 years, to reflect a more reasonable timeline for developing alternative water supplies.</p>

WSA PROVISION REQUIRING AMENDMENT	ISSUE	OUTCOME
3. Oversight of SFPUC's Capital Improvement Program	BAWSCA has no contractual right to review and provide input on SFPUC's Capital Improvement Program (CIP).	Establishment of a process to allow BAWSCA and wholesale customers to provide input into CIP development and changes in Level of Service Goals, and requirement for quarterly reports on CIP implementation.
4. Asset Classification	Resolution of disputed SFPUC Regional Water System asset classifications is needed, which affect how costs are divided between San Francisco and the wholesale customers.	Final classification of certain SFPUC assets that have been part of ongoing negotiations since 2013. The proposed adjustments would ensure that wholesale customers pay only for the water supply benefits provided by the assets.
5. Wholesale Capital Fund	The WSA has language to reconcile planned versus actual allocation of revenue funded capital expenditures in five-year intervals. This interval does not address unintended consequences that occur during implementation.	Shortened process intervals to provide greater stability in the annual determination of the Wholesale Revenue Requirement.
6. Water System Improvement Program (WSIP) Completion Date	The WSA states that WSIP will be completed by December 31, 2015.	Revised WSIP completion date to December 30, 2021 (as adopted by the SFPUC's Commission in March 2018).
7. Regional Groundwater Storage and Recovery Project (RGSRP)	The WSA has outdated language regarding operational and cost-allocation responsibilities for the RGSRP.	Updated WSA language to provide additional detail regarding operation and allocation of capital and operating costs for the RGSRP.



BAWSCA and SFPUC have prepared an amended and restated WSA that includes the proposed amendments and a number of non-substantive updates and “clean-up” revisions to the WSA. SFPUC approved the proposed amendments and the amended and restated WSA on December 11, 2018. The proposed amendments must also be approved by the wholesale customers to take effect. According to the provisions of the WSA, if the proposed amendments would not change the structure or affect the fundamental rights of wholesale customers, they can be executed with the approval of two-thirds of the wholesale customers or the number of wholesale customers representing seventy-five percent of the quantity of water delivered by San Francisco. BAWSCA has determined that the proposed amendments do not change the fundamental rights of wholesale customers.

Staff has reviewed and recommends approval of the seven proposed amendments. This action does not require review under the California Environmental Quality Act (CEQA) because the amendments are not considered a "project" for the purposes of compliance with CEQA. The amendments at issue involve an administrative activity that does not result in a direct change to the environment (see 14 CCR Section 15378(b)(5)) and would not result in a direct or reasonably foreseeable indirect physical change in the environment (see 14 CCR Section 15060(c)(2)).

#### Council Sustainability Committee (CSC) Recommendation

The CSC reviewed and discussed the proposed amendments at its January 14, 2019 meeting and unanimously recommended City Council approval.

#### Minimum Purchase Requirements (A separate issue)

As requested by BAWSCA, the delegation of authority resolution Council adopted in September 2018 authorizes BAWSCA to negotiate amendments related only to the provisions described in the previous section. As mentioned above, staff received regular briefings on the negotiations and is recommending approval of the seven proposed WSA amendments. However, an issue that is not directly related to the proposed amendments surfaced during the negotiations and has raised concerns.

Four of the twenty-six wholesale agencies have a contractual obligation in their individual water sales contracts to purchase a minimum quantity of water from SFPUC. If an agency decides to purchase less than their minimum requirement, they are billed by SFPUC for the difference. These agencies expressed interest in reducing or eliminating the minimum purchase requirements as part of the recently completed WSA amendment negotiations. BAWSCA was clear that addressing the minimum purchase requirements could not be included in these negotiations. However, BAWSCA and SFPUC agreed to put language in the findings for the proposed WSA amendments to reflect a mutual intent to address the minimum purchase requirements in a timely way as part of a future potential amendment. This language was intended to assure the four affected agencies that BAWSCA and SFPUC are committed to addressing the minimum purchase issue and alert governing boards of a possible subsequent amendment.

Amending the WSA to reduce or eliminate minimum purchase requirements has the potential to financially impact other wholesale customers, including Hayward, if, as a result, less water is purchased and paid for by the four agencies. This results in a reduction in revenue for SFPUC that must be made up by shifting costs to other customers. These potential impacts were clearly demonstrated during the recent drought, when minimum purchase requirements were temporarily waived due to water supply shortages. Based on information provided by BAWSCA, the four agencies saw an estimated \$20 million in cost savings over the four-year period that were shifted to other wholesale customers and San Francisco retail customers. For Hayward, this shift resulted in \$1.7 million of additional costs that needed to be recovered in customer water rates.

The WSA provides for temporary waivers of the minimum purchase requirement during water supply shortages. Hayward also recognizes the need for and supported the temporary waivers that were issued during the recent drought as part of the short-term drought response and water supply strategy to leave more water in storage for the benefit of all SFPUC customers. However, Hayward's interest in a commitment to working on a future amendment to permanently change the minimum purchase requirements would depend on the structure of the amendment and impacts on Hayward. In the absence of this information, staff believes that it is premature to include a related finding in the forthcoming resolution. Further, it is not in keeping with the City Council's delegation of authority to BAWSCA, which was limited specifically to the issues outlined earlier in this report.

Staff's preference was that BAWSCA and SFPUC not include language on the minimum purchase requirements in the draft materials for approving the proposed amendments. However, the language related to the minimum purchase requirements was included in SFPUC's findings that were adopted on December 11 and is included in the draft resolution that BAWSCA distributed to the wholesale customers for approving the proposed WSA amendments. On January 14, staff briefed the CSC on the minimum purchase issue and recommended that the findings related to the minimum purchase requirements be omitted from the draft resolution that is provided to the City Council. In this way, Hayward would not be on record as agreeing with the intent to negotiate a future solution to the minimum purchase requirements without information about the structure and impacts. Omitting language related to the minimum purchase requirements has no effect on Council's ability to approve the proposed WSA amendments.

#### CSC Recommendation on Minimum Purchase Requirements

The CSC reviewed and discussed the minimum purchase issue at its January 14, 2019 meeting and unanimously agreed with staff's recommendation to omit the language related to the minimum purchase requirements in the resolution provided to Council for approval of the seven proposed WSA amendments.

## ECONOMIC IMPACT

Approval of the proposed WSA amendments are not expected to impact Hayward's water rates.

## FISCAL IMPACT

No fiscal impacts to the City Water Enterprise Fund are anticipated as a result of approving the proposed WSA amendments. Likewise, there are no General Fund impacts.

## STRATEGIC INITIATIVES

This agenda item does not directly relate to one of Council's Strategic Initiatives.

## SUSTAINABILITY FEATURES

The WSA provides for reliable and sustainable water supplies.

## PUBLIC CONTACT

No public contact was undertaken, as it is not anticipated that the proposed WSA amendments will fundamentally impact water consumers in Hayward.

## NEXT STEPS

Staff will notify BAWSCA of the City Council's actions regarding the proposed amendments to the WSA.

Prepared by: Jan Lee, Water Resources Manager

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

Approved by:



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Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 19-

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

RESOLUTION APPROVING AMENDMENTS TO THE WATER SUPPLY AGREEMENT BETWEEN THE CITY AND COUNTY OF SAN FRANCISCO AND WHOLESALE CUSTOMERS IN ALAMEDA COUNTY, SAN MATEO COUNTY, AND SANTA CLARA COUNTY

WHEREAS, water supply agencies in Alameda, San Mateo and Santa Clara Counties, including the City of Hayward, have purchased water from the City and County of San Francisco (San Francisco) for many years (collectively, “the Parties”); and

WHEREAS, the San Francisco Public Utilities Commission (SFPUC) Water Enterprise operates the Regional Water System, which delivers water to 26 entities serving communities in Alameda, San Mateo and Santa Clara Counties, as well as to customers within San Francisco; and

WHEREAS, the Parties entered into the “Settlement Agreement and Master Water Sales Contract between the City and County of San Francisco and Certain Suburban Purchasers in San Mateo County, Santa Clara County and Alameda County” in 1984; and

WHEREAS, upon expiration of the 1984 “Settlement Agreement and Master Water Sales Contract,” the Parties entered into the “Water Supply Agreement between San Francisco and Wholesale Customers in Alameda County, San Mateo County, and Santa Clara County” (“Water Supply Agreement”) on July 1, 2009, authorized by SFPUC Resolution No. 09-0069; and

WHEREAS, on September 25, 2018, the City Council of the City of Hayward adopted Resolution 18-202, authorizing the Bay Area Water Supply and Conservation Agency (BAWSCA) to represent the City of Hayward in negotiations with SFPUC to amend certain provisions of the Water Supply Agreement, and each of the other 25 entities that are members of BAWSCA similarly delegated negotiating authority to BAWSCA; and

WHEREAS, BAWSCA as submitted periodic reports to the City of Hayward on progress during the negotiations and detailed briefings on all significant elements of the amendments; and

WHEREAS, the Parties now desire to adopt an amended and restated Water Supply Agreement in order to:

- (1) Adjust the provisions of the Water Shortage Allocation Plan regarding the initial allocation of water between San Francisco Retail and Wholesale water customers during shortages;

- (2) Extend the December 31, 2018 deadline for the SFPUC to complete a water supply planning process and decide whether or not to (a) grant permanent customer status to the cities of San Jose and Santa Clara, dedicating a permanent share of the SFPUC water supply to these two wholesale customers, who currently have temporary, interruptible status; and (b) increase the 184 mgd Supply Assurance created as a permanent dedication of water supply in the 1984 “Settlement Agreement and Master Water Sales Contract” and carried forward into the 2009 Water Supply Agreement (collectively “the 2018 Decisions”);
- (3) Require the SFPUC to adhere to a formal program to engage with BAWSCA on the SFPUC’s ten-year Capital Improvement Program development;
- (4) Change the classification of certain Hetch Hetchy Water and Power capital projects, adjusting the amount of capital funding to be provided towards these projects by the Parties and the SFPUC Power Enterprise through the term (June 30, 2034) of the Water Supply Agreement;
- (5) Modify provisions related to the SFPUC’s administration of the Wholesale Capital Fund to more closely align with the historic rate of capital project spending by the SFPUC and prevent volatility in the annual determination of the Wholesale Revenue Requirement;
- (6) Extend the estimated timing of the completion of the Water System Improvement Program to reflect the currently adopted program completion date;
- (7) Clarify the cost allocation and water accounting provisions used for the Regional Water System’s Groundwater Storage and Recovery Project; and

WHEREAS, in addition to the substantive modifications set forth above, the amended and restated Water Supply Agreement also includes a number of non-substantive updates and revisions to incorporate previously approved modifications; and

WHEREAS, the proposed amendments are not a “project for the purposes of the California Environmental Quality Act (CEQA) as they involve an administrative activity that does not result in a direct change to the environment (see 14 CCR Section 15378(b)(b)), and would not result in a direct or reasonably foreseeable indirect physical change in the environment (see 14 CCR Section 15060(c)(2)); and

WHEREAS, according to the provisions of the Water Supply Agreement, if the proposed amendments would not change the structure or affect the fundamental rights of wholesale customers, they can be executed with the approval of two-thirds of the wholesale customers or the number of wholesale customers representing seventy-five percent of the quantity of water delivered by San Francisco; and

WHEREAS, BAWSCA has determined that the proposed amendments do not change the fundamental rights of wholesale customers; and

WHEREAS, an amended and restated Water Supply Agreement, in the form negotiated by BAWSCA, was presented to and adopted by the SFPUC on December 11, 2018.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby approves the modifications included in the amended and restated Water Supply Agreement Between the City and County of San Francisco Wholesale Customers in Alameda County, San Mateo County, and Santa Clara County, dated November 2018 (Amended and Restated Water Supply Agreement).

BE IT FURTHER RESOLVED that the City Manager is authorized and directed to sign the Amended and Restated Water Supply Agreement, in the form previously approved by the San Francisco Public Utilities Commission.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2019

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:  
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

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

APPROVED AS TO FORM:

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



# CITY OF HAYWARD

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

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**File #:** CONS 19-068

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**DATE:** February 5, 2019

**TO:** Mayor and City Council

**FROM:** City Manager

**SUBJECT**

Approval of Execution of Joint Exercise of Powers Agreement Relating to the California Public Finance Agency to Allow the Existing Leisure Terrace Apartment Complex Located at 1638 E Street to Apply for Four Percent Low Income Housing Tax Credits to Convert All Units to Deed Restricted Affordable Housing Units

**RECOMMENDATION**

That Council adopts the attached resolution approving, authorizing, and directing execution of a joint exercise of powers agreement relating to the California Public Finance Authority to allow the existing Leisure Terrace Apartment complex to apply for four percent Low Income Housing Tax Credits (LIHTCs) to convert all units to deed restricted affordable housing units.

**SUMMARY**

The Reliant Group, an apartment investment group, has requested public bond financing from the California Public Finance Authority (CalPFA) in order to acquire, rehabilitate, and convert the Leisure Terrace Apartments located at 1638 E Street in the City of Hayward to a 100% deed restricted affordable housing project. If the Reliant Group does not receive public bond financing, they will acquire the apartments with private financing and most likely have to increase rents to help finance the intended investment and rehabilitation of the apartment units.

For CalPFA to have jurisdiction to issue bonds for any project in the City, it is necessary for the City of Hayward to become a member of CalPFA. As a result of the public financing, the property will be converted to a 100% affordable housing project. Staff recommends joining CalPFA to facilitate the acquisition, rehabilitation, and conversion of the Leisure Terrace Apartments to affordable housing that will protect low-income residents most vulnerable to displacement caused by the new acquisition and investment.

**ATTACHMENTS**

Attachment I      Staff Report

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**File #:** CONS 19-068

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Attachment II

Resolution





DATE: February 5, 2019

TO: Mayor and City Council

FROM: City Manager

SUBJECT: Approval of Execution of Joint Exercise of Powers Agreement Relating to the California Public Finance Agency to Allow the Existing Leisure Terrace Apartment Complex Located at 1638 E Street to Apply for Four Percent Low Income Housing Tax Credits to Convert All Units to Deed Restricted Affordable Housing Units

#### RECOMMENDATION

That Council adopts the attached resolution approving, authorizing, and directing execution of a joint exercise of powers agreement relating to the California Public Finance Authority to allow the existing Leisure Terrace Apartment complex to apply for four percent Low Income Housing Tax Credits (LIHTCs) to convert all units to deed restricted affordable housing units.

#### SUMMARY

The Reliant Group, an apartment investment group, has requested public bond financing from the California Public Finance Authority (CalPFA) in order to acquire, rehabilitate, and convert the Leisure Terrace Apartments located at 1638 E Street in the City of Hayward to a 100% deed restricted affordable housing project. If the Reliant Group does not receive public bond financing, they will acquire the apartments with private financing and most likely have to increase rents to help finance the intended investment and rehabilitation of the apartment units.

For CalPFA to have jurisdiction to issue bonds for any project in the City, it is necessary for the City of Hayward to become a member of CalPFA. As a result of the public financing, the property will be converted to a 100% affordable housing project. Staff recommends joining CalPFA to facilitate the acquisition, rehabilitation, and conversion of the Leisure Terrace Apartments to affordable housing that will protect low-income residents most vulnerable to displacement caused by the new acquisition and investment.

#### BACKGROUND

The Reliant Group, Inc. has requested that the CalPFA adopt a plan of financing providing for the issuance of one or more series of revenue bonds issued from time to time, including bonds issued to refund such revenue bonds, in an aggregate principal amount not to exceed \$23,000,000 for the acquisition, rehabilitation, improvement, and equipping of the 68-unit

multifamily rental housing project located at 1638 E Street, generally known as Leisure Terrace Apartments and operated by Reliant Property Management. For CalPFA to have jurisdiction to issue bonds for any project in Hayward, it is necessary for the City to become a member of CalPFA.

Reliant Group, Inc. proposes to use both bond financing and LIHTCs, which will convert the property from a market rate apartment complex to an affordable housing complex with rents restricted for low- and very low income residents. The proposal will protect residents most vulnerable to displacement.

## DISCUSSION

The CalPFA was formed pursuant to a Joint Exercise of Powers Agreement between two original members, Kings County and the Housing Authority of Kings County. Additional cities, counties and other local government entities may, and have, joined CalPFA. CalPFA is a political subdivision of the state of California and was created on May 12, 2015 to assist local governments, non-profit organizations, and businesses with the issuance of taxable and tax-exempt financing to promote economic, cultural, and community development opportunities that create temporary and permanent jobs, affordable housing, community infrastructure, and improve the overall quality of life in local communities. To date, thirty-five public agencies have become members of CalPFA.

There are no costs associated with membership in CalPFA and the City will not become exposed to any financial liability by reason of its membership in CalPFA. Additionally, participation by the City in the CalPFA will not impact the City's appropriations limits and will not constitute any type of indebtedness by the City. CalPFA shares a portion of its annual fees with the local agency that conducts a Tax Equity and Fiscal Responsibility Act (TEFRA) hearing. Each public agency who conducts the TEFRA hearing shall receive a minimum of 10% of the CalPFA annual administrative fee collected for the term the respective bonds issued by CalPFA.

Currently, the City is a member of two other Joint Powers Authorities including the California Statewide Communities Development Authority and California Municipal Finance Authority. Joining CalPFA would create an additional partnership for the financing and development of future affordable housing projects. Staff recommends joining CalPFA to increase financing options for developers looking to invest in the City and to facilitate the conversion of the Leisure Terrace Apartments to affordable housing. If Council approves joining CalPFA, a TEFRA hearing will be held by the City Council on February 19, 2019 to approve the proposed bond financing for the Leisure Terrace Apartments and enable the project to apply for four percent LIHTCs.

## FISCAL IMPACT

There is no fiscal impact associated with this agenda item.

## STRATEGIC INITIATIVES

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

Goal 2: Provide a mix of housing stock for all Hayward residents and community members, including the expansion of affordable housing opportunities and resources.

Objective 1: Centralize and expand housing services.

Objective 2: Facilitate the development of diverse housing types that serve the needs of all populations.

Objective 4: Increase the supply of affordable, safe and resilient housing in Hayward.

## NEXT STEPS

If Council authorizes membership in CalPFA, the City Manager will execute the JPA document. Staff will then prepare the documents for a TEFRA hearing to be scheduled for Council consideration on February 19, 2019.

Prepared by: Christina Morales, Housing Division Manager

Recommended by: Jennifer Ott, Deputy City Manager

Approved by:



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Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 19-

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

RESOLUTION APPROVING, AUTHORIZING AND DIRECTING EXECUTION OF A  
JOINT EXERCISE OF POWERS AGREEMENT RELATING TO THE CALIFORNIA  
PUBLIC FINANCE AUTHORITY

WHEREAS, the City of Hayward, California (the "City"), has expressed an interest in participating in the economic development financing programs (the "Programs") in conjunction with the parties to that certain Joint Exercise of Powers Agreement Relating to the California Public Finance Authority, dated as of May 12, 2015 (the "Agreement"); and

WHEREAS, there is now before this City Council the form of the Agreement; and

WHEREAS, the City proposes to participate in the Programs and desires that certain projects to be located within the City be financed pursuant to the Programs and it is in the public interest and for the public benefit that the City do so; and

WHEREAS, the Agreement has been filed with the City Clerk, and the members of the City Council of the City, with the assistance of its staff, have reviewed said document;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby finds and determines as follows:

Section 1. The Agreement is hereby approved and the Mayor of the City is hereby authorized and directed to execute said document, with such changes, insertions and omissions as may be approved by said City Council, and the City Clerk is hereby authorized and directed to affix the City's seal to said document and to attest thereto.

Section 2. The Mayor of the City, the City Clerk and all other proper officers and officials of the City are hereby authorized and directed to execute such other agreements, documents and certificates, and to perform such other acts and deeds, as may be necessary or convenient to effect the purposes of this Resolution and the transactions herein authorized.

Section 4. This resolution shall take effect immediately upon its passage.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2019

ADOPTED BY THE FOLLOWING VOTE:

AYES:           COUNCIL MEMBERS:  
                  MAYOR:

NOES:           COUNCIL MEMBERS:

ABSTAIN:       COUNCIL MEMBERS:

ABSENT:        COUNCIL MEMBERS:

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

APPROVED AS TO FORM:

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



# CITY OF HAYWARD

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

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**File #:** CONS 19-069

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**DATE:** February 5, 2019

**TO:** Mayor and City Council

**FROM:** Fire Chief

**SUBJECT**

South Hayward Youth and Family Center - Authorization to Negotiate and Execute 1) an Agreement with Alameda County to Accept \$500,000, and 2) a Professional Services Agreement with RossDrulisCusenbery, Inc. (RDC) for Building Program and Design Services

**RECOMMENDATION**

That Council adopts the attached resolutions authorizing the City Manager to:

1. Negotiate and execute an agreement with Alameda County to accept and appropriate \$500,000 for phase I and II design expenses for the South Hayward Youth and Family Center (SHYFC) project, and
2. Negotiate and execute a professional services agreement with RossDrulisCusenbery, Inc. (RDC) for SHYFC community analysis, building program, and design services, not to exceed \$500,000.

**SUMMARY**

Since 2013, the City of Hayward, Alameda County (County), and the Hayward Area Recreation and Parks District (HARD) have worked towards a shared vision of constructing and operating a new center at the corner of Tennyson and Ruus Roads called the South Hayward Youth and Family Center (SHYFC). In 2015, the City, County, and HARD formed the SHYFC Governance Group to provide project guidance, with the City of Hayward leading the coordination of the project with the various partners. To date, the Governance Group has identified a portion of the funding, selected a non-profit operator, and released a Request for Proposals (RFP) for the design phase of the project.

The project site is on City-owned property and located at 680 West Tennyson Road. The total project cost is estimated at \$24 million. The County has secured \$14 million in grants and County funding, leaving a \$10 million gap. The SHYFC Governance Group recommended creating a phased design to allow for construction of phase 1, while other funds are identified and secured. Consequently, a request for proposals for design was released and eight companies responded. RossDrulisCusenbery, Inc (RDC) was

selected as the project architect. Staff requests Council approval of the two resolutions and authorization for the City Manager to 1) negotiate and execute an agreement with Alameda County to accept and appropriate \$500,000 for Phase I and II design expenses, and 2) negotiate and execute a professional services agreement with RDC, not to exceed \$500,000.

**ATTACHMENTS**

Attachment I	Staff Report
Attachment II	Resolution, Alameda County Agreement
Attachment III	Resolution, RDC Agreement
Attachment IV	Phase I and II Descriptions
Attachment V	RDC Proposal
Attachment VI	RDC Cost Proposal



DATE: February 5, 2019

TO: Mayor and City Council

FROM: Fire Chief

SUBJECT: South Hayward Youth and Family Center - Authorization to Negotiate and Execute 1) an Agreement with Alameda County to Accept \$500,000, and 2) a Professional Services Agreement with RossDrulisCusenbery, Inc. (RDC) for Building Program and Design Services

#### RECOMMENDATION

That Council adopts the attached resolutions authorizing the City Manager to:

1. Negotiate and execute an agreement with Alameda County to accept and appropriate \$500,000 for Phase I and II design expenses for the South Hayward Youth and Family Center (SHYFC) project, and
2. Negotiate and execute a professional services agreement with RossDrulisCusenbery, Inc. (RDC) for SHYFC community analysis, building program, and preliminary design services, not to exceed \$500,000.

#### SUMMARY

Since 2013, the City of Hayward, Alameda County (County), and the Hayward Area Recreation and Parks District (HARD) have worked towards a shared vision of constructing and operating a new center at the corner of Tennyson and Ruus Roads called the South Hayward Youth and Family Center (SHYFC). In 2015, the City, County, and HARD formed the SHYFC Governance Group to provide project guidance, with the City of Hayward leading the coordination of the project with the various partners. To date, the Governance Group has identified a portion of the funding, selected a non-profit operator, and released a Request for Proposals (RFP) for the design phase of the project.

The project site is on City-owned property and located at 680 West Tennyson Road. The total project cost is estimated at \$24 million. The County has secured \$14 million in grants and County funding, leaving a \$10 million gap. The SHYFC Governance Group recommended creating a phased design to allow for construction of phase 1, while other funds are identified and secured. Consequently, a request for proposals for design was released and eight companies responded. RossDrulisCusenbery, Inc (RDC) was selected as the project architect.



Staff requests Council approval of the two resolutions and authorization for the City Manager to 1) negotiate and execute an agreement with Alameda County to accept and appropriate \$500,000 for Phase I and II design expenses, and 2) negotiate and execute a professional services agreement with RDC, not to exceed \$500,000.

## BACKGROUND

Since 2013, the City of Hayward, Alameda County (County), and the Hayward Area Recreation and Parks District (HARD) have worked towards a shared vision of constructing and operating a new center at the corner of Tennyson and Ruus Roads called the South Hayward Youth and Family Center (SHYFC). In 2015, the City, County, and HARD formed the SHYFC Governance Group to guide the project and identified the City as the lead project coordinator to work with the SHYFC partners. The goal of the SHYFC Governance Group is to identify necessary resources and ensure that the project successfully serves the South Hayward community in conjunction with the existing Matt Jimenez Community Center, Tennyson Park, and Hayward Fire Station 7 and Community Health Clinic.

In July 2014, the County Board of Supervisors allocated \$9.6 million from District 2's share of one-time residual property tax funds for the SHYFC. In June 2015, the County Board of Supervisors approved the acceptance of a \$5 million grant from the Kaiser Regional Foundation. This total funding amount of \$14.6 million was reduced by approximately \$600,000 to help fund Mia's Dream Park, which is located on parcels abutting the SHYFC project site.

In September 2016, the SHYFC Governance Group requested that the City issue a Request for Qualifications for Facility Operator and Administrator Services in September. On August 7, 2017, the Governance Group identified La Familia Counseling Services and Eden Youth and Family Center, jointly, as the recommended facility operators. On March 27, 2018, City Council adopted a resolution authorizing the City Manager to negotiate and execute a facility operator agreement with La Familia and Eden Youth and Family Center.

## DISCUSSION

### Funding Transfer from Alameda County for Phases I and II of Design

In November and December of 2018, the City and County discussed and agreed that the path to transfer project funds to the City so the City can enter into an agreement with RDC to begin the design phase was to execute an agreement between the County and City to transfer funds to the City. A \$500,000 County transfer from the Kaiser grant funds awarded to the County will be made to the City.

Staff recommends that Council adopts the attached resolution (Attachment II) authorizing the City Manager to negotiate and execute an agreement with the County to accept and appropriate \$500,000 for Phases I and II of the SHYFC project.

## Contract Services for Project Phases I and II

In June 2018, the City issued a Request for Proposals (RFP) for design of Phases I and II of the SHYFC project. Phase I includes a community analysis and the creation of a building program. Phase II is the preliminary design. The RFP descriptions for both phases are included as Attachment IV. While the overall project has an approximate \$10 million funding gap, the lack of preliminary design concepts for the facility has hindered the ability to pursue grant and foundation funding opportunities for the Center. Proceeding with the design phase now will assist the Governance Group and staff team in marketing the project to potential external funding agencies.

The City received eight proposals for the Phase I and II design work. The SHYFC Governance Group evaluated each proposal for its understanding of the proposed project and for the training, experience, past-performance, capabilities, personnel, and workload of the firm's staff. The group ranked RossDrulisCusenbery, Inc. (RDC) as the top proposal. RDC's proposal and estimated costs are included as Attachments V and VI. The total cost proposal from RDC is \$299,352 for Phases I and II of the project.

Staff recommends that Council pass the attached resolution (attachment III) authorizing the City Manager to negotiate and execute a professional service agreement with RDC to complete Phase I and II design services, not to exceed \$500,000. This amount includes a significant contingency to allow the Governance Group (comprised of Supervisor Valle, Mayor Halliday, and HARD Director Hodges) flexibility to adjust and potentially expand RDC's scope of work as the design proceeds. Any design funds not utilized will go towards the project construction budget.

### FISCAL IMPACT

The costs associated with Phases I and II of the SHYFC will be covered by grant funds transferred to the City from Alameda County. There is no anticipated impact to the City's General Fund, other than staff time to move this project forward.

The total budget for the SHYFC design and construction was originally estimated to be \$24 million, based on the cost of the REACH Ashland Youth Center. Currently, the County has secured \$14 million in grants and County funds for the project, leaving a funding gap of approximately \$10 million. As part of its scope, RDC will create a phased design plan for SHYF Governance Group's discussion. This approach will allow the Governance Group to collaborate on strategies to raise additional funds.

### STRATEGIC INITIATIVES

This agenda item supports Council's Tennyson Corridor Strategic Initiative. The overarching purpose of the Tennyson Corridor Strategic Initiative is to develop an attractive, cohesive, thriving Tennyson Corridor through thoughtful engagement of residents, businesses, and community partnerships. This agenda item directly supports the following goal and objective:

Goal 1: Create a community vision plan for the Tennyson Corridor and catalyst sites to serve as a foundation for long-term planning and policies.

Objective 3: Lead the development and construction of a new South Hayward Family Center in coordination with community stakeholders.

## **SUSTAINABILITY FEATURES**

The design phase of the SHYFC project will address and incorporate all City green building ordinances, including the zero-net-energy requirement for new construction.

## **NEXT STEPS**

If Council adopts the attached resolutions, staff will finalize and execute agreements with the County and with RDC, with the goal of beginning design work this month.

Prepared by: Dave Hung, Senior Civil Engineer  
Mary Thomas, Management Analyst

Recommended by: Garrett Contreras, Fire Chief  
Maria A. Hurtado, Assistant City Manager

Approved by:

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

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Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 19-

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

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH ALAMEDA COUNTY TO ACCEPT AND APPROPRIATE \$500,000 FOR PHASE I AND II DESIGN EXPENSES FOR THE SOUTH HAYWARD YOUTH AND FAMILY CENTER PROJECT

WHEREAS, the City of Hayward has partnered with Alameda County and Hayward Area Recreation and Parks District since 2013 to work towards a shared vision of constructing and operating a new center at the corner of Tennyson and Ruus Roads called the South Hayward Youth and Family Center (SHYFC); and

WHEREAS, the City of Hayward, with the SHYFC Governance Group, issued a request for proposals for design services in June 2018, received eight proposals, and ranked the proposal from RossDrulisCusenbery, Inc (RDC) as the highest; and

WHEREAS, the project site is on City-owned property and located at 680 West Tennyson Road, with an estimated project cost of \$24 million, \$14 million of which has been secured, leaving a \$10 million funding gap.

WHEREAS, Alameda County secured \$14 million in grants and County funds for the development of a phased design and a portion of the construction phase of the SHYFC project that will cover the cost of the contract with RDC and incidental costs.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is authorized and directed to negotiate and execute an agreement with Alameda County to accept and appropriate \$500,000 for phase I and II design expenses for the SHYFC project.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2019

ADOPTED BY THE FOLLOWING VOTE:

AYES:           COUNCIL MEMBERS:  
                  MAYOR:

NOES:           COUNCIL MEMBERS:

ABSTAIN:       COUNCIL MEMBERS:

ABSENT:        COUNCIL MEMBERS:

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

APPROVED AS TO FORM:

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

HAYWARD CITY COUNCIL

RESOLUTION NO. 19-

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

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH ROSSDRULISCUSENBERY, INC. FOR COMMUNITY ANALYSIS, BUILDING PROGRAM, AND DESIGN SERVICES FOR THE SOUTH HAYWARD YOUTH AND FAMILY CENTER, NOT TO EXCEED \$300,000

WHEREAS, the City of Hayward has partnered with Alameda County and Hayward Area Recreation and Parks District since 2013 to work towards a shared vision of constructing and operating a new center at the corner of Tennyson and Ruus Roads called the South Hayward Youth and Family Center (SHYFC); and

WHEREAS, the City of Hayward, with the SHYFC Governance Group, issued a request for proposals for design services in June 2018, received eight proposals, and ranked the proposal from RossDrulisCusenbery, Inc (RDC) as the highest; and

WHEREAS, Alameda County has identified funding for the design phase and a portion of the construction cost of the SHYFC project that will cover the cost of the contract with RDC.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is authorized and directed to negotiate and a professional services agreement with RossDrulisCusenbery, Inc. for community analysis, building program, and design services for the SHYFC project, not to exceed \$500,000.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2019

ADOPTED BY THE FOLLOWING VOTE:

AYES:           COUNCIL MEMBERS:  
                  MAYOR:

NOES:           COUNCIL MEMBERS:

ABSTAIN:       COUNCIL MEMBERS:

ABSENT:        COUNCIL MEMBERS:

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

APPROVED AS TO FORM:

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

## SHYFC PROJECT – PHASE I AND II DESCRIPTIONS

### Phase Ia: Community Analysis

Extensive Community Surveys and related community scanning work has previously been performed to collect data for this project. Consultant will gather and synthesize this existing data, identify gaps, and fill or update with new information and data as needed to complete a formal Community Analysis report. Resources include most current demographic data for the City of Hayward and the neighborhoods of South Hayward with respect to population, size, age, race, ethnicity, education levels, student/school population, literacy, languages, health outcomes, employment and family income. Consultant will also refer to current Eden Youth and Family Center, Tiburcio Vasquez Health Center, and Matt Jimenez Community Center statistics and services and future trends in services. Deliverable will be a report which documents the findings of this analysis.

### Phase Ib: Master Plan and Building Program

Based upon the above-mentioned report, consultant will prepare a Project Master Plan and Building Program that recommends ideal square footage of the new SHYFC facility, service delivery areas including health/dental clinic and other identified specialized areas, community and special purpose rooms, administrative and office areas, outdoor spaces, and other areas identified in the Community Analysis to meet the needs of the community. The Project Master Plan also should take into consideration and integrate the assets, resources, and spaces contained within the existing Matt Jimenez Community Center (MJCC), a 19,000 square feet gymnasium and multipurpose recreation center with office spaces and a commercial kitchen, located next door to the SHYFC project site. In addition to the above-noted core elements, the Project Master Plan must also include the following alternative options:

- a) Options for significantly value-engineering the project construction should available construction funding ultimately prove too limited to implement all elements of the ideal facility
- b) Options for future phase-in of additional Master Plan elements including redevelopment of the current EYFC campus site, potential acquisition and redevelopment of privately-owned properties adjacent to the overall project site, and coordination with the currently-in-progress Master Plan of Tennyson Park being separately undertaken by HARD.

### Phase II: Preliminary Design

In consultation with City staff and its partners including representatives from HARD, County of Alameda, and other project stakeholders, Consultant will prepare a conceptual design for a new “South Hayward Youth and Family Center” facility near the sites of the



current Eden Youth and Family Center that balances the recommendations of the building program with the fiscal realities of funding. Included should be:

- a) Collect site information, historic and/or cultural information relevant for the project.
- b) Review topographic survey.
- c) Define project scope.
- d) Prepare design scenarios and alternatives.
- e) Prepare illustrative plans and other graphics for presentation.
- f) Prepare preliminary cost estimates.
- g) Present formal plan to community.

18294  
Sonoma Highway  
Sonoma  
CA 95476

TEL 707 996 8448  
FAX 707 996 8542

## ARCHITECTURE

June 26, 2018

Sean Reinhart, Project Manager  
City of Hayward  
835 C Street  
Hayward, CA 94541

RE: **RossDrulisCusenbery** Architecture, Inc.: *South Hayward Youth and Family Center Project*

Dear Mr. Reinhart:

**RossDrulisCusenbery** Architecture, Inc. (RDC) is pleased to submit a proposal for this important youth and family center project. We believe in the power of youth and family centers to produce positive community change. We believe in the vision of neighborhood youth and stakeholders in guiding the design direction for the community centers that they will use. And we believe that these types of facilities become the centerpieces of their respective communities. The proposed South Hayward Youth & Family Center can be all of this.

RDC is a Bay Area firm that regularly provides master planning, needs assessment, and design services for youth and adult centers, and community health clinics. RDC has extensive experience providing flexible, creative and cost-effective solutions for facilities that combine recreational, educational, creative arts, career and health services for both adult and youth populations. RDC has provided multi-service center design services for both renovation and new construction. RDC regularly develops operational needs assessments and master planning services for these facilities, and consistently builds consensus among all stakeholders. RDC was the architect, designer and programmer on such important recent projects as Alameda County's REACH Ashland Youth Center and Union City's Kennedy Youth Center.

RDC also has extensive experience working with the City of Hayward, with current and recent projects including the Hayward Fire Department Fire Training Facility, remodels of HFD Fire Stations #1 through #5, a new ground-up HFD Fire Station #6, and programming/conceptual-design for the Hayward Police Department HQ. We know how to build consensus in this city. RDC has also worked closely with HARD, most recently on the park coordination for the REACH Ashland Youth Center, as part of the larger Edendale Park improvement.

It is RDC's intent to design a dynamic and inviting youth and family center campus for this important part of Hayward, and to do so with a vision for the site context and the limits of the project budget. RDC will explore re-use strategies for existing facilities; as needed, we will propose new building elements and outdoor areas. RDC will provide well developed compelling project renderings for use in community outreach, CEQA and fundraising efforts. RDC will draw upon the insights and experiences of the diverse local community.

One of the hallmarks of RDC's methodology is our use of *participatory design* in our youth and community outreach process. This was recently used to great success in the design for the REACH Ashland Youth Center, Union City's Kennedy Youth Center, and Oakland's Beats Rhymes & Life Headquarters. This unique and engaging creative process invests all participants--community members, client representatives and other stakeholders--in developing the vision for the facility. It is a dynamic

**RossDrulisCusenbery**

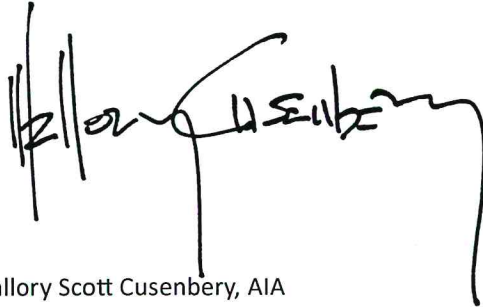
methodology that thrives on diversity, using innovative *design engagement* processes to develop a comprehensive vision for the proposed facility. Input is documented and distilled into the final master plan and design. It is our intent to offer this process as an option for this important project.

RDC has assembled and will manage a specialized local consultant team for this project. Included on this team is Tomás Alvarez, an Oakland-based social entrepreneur and youth behavioral health advocate. Tomás has groundbreaking experience in youth services, workforce development, and social entrepreneurship, developing and implementing award-winning therapeutically-based programs for youth of color and helping organizations build diverse, empathetic and impactful workforces; for his trailblazing work in the field of adolescent mental health he was selected as a [CNN Hero](#) and NBC Top 20 Innovator. The rest of RDC's consultant team includes longtime collaborators, with whom RDC has a long history of working on relevant youth and community center projects. This team includes: IDA, Structural Engineers; WSP, Lighting, Acoustical and Audio Visual Engineers; BKF, Civil Engineers; Cumming, Cost Consultants; and TS Studio, Landscape Architects.

**RossDrulisCusenbery** Architecture is uniquely qualified and ready to undertake the services for the South Hayward Youth & Family Center, and to do so in a timely and efficient manner. A review of RDC's past projects in the pages that follow will quickly show that RDC has developed creative design solutions for projects with many of the similar characteristics as those that currently face this project. With our extensive background in this building type, RDC requires no learning curve, and is ready to undertake the programming and conceptual design tasks without delay. In addition, RDC is qualified to undertake this work independently and without the need to form any complicated association with other firms. RDC is prepared to start immediately.

We appreciate the opportunity to offer our firm for consideration, and we look forward to meeting with the City to discuss our experience, philosophy of design and project management approach. Thank you for your consideration.

Sincerely,



Mallory Scott Cusenbery, AIA

**RossDrulisCusenbery** Architecture, Inc. 18294 Sonoma Highway, Sonoma, CA 95476  
v. 707.996.8448 ext. 118, f. 707.996.8542, e-mail: [mcusenbery@rdcarchitecture.com](mailto:mcusenbery@rdcarchitecture.com)  
Federal Tax ID: 91-1758710

*\*\*\*Please note: Principal Mallory Cusenbery will be unavailable and out of the country from July 19<sup>th</sup> through August 6<sup>th</sup>, 2018, but is available for follow-up or for further discussions at any other time. Thank you in advance for your understanding \*\*\**





REACH Ashland Youth Center, San Leandro, CA (RossDrulisCusenbery Architecture, Inc.)

SOUTH HAYWARD YOUTH & FAMILY CENTER

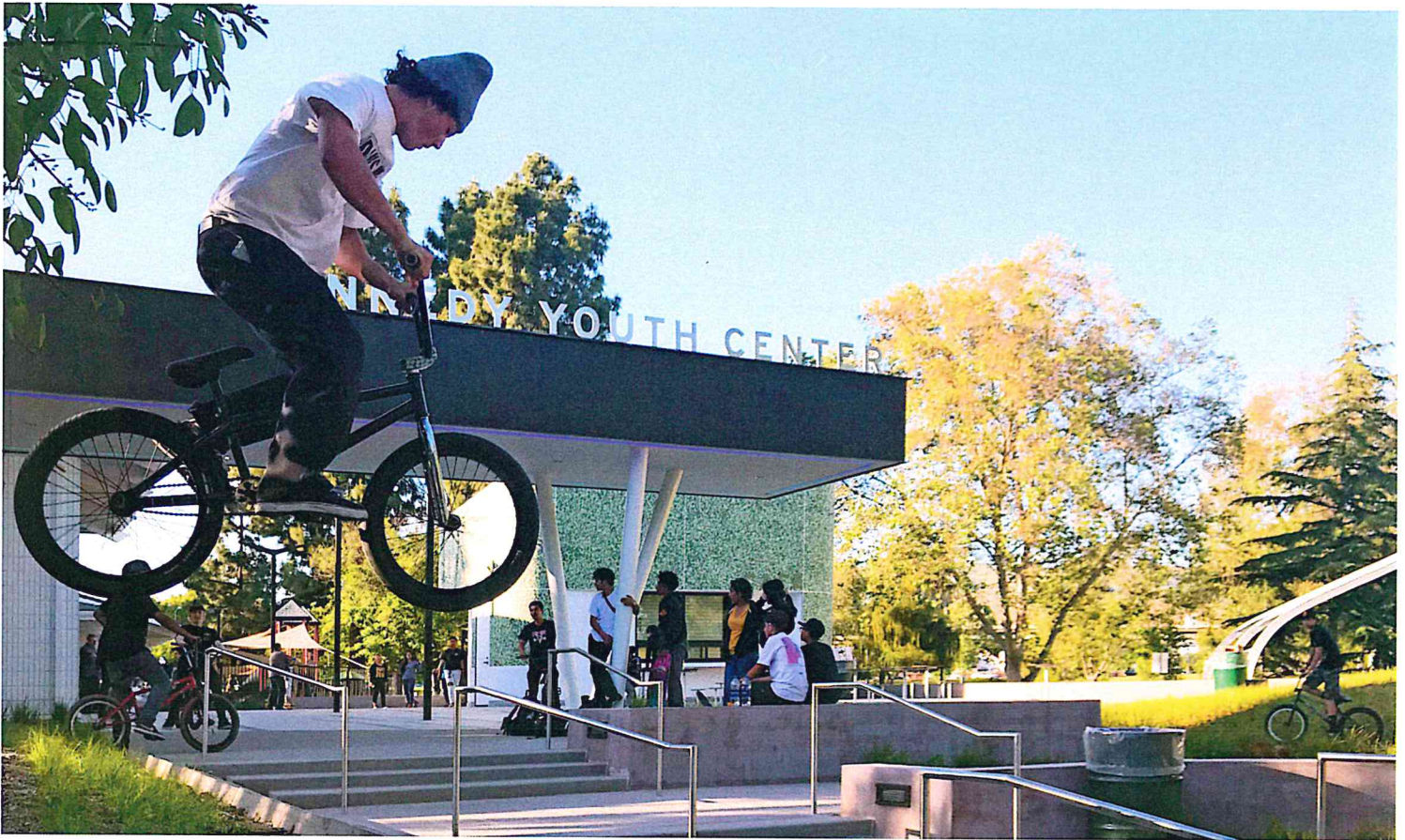
TABLE OF CONTENTS

		<u>Page Count</u>
	Letter of Interest	2
	Table of Contents	n/a
1	Firm / Team Qualifications	8
2	Project Approach	7
3	Relevant Experience	7
4	Project Implementation	6
5	Resumes	n/a
	<b>30 Total</b>	

## REFERENCE TABLE OF CONTENTS FOR RFP REQUIREMENTS

ITEM	TO INCLUDE	Location
a. <b>Letter of Interest</b>	Approach to this project, consultant firm name, address, phone, FAX, email, main contact person	Page i - ii
b. <b>Client References</b>	At least three of similar complexity, including: key owner personnel, citizen participant, and contractor's project manager	Page 27
c. <b>Quality Assurance/Quality Control</b>	Detailed explanation	Page 26
d. <b>Hourly Rate Sheet</b>	For each participating staff person. Estimate the hours for all activities and tasks, with cost summaries by task and the project overall.	<i>Separate Envelope</i>
e. <b>Timeline</b>	Phase 1a & 1b, Community Analysis & Master Plan and Building Program	Page 28
f. <b>Firm Experience</b>	Completed community multiservice center & health/dental clinic buildings of similar complexity and scale, including discussion of project costs in relation to the budget, and project construction in relation to the schedule.	Pages 2-4 & Pages 17-22
g. <b>Resumes &amp; Personnel</b>	Identification & Resumes of personnel to be directly involved in this project.	Page 29-45
h. <b>Current Workload</b>	Current workload of firm and specific personnel assigned to this project.	Page 27
i. <b>Experience designing/acquiring/installing technology &amp; equipment</b>	Health & dental clinic equipment, public access digital technology, and other.	Page 2-4 & Pages 17-22
j. <b>Project Management Philosophy</b>	Firm's philosophy of Design & Project Management	Page 24-25
k. <b>Public Involvement Experience</b>	Public involvement in a project's design, and modification of proposed designs based on public comment.	Page 5, 6 & 14
l. <b>LEED Experience</b>	Experience designing for energy efficiency, LEED environmental sustainability & Zero Net Energy standards.	Page 26 - 27
m. <b>Visual Presentations</b>	Firm's capabilities for visual presentations & computer-generated video & 3-D modeling.	Page 24
n. <b>Estimated Total Project Cost* (Fees)</b>	A description of how actual costs for services will be determined. (*Note: Assumed this refers to cost of services, not cost of construction.)	<i>Separate Envelope - See Fee Pro</i>





*The new Kennedy Youth Center, Union City, CA (RossDrulisCusenbery Architecture, Inc.)*

# ROSSDRULISCUSENBERY ARCHITECTURE, INC. 1 FIRM / TEAM QUALIFICATIONS

## YOUTH & FAMILY MULTI-SERVICE & WELLNESS CENTER EXPERIENCE

**RossDrulisCusenbery Architecture, Inc. (RDC)**, is an award-winning Bay Area firm specializing in the facility assessment, programming, planning and design of public buildings. During the past thirty years, RDC has provided professional services for approximately \$2 billion in public projects located in over twenty states and sixteen California counties. RDC provides services throughout the Bay Area. Currently we are working on projects in Alameda, Marin, Contra Costa, Santa Clara, San Francisco, Sonoma, Glenn, and Napa Counties.

RDC regularly works with municipalities and governments to program and master plan significant community facilities. RDC is currently working with the City of Hayward on a variety of important civic infrastructure projects, both remodel and new construction. We understand Hayward, and the broader Alameda County context, particularly in light of the ambitions for neighborhood-based community development, community engagement, and the important role of key social services and resources. RDC has also programmed and designed numerous community health clinic and social service campuses, with projects that serve the medical, dental and behavioral health needs of local communities.

**"What was impressive was the level and depth of community involvement to get this project completed. It was amazing to see the collaboration between the youth, program administrators and county leadership coming together to find this solution that is a win-win for all involved."**

*-- Design Awards Juror, regarding REACH Ashland Youth Center*





**REACH Ashland Youth Center**

(From top to bottom) Aerial View, Dance Room, Fitness Room, and Health Clinic)

The flexible integration of a wide variety of program types was a key design goal.

(RossDrulisCusenbery Architecture, Inc.)

## DESIGNING MULTI-SERVICE COMMUNITY & YOUTH CENTERS

RDC believes in the power of youth and community centers to tangibly contribute to the health and well-being of communities in both the immediate and long term. We also believe that these facilities should emerge from the direct contributions, ambitions, vision and efforts of the community that they serve. This way of rooting a project in its unique neighborhood builds a sense of ownership and investment by the community, and improves recruitment, membership, and grant funding. RDC has embodied this philosophy in our planning, programming, and design for multi-service community and health centers. Recent relevant examples include:

### REACH Ashland Youth Center, Alameda County, CA

RDC programmed and designed the new 31,500 SF, \$14 million County of Alameda REACH Ashland Youth Center project, an effort driven by an innovative youth-centered collaborative design and community engagement process. The REACH program features multiple program-types under one roof. Flexible space-use is important, with programming sometimes changing hourly. This LEED Platinum, sustainably designed two-story structure includes: a library; a public café; media production, dance and fitness rooms; a wellness center with dental, medical and behavioral health services; multi-purpose group and classrooms; a computer lab; a visual arts room; a childcare center; a career center; an interior courtyard; movie viewing area with "bleacher" seating, and case manager counseling and administrative spaces. The Fuente Wellness Center is a full-service community health clinic employing local youth. REACH is a much-loved centerpiece for East 14<sup>th</sup> Street and the surrounding Ashland community; it currently serves as a model project for how to design this type of next-generation multi-service center. The project was completed on time and on budget. Equipment/technology integration included medical/dental equipment, full building and library resource security, fitness equipment, comprehensive A/V plus recording studio, computer lab integration, gaming room, etc.

### Kennedy Youth Center, Union City, CA

The Kennedy Youth Center is a 21,400 SF, \$14.4 million renovation, addition, and new construction project. Utilizing an innovative youth engagement process, the project transformed the existing 1960s Kennedy Community Center into a contemporary youth center offering a range of activities and services. The two phased Master Plan was developed as a cost-management strategy to get the services off the ground with limited funding, and then seamlessly expand into full services once additional funding becomes available. Phase I re-invigorated the existing building by adding a new public-facing plaza, cafe, entry canopy, and engaging the important adjacent public park. Phase II will expand the Teen Center with 11,000 SF of new program, unifying all elements under a building-defining idea: the "raised park" occupiable green roof. The full build-out youth center will have two classrooms; a game room and lounge; park-facing performance space; dance, art, and recording studios; administrative offices; and counseling and day care services. The Phase I project was completed on time and on budget. Equipment for computer lab and game room were coordinated and integrated.

### Beats Rhymes & Life Headquarters, Oakland, CA

This was a renovation of an existing retail building near Lake Merritt in the Grand Lake

RossDrulisCusenbery Architecture, Inc.



neighborhood in Oakland. This project was designed using a youth-engagement collaborative design process, with the BRL Academy youth participating in visioning sessions for the design. The Oakland-based nonprofit, Beats Rhymes & Life (BRL)--which is a landmark group that uses Hip Hop as a catalyst for youth change and development--secured an existing space to serve as a national hub for their innovative programming. Their HQ includes space for trainings, workshops and events, with youth-focused program spaces that include: a youth community center, a gallery, Therapeutic Activity Group (TAG) spaces, a recording studio and beat lab; a vinyl archive and record player area; BRL offices, and flexibly/adaptable spaces that allow for multiple configurations.

#### **Valley of the Moon Boys and Girls Club, Sonoma, CA**

RDC worked with the Sonoma County Regional Parks Department to plan and design Sonoma Valley's 23,000 SF Boys & Girls Club. The facility is sensitively sited in Maxwell Farms Regional Park. The B&G Club offers many multi-generational programs under one roof, including a gymnasium, game rooms, classrooms, a technology center, an environmental study center, a library, teaching kitchen and administrative offices. The B&G Club engages adjacent outdoor spaces to facilitate indoor/outdoor experiences for the facility users. The project was completed on time and on budget.

#### **San Carlos Adult Community Center (ACC), San Carlos, CA**

RDC designed the 17,000 SF, \$2.4 million modernization and renovation of San Carlos Adult Community Center, In San Carlos, CA. The project began with program focus groups with senior citizens led by RDC. The project included the contemporary modernization and technology integration for "active aging" multi-use rooms, a community kitchen, media rooms, social spaces, fitness rooms, art studios, exercise rooms, game rooms, administrative offices and other functions. The project was completed on time and on budget.

#### **Sonoma Community Center, Sonoma, CA**

The \$1.5 million Sonoma Community Center offers both adult- and youth-serving programs. RDC provided a facility master plan assessment study which guided all future improvements. RDC also provided program verification, facility space planning, Phase I architectural design, construction phasing, and cost estimation services. RDC's facility master plan included the extensive renovation of the Andrews Hall Theater including new theatre rigging and HVAC systems, replacement windows, an exterior restoration, seismic strengthening, electrical upgrades, new ADA restrooms, an elevator, additional parking spaces, landscape design, general interior refurbishments and structural upgrades throughout the entire facility. One hundred percent of the project took place while the building was operational requiring careful space planning and coordination with the building's tenants.

#### *Additional relevant projects:*

#### **THE CLUB at Maxwell Village, Sonoma, CA**

Planning, programming and design of a 3,000 SF renovation to create a safe place for teens to study, socialize, engage in the arts, technology and receive college and career counseling.

#### **Sonoma Valley Veterans Multi-Use Building, Sonoma, CA**

Master planning and architectural design for a 15,000 SF modernization of a community building, working with veterans and community groups.

RossDrulisCusenbery Architecture, Inc.



**THE CLUB at Maxwell Village, Sonoma, CA**  
Located in Maxwell Village, THE CLUB is an extension of the Boys & Girls Club of Sonoma Valley. (RossDrulisCusenbery Architecture, Inc.)





**San Carlos Adult Community Center Renovation,  
San Carlos, CA**  
(From top to bottom)  
Multi-purpose Room, Main Lobby,  
View of the Lounge from the top of stairs  
(RossDrulisCusenbery Architecture, Inc.)

## **PLANNING /DESIGN FOR HEALTH CLINICS AND HEALTH & HUMAN SERVICE CAMPUSES**

RDC has considerable experience planning, programming, and designing community health clinics and programming and master planning social services campuses. Relevant examples include:

### **La Clinica Fuente Wellness Center @ REACH, Alameda County, CA**

As part of the overall REACH Ashland Youth Center project, The Fuente Wellness Center is a youth designed, youth planned cutting edge full service youth health clinic. Located within the newly constructed REACH Ashland Youth Center complex, it serves Alameda County youth and young adults ages 11-24. Fuente has a youth leadership/mentorship component, and provides services that include: first aid and urgent care, health education, physical exams, dental exams, family planning & health education, etc. Equipment integration during design included provisions for medical and dental equipment, building security and monitoring.

### **Napa County Health & Human Services Campus, Napa, CA**

RDC provided master planning, programming, design and contract administration for the remodel of Napa County Health and Human Services campus. The campus incorporates social service and clinical spaces including; Child Welfare, Alcohol and Drug, Services for Older Adult, Mental Health, Public Health and other services. The project included installation of 35,000 SF of modular office space as well as renovation of approximately 20,000 SF of existing buildings and relocation and renovation of 5,000 SF of existing modular buildings.

### **West Marin Service Center, Marin County, CA**

RDC provided professional facility planning, community outreach, design and construction administration services for the County of Marin to develop the Department of Health and Human Services, West Marin Service Center in Point Reyes Station, California. The project included the reconstruction of the existing two-story 3,175 SF building and an addition of approximately 2,857 SF.

### **Mendocino County Health & Human Services Master Plan, CA**

The County of Mendocino Health and Human Services Facility Master Plan was developed by RDC to organize and integrate the multiple services provided by the County. The Mendocino County Public Health department is located in ten locations totaling 32,618 SF, Social Services department in seven locations totaling 80,936 SF, Mental Health Department in five locations totaling 7,250 SF and DA Family Support Division in one location totaling 14,000 SF. Combined, the H&HS providers occupy 74,368 SF of leased and 60,436 SF of County owned space, all of which was integrated through the master planning process.

### **Mendocino Children's Social Services Center, Ukiah, CA (Yokayo)**

The new 14,900 SF Children's Social Services Center is a conversion of a supermarket into provisions for social workers in the Children's Program Services of the Mendocino County Department of Social Services. Spaces include a public lobby, waiting area and children's play area next to meeting rooms and interview rooms for meeting with clients.

### **Fire Station Health Clinic, Cherryland, CA**

The fire station includes a limited scope neighborhood health clinic staffed by three full-time personnel, including a mid-level practitioner, a Fire Paramedic, and a care coordinator.



In addition to providing on-site limited scope services including follow up from ED visits, the Health Portal will also conduct population health services through various means. This combined facility will be designed to meet the local public safety and public health needs for of unincorporated Alameda County.

## PUBLIC INVOLVEMENT & PARTICIPATORY DESIGN

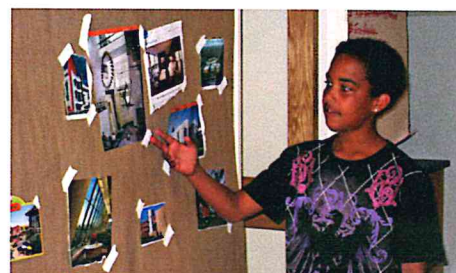
**Meaningful Collaboration.** As part of the development of the design for the South Hayward Youth & Family Center, RDC recommends considering a youth- and stakeholder-engaging *participatory design process*. Participatory design is the way that RDC works collaboratively with youth and other stakeholders in the design of a project; community outreach processes are essential for building consensus for public projects and ensuring the design of the projects are compatible with the neighborhoods and communities in which they belong. RDC regularly leads, facilitates and supports participatory design approaches with youth and other stakeholders. RDC also has extensive community outreach experience on complex public projects.

Participatory design for teen centers engages the creative input of youth, promoting them as key players in the community center design process. Participatory design is based on the idea that it takes a diversity perspectives to capture the needs and ambitions of any youth community, and that through meaningful collaboration with these youth, one gains the insights needed to get the design right. RossDrulisCusenbery's focus has been on engaging the youth in a creative way, working step-by-step with them to directly influence the design through every phase of the design process. RDC has used this process in the design of many of the youth-oriented facilities listed herein.

The methods and techniques that RDC uses for its participatory design process is custom-tailored for each unique project and each individual client group. Since this is a custom-made process, the exercises that RDC may propose for the South Hayward YFC may be new and unique; the following is an illustrative list of the types of exercises RDC has leveraged in the past:

- *Common Language Presentation & Discussion.* A humorous foray into architect-speak and youth-speak.
- *Magazine Tear-Sheet Exercises.* Commonly used during the programming phase.
- *Community Asset Mapping & Neighborhood Values Documentation.* Utilizing photography, story-telling, youth-generated mapping, walking tours, etc.
- *"Do/Feel" Exercise.* Differentiates between quantitative and qualitative experience.
- *Freestyle (i.e. Hip Hop Spoken Word Improv) Visioning Exercise.*
- *"Post-It" Brainstorming Exercise.* Facilitating a creative brainstorm session with the youth and other stakeholders to generate key design ideas.
- *Materials Selection.*
- *Collage "Attitude" Exercise.* Developing "attitude boards."
- *Slides/presentations* such as COLOR IN DESIGN, or MATERIALS & ATTITUDE.

Participatory design for youth and community members involves three key steps: 1) removing any top-down working relationship, where hierarchy is replaced with creative equity, a zone where all ideas count; 2) shifting the design process to a new center of gravity: the



**Participatory Design For Youth Centers**  
(Above, from top to bottom)  
Enlarged aerial photo youth site planning;  
Do/Feel exercise; construction site visits;  
programming session; collage-making  
"visual attitude" exercise.  
(RossDrulisCusenbery Architecture, Inc.)





strengths of the participants; 3) demonstrating a willingness to embrace—even invite—the unexpected, loosening the process to make it more inclusive. The time commitment for this type of design process can range from a one-day intensive to six-months of bi-weekly meetings, depending on the desires of the City. Optimally, the process will track the design team's process with the participatory design process in real time, so that participants' design contributions are woven into the process, and essential to the outcome.

This engagement process includes presenting work to get community feedback, and then altering the design to adapt to community input. However, it goes beyond that: it integrates input from the very beginning, engaging participants in a way that is *generative*, not just *reactive*. This way, the design team is not just changing the design based on community input, but instead, community input *is* the design.

For additional information on the opportunities of this process, please see these online resources prepared and presented by RDC Design Principal Mallory Scott Cusenbery:

**Youth-ing The Design Process** (article):

<http://www.aiacc.org/2017/08/08/youth-ing-design-process/>

**Participatory Design** (video):

<https://www.aecknowledge.com/ktalks/21/view>

**Participatory Design & Public Space** (CitySpaceYouthProject Website):

<http://www.cityspaceyouthproject.com/>

## PUBLIC OUTREACH & FACILITATION

*Community Outreach & Facilitation processes* are essential for building consensus for public projects and ensuring the design of the projects are compatible with the neighborhoods and communities in which they belong. Working closely with the City of South Hayward, RDC will facilitate a comprehensive stakeholder identification, outreach and engagement process. RDC's approach is inclusive and encourages community and stakeholder interaction throughout the process. For each endeavor, our approach will be inclusive, strategic, context driven and holistic, addressing local, social, political, economic and physical topics and concerns. Through our team's participatory planning and design process, client goals and community interests will be addressed to frame key issues. The process will be inclusive, dignified and structured to build consensus around possible alternatives which leading to a clear and collective vision of the future project.

Project examples of our community outreach process experience include: (partial list)

- REACH Ashland Youth Center Public Outreach Process, Alameda County, CA
- Beats Rhymes & Life HQ, Oakland, CA
- Kensington Public Safety Building, Kensington, CA
- Palo Alto Public Safety Building Public Outreach Process, Palo Alto CA
- West Marin Service Center, Marin County, CA
- Contra Costa County Civic Center Master Plan Process
- City of Napa Civic Center Master Plan



**Community Outreach Facilitation:**  
(From top to bottom) Palo Alto; Oakland;  
Stanford University; Alameda County  
(RossDrulisCusenbery Architecture, Inc.)



## INNOVATIVE STRATEGIES FOR COST MANAGEMENT

It is not uncommon for the ambitions of youth and family multi-service centers to outpace the available construction funding. This reality should not prevent municipalities and communities from still pursuing the full vision, in a measured way. RDC's design process involves developing strategic phasing, growth and shared use strategies to maximize available funding while still creating a complete and fulfilling project vision.

The REACH Ashland Youth Center leveraged flexibility as a cost management strategy. Multiple interior, full-wall glass moveable partitions open and close to dramatically reconfigure available space in a moment's notice. A small classroom can combine with a library space, a lounge area, even an outdoor amphitheater, effectively changing the program of the building with a simple move. REACH utilizes these reconfigurations on a daily basis, a flexibility that has defined how the facility operates.

Union City's Kennedy Youth Center utilized a visionary phasing approach to manage it's limited budget. The first phase – now complete – relies largely on an existing building, but with strategic remodel and expansion strategies, has become a vastly different facility from what it was before, setting the groundwork for the future/larger Phase II project. Then, when funding is available, Phase II builds upon the Phase I work to dramatically define the full project vision. A new, Phase II wraparound skin and a new large-scale occupiable vegetated green roof envelop the Phase I work, doubling the building size, and launching the facility into a new life. This creative phasing strategy was instrumental in helping get the project off the ground.

## SUBCONSULTANT TEAM

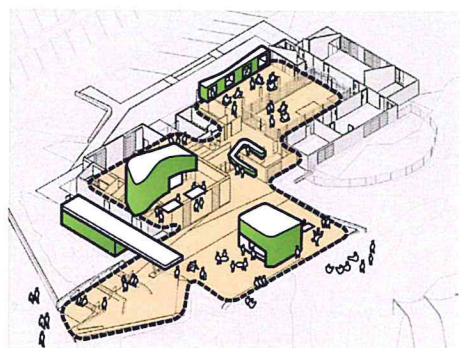
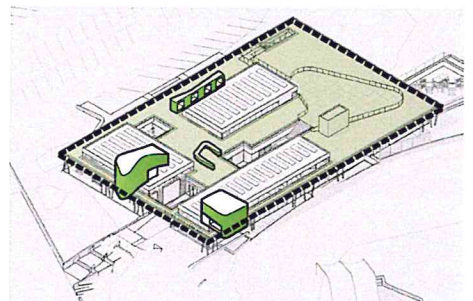
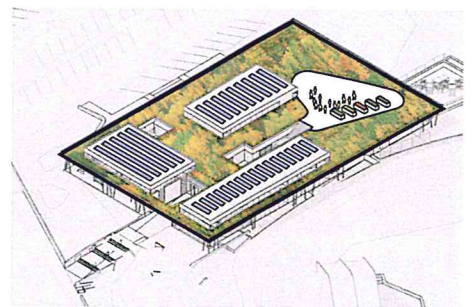
RDC has assembled and will manage a highly qualified consulting team with extensive experience with relevant building types to this project. The team includes:

**Tomás Alvarez III** - Consultant, Social Entrepreneur & Youth Advocate, **TS Studios** - Landscape Architects (WBE & DBE), **WSP** - Lighting, Acoustical, AV systems, **IDA** - Structural Engineers, **BKF** - Civil Engineers, **Cumming Construction Management** - Cost Estimators

### CONSULTANT, SOCIAL ENTREPRENEUR & YOUTH ADVOCATE - TOMÁS ALVAREZ III

Tomás Alvarez is a leading social entrepreneur whose dedicated his career to helping youth heal, grow and lead. In 2011, he launched Beats Rhymes and Life, Inc., the country's first nonprofit dedicated to the provision of Hip Hop Therapy. More recently, he founded the Hip Hop Therapy Global Institute (HHTGI). For his trailblazing work in the field of adolescent mental health he was selected as a CNN Hero, NBC Top 20 Innovator, and lifetime Ashoka Fellow. In 2016, he served as a SEERS Fellow at Stanford University in the Program on Social Entrepreneurship through the Haas Center for Public Service. Recent projects Include: REACH Ashland Youth Center, Beats Rhymes and Life HQ, Seneca Center for Children and Families, Oakland High School Student Wellness Center, Oakland Public Library, Oakland Parks & Recreation, Lincoln Child Center, Turning Point Community Programs.

For the South Hayward Youth and Family Center, Tomás will be applying his extensive background in youth facilitation and mental health programming in several of the project



*Example of phasing strategies to achieve a successful project within limited means.*

**Kennedy Youth Center, Union City, CA**  
(RossDrulisCusenbery Architecture, Inc.)





*(From top to bottom)*

**Lincoln Child Center, Hayward, CA**  
(Tomás Alvarez III)

**Jack London Square Pavilion Plaza, Oakland, CA**  
(TS Studio - Landscape Architecture)

**Queen of the Valley Hospital, Napa, CA**  
(BKF Civil Engineers)

**Hellen Diller Civic Center, San Francisco, CA**  
(Cumming Cost Consultants)

phases. He will contribute to the Community Analysis and programming effort. Tomás will also co-facilitate any participatory design process, assist in the selection of participants, and be available for community outreach meetings.

#### **LANDSCAPE ARCHITECTURE - TS STUDIO**

TS studio is a WBE/DBE Landscape Architecture, Urban Design, and Strategic Planning Firm. Their work is process driven and research based, with an emphasis on refinement of craft and turning concepts and ideas into built projects. Design ideas are site-specific, recognizing each project's unique character and the potential for adaptation and invention. TS Studio provides quality Landscape Architecture and Urban Design services throughout San Francisco Bay and beyond. Collaborating with public and private clients, their work includes a variety of scales, from small intimate spaces to large multi-use developments and parks. TS Studio believes that through collaboration they can begin to strategize design solutions that are particular to the context and unique character.

#### **STRUCTURAL ENGINEERS - IDA**

IDA Structural Engineers, Inc. (IDA) is a full-service consulting structural engineering firm originally established in 1986. IDA is a Certified Small Local Emerging Business (SLEB) with the County of Alameda. In their 32 years of business, IDA has developed a reputation for exceptional professional engineering service based on providing technical expertise, sound professional judgment, and prompt, reliable, personal service to their clients.

#### **CIVIL ENGINEERS - BKF ENGINEERS**

BKF provides civil engineering, land surveying, and land planning services for government agencies, institutions, developers, architects, contractors, schools, and corporations. Their markets include healthcare, education, residential, commercial, industrial, corporate, transportation, and public works. BKF provides specialty services including sustainable design, site accessibility consulting, hydrology/hydraulics, traffic signal design, and 3D laser scanning.

#### **LIGHTING, ACOUSTICS, AV SYSTEMS - WSP**

WSP continues to be a leader in the design of energy-efficient and sustainable design systems. WSP offers complete, integrated services in the design of mechanical, electrical, plumbing and fire protection systems, sustainable and high performance building design through our Built Ecology group, technology, audiovisual, acoustics, and electronic security systems, LEED® consulting and management, structural engineering; building enclosures and façades, commissioning; and architectural lighting.

#### **COST ESTIMATION - CUMMING CONSTRUCTION MANAGEMENT**

Cumming's cost management group is one of the largest providers of cost estimating and management services in the U.S. Cumming's project experience includes the completion of assignments in support of architects, engineers, owners, and others. Cumming has completed more than 1,200 projects for city- and county-operated facilities. These projects include parks, public spaces, city halls, civic centers, police/fire facilities, libraries, offices, community centers, animal shelters, transit centers, maintenance facilities, and public works, among others.

*Team Resumes have been included in Section 6 of this proposal.*





Aerial of the Kennedy Youth Center, Union City, CA

## 2

# DESIGNING A COMMUNITY ASSET PROJECT APPROACH

### PROJECT UNDERSTANDING

The proposed South Hayward Youth and Family Center (SHYFC) is an opportunity to create a model facility for the next generation of family- and youth-serving community centers. This **next generation of multi-service centers** provide critical programming for career, educational, arts, recreational, medical, dental, and behavioral health needs. They are pillars within the communities where they are built.

The new SHYFC also provides the chance to build a key catalyst project in the larger **Tennyson Corridor Initiative**. This important initiative represents a critical community goal of redefining and updating the Tennyson Corridor. A beautiful and dynamic multi-service center, with exceptional site and building design, would offer the most bang for the buck, and address many of the Tennyson Corridor Strategic Vision performance measures with one project: meeting local social service needs, improving the community appearance, fostering a cohesive sense of place, and increasing community resiliency.

RDC regularly designs, facilitates and builds projects of this type in communities just like South Hayward. We understand how to engage the community, create a landmark design, leverage the projects for potential external funding, and create a campus that becomes

*"This is a great example of your taxpayer dollars at work (in a good way!)...the result is an exceptional piece of public architecture. The architects created very visually accessible spaces, filled with light. There were no random acts in this building. Congratulations!.*

*-- Design Awards Juror*



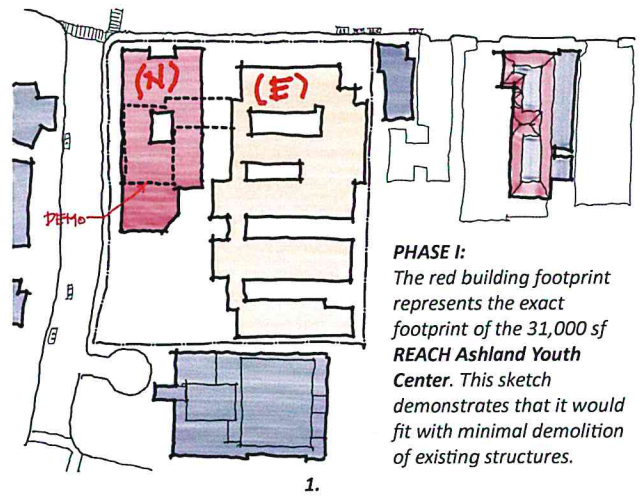
#### RIGHT: Phasing Sketches

These sketches offer a glimpse at potential phasing strategies that could allow the facility to avoid relocation/rehousing costs for existing programs.

#### BELOW: Existing Site Photographs

The site photos show three important aspects of the existing site:

1. The commercial corridor
2. The adjacency of Tennyson Park
3. Beautiful views of the surrounding hillside.



the center of community pride. Local examples of RDC's similar projects include Alameda County's REACH Ashland Youth Center, Union City's Kennedy Youth Center, Oakland's Beats Rhymes & Life Headquarters. There are examples that we designed are all important community catalyst projects, providing for community health and wellness while also creating catalysts for community renaissance.

### PROJECT BACKGROUND AND SITE

The 680 W. Tennyson site was an elementary school built in the late 1940's, approximately 28K square feet, on land owned by the City of Hayward. The surrounding retail/commercial area is transitional, and an upgrade to the corridor would provide a benefit to all local businesses and residents. There are adjacent amenities that are a good fit with the proposed new multi-service center, including: the Matt Jimenez Center, a relatively new facility run by HARD, and with compatible programming; and, the large Tennyson Park next door, a valuable community open space.

The site location is central and prime in the Tennyson Corridor, a prime large parcel within the Tennyson "hub" for a catalyst project. Initial attempts at redeveloping the site were stymied by the collapse of Redevelopment funding. In 2012, a committee of key stakeholders—elected officials, local EDs, HARD, Cal-State East Bay, Kaiser, City staff, HUSD, etc.—explored options for the best potential project for this area, and after a series of public meetings, chose a multi-service center as the best project to benefit the area. It was decided that a multi-service center at 680 W. Tennyson would enhance the services already existing in the corridor, and add additional complimentary services, making a centralized one stop for the community within easy access to public transit. The next step was to secure funding and address temporary accommodation for the Eden Youth & Family Center currently occupying the site.

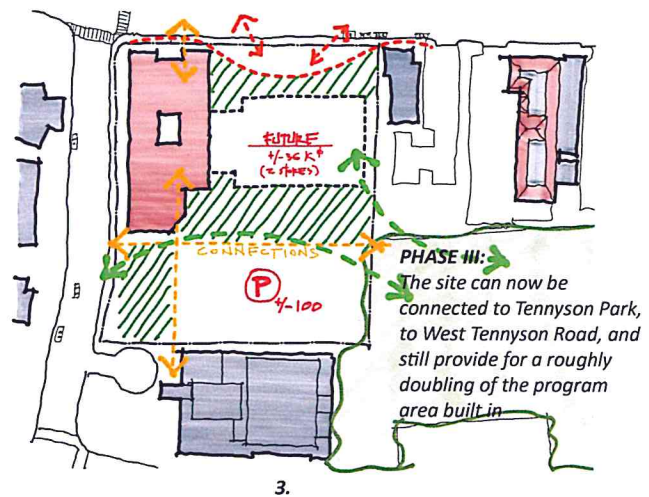
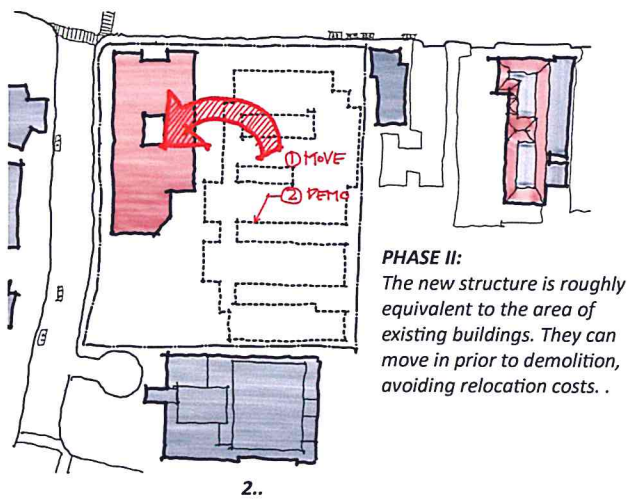
### OPPORTUNITIES & CONSTRAINTS

The project and site offer significant opportunities as well as some key constraints that can be addressed with a successful design:

#### Opportunities

- **Site size.** The site size is adequate for the program under consideration. For example, a two-story, REACH-style configuration would leave sufficient room for the facility to grow over time, and to leave adequate site area for both parking and programmatic outdoor space.
- **Parking accommodation.** Given a two-story configuration, it may be possible to double the number of parking spaces from what is currently striped on the site.
- **Phasing with existing buildings.** There are potential building proportions that would facilitate a phased-construction approach allowing many of the existing buildings to remain in place until the new facility is completed. This could potentially solve the interim need for housing the current operations;
- **Site location.** As a catalyst project, the proposed site offers ideal conditions: 1) prominence of the corner; 2) potential through-site connectivity to Tennyson Park; 3) expansion of existing recreational functions at the Matt Jimenez Community Center.
- **Tennyson Park adjacency.** Co-location with this park offers extraordinary views, a





generosity of space, and other environmental/social opportunities.

- **Matt Jimenez Community Center co-location.** The recreational programming may dovetail nicely with proposed services at the proposed Youth & Family Center.
- **Coordination with Tennyson Corridor Strategic Vision.** The project may meet many of the stated performance measures by **contributing to a community vision for the corridor** community outreach, identifying funding, and getting the SHYFC building to the vision of the community stakeholders; by **improving community appearance** through enhanced landscaping, activated street presence and dynamic facility design; by **fostering a cohesive sense of place** through public art/murals and sponsoring community events; and, by **increasing community resiliency** through access to social, medical and dental services, and serving as a catalyst for economic development.
- **Community outreach and participatory design.** Collaborative design approaches capture and leverage the vision and ambitions of community stakeholders, non-profit and religious organizations.
- **Fund raising.** A compelling project vision/design can be a catalyst for project fund raising through grants, corporate sponsorship, or other approaches.
- **Build on work the community has already done.**
- **Build on art program.** Expanding the existing mural program and supplementing it with other public art can contribute to a cohesive public art identity for the corridor.

### Constraints

In addition to the positive qualities that should be taken advantage of, there are some potential constraints that should be addressed/mitigated during the design process. These include:

- **Mixture of population types.** Multi-Service centers have inherent co-location challenges with adequate segregation needed for the different groups to be housed here. Proposed populations can comfortably share this site if the proper steps are taken during design to provide unique/dedicated outdoor areas, entrances, and appropriate levels of visibility.
- **Presence of a large-scale, auto-focused arterial.** The building's street presence must compete with an at times inhospitable street environment. Care must be taken to address the safety and comfort of those using the site.
- **Troubled use of the park.** Incompatible park activities may cause safety issues for the SHYFC site, and care should be taken into consideration in how site protections are designed.

### WORK PLAN

For the new South Hayward Youth and Family Center, RDC will provide:

- A state-of-the-art multi-service center that will be the centerpiece of the Tennyson Corridor community.
- A compelling campus vision
- A cost-conscious master plan for implementing—and potentially phasing—this vision.
- A “most-bang-for-the-buck” design for a low-cost but high-impact effort.
- A pathway for the insight and enthusiasm of local youth and stakeholders, rallying their vision for what this project should be like.





**Sonoma Community Center Renovation, Sonoma, CA**  
 Founded in 1953, the historic Sonoma Community Center provides space and support for organizations that provide programs such as Alcoholic Anonymous and the Red Cross Blood Drives. The center also leases artist space, dance studios, classrooms, its theatre and multi-purpose room. The center is an incubator of Sonoma's non-profit organizations. The facility, once the old Sonoma Grammar School, was built in 1915 and has been designated a National Historic Landmark.  
 (RossDrulisCusenbery Architecture, Inc.)

- Ideas for how to leverage adjacent recreational and open space resources. The following outlines RDC's path to reach the above goals.

### PHASE IA: Community Analysis

The Community Analysis Report is an important first step in project definition. Through this Report, RDC will identify the trends, opportunities and constraints that are currently existing in the South Hayward and Tennyson Corridor neighborhoods. RDC's report will summarize the team's understanding of: 1) the demographic and social needs/priorities of the service community; 2) how new services/activities can best complement existing ones; 3) how the project can facilitate delivery of services in a culturally congruent, contextually responsive way; 4) how the new facility may fit into the ongoing change and evolution of the community. RDC will undertake this community and analysis through community outreach, review of existing literature, application of contemporary best practices, and by applying knowledge from our team's extensive experience in designing and developing programming for state-of-the-art multi-service centers.

#### BASIC SERVICE TASKS, PHASE IA:

- Gather and synthesize existing community survey data to develop a snapshot of neighborhood priorities and ambitions.
- Gather and synthesize existing demographic data on population, size, age, race, ethnicity, education levels, student/school population, literacy, languages, health outcomes, employment and family income. Summarize information in a usable format.
- Gather and synthesize information from additional data resources, including: Eden Youth and Family Center usage (attendance and service data), Tiburcio Vasquez Health Center (demographic and service data, projections); Matt Jimenez Community Center (statistics, programming and projections), etc.
- Meet with and interview key community leaders, stakeholders and community service providers. Document and synthesize their input.
- Prepare gap analysis on available data, supplement as needed.
- Create spatial-based Community Analysis diagram map.
- Prepare a *resource summary* list that identifies and describes other service and community resources that could be considered in an overlap area.
- Create Community Topics map, documenting and distilling stakeholder and interview data in a single, simple map format.

In addition to the above basic tasks, the following are potential additional Phase IA tasks for consideration.

#### OPTIONAL SERVICE TASKS, PHASE 1A: PARTICIPATORY COMMUNITY ASSET MAPPING

Asset Mapping is a participatory planning tool that engages youth and other community stakeholders in exploring their assets within the physical and social environment. Tasks might include:

- Facilitate *Community Asset Mapping* workshops. Initiate a minimum of (2) workshops with local youth and family representatives. Perform a series of exercises to identify lesser-known community assets.



- Document asset mapping process through youth-driven photo essays; asset maps; narrative.
- Develop documentation as needed, potentially including map, photo essay, narrative.

#### OPTIONAL SERVICE TASKS, PHASE 1A: OPEN SPACE BOTANICAL AND SOCIAL RESOURCE ANALYSIS.

In conjunction with HARD master planning process for Tennyson Park, develop narrative and diagrammatic resource analysis of the botanical, social and other resources of the adjacent open space. Identify available resources as appropriate for the new Youth and Family Center.

- Develop park/environmental resource analysis.
- Coordinate with HARD in linking this effort with overall parks masterplan process currently underway
- Prepare “program overlap” analysis, with diagrams.

#### DELIVERABLE PHASE 1A: COMMUNITY ANALYSIS REPORT

A formal Community Analysis report, with findings from above tasks. This document will include a narrative overview, analysis diagrams, documentation of process and resource maps.

#### PHASE IB: Building Program & Project Master Plan

Based on the Community Assessment Report, the team will prepare a proposed Building Program and subsequent Project Master Plan.

The Program will recommend facility space needs and adjacencies in the proposed service delivery areas, including health/dental clinic, community and special purpose rooms, administrative and office areas, outdoor spaces, and other specialty areas as identified in the community analysis process. This resulting Preliminary Space Requirements (PSR) matrix identifies the ideal size for the new SHYFC facility, and becomes the basis of design.

Once the PSR is approved, the Team will develop a project Master Plan. This master plan will take into consideration and integrate the assets, resources, and spaces contained within the existing Matt Jimenez Community Center (MJCC), a 19,000 SF gymnasium and multipurpose recreation center next door to the SHYFC project site. This Master plan will integrate with other concurrent planning activities, including coordination with the currently-in-progress Master Plan of Tennyson Park being separately undertaken by HARD. Research into the services provided at adjacent Fire Station Health Clinic, and coordination with the Hayward Fire Department as needed.

The Team understands that facility construction resources may be limited. As a result, part of the Master Planning process will include numerous strategies for making the most of the available funding, phasing in additional program/services over time, and tapping into resources for potential additional funding. Specifically,

#### BASIC SERVICE TASKS FOR PHASE IB:

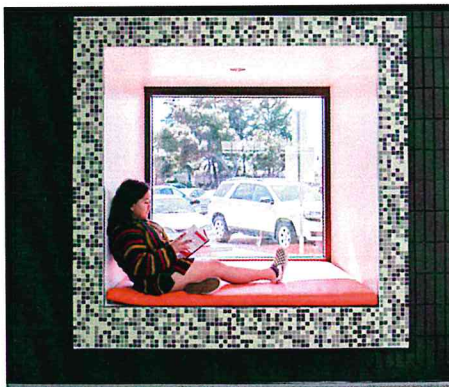
- Identify client groups and key departmental representatives
- Establish project objectives and priorities
- Initiate preliminary scoping meetings and interviews



Bright, light-filled, flexible program spaces for Union City youth. (Top to Bottom) Game Room (pool, video); Front Desk; Lounge; Computer Lab. Kennedy Youth Center, Union City, CA (RossDrulisCusenbery Architecture, Inc.)



*Kennedy Youth Center, Union City, CA  
(RossDrulisCusenbery Architecture, Inc.)*



*Photo Credit: Diane Badaoisan Photography*

- Develop detailed project schedule
- Facilitate meetings
- Conduct staff interviews
- Identify project goals
- Schedule site visits and interviews
- Perform operational assessments
- Review previously published planning documents
- Review City General Plan, zoning requirements and codes
- Produce presentation materials
- Prepare site, existing facility and utility survey. Prepare survey of existing site topography, utilities, building locations and configurations. Scope of survey may include part or all of the adjacent Matt Jimenez Community Center
- Design master plan options
- Explore options for value-engineering, phasing, or other cost management strategies.
- Create project phasing options, including utilization of the current EYFC campus site,
- Create potential acquisition and redevelopment of adjacent privately-owned properties.
- Explore of shared-use opportunities between the SHYFC and the Matt Jimenez Community Center.
- Prepare presentation for Planning Commission meeting
- Prepare program/masterplan level cost estimate

#### **OPTIONAL ADDITIONAL SERVICE TASKS, PHASE 1B: PARTICIPATORY DESIGN PROGRAM/MASTER PLAN**

Public involvement is a critical component of this project. Under the City's direction, RDC will develop and utilize innovative and cost-effective methods to generate and maximize public participation in the development of the programming and conceptual master plan for the project. RDC can facilitate regular meetings, using successful techniques to elicit participant's opinions and goals.

- Initiate meetings and design charrettes youth and stakeholder participatory design participants.
- Incorporate feedback and results from each participatory design meeting.
- Prepare community outreach program graphics
- Facilitate community meetings
- Prepare community meeting summaries
- Incorporate feedback and results from each community meeting.

#### **DELIVERABLES PHASE 1B:**

Topographic Survey & (e) Building Plans [optional]

Basis of Design Program Document (Project Definition Report)

Conceptual Master Plan

Conceptual Phasing Plan

Program-Level Cost Estimate



## PHASE II: Preliminary Design

In consultation with City staff and its partners including representatives from HARD, County of Alameda, and other project stakeholders, Consultant will prepare a conceptual design for a new “South Hayward Youth and Family Center” facility near the sites of the current Eden Youth and Family Center that balances the recommendations of the building program with the fiscal realities of funding. Included should be:

### BASIC SERVICE TASKS FOR PHASE II:

- Review topographic survey
- Verify project scope/basis of design
- Prepare multiple design scenarios and alternatives for discussion
- Prepare illustrative plans and renderings
- Facilitate community outreach presentations
- Develop conceptual phasing plans (if needed)
- Meet regularly with City staff and the Advisory Group/Steering Committee
- Develop final conceptual plans incorporating all public and review comments
- Prepare for and attend pre-submittal approval agency meetings.
- Prepare for and attend at City Council Meetings.
- Prepare for and attend Planning Commission Meeting.
- Prepare for and attend City Council Meeting.

### OPTIONAL ADDITIONAL SERVICE TASKS, PHASE II: PARTICIPATORY DESIGN OF BUILDING

Continuing the public involvement and participatory design, this task extends this process into the Conceptual Design phase. RDC can facilitate regular meetings, using successful techniques to elicit participant’s opinions and goals.

- Initiate meetings and design charrettes youth and stakeholder participatory design participants.
- Incorporate feedback and results from each participatory design meeting.
- Prepare community outreach program graphics
- Facilitate community meetings
- Prepare community meeting summaries
- Incorporate feedback and results from each community meeting.

### OPTIONAL B: TENNYSON PARK MASTER PLAN COORDINATION.

Additional scope TBD.

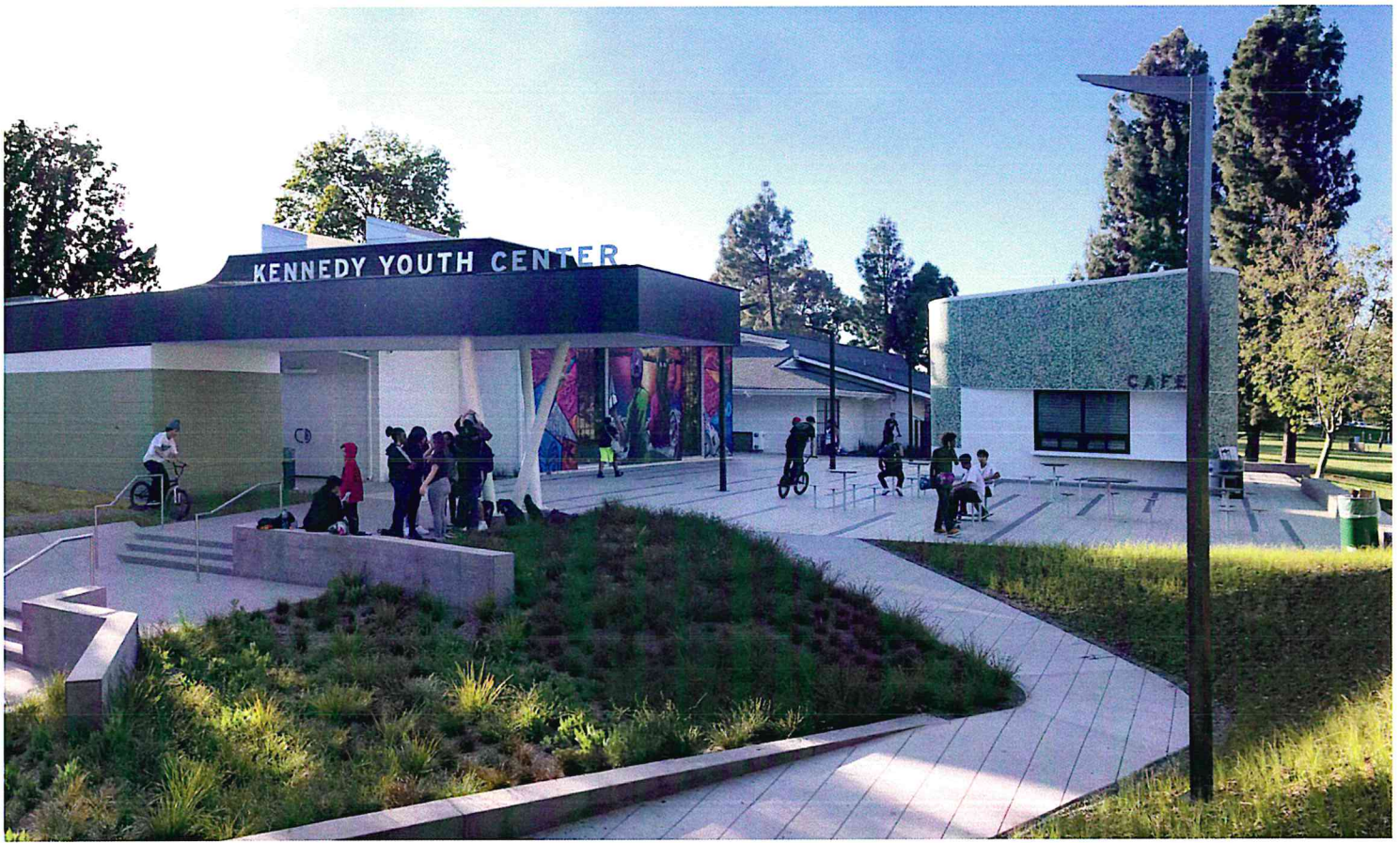
### DELIVERABLES FOR PHASE II:

A Conceptual Design package, with schematic-level technical design drawings, photo-realistic renderings, BIM (Revit) 3D integrated model, performance specifications.



*REACH Ashland Youth Center, Alameda County, CA  
(RossDrulisCusenbery Architecture, Inc.)*





*The new 2018 Kennedy Youth Center, Union City, CA (RossDrulisCusenbery Architecture, Inc.)*

3

## ILLUSTRATIVE RELEVANT EXPERIENCE

### RELEVANT PROJECT EXAMPLES

RDC has provided comprehensive master planning, programming, space planning and design services for projects similar to the South Hayward Youth and Family Center and other community facilities for a broad variety of governmental agencies. The following are examples of relevant projects by RossDrulisCusenbery Architecture, Inc.





*A one-of-a-kind community landmark emerges as a social and development catalyst for its East 14th Street neighborhood*

## ALAMEDA COUNTY, CA REACH ASHLAND YOUTH CENTER

**PROJECT DESCRIPTION:** The new REACH Ashland Youth Center houses a rich array of youth-centered services within a singular and iconic building identity. The 31,500 SF LEED Platinum, sustainably designed two-story structure includes: a full dental and medical clinic; a library; a public cafe; media production, dance and fitness rooms; classrooms; a computer lab; a visual arts room; a childcare center; a career center; a courtyard; and, behavioral health counseling and administrative spaces. The building design emphasizes transparency, openness and flexibility between the different functions to promote exploration, social connectivity and programming flexibility. The Youth Center is located in a neighborhood park adjacent to a middle school. RDC developed the design through an extensive community design workshop process in close collaboration with a local youth group "steering committee".

Participatory Design - Youth Engagement Process. A core value of the project is that it emerged out of a collaborative visioning process with a focus group of local youth. This innovative participatory design process occurred bi-weekly over a three-month period, and involved paralleling the design process, step by step, with an equivalent process engaging the youth. It was highly generative in nature, and established key approaches and design ambitions for the project, with many of the youths' ideas implemented directly into the design.

### AWARDS:

**CCAFA 2014 Award** for Best Large County Capital Project

**CCAFA 2014 Grand Award** for Overall Best Project

**Merit Award 2013 AIA East Bay Design Awards**

**Citation-** 2010 AIA Redwood Empire Design Awards, "Unbuilt" Category

RossDrulisCusenbery Architecture, Inc.

**Owner:** GSA Technical Services County of Alameda

**Scope of Work:** Planning, programming and design

**RDC Role:** Design Architect, Public Art Collaborator

**Size:** 31,500 SF

**Construction Cost:** \$14 Million

**Construction Dates:** Aug 2011-Feb 2013

**Date of Services:** 2010 - 2011





*A light-filled, uplifting  
community health & dental  
wellness center*

## ALAMEDA COUNTY, CA LA CLINICA FUENTE WELLNESS CENTER @ REACH AYC

Owner: GSA Technical Services County of Alameda  
Scope of Work: Planning, programming and design  
RDC Role: Design Architect  
Size: 6,000 SF  
Construction Cost: portion of overall \$14M  
Construction Dates: Aug 2011-Feb 2013  
Date of Services: 2010 - 2011

**PROJECT DESCRIPTION:** Within the REACH Ashland Youth Center complex is the Fuente Wellness Center, a youth co-designed, youth co-planned cutting edge full service teen-serving health clinic. The clinic serves Alameda County youth and young adults ages 11-24. Fuente is unique in that every service provided at the wellness center has a youth leadership/mentorship component which informs the provision of clinic services as well as provides support, education and guidance to youth who desire the opportunity to explore careers in health and wellness.

The Wellness Center offers dental, medical and behavioral health services. It includes a collaborative multi-agency Wellness team that supports the integration of health & wellness, social justice, and youth leadership into all programs and services. Youth counselors participate in programming, build relationships, encourage skill building, and provide healthy mentorship with young people individually or in groups. Wellness team members also provide wellness consultation to programs and partners and participate in our response and disciplinary interventions at REACH to bring a restorative, generative, and youth-focused lens to ensure young people are learning and growing from every challenge and success.





*A dramatic make-over and expansion built with limited funds, and a master plan vision to guide growth in the long term.*

## UNION CITY, CA KENNEDY YOUTH CENTER

**PROJECT DESCRIPTION:** The new Kennedy Center Youth Center is a 21,400 SF renovation, addition, and new construction project. Utilizing an innovative youth engagement process, the project transforms the existing 1960s Kennedy Community Center into a contemporary Youth Center offering a range of activities and services.

The two phased Master Plan first re-invigorates the inward-focused existing building by adding a new public-facing plaza, cafe, and entry canopy. Strategic interior building improvements support youth-selected program. A consistent architectural language of materials, geometries, and integral youth-inspired artwork effectively define a cohesive youth territory.

The second phase expands the Youth Center with 11,000 SF of new program, unifying all elements under a building-defining idea: the "raised park" occupiable green roof. Key social areas "pop-up" through the roof to achieve light-filled double height spaces.

The completed Youth Center will house two classrooms; a game room and lounge; park-facing performance space; dance, art, and recording studios; administrative offices; and counseling and day care services.

**YOUTH ENGAGEMENT PROCESS-** The vision and ambition of this project emerged out of a collaborative visioning process with a focus group of local youth. This process included ten hands-on workshops, which built consensus around the central design approaches for the project. Many of the youths' program and design ideas were implemented directly into the design.

**Owner:** City of Union City

**Scope of Work:** Planning, programming, design, construction drawings, and construction administration

**RDC Role:** Architect

**Size:**

**Phase 1:** 10,500 SF

**Phase 2:** 21,400 SF

**Cost Estimate:**

**Phase 1:** \$2.4 Million

**Phase 2:** \$12 Million

**Construction Completion Date:**

Phase 1 estimated to complete Fall 2017

**RDC Date of Services:** 2014 - Present





*Historic community park  
and new youth center  
dovetail in a unified indoor/  
outdoor experience*

## SONOMA, CA BOYS & GIRLS CLUB OF SONOMA VALLEY

Owner: Valley of the Moon Boys & Girls Club

Scope of Work: Planning, programming,  
design and contract administration

RDC Role: Architect

Size: 23,000 SF

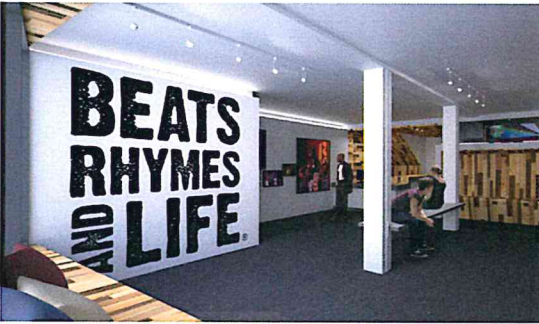
Construction Cost: \$3 Million

Date of Services: 1998 - 2000

**PROJECT DESCRIPTION:** RDC worked with Sonoma County Regional Parks Department to plan and design Sonoma Valley's new 23,000 SF Boys & Girls Club. The facility is sensitively sited in Maxwell Farms Regional Park. The B & G Club offers many multi-generational programs under one roof and includes a gymnasium, game rooms, group and classrooms, technology center, environmental study center, library, teaching kitchen and administrative offices. The Club was designed on the model of clustered farm buildings. Its design was influenced by the notion of how children might assemble a club house out of found "parts." The project was constructed on time and on budget.

RDC was instrumental in negotiations between the Boy's and Girl's Club, the Community and the County of Sonoma to locate the Club within the 40 acre Maxwell Farms Regional Park. Multiple negotiation sessions and community outreach meetings resulted in integrating the facility into the existing park. The placement of the building straddles the boundary between the playing fields, skate park and play structures to the east and the densely wooded natural landscape to the west. Location of the facility deep in the park provides a rich outdoor experience for the club members. In addition, the location in the park was selected for low visibility from surrounding streets to preserve public views to this unique open space.





*Leveraging the power and vision of youth to make a place for personal healing and growth*

## OAKLAND, CA BEATS RHYMES & LIFE HEADQUARTERS

**PROJECT DESCRIPTION:** This project was built with volunteer labor, using reclaimed construction materials, within an existing commercial building in Oakland, CA. It houses the headquarters for Beats Rhymes & Life, a non-profit organization that pioneers “Hip Hop Therapy” programs as a catalyst for youth development and change.

### PROGRAM SUMMARY:

- A new flexible entry gallery space with ambient and display lighting, and adjustable counter and work areas;
- New flexible workspace “niches” to support the day-to-day activities of the youth-based BRL Academy;
- New reception area, conference room and administrative offices, lined with reclaimed-wood interior walls and cabinets;
- New multi-story Therapeutic Activity Group (TAG) space, with large skylight;
- A new recording studio, a “beat lab” and a song writing area, used for the culmination of projects developed during the TAGs;
- A new, multi-story street art mural.
- A new youth lounge, record player and vinyl archive area.

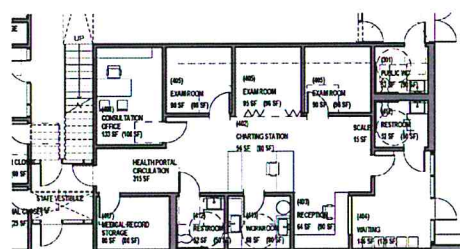
**Owner:** Beats Rhymes & Life

**Scope of Work:** Programming and design

**RDC Role:** Project Architect, Participatory Design Facilitator

**Date of Services:** 2013





*A new fully integrated fire station health clinic expands the ways healthcare can reach a community*

## ALAMEDA COUNTY, CA CHERRYLAND FIRE STATION & FIRE STATION HEALTH CLINIC

Owner: (Former) Alameda County  
Redevelopment Agency

Scope of Work: Planning, programming, design

RDC Role: Associate/Design Architect

Size: 11,968 SF

Cost Estimate: \$5.5 Million

Bid Price: \$8.5 (Driver: one year delay prior to  
bid. During market up-turn)

Construction Completion Date: July 2017

Date of Services: 2012 - 2017

**PROJECT DESCRIPTION:** The Cherryland Fire Station is a new 11,968 SF one-company fire station project designed to meet the current operational needs of the Alameda County Fire Department. In addition, the project will serve as a civic catalyst for the redeveloping neighborhood context, leveraging the symbolic aspects of a fire station through transparency and an evocative material palette. It sets a precedent for positive investment in the community.

As a unique addition to the traditional fire station operational functions, this fire station will include a community "health portal" clinic within the fire station. This health clinic utilizes on-site EMTs, as well as external health care providers to offer clinical services to the Cherryland Community. This combined facility will be designed to meet the local public safety and public health needs for of unincorporated Alameda County.

**PROJECT CHALLENGE:** This station is located in a redeveloping mixed-use neighborhood, with site constraints including sensitive residential uses on each adjacent parcel, a railroad track to the rear, and a narrow site configuration complicating the drive-through apparatus approach. The design solution strategically locates the station to mitigate the given constraints, and respond sensitively to the project neighbors.

**AWARDS:** Unbuilt Design Award, 2014 Citation for Design Excellence AIA Redwood Empire





Sonoma Community Center, Sonoma CA (RossDrulisCusenbery Architecture, Inc.)

# 4

## MAKING THE VISION A REALITY PROJECT IMPLEMENTATION

### PROPOSED TEAM

**RossDrulisCusenbery** Architecture, Inc.'s system for providing high quality professional services is human resource based. There is no substitute for an experienced project team. We provide experienced architects and project managers for all of our projects. Each project is assigned a design principal, a designated project architect/manager, a LEED accredited professional, a designer and a sub-consultant team.

The individuals whose talents created the projects shown on these pages and other relevant projects are the individuals who will be working directly on this project. Principal Mallory Scott Cusenbery will lead the overall effort for RDC, and will remain active on the project throughout its duration. Mr. Cusenbery will attend all client/user-group and public meetings. He will also direct the optional Participatory Design and Public Outreach processes. Supporting Mr. Cusenbery will be Ralph Belton, Project Manager. Mr. Belton has extensive background in health care projects, and in permitting projects in complicated environments; he will have the day-to-day function of managing the scope, schedule and budget for the project. Under the direction of Mr. Cusenbery and Mr. Belton, there will be several sub-groups of team members. The *Phase IA Programming* will be led by Principal Mallory Scott Cusenbery, with assistance from Tomas Alvarez and Program Analyst Tina Harris. The *Phase IB Public Facilitation/Outreach* will be led by Mr. Cusenbery, with support and co-facilitation from Tomas Alvarez. For the *Phase IB Master Planning* and the *Phase II Conceptual Design*, Mr. Cusenbery and Project Architect Tyree Vantrease will be principally involved in the development of this portion of the work.

Detailed resumes for the above individuals are available on the pages that follow.

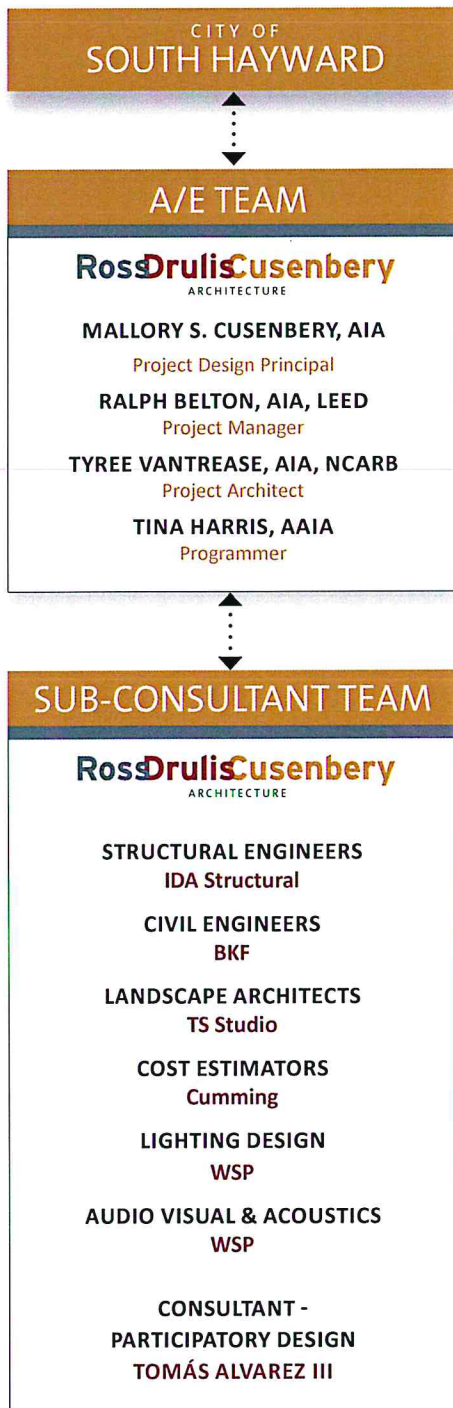
RossDrulisCusenbery Architecture, Inc.

**“What really excites me is the space. We can connect the teens to the community and we can change the stereotype of kids who go to the Boys & Girls Clubs.”**

*-- Joanne Poderma 'The Club' College & Career Manager*



## South Hayward Youth & Family Center ORGANIZATIONAL CHART



### PROJECT MANAGEMENT SYSTEM & VISUAL PRESENTATION CAPABILITIES

RDC designs and documents 100% of its projects utilizing REVIT software. The RDC studio is fully BIM integrated and coordinated with its consultant team during the design process beginning with programming. Microsoft Project, Rhino, Adobe Illustrator, Photoshop, InDesign, Excel & web based construction software including Bluebeam and Prologue. RDC has visual simulation capacity as depicted in the images on some of this proposal's pages. Our proven project management system includes:

- Firm Principal assigned to every project from pre-design through completion
- Regular coordination with City of Hayward and user group representatives
- Single-source project management monitoring program, schedule, budget and approvals
- REVIT-based design and construction documentation systems
- Web based project management software and scheduling systems
- Provision of excellent communication skills and meeting and approval documentation
- Regular professional cost estimation, value engineering and cost benefit analysis.
- Regular schedule updates, milestone deliverable agreements and project team schedule coordination services.
- Professional attitude and project commitment.
- Provision of comprehensive, clear construction documentation.
- Comprehensive Quality Control and Quality Assurance (QA/QC) program.
- Collaborative, team-oriented consensus building approach.
- Proven construction administration services

RDC will develop the schedule for the project and assist the City with development of a project budget. RDC will visit the site to assess the existing conditions. RDC will lead all public outreach efforts, coordinating meetings and charrettes. RDC will be in charge of program development and will conduct interviews with City staff as directed. RDC will be the sole contracting entity for the design team and will be the central day to day project manager of the entire A/E team responsible for the leadership, design, coordination, documentation and quality assurance of the work.

### PROJECT MANAGEMENT APPROACH

The A/E team and the project will be managed by RDC's Senior Project Manager on daily basis through a tested project delivery process which manages and coordinates the project's team and the project's Scope, Schedule, Budget and Approvals. A brief overview of this process is provided below.

**SCOPE:** The general scope will be informed during the *Phase IA Community Analysis* portion of the work, and further developed during the *Phase IB Programming* phase. RDC will work with the service providers who will occupy the building and other project stakeholders to verify and define each tenant's work load, staffing, space, security and functional requirements and document those requirements in a professional programming report. RDC will review and receive approvals for the program from the City and all user groups. The outcome of this process will be a verified program expressed in departmental net and gross square feet. The total building area will be approved by the City. This preliminary space needs document will then be used to develop a cost analysis to balance scope against available funding. Once reconciled and approved, the program, budget and schedule will form the



**basis-of-design** for site master planning and conceptual design purposes. RDC will facilitate the scope verification process through user group interviews with project stakeholders and identify the specific facility requirements of each group with our consultant team through regular meetings. Should the scope change during the design process RDC will review the proposed changes with the City and receive approval for any proposed program adjustments prior to implementation of the change.

**SCHEDULE:** The project schedule will be developed in collaboration with the City of Hayward. The schedule, including all meetings, approvals, presentations and milestone deadlines, will be prepared by RDC in a Microsoft Project CPM bar chart format and reviewed and approved by the City and all project stakeholders. Schedule conformance by all parties will be regularly reviewed at project meetings and updated on a monthly basis. Should the schedule change during the design process RDC will review the proposed changes with the City and receive approval for the schedule change prior to the schedule adjustment.

**BUDGET:** The City will confirm its budget prior to start of conceptual design. RDC will review the City's budget with its professional cost consultant and provide feedback to the City on current market conditions, construction costs, and cost escalation rates for City buildings of similar scope, size and complexity at the start of the project. A Program/Master Plan Phase cost estimate will be provided by RDC to assist the City in sizing the budget. RDC will lead this process and coordinate our consultant team throughout the process utilizing regular face to face and on-line team coordination meetings, reviews and technical consultations. Should the budget require modification during the design process RDC will review the proposed budget modifications with the City and receive approval for the proposed change prior to any budget adjustment.

**APPROVALS:** Planning and designing new City buildings requires the review and approval of a wide variety of county, municipal and regional agencies. RDC and its consultants will meet early on with representatives of the jurisdictional agencies during the site master planning and schematic design phase to ensure the project complies with all State, County and regional codes and standards. RDC will lead this process utilizing regular face to face and on-line meetings and document the outcome of these meetings with the City. Representative jurisdictional agencies coordinated by RDC include but are not limited to the following:

- County Building Department
- County Planning Department
- City Planning Department
- Department of Public Works for Traffic, Roads, Curbs, Gutters, Sidewalks
- Regional Water Quality Control Board
- Local Water, Sewer, Storm Water, Data/Telecommunications, Gas, and Power Public Utility Agencies

#### TEAM COORDINATION & MANAGEMENT

RDC utilizes a proven project management system to manage its consultant team. We assemble and manage teams with whom we have successfully worked before. RDC has programmed, designed and delivered millions of square feet of public sector projects utilizing this approach. Our team management system is based on establishing mutually agreed upon project schedules, deliverables, communication protocols, Revit model management and



**Napa County Health and Human Services Campus and Child Care Center, Napa, CA**  
A social service campus master plan seamlessly weaving new and the historic.  
(RossDrulisCusenbery, Architecture, Inc.)





quality assurance and QAQC methodologies. We require our teams to attend regular project coordination meetings and hold all parties accountable for the quality and completeness of their work and standard of care. Our project management system is supported by industry standard advanced web, cloud and electronic project management systems.

#### QUALITY ASSURANCE/QUALITY CONTROL

RDC has a strict quality control program in place. This QC process includes:

- Regular A/E coordination meetings to identify, discuss and resolve potential conflicts in the drawings and specifications.
- Regular Bluebeam online QC sessions digitally documenting input for all participants, and developing action plans.
- A contractual requirement for consulting engineers stipulating a signed letter at the end of each phase from the principal in charge for each discipline to verify coordination of their documents with all other disciplines during that phase of design.
- Per-phase coordination reviews of the documents.
- 'Cold team' review at all milestones, utilizing a proprietary QC checklist matrix.
- BIM-software to perform real-time program inventories and to verify program conformance.

At the end of each key milestone, RDC requests key stakeholders to sign the program document as a record of agreement for any revisions, and as a methodology for managing incremental scope increases.

#### SUSTAINABLE DESIGN & ENERGY EFFICIENT STRATEGIES

Energy efficiency and resource conservation is central to RDC's best practices approach to design. RDC and its consultant team develop energy efficiency and resource conservation goals during its Green Building Charette Workshop and use the LEED certification process, HVAC system life cycle costing and building commissioning as the means to track the responsiveness of the design to meet these goals.

#### SUSTAINABLE DESIGN OUTCOMES TABLE

PROJECT	LOCATION	CERTIFICATION/TARGET
REACH Ashland Youth Center	Alameda County, CA	LEED Platinum
City of Seattle Fire Station #10 - Replacement/Command Center	Seattle, WA	LEED Silver
Hennepin County 911 Emergency Communications Center,	Plymouth, MN	LEED Process
San Antonio Public Safety Answering Point	San Antonio, TX	LEED Silver
Maricopa Co. Sheriff's Headquarters	Phoenix, AZ	LEED Gold Pending
Sutter County Courthouse	Yuba, CA	LEED Process (Client elected not to pursue LEED certification)
Glenn County Renovation & Expansion of Willows Historic Courthouse	Willows, CA	LEED Silver Target
William K. Nakamura Courthouse Renovation	Seattle, WA	LEED Silver
Cherryland Fire Station	Alameda County, CA	LEED Silver Target
Napa Juvenile Justice Center	Napa, CA	LEED Process
City of Sonoma Police Station	Sonoma, CA	LEED Process
San Jose Police Substation	San Jose, CA	LEED Silver

RDC's recent LEED projects have included the use of the following sustainable design strategies (partial list): 1) generating electricity through rooftop photovoltaic panels, sized and distributed to generate approximately up to 75% of the building's total electric requirements; 2) vegetated green roofs for storm water filtration and management and building insulation; 3) extensive natural day lighting, including northern light from rooftop monitors and clerestory windows; 4) expansive curtain walls along with a concrete/fly ash based floor system to function as a thermal mass; and, 5) materials specified from sustainable sources. Our building's users are able to experience the benefits of sustainable design through increased building comfort, ease of natural lighting and enjoyment of views to the outdoors and neighboring community.

## CURRENT WORK COMMITMENTS

The following is a list of current RDC projects that involve key personnel on this proposed team. These projects will not impact RDC's efficient delivery of the South Hayward Youth and Family Center project.

PROJECT NAME	CLIENT	KEY STAFF	COMPLETION DATE <i>Estimated</i>
Cloverdale Public Safety Building	City of Cloverdale	Mallory Cusenbery	2018
Madera County Hall of Justice	County of Madera	Mallory Cusenbery	2019
Palo Alto Public Safety Building	City of Palo Alto	Mallory Cusenbery Ralph Belton	2021
Tomales Fire Station	County of Marin	Mallory Cusenbery	June 2018
San Francisco Police Department District Study Update	City & County of San Francisco	Tina Harris	June 2018
Stanford University Public Safety Building & ECH	Stanford University	Mallory Cusenbery Tyree Vantrease	August 2018

## RDC REFERENCES -- KEY PERSONNEL, RELEVANT PROJECTS

### **Pedro Naranjo, MPH, Executive Director**

REACH Ashland Youth Center  
16335 E. 14th St., San Leandro, CA 94578  
510.481.4500

**Project:** REACH Ashland Youth Center

**Description:** See attached project sheets for detailed description.

### **Brian Laczko, Project Manager GSA-TSD**

Capital Program, County of Alameda  
1401 Lakeside Drive, Suite 800  
Oakland, CA 94612  
510.272.3753 x23753

**Project:** Cherryland Fire Station

& EMS Health Portal, Alameda County, CA

**Description:** See attached project sheets for detailed description.

### **Thomas E. Ruark, Public Works Director**

City of Union City  
34009 Alvarado-Nile Road  
Union City, CA 94587  
510.675.5301

**Project:** Kennedy Youth Center, Union City CA

**Description:** See attached project sheets for detailed description.

### **Sarah Larson, Contractor's PM**

Level 10 Construction  
1050 Enterprise Way, Suite 250  
Sunnyvale, CA 94089  
408.489.4220 (mobile)

**Project:** Stanford University Public Safety Building

**Description:** Design and construction documents for a \$30 million, 2-story essential services police station on the Stanford Campus.

### **Aisha Knowles, Community Participant**

Alameda County Fire Department  
Public Information & Community Relations Officer  
Office: (510) 632-3473 ext. 1320

**Project:** REACH Ashland Youth Center

**Description:** Aisha was a community representative and participant during the youth integrated design process for the new youth center.



## PROJECT SCHEDULE

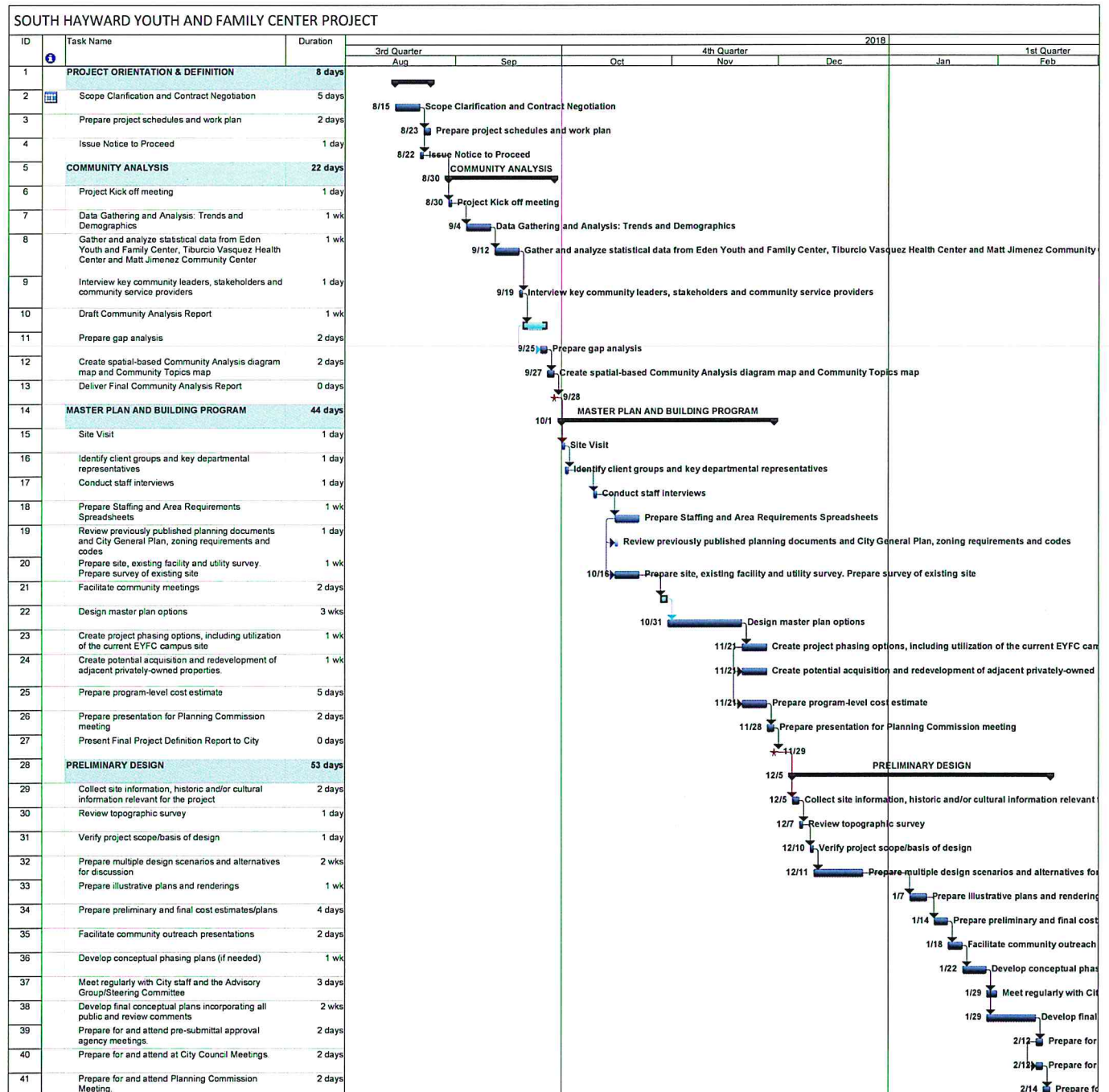






Photo Credit: Diane Badaoisan Photography

Kennedy Youth Center, Union City, CA (RossDrulisCusenbery Architecture, Inc.)

# 5

## PROJECT RESUMES

### PROJECT TEAM MEMBERS

#### ROSSDRULISCUSENBERY ARCHITECTURE, INC.

Mallory Cusenbery, AIA - Principal  
Ralph Belton, AIA, LEED AP - Project Manager  
Tyree Vantrease, AIA - Project Architect  
Tina Harris, AIA - Programmer

#### SUB-CONSULTANT TEAM

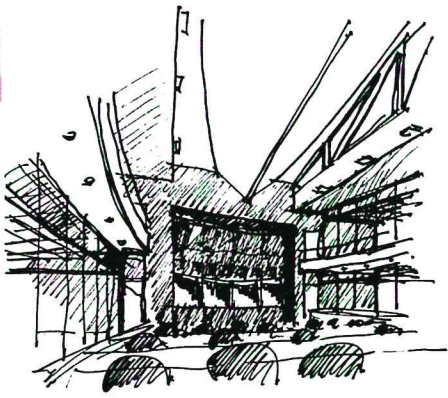
**TOMÁS ALVAREZ III** - Consultant, Social Entrepreneur & Youth Advocate  
**TS STUDIOS** - Landscape Architects (WBE & DBE)  
**IDA** - Structural Engineers  
**WSP** - Lighting, Acoustical, AV systems  
**BKF** - Civil Engineers  
**CUMMING CONSTRUCTION MANAGEMENT** - Cost Estimators

**"...striking in their exquisite design expression and commitment to addressing the human and social needs of the facilities' users."**

*-- Design Awards, Jury Chair*

See resumes for team members on the following pages.





## ROSSDRULISCUSENBERY ARCHITECTURE, INC.

### LICENSES/REGISTRATIONS

Registered Architect, California C25358

### PROFESSIONAL AFFILIATIONS

**Jury Chair,**

Justice Facilities Review Design Awards 2018

**Co-Chair**

AIA Academy of Architecture for Justice,

Research & Tech Sub-Committee

**Board Member**

Alamo Square Neigh. Assoc., SF, CA

**Founding Contributor**

*TraceSF: Bay Area Urbanism, Design Journal*

**Co-chair Editorial Board & Contributing Editor**

*LINE Online Design Journal*

**American Institute of Architects**

Member since 1994

**Guest Curator**

AIASF Gallery

**Curatorial Chair**

San Francisco Design Museum

### EDUCATION & ACADEMICS

**M.A. Architecture, 1990**

University of California, Berkeley

**B.A. Architecture, 1986**

University of California, Berkeley; High Honors

**Juror**

Juror & Guest Lecturer, 1990 to present

AIA Justice Facility Review Design Awards 2011

AIA New England Design Awards

**Instructor**

Academy of Art University

Diablo Valley College

T.A., University of California, Berkeley

**Guest Critic**

U.C. Berkeley, C.C.A. Architecture

Academy of Art University

University of California, Davis

### YEARS OF EXPERIENCE

Total: 27,

With Current Firm: 24

### MALLORY SCOTT CUSENBERY, AIA

Design Principal

### QUALIFICATIONS

Mallory Scott Cusenbery, AIA, is Design Principal at **RossDrulisCusenbery Architecture, Inc.** He brings to his projects over 25 years of professional experience in innovative architectural design, context-sensitive urban design, master planning and project management. Mr. Cusenbery's project experience includes many large-scale and specialized building types, including courthouses, public safety buildings, fire stations, border stations, community centers, multifamily housing and town planning.

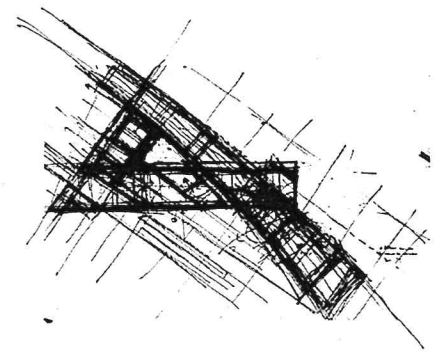
Mr. Cusenbery also serves as a researcher, writer, editor, and curator in the realm of architecture and design. As curator, he has juried and assembled interdisciplinary design exhibits. As a writer and editor, he has addressed a wide range of topics related to architecture and urban design. As a researcher, he focuses on "public" aspects of "public architecture." These pursuits are ongoing and form a foundation of design research that continues to inform and inspire his built projects.

Mr. Cusenbery has extensive experience in the design of programmatically complex works of civic architecture. He also brings a broad background in providing such facilities in sensitive physical and political contexts. He leads his studio in a collaborative and inquiring design process. He consistently works directly with multi-agency user groups, public clients and complex consultant teams in developing comprehensive designs for buildings. This process includes program refinement, exterior design, interior design, site design, and urban design master planning. As a firm policy, principal involvement remains constant through the life of a project, so Mr. Cusenbery's role remains integrated through the completion of construction.

Mr. Cusenbery is currently the lead designer for the new Stanford University Public Safety Building. His design lead is also evidenced on such recent projects as the Sutter County Courthouse, Cherryland Fire Station, San Jose Fire Station #24, Union City Teen Center, Porterville Fire Station & Public Safety Building, Alameda County Ashland Youth Center, San Jose's new South City Police Substation, Seattle's downtown Fire Station #10, the State of California Office of Emergency Services Headquarters and State Operations Center, the City of Vancouver (BC) Police/Fire/Emergency Communications and Operations Centre, the Contra Costa County (CA) Family Law Center, the King County (WA) Regional Communications and Emergency Coordination Center, the Palo Alto (CA) Public Safety Building, and the Morgan Hill (CA) Courthouse.

**DESIGN AWARDS** As a design lead, Mr. Cusenbery provides the dual goals of design innovation and operational precision. He leads a process beginning with intensive listening, leading to creative exploration in a dynamic and collaborative studio environment, and resulting in projects that represent the next generation of specialized public projects. Mr. Cusenbery has shared in numerous design awards. His work has also been published in such books and periodicals as *Architectural Record*, *Canadian Architect*, *Arcade*, *Zyzyva Journal of the Creative Arts*, *San Francisco Chronicle*, *Surface Magazine*, *Places Journal*, *The New Urbanism* (Peter Katz, 1994, McGraw-Hill), *Re-Building* (Daniel Solomon, 1992, Princeton Architectural Press), and *Courthouses of California* (Ray McDevitt, 2001, Heyday Books).

RossDrulisCusenbery Architecture, Inc.



**COMMUNITY OUTREACH** Mr. Cusenbery has extensive participatory design and public process experience. He considers user engagement and community outreach to be a vital and integral part of the design process. It is a method that not only informs his design process, but helps build the necessary consensus to insure project success.

#### **Union City Teen Center**

**REACH Ashland Youth Center** - Participatory Design

**San Ysidro International Border Crossing** - Community Stakeholder Outreach Process

**Palo Alto Public Safety Building** - Site Selection and Conceptual Design Public Process

**Morgan Hill Courthouse** - City Council Design Workshops

**Contra Costa County Civic Center Master Plan** - Public Outreach & Community Input

**Sausalito Police/Fire Station** - Public Outreach

**Sonoma Valley Oaks Residential Master Plan** - Community Input and Approval Process

**Hayward Downtown Plan** - Public Charette & Presentation Process

**Benicia General Plan Update** - Urban Design Charette Process

#### **RELEVANT EXPERIENCE (partial list)**

##### **Community & Youth Centers**

Kennedy Youth Center, Union City, CA

REACH Ashland Youth Center, Alameda County, CA

Beats Rhymes & Life Headquarters, Oakland, CA

San Carlos Adult Community Center (ACC), San Carlos, CA

Napa Health & Human Services Campus Master Plan, Napa, CA

THE CLUB at Maxwell Village, Sonoma, CA

Sonoma County Redevelopment Agency Redevelopment Area Facade and Exterior Improvement Program Master Services Agreement (various projects), CA

##### **Justice**

Sutter County Courthouse, Yuba City, CA

Glenn County Renovation & Expansion of Willows Historic Courthouse, Willows, CA

Plumas County Courthouse, Quincy, CA

Morgan Hill Courthouse & Justice Agencies Buildings, Morgan Hill, CA

Contra Costa County Family Law Center and Law Library, Martinez, CA

Napa County Criminal Courthouse, Napa, CA

##### **Public Safety**

Stanford University Public Safety Building, Stanford, CA

Stanford University EOC Programming & Feasibility Study, Stanford, CA

City of Hayward Facilities Needs Assessment Study & Master Plan Police Administration Building & Fire Stations, Hayward, CA

City of Porterville Police and Fire Station, Porterville, CA

Maricopa County Sheriff's Department Headquarters and Emergency Communications Center, Phoenix AZ

San Jose South City Police Substation, San Jose, CA

City of Palo Alto Public Safety Building, Palo Alto, CA

State of Minnesota EOC, Arden Hills, MN

RossDrulisCusenbery Architecture, Inc.

#### **AWARDS (Partial List):**

2014 **Citation Award**, AIA Redwood Empire: Cherryland Fire Station

2014 **Grand Award** for Overall Best Project, CCAEA: REACH Ashland Youth Center

2014 **Best Large County Capital Project**, CCAEA: REACH Ashland Youth Center

2013 **Merit Award**, AIA East Bay: REACH Ashland Youth Center

2010 **Citation Award**, AIA Redwood Empire: REACH Ashland Youth Center

2008 **Award**, AIA Redwood Empire: Seattle Fire Station #10 & Command Center

2008 **Urban Design Merit Award**, AIA San Francisco: San Ysidro Border Station

2007 **Citation of Merit**, AIA Justice Facilities Review: Seattle Fire Station #10 & Command Center

2006 **Citation**, AIA Redwood Empire: SJPD South City Substation

2006 **Citation**, AIA San Francisco: SJPD South City Substation

2006 **Honor Award for Design Excellence**, AIA Justice Facility Review: SJPD South City Substation

2005 **Honor Award** for Washington Architecture, AIA Seattle: Seattle Fire Station #10

2005 **Commendation for Design Excellence**, Seattle Design Commission: Seattle Fire Station #10

2005 **Merit Award**, AIA San Francisco Best of the Bay: King County Regional Communication & Emergency Coordination Center

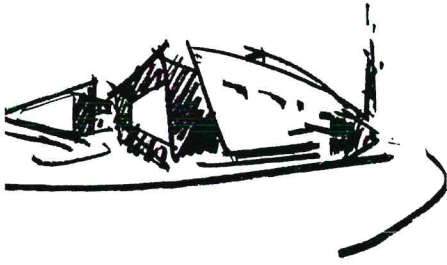
2004 **Merit Award** AIA Redwood Empire: Contra Costa Co. Family Law Center

2004 **Citation for Design Excellence**, AIA Justice Facilities Review: Contra Costa County Family Law Center

2004 **Merit Award**, AIA Redwood Empire: King Co. Regional Communication & Emergency Coordination Center

2004 **Citation for Design Excellence**, AIA Justice Facilities Review: King Co. Regional Communication & Emergency Coordination Center





## ROSSDRULISCUSENBERY ARCHITECTURE, INC.

### EDUCATION & ACADEMICS

**Master of Architecture, 1980**

**Magna Cum Laude**

Virginia Polytechnic Institute  
and State University

**Bachelor of Environmental Design  
in Architecture, 1974, Cum Laude**

North Carolina State University

### LICENSES/REGISTRATIONS

Licensed Architect, California  
USGBC, Accredited Professional,  
LEED AP BD+C

### YEARS OF EXPERIENCE

Total: 37

### AWARDS

**UC Riverside, Medical School  
Research Building, Riverside, CA**

UC-CSU-CCC Sustainability Conference,  
Best Practice Award 2011

**Washington State Capital Rehabilitation  
Project; Olympia Washington**

National AIA Honor Award, AIA, 2006  
AIA Honor Award, Washington Council Civic  
Design, 2005

AIA Honor Award, Eastern New York, 2005  
Special Achievement Award, State Historic  
Preservation Officer's Annual Award, 2005

**University of Washington Bothell / Cascadia  
Community College**

AIA Honor Award, Seattle Chapter, 2002

**Safeco Field, Seattle, Washington**

AIA Honor Award, Washington Council Civic  
Design, 1999

**KeyArena, Seattle, Washington**

Grand Conceptor Award,  
American Consulting Engineers Council, 1995

### RALPH BELTON, AIA, LEED AP

Project Manager

### QUALIFICATIONS

Architect with 40 years of diverse project experience around the world--from the United States to Egypt, Saudi Arabia, Iran, and Asia. Professional experience in Design, management and the technical complexities of a wide range of clients and buildings.

### PROJECT EXPERIENCE (partial list)

**City of Palo Alto Public Safety and Emergency Operations Center Building, Palo Alto, CA**  
Site selection, urban design, planning, programming and design. *Project Manager*

**Stanford University Public Safety Building, Stanford, CA**

Planning, programming, site analysis & conceptual design of a new campus Public Safety Building. *Project Manager*

**Stanford University EOC/ECH, Stanford, CA**

Planning, programming, site analysis & conceptual design of a new campus Emergency Operations Center. *Project Manager*

**Kaiser Permanente, Oakland Replacement Hospital, Oakland CA\***

The Oakland Medical Center has 862 physicians 349 beds, 14 inpatient operating rooms, 8 Labor and Delivery rooms. *Project Leader*

**Sutter Pacific Medical Foundation; San Francisco, Marin & Sonoma counties\***

Develop a long term Development Master Plan for expansion of clinic and medical office buildings in the three counties. *Project Leader*

**University of Washington Medical Center Clinics, Seattle, Washington\***

Mixed-use building housing University of Washington Medical Center clinics (women's clinic, pain clinic, family medicine, bone and joint, internal medicine, pediatric), Totals 202,000 SF.

**LinkedIn, Mountain View, CA\***

7 building Headquarters put on hold after acquisition by Microsoft

2 months of constructability review and pricing with DPR, Studios. *Technical Project Lead*

**Bay View Tech Campus (confidential); NASA ARC, Mountain View, CA\***

Programming, Design and Projected Construction of 1.1 million sf office and hardware/software development space. LEED Platinum projected, Living Building Challenge. *Project Leader*

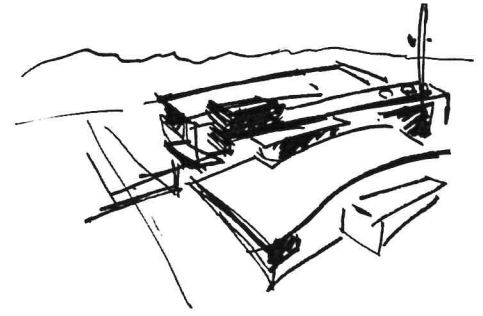
**Health Sciences Surge Laboratory; UC Riverside, Riverside, CA\***

Programming, Design and Construction of 60,000 sf research laboratory for future Medical School faculty. LEED Gold. *Principal*

**Pike Place Market Master Plan, Seattle, Washington\***

Developed a design for improvements and upgrades in the historic public market in Seattle, that led to a ballot measure on bonding. The study addressed historic uses, seismic strengthening and replacement of mechanical and electrical systems, as well as ADA improvements and refinement of the retail environment in parts of the Market. *Principal*

*\*Indicates experience prior to joining the firm*



## ROSSDRULISCUSENBERY ARCHITECTURE, INC.

### TYREE T. VANTREASE, AIA, NCARB

Project Architect

#### QUALIFICATIONS

Tyree Vantrease is an NCARB certified Architect with 20 years of diverse project experience around the world—from the United States to Egypt, Saudi Arabia, Iran, and Asia. Tyree has extensive experience as a Project Manager and Project Architect and has worked on many LEED certified projects. Professional experience includes design, management and the technical complexities of a wide range of clients and buildings.

#### RELEVANT EXPERIENCE (partial list)

- Madera County Hall of Justice, Madera County, CA
- Stanford University Public Safety Building, Stanford, CA
- Childcare Center, Pierce College, Los Angeles, CA\*
- Women's Rehabilitation Center Renovation, Santa Monica, CA\*
- Salvation Army Community Center Chico, CA\*
- Jim Brinson Activity Center, Durham, CA\*
- Susanville Aquatics Center, Susanville, CA\*
- OPCC Homeless Access Center Addition, Santa Monica, CA\*
- Clare Foundation Rehabilitation Center, Santa Monica, CA\*
- Residential Triplex Chico, CA\*
- Multifamily Apartment Complex Chico, CA\*
- Freed-Hardeman University Student Housing, Henderson, TN\*
- St. Cecilia Motherhouse Renovation, Nashville, TN\*
- Historic Addition, St. John the Baptist Catholic Church, Chico, CA\*
- Meriam Park Office Building, Chico, CA\*

#### LEED

- Sierra Nevada Brewery Mills River, NC (LEED Platinum)\*
- Restoration Hardware Distribution Center Patterson, CA (LEED Silver)\*
- PG&E Service Center Willows, CA (LEED Certified)\*

#### Other Projects

- Scotty's Castle Cookhouse Reconstruction, Death Valley, CA\*
- Manzanar Barracks Reconstruction, Manzanar, CA\*
- Unitarian Universalist Community Church Renovation, Santa Monica, CA\*
- Hugo Residence Addition, Catalina, CA\*
- Tso/Tai Residence, Santa Monica, CA\*
- Los Angeles Police Department Topanga Station\*
- Working Artists of Ventura Mixed Use, Ventura, CA\*
- Bank of the South Remodel, Franklin, TN\*
- PG&E Weld Shop Renovation, Santa Rosa, CA\*
- Angelwylde Office Building, Austin TX\*
- Sundance Parkway Office Complex, Austin TX\*

*\*Indicates experience prior to joining the firm*

#### EDUCATION & ACADEMICS

**Bachelor of Architecture**, 1998

Washington University  
School of Architecture

#### LICENSES/REGISTRATIONS

Licensed Architect, California, # C-33553  
NCARB Certificate # 90508

#### YEARS OF EXPERIENCE

Total: 20

#### KEY STRENGTHS

Project management and client relationship development

Design of facilities from schematics through construction documents

Working closely with regulatory agencies including architectural review boards through design, entitlements, and construction

Working with clients to develop budgets and construction objectives

Reviewing and interpreting General Plans, Zoning Codes, State, and County laws

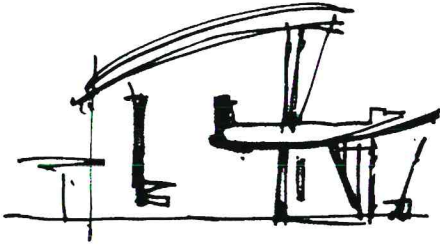
Knowledge of and experience implementing Secretary of the Interior's Standards for historic treatments

Experienced in managing design of complex facilities both public and private in all phases from schematic design through contract administration

Experienced in interpreting building codes and construction standards on a project by project basis

Experienced in coordinating project teams including consultants through design and construction

Experienced in managing LEED Certified projects and completing credit documentation through USGBC online



## ROSSDRULISCUSENBERY ARCHITECTURE, INC.

### EDUCATION & ACCREDITATION

Bachelors of Science, Business Administration/  
Marketing, Sonoma State University,  
Rohnert Park, CA

### PROFESSIONAL QUALIFICATIONS

LEED Accredited Professional, 2008

### PROFESSIONAL AFFILIATIONS

American Institute of Architects,  
Associate Member

### YEARS OF EXPERIENCE

Total: 25

With Current Firm: 25

### TINA HARRIS, AAIA

Program Analyst

### QUALIFICATIONS

Tina Harris has been a member of RDC's programming team for the past 20 years. Ms. Harris' experience includes developing programs for more than 50 public safety and justice sector projects. Ms. Harris develops facility feasibility needs assessment reports, space standards, data spreadsheets, architectural programs and reviews and analyzes project data for preliminary and final architectural programs. Recently, Ms. Harris worked with the RDC team to develop Architectural Programs for the Willows Historic Courthouse Renovation and the Charlotte 911 Communications Center.

### RELEVANT EXPERIENCE (partial list)

#### Community & Youth Centers

- Sonoma Splash Aquatic Center Master Plan, Sonoma, CA
- Kennedy Youth Center, Union City, CA
- Ashland Youth Center, Alameda County, CA
- Sonoma Community Center, Sonoma, CA
- San Carlos Adult Community Center, San Carlos, CA
- 920 Grand Avenue Marin Dental Building Conversion Assessment, San Rafael, CA
- Napa Health & Human Services Campus Master Plan, Napa, CA
- West Marin Health & Human Services Center including Adult Aging Services,
- Napa County Health & Human Services Center including Adult Aging Services, Napa, CA
- Sonoma County Human Services Department & Family Support Services Facility Program, Santa Rosa, CA
- Snowcrest Lodge Luxury Condominiums, Kirkwood (Alpine County), CA
- Healdsburg High School Master Plan, Healdsburg, CA
- Mendocino County Criminal Justice System Master Plan, Ukiah, CA
- Hotel Project Sonoma, Sonoma, CA

#### Justice Facilities

- Lander County Courthouse & Administration Building, Battle Mountain, NV
- Sutter County Courthouse, Yuba City, CA
- Glenn County Renovation & Expansion of Willows Historic Courthouse, Willows, CA
- Plumas County Courthouse, Quincy, CA
- Nevada City Courthouse, Nevada, CA
- New Long Beach Courthouse, Long Beach, CA
- Morgan Hill Courthouse, Santa Clara County, CA
- United States Court of Appeals William K. Nakamura Courthouse, Seattle, WA
- Administrative Office of the Courts, San Francisco, CA
- Contra Costa County Family Law Courthouse, Martinez, CA
- Napa Historic Courthouse Renovation, Napa, CA
- Napa County Criminal Courthouse, Napa, CA
- San Francisco Civic Center Courthouse, San Francisco, CA



## SOCIAL ENTREPRENEUR & YOUTH ADVOCATE

### TOMAS ALVAREZ III

Social & Youth Advocate Consultant

#### QUALIFICATIONS

Tomas Alvarez III has over 12 years experience in Strategic Planning, Facilitation, Organizational Development, Capacity Building, Advocacy work, Development and Grants Management. Alvarez is a leading social entrepreneur whose dedicated his career to helping youth heal, grow and lead. He is a pioneer of Hip Hop Therapy, an innovative approach that combines Hip Hop expression with proven therapeutic techniques to promote mental health and wellbeing. In 2011, he launched Beats Rhymes and Life, Inc., the country's first nonprofit dedicated to the provision of Hip Hop Therapy. More recently, he founded the Hip Hop Therapy Global Institute (HHTGI). For his trailblazing work in the field of adolescent mental health he was selected as a CNN Hero, NBC Top 20 Innovator, and lifetime Ashoka Fellow. In 2016, he served as a SEERS Fellow at Stanford University in the Program on Social Entrepreneurship through the Haas Center for Public Service.

Tomás' passion to help youth thrive has been driven by the core belief that all youth are at-promise. This belief underscores his asset-based approach to mental health care which builds upon the strengths of youth and views them as change makers in their community.

As a published author and passionate speaker Tomás enjoys sharing his bold vision for a new mental health paradigm that focuses on children's wellbeing. Tomás has been featured on several major media outlets and spoken at some of the top conferences, universities, organizations and companies across North America.

#### SERVICES:

- Strategic planning and facilitation. - Led various strategic planning processes with multiple stakeholders. Well-versed in translating missions and goals into operating plans with clear benchmarks and annual objectives.
- Organizational development and capacity building.
- Development and grants management. - Raised and managed over \$2 million for culturally responsive mental programs that targeted underserved youth populations.
- Advocacy work and constituency building. - Extensive experience in articulating key issues to multiple audiences to build community partnerships.
- Seasoned public speaker. - 100+ presentations at conferences, universities and companies across the world. Featured by CNN, Forbes, NY Times, Vice Magazine, Complex, & NPR.

#### RELEVANT PROJECT EXPERIENCE

- Ashland Youth Center Bridging Documents, San Leandro, CA
- Beats Rhymes and Life Headquarters, Oakland, CA
- Seneca Center for Children and Families, Oakland, CA
- Oakland High School Student Wellness Center, Oakland, CA
- Oakland Tech High School Wellness Center, Oakland, CA
- Oakland Public Library, Oakland, CA
- Oakland Parks and Recreation, Oakland, CA
- Lincoln Child Center, Hayward, CA
- Turning Point Community Programs, Modesto, CA

#### EDUCATION & ACCREDITATION

##### Stanford University

Graduate School of Business,  
Executive Program for Nonprofit Leaders,  
2015.

**Smith College School for Social Work,**  
Masters of Social Work, 2006

**San Francisco State University,**  
Bachelors of Social Work, 2004

#### PROFESSIONAL AFFILIATIONS

##### Ashoka Fellow

1 of 3,500 leading social entrepreneurs worldwide implementing system-changing solutions to human and environmental problems in 89 countries.

##### Stanford University

ADJUNCT LECTURER, Ethics & Politics of Public Service (Spring 2017)

CO-INSTRUCTOR, Social Entrepreneurship and the Advancement of Democracy, Development and Justice (Spring 2016)

##### Children's Wellbeing Initiative

STEERING COMMITTEE CHAIRPERSON

A joint project between Ashoka Changemakers and the Robert Wood Johnson Foundation to promote children's wellbeing in the United States and around the world.

##### Stanford University SEERS Fellow

Social entrepreneur fellows (SEERS Fellows) lead institutions that advance social, economic, and political change.

##### iConexion (Member Since 2012)

A national network of emerging Latinx leaders advocating for greater diversity and inclusion

#### AWARDS

##### 2017 Innovations in Mental Health Award

San Francisco Mental Health Ass.

##### 2015 CNN Hero

##### 2012 Top 20 Innovator - NBC Latino

##### 2011 Media Leader Award

Alameda County Mental Health Board

##### 2011 School Innovator Award

Alameda School Health Services Coalition

##### 2012 Top 20 Innovator - NBC Latino

##### 2011 Media Leader Award

Alameda County Mental Health Board

## TS STUDIO - LANDSCAPE ARCHITECTS

### EDUCATION & ACCREDITATION

**Master of Urban Design,**  
Harvard University Graduate School  
**Bachelor of Landscape Architecture,**  
Pennsylvania State University  
**International Studies Program,**  
School of Architecture, Rome, Italy

### REGISTRATIONS & CERTIFICATIONS

Landscape Architect, California #5210

### AWARDS / RECOGNITION

**Rising Tide International Competition,**  
Winner, San Francisco, CA, 2009  
**International Garden Festival.** Finalist.  
Redford Gardens

**Patrick Curran Fellowship,**  
Mapping San Francisco Waterfront, 2008  
**ASLA, Merit Award, Sunnydale Hope,**  
San Francisco, 2013  
**ASLA, Honor Award,**  
Nanhu-Farm town in the Big City, 2012  
**ULI Global Award of Excellence,**  
Beijing Finance Street, 2008, SWA

### PROFESSIONAL AFFILIATIONS

Board of Directors, Alamo Square  
Neighborhood Association, 2013 - current  
Speaker, Building Resilience Workshop II,  
New Orleans, 3.2011

Citizen's Advisory Committee,  
Better Market Streets, SF DPW. 2011-2017

### PUBLICATIONS

"Topographical Shifts" Design For Flooding,  
Watson, Donald. Adams, Michele. Fall 2010  
"Topographical Shifts" Urban Flood  
Management. Zevenbergen, Chris. Fall 2010  
"Redefining the Edge" 'The Urbanist',  
(SPUR), San Francisco, CA, 2009  
"Far West Midtown:  
A Framework for Development" West Side  
Story II, Properties, Spring 2007  
"A Path Through Ostend" The other side of  
Ostend Harvard College, 2002. Pg 84-89

### YEARS OF EXPERIENCE

17 Years

### J. LEE STICKLES

President, Landscape Architect

### QUALIFICATIONS

J. Lee Stickles is founder of TS Studio. Stickles, an urban designer and landscape architect with 17 years of professional experience, has managed the design and construction of numerous local and international projects. Her work ranges from parks, playgrounds and public waterfronts, to on-structure roof gardens and mixed-use retail, residential and corporate projects.

Stickles' work focuses on the intersection of research and design, believing that knowledge of our existing environment inspires thoughtful design solutions that can be absorbed and reflected by our local culture. She believes that communication and a shared vision with clients and the design team is fundamental to a project's success.

In 2009, she was one of the winners of Rising Tides, an international design competition examining sea level rise within San Francisco Bay and beyond. She received her undergraduate degree in Landscape Architecture from Penn State University, and her graduate degree in Urban Design from Harvard.

Ms. Stickles is the Founder and Director of the non-profit, Topographical Shifts in San Francisco CA.

### RELATED PROJECT EXPERIENCE

- Kennedy Youth Center. Union City, CA. TS Studio. Client: RossDrulisCusenbery Architecture
- 1500 Mission Street, Civic Plaza and Streetscape. TS Studio.  
Client: Related / City of San Francisco
- Irvington Supportive Housing, Fremont, CA. TS Studio Client: HCLA / Adobe
- Alamo Square Park Tree Re-forestation, San Francisco, CA. TS Studio Client: SFRPD / ASNA
- 49 SVN / 1500 Mission Street, San Francisco, CA. TS Studio Client: Related California
- Transbay B8. San Francisco, CA TS Studio Client: Related California
- Jack London Pavilion Plaza, Oakland, CA. TS Studio. Client: Jack London Square Ventures
- Fillmore Mini Park, San Francisco, CA. TS Studio Client: SF Rec and Park
- Alamo Square Re-forestation, San Francisco, CA. TS studio Client: SF Rec and Park
- Sunnydale, Hope SF, San Francisco, CA. SWA Group. Client: Mercy Housing/Related
- Jack London Square, Palm Plaza, Foot of Broadway. Oakland, CA. SWA Group.  
Client: Ellis Partners
- Winner, Rising Tides International Competition, San Francisco, CA TS Studio. Client: BCDC
- CREATE Campus, University of Singapore. SWA Group. Client: Perkins and Will
- 680 Folsom Street, San Francisco, CA. SWA Group. Client: SOM
- Alameda Landing, Alameda, CA. SWA Group. Client: SMWM



## TS STUDIO - LANDSCAPE ARCHITECTS

### H. WRIGHT YANG

Principal-In-Charge, Landscape Architect

#### QUALIFICATIONS

Mr. Yang believes in design as the critical connection between culture and environment, a narrative reflecting one's place in time while expressing an attitude towards the future. With over ten years of professional experience, Yang seeks innovation through an integrated design process - one that facilitates the imagination and transcends perceived constraints. His work focuses on investigating unexplored opportunities on a wide range of project types and scales within the U.S. and Internationally.

Yang's experience includes several major master planning and urban waterfront projects in the United States, Middle East and China including the San Diego Downtown Waterfront Park, the St. Louis Arch Riverfront Park Competition, Presidio Parkway in San Francisco as well as the Haihe Riverfront Concept Design & Haihe Ribbon Park in the Binhai New Area of Tianjin. He has also worked on various multi-use projects including Foundry Square in San Francisco and City Creek Center in downtown Salt Lake City.

Mr. Yang received his Masters in Landscape Architecture from the University of Pennsylvania, and his Bachelor in Architecture from Chung Yuan Christian University. He has participated in numerous designs and teaching related activities and exhibitions locally and internationally, maintains an expertise in Design and Fabrication Technologies and was a celebrated Co-Winner of the Rising Tide International Competition in San Francisco.

#### RELATED PROJECT EXPERIENCE

- Kennedy Youth Center, Union City, CA
- Tomales Bay Fire Station, Tomales, CA.
- Contra Costa Emergency Operations Center, Contra Costa, CA.
- Candlestick Point Block 10A Affordable Housing, San Francisco, CA.
- 1500 Mission - SF Planning Building & Public Works Department Facility, San Francisco, CA
- Transbay B8, San Francisco, CA TS Studio
- Winner, Rising Tides International Competition, San Francisco, CA
- San Diego Waterfront Park, San Diego, CA
- Foundry Square, Green Roof Garden Building 3, San Francisco, CA
- Haihe Ribbon Waterfront Park, Tanggu, Tainjin, China, Hargreaves Associates
- St. Louis Arch Competition, Finalist, St. Louis, MI, Hargreaves Associates
- Doyle Drive Competition, Finalist, San Francisco CA, Hargreaves Associates. Client: Presidio

#### EDUCATION & ACCREDITATION

**Master of Landscape Architecture**, 2005,  
School of Design, University of Pennsylvania  
**Bachelor of Architecture**, with Honors, 2001,  
Chung Yuan Christian University, Taiwan  
**Thesis/Studio Instructor**,  
**Academy of Art University**, Dept of Landscape  
Architecture, SF, CA (2014 - current)

#### AWARDS / RECOGNITION

**Honor Award, Ribbon Park**, Tianjing Urban  
Planning & Design, Tianjin, China, 2013  
**Rising Tide International Competition**,  
Winner, San Francisco, CA, 2009  
**International Garden Festival**. Finalist.  
Redford Gardens  
**Patrick Curran Fellowship**,  
Mapping San Francisco Waterfront, 2008  
**Philadelphia Gaming Design Competition**,  
First place, 2005

#### PROFESSIONAL AFFILIATIONS

Lecture, "Urban Nature" Dept of Urban Design,  
U.C Berkeley, Berkeley, CA, 09/2015  
Lecture, "Storm Water Design Creativity",  
ASLA - NCC 2015 Lecture Series, 02. 2015  
Lecture, Academy of Art University, Dept of  
Landscape Architecture, SF, CA Fall 2014  
Lecture, "Water Stories" Tsinghua University,  
Beijing, China, April 2014  
Member, SPUR, Hayes Valley/Alamo Square  
Neighborhood Association

#### PUBLICATIONS

"Topographical Shifts" Design For Flooding  
Watson, Donald. Adams, Michele Fall, 2010  
"Topographical Shifts" Urban Flood  
Management. Zevenbergen, Chris, Fall 2010  
"Redefining the Edge" 'The Urbanist', (SPUR),  
San Francisco, CA, 11.2009  
"Member Profile- Wright Yang" The Urbanist  
(SPUR) San Francisco, CA 10.2010  
"Gaining the power from a point of view-  
Using 3D Technology to Make Better &  
Quicker Planning Choices", HINGE Magazine,  
Vol. 169, HK 2009

#### YEARS OF EXPERIENCE

13 Years



## **BKF ENGINEERS - CIVIL ENGINEERS**

### **EDUCATION & ACCREDITATION**

Cogswell Polytechnical College, Cupertino, CA

BSET Civil Engineering Technology

Associate in Structural Engineering

### **PROFESSIONAL AFFILIATIONS**

American Council of Engineering Companies  
(ACEC)

American Society of Civil Engineers, (ASCE)

California Land Surveyors Association (CSLA)

North Coast Builders Exchange, Past President

City of Santa Rosa,

Board of Building Regulation Appeals

### **LICENSES/REGISTRATIONS**

Professional Civil Engineer  
CA No. C-61895

Professional Land Surveyor  
CA No. L-8809

LEED® Accredited Professional  
US Green Building Council

### **YEARS OF EXPERIENCE**

30 Years

### **GREG HURD, PE, PLS, LEED® AP**

Principal-in-Charge

### **QUALIFICATIONS**

Since 1987, Greg has been involved in a diverse variety of civil engineering and land surveying projects for both public and private clients. As a Principal/ Vice President of BKF, he provides general supervision over projects and sets the guidelines within the framework of a projects requirement. He is an active member of a project team and is available to personnel, taking part in major decision-making meetings with related agencies. He heads the quality control review for projects assuring that deliverables aspire to and achieve the project goals. He reviews all work products for conformance with established criteria and actively participates in the scheduling of work to ensure that the project is completed on budget, within scope and on schedule.

### **RELEVANT EXPERIENCE**

- Santa Rosa Community Health Center, Children's Play Area, Santa Rosa
- Herman Family Pavilion at Queen of the Valley Medical Center, Napa
- Sonoma County Human Services and Sheriff Administration Building, Sonoma County, CA
- Valley of the Moon Children's Home, Santa Rosa, CA
- Earle Baum Center, Santa Rosa, CA
- Fountaingrove Memory Care and Assisted Living Facility, Santa Rosa, CA
- Recollection at Vintage Brush Creek, Santa Rosa
- Sonoma County 100-Acre Administration Center Improvements, Sonoma County
- Bayer Neighborhood Park and Community Garden, Santa Rosa
- Keiser Community Park, Windsor
- Clearlake Veterans Building Parking Lot Improvements, Clearlake
- Santa Rosa Memorial Hospital Master Planning Services, Santa Rosa
- Sonoma County Psychiatric Center, Santa Rosa
- Sutter Medical Center Consulting Services at Chanate Road, Santa Rosa
- West County Health Center Frontage Improvements, Guerneville
- Westside Health Care Center at Fulton Road, Santa Rosa
- Women's Clinic at Sutter Hospital, Santa Rosa
- 100-acre Administration Center Improvements, Sonoma County
- Los Guilicos Juvenile Justice Detention Facility, Sonoma County
- West Marin Service Center Facility Condition Assessment, Marin County, CA

### **Additional Experience**

- Bodega Bay Bike and Pedestrian Trail, Bodega Bay
- Cleveland Avenue Water & Sewer Replacement, Santa Rosa
- Downtown Healdsburg Utility & Streetscape Improvements, Healdsburg
- Hayward Fire Stations 1-6 and Training Center, Hayward
- Hayward Fire Stations 1-6 Renovation, Hayward
- Hayward Fire Training Facility, Hayward

## CUMMING CONSTRUCTION MANAGEMENT - COST ESTIMATORS

### NICK MATA

Director

#### QUALIFICATIONS

Nick has more than 16 years of cost estimating experience within the construction industry. He has performed services for healthcare, K12, higher education, civic, and other markets in California. As Director for cost management, Nick's background in research and conceptual estimating for large-scale projects is invaluable. He is also skilled in value engineering analysis, change order evaluation, and estimate reconciliation for projects across all sectors. Nick holds a Bachelor of Science degree in Civil Engineering and is a Certified Professional Estimator. For this assignment, Nick will be responsible for quantity analysis, onscreen take off, and cost report preparation.

#### RELEVANT EXPERIENCE (partial list)

- Bear Creek Stables, New Facilities and Utilities, Los Gatos, CA
- City of Berkeley, James Kenney Recreation Center Renovation, Berkeley, CA
- City of Berkeley, Offices for Zero Waste Division Renovations, Berkeley, CA
- City of Berkeley, Pool Estimates Updates, Berkeley, CA
- City of Cupertino, On-Call Cost Estimating, Cupertino, CA
- City of Monterey, Convention Center Renovation, Monterey, CA
- City of Napa, Historic Borreo Bldg. Post-Earthquake Assessment & Repair Plan, Napa, CA
- City of Oakland, Golden Gate Recreation Center Addition/Reno, Oakland, CA
- City of Palo Alto, New Public Safety Building and California Avenue Parking Garage, Palo Alto, CA
- City of Palo Alto, Public Safety Building, Palo Alto, CA
- City of San Carlos, Adult Community Center Renovation, San Carlos, CA
- City of San Carlos, New Community and Aquatics Center, San Carlos, CA
- City of San Ramon, New City Hall, San Ramon, CA
- City of Sunnyvale, Civic Center Modernization Master Plan, Sunnyvale, CA
- Contra Costa County, New Emergency Operations Center Feasibility Study, Martinez, CA
- Contra Costa County, New Public Safety Building and Emergency Operations Center, Martinez, CA
- County of San Mateo, Medical Center Renovation Projects, San Mateo, CA
- County of Santa Clara, New Civic Center, Santa Jose, CA
- Irwin Center, Renovations Blood Donor Laboratories, San Francisco, CA
- James Kenney Recreation Center, Berkeley, CA
- Midpeninsula Regional Open Space District, New Highway 17 Trail Crossing/Bridge, Santa Cruz, CA
- Napa County, New Mental Health Crisis Stabilization Unit, Napa, CA
- Palo Alto History Museum, Roth Building Rehab, Palo Alto, CA
- San Francisco State University, Recreation and Wellness Center, San Francisco, CA
- San Francisco, Moscone Convention Center, 25-Year Master Plan, San Francisco, CA
- San Jose State University, End Zone Building, San Jose, CA
- San Jose State University, Student Recreation & Aquatics Center Programming, San Jose, CA

#### EDUCATION & ACADEMICS

Bachelor of Science, Civil Engineering,  
University of California – Berkeley

#### LICENSES/REGISTRATIONS

Certified Professional Estimator,  
American Society of Professional Estimators,  
No. 1.4-000109-0715, 2015

#### YEARS OF EXPERIENCE

16 Years

## IDA ENGINEERS - STRUCTURAL ENGINEERS

### EDUCATION & ACCREDITATION

California Polytechnic State University,  
San Luis Obispo  
Bachelor of Science  
in Architectural Engineering, 1986

### LICENSES/REGISTRATIONS

California Civil Engineer, 1988 (#C43648)  
California Structural Engineer, 1991 (#S3527)  
Colorado Professional Engineer, 1996 (#31415)  
Washington Professional Engineer,  
1998 (#34970)  
Nevada Professional Engineer, 2008 (#19780)

### PROFESSIONAL AFFILIATIONS

Structural Engineers Association  
of Northern California  
Member SE - Member  
Existing Building  
Committee  
American Institute of Steel Construction

### STEPHEN DEJESSE, SE

Principal-in-Charge

### QUALIFICATIONS

Stephen DeJesse began at IDA in 1987. He has over 32 years experience in structural studies, analysis, structural design and construction administration. Over the years, Stephen has developed a reputation for exceptional professional engineering service based on providing technical expertise, sound professional judgment, and prompt, reliable, personal service to IDA's clients.

### RELEVANT EXPERIENCE

- Foster City Teen Center "The VIBE", Foster City, CA
- REACH Ashland Youth Center, Alameda County, CA
- Kennedy Teen Center, Union City, CA
- Cherryland Community Center, San Lorenzo, CA
- Albany Berkeley YMCA Teen Center, Berkeley, CA
- Helms Community Center, San Pablo, CA
- Girls Inc. Resource Center for Girls, Oakland, CA
- Antioch Community Center, Antioch, CA
- Castro Valley Library, Castro Valley, CA
- Valley Hi North Laguna Library, Sacramento, CA
- Town of Los Gatos Library, Los Gatos, CA
- City of Hayward Six Fire Stations Needs Assessment, Hayward, CA
- Hayward Library, Hayward, CA

#### Foster City Teen Center "The VIBE"

IDA provided structural engineering for this Teen Center that serves 6th-12th graders in Foster City after school and on weekends. The structure has light gauge steel framing with prefabricated steel sheer panels on a mat foundation immediately adjacent to the Bay. The center includes space for dances, sports tournaments, movie presentations, and everyday games.

#### Ashland Youth Center Bridging Documents

IDA worked closely with the County of Alameda to create bridging documents for this \$14 million 2-story, 31,000 square foot, steel-framed structure..

#### Kennedy Teen Center Renovation

IDA is designing this conversion of an existing community center to a teen center in Union City. With a \$15M construction budget, the design team is working with a youth-centered approach to create a learning and gathering space specifically for teens. Project will be designed and constructed in 3 phases as budget becomes available.

#### Cherryland Community Center

IDA is designing this new 17,500 square foot community center for Alameda County. The wall structure will utilize Structural Insulated Panels (SIPs), while the roof is a combination of engineered lumber and architectural custom wood/steel trusses.



## IDA ENGINEERS - STRUCTURAL ENGINEERS

### ELLIOTT GOODWIN, SE

Senior Engineer

#### QUALIFICATIONS

Elliott has 13 years of experience in structural design, seismic evaluation, and retrofits of a variety of public, residential, religious, laboratory, and commercial buildings. His experience ranges from the design of essential facilities to historic retrofits. He is dedicated to each project from the beginning of design through construction close-out.

#### RELEVANT EXPERIENCE

- Kennedy Teen Center, Union City, CA
- REALM Charter School Seismic Retrofit, Berkeley, CA
- North Berkeley Senior Center, Berkeley, CA
- Girls Inc. Resource Center for Girls, Oakland, CA
- Lawrence Berkeley National Laboratory, Building 45, Fire Station Replacement, Berkeley
- Castro Valley Library, Castro Valley, CA
- Westlake Christian Terrace East, Oakland, CA
- St. Joseph's Marianist Hall Renovation, Alameda, CA
- UC Davis Jess Jackson Sustainable Winery, Davis, CA
- Berkeley Humane Society, Berkeley, CA
- 23rd & Valdez Mixed Use, Oakland, CA
- Novartis Campus Renovations & New Structures
- Leahy Residence, Sonoma, CA
- City of Berkeley Offices Seismic Study, Berkeley, CA

#### Kennedy Teen Center Renovation

IDA designed this conversion of an existing community center to a teen center in Union City. The design team worked with youth-centered approach to create a learning and gathering space specifically for teens.

#### REALM Charter School Seismic Retrofit, Berkeley

Elliott performed an ASCE 41-13 Tier 1 and 2 Seismic Evaluation of this school and is working on a seismic strengthening plan that includes the reinforcement of existing shear walls and columns.

#### North Berkeley Senior Center

Elliott is conducting an ASCE 41 seismic evaluation and designing retrofits, renovations, and upgrades for this community center serving seniors since the late 1970s.

#### Girls Inc - Youth Education Center

Renovation of a historic 34,000 square foot building built in 1919 in Downtown Oakland. Designed to LEED standards, the project includes historic preservation, seismic upgrades, and interior tenant improvements. New concrete shear walls and braced frames were inserted to achieve a specific probable maximum loss (PML) to meet lender requirements. In addition, our expedited design was instrumental in allowing Girls Inc to open in time for the next school year. .

#### EDUCATION & ACCREDITATION

University of Nevada, Reno

**Bachelor of Science** in Civil Engineering, 2003

**Master of Science** in Civil Engineering, 2005

#### LICENSES/REGISTRATIONS

California Civil Engineer, 2006

#### PROFESSIONAL AFFILIATIONS

LEED Accredited Professional, May 2007

State of California

Governor's Office of Emergency Services

Safety Assessment Program Disaster Service Worker

Volunteer ID #61871

University of Nevada at Reno, Engineering Accreditation Committee

## WSP - LIGHTING DESIGN

### EDUCATION & ACCREDITATION

Bachelor of Architectural Engineering  
Illumination Emphasis  
Pennsylvania State University - 1995

### PROFESSIONAL AFFILIATIONS

Member, International Association of Lighting  
Designers (IALD)

Member, Illuminating Engineering Society of  
North America (IESNA)

### AWARDS

IES Illumination Award of Excellence,  
Pasadena City Hall Historic Renovation  
Pasadena, CA

IES Illumination Award of Merit, Block 21,  
W Hotel & Condominiums, Austin, TX

IES Award of Merit, San Bernardino Justice  
Center, San Bernardino, CA

IES Illumination Award of Merit, National Au-  
dio Visual Conservation Center, Culpeper, VA

### YEARS OF EXPERIENCE

22 Years

### LILIAN FU, IALD, LC, MIES

Vice President, Lead Lighting Designer

### QUALIFICATIONS

Leading the San Francisco-based Lighting Studio, Ms. Fu is a thoughtful designer who carefully considers the artistic and scientific properties of light in order to reveal the architecture envisioned by the client. Mindful of the human experience of a space, Lilian believes that a successfully designed environment is one in which light is carefully and purposefully integrated with each design discipline.

Inspired by her grandfather, a civil engineer in the Philippines, Lilian learned architectural lettering and the use of triangles and T-squares at a young age. After an exciting internship during high school at a local architect's office, Lilian decided to pursue a degree in Architectural Engineering at Penn State University. She focused her final two years of study in lighting design and ultimately pursued this as a career because it offered her the perfect balance of art, science, and management.

Lilian is adept at following projects in all phases of design from conceptual studies through production of contract documents to final focusing. She contributes unique design solutions that not only create a pleasing visual environment for their occupants but also incorporate the necessary technologies to conserve energy, comply with codes, and consider maintenance issues prevalent in today's building industry.

### RELEVANT EXPERIENCE

#### Academic

- UCSF Mission Bay Campus Community Center, San Francisco, CA\*
- UC Davis Gallagher Hall & Conference Center, Davis, CA\*

#### Health & Science

- Lucile Packard Children's Hospital, Palo Alto, CA\*
- Camino Medical Group, Mountain View, CA\*
- Pomerado Hospital Phase II Remodel/Expansion, Poway, CA\*
- UC Davis Veterinary Medicine Building, Davis, CA\*
- University of Washington, School of Medicine Lake Union, Phase II, Seattle, WA\*
- J. David Gladstone Institute, San Francisco, CA\*

#### Civic and Cultural

- Hayward Fire Station #6 and Fire Training Center, Hayward, CA
- Palo Alto Civic Center Building, Palo Alto, CA
- Treasure Island Streetscape Master Plan, San Francisco, CA
- Northside Branch Library Renovation, Santa Clara, CA
- Moscone Convention Center Expansion, San Francisco, CA\*
- Hillsdale Mall Conference Center, San Mateo, CA\*

#### Sports and Recreation

- The Ballpark at the Palms Beaches, Palm Beach, FL
- America West Arena Enhancements, Phoenix, AZ

*\*Indicates experience prior to joining the firm*

## WSP - ACOUSTICS

### KRISTINA M. SELLS

Acoustics Lead

#### QUALIFICATIONS

Kristina M. Sells has over six years of experience as an acoustical consultant and audio/visual (AV) design engineer and has completed acoustical analyses in the areas of room acoustics, sound insulation, mechanical noise and vibration control, and environmental noise. With involvement in a variety of projects, Mrs. Sells has successfully completed several audio/visual and sound reinforcements system designs. Mrs. Sells has successfully completed several audio/visual and sound reinforcement system designs. Mrs. Sells has consulted on a wide range of project types including: educational facilities, healthcare, performing arts, government and military facilities, resorts/hotels, residential, commercial and others.

#### RELEVANT EXPERIENCE

##### General

- YMCA, Oahu\*
- KROC Community Center, Oahu\*
- Mount Pleasant Town Hall, South Carolina\*
- Kupu Renovation, Oahu\*
- PBS Hawaii, Oahu\*
- University of Hawaii Women's Softball Stadium, Oahu\*
- University of Hawaii at Hilo Pharmacy Building, Hawaii\*
- Kapiolani Community College Naio Building renovation, Oahu\*
- Office of Hawaiian Affairs Gentry Pacific Design Center Renovation, Oahu\*

##### Hospitality

- Hapuna Beach Prince Resort Renovation, Hawaii
- Westin Maui Resort and Spa, Maui
- Hilton Waikoloa Kingsland, Hawaii\*
- Westing Princeville Resort Mechanical Noise, Kauai\*
- Fairmont Kea Lani Spa and Meeting room Renovation, Maui\*
- Westin Ka'anapali Ocean Resort, Maui\*
- Coconut Beach Resort, Kauai\*
- Waikiki Beach Marriott Acoustical Testing, Oahu\*
- Sheraton Kauai Garden Wing, Kauai\*
- Waikiki Trade Center Hotel Conversion, Oahu\*
- Ward Village, Block I and Block H Noise Study, Oahu\*

##### Mixed-Use

- Honua Kai Luana Townhomes, Maui
- Ward Village, Waiea and Anaha Towers, Oahu\*
- Keola Lai Condominiums IIC Testing, Oahu\*
- Keauhou Lane, Oahu\*

*\*Indicates experience prior to joining the firm*

#### EDUCATION & ACCREDITATION

**Bachelor of Science,**  
Mechanical Engineering University of Hawaii  
Manoa, Honolulu, HI

#### YEARS OF EXPERIENCE

8 Years



**EDUCATION & ACCREDITATION**

School of AV Technologies, Extron Institute,  
XTP-E certified, Anaheim, CA, 2014

University of California of Los Angeles (UCLA),  
Communication Systems, Los Angeles, CA,  
2004

Gnomon School of Visual Effects,  
Visual Effects and 3D Animation/Visualization,  
Hollywood, CA, 2002

**PROFESSIONAL AFFILIATIONS**

Member, International Association of Lighting  
Designers (IALD)

Member, Illuminating Engineering Society of  
North America (IESNA)

Currently seeking RCDD and PMP certifications

**YEARS OF EXPERIENCE**

18 Years

**WSP - AUDIO VISUAL****MICHAEL WITECKI, CTS-D**

Audio Visual Lead

**QUALIFICATIONS**

Michael Witecki joined WSP in August 2016 as a Senior Engineer. A results-oriented technology project manager, Michael has proven experience in strategic planning, managing projects, team building, improving efficiency of operation, and systems engineering. Michael has over 18 years experience in technology design roles as well as over 14 years of experience with consulting project management. He comes to our firm with a wide breadth of experience in the healthcare, higher education, government, corporate and entertainment market sectors.

Michael is the leader of the technology group in the WSP Mountain region and a key designer of the BOLD&R Innovation Center. Focusing on not only creating a seamless and transparent user experience through technology integration, but on why we use and the ethical applications of technology. Michael has extensive experience providing integrated, and SMART solutions that drive operational efficiency, enhance the human experience and user satisfaction.

**RELEVANT EXPERIENCE****Healthcare**

- Kaiser Permanente MOB, Colorado Springs, CO
- Mind Springs Behavioral Health Hospital, Grand Junction, CO
- Saint John's Health Center, Santa Monica, CA
- Good Samaritan Community Healthcare, Puyallup, WA
- Laguna Honda Long Term Care Facility, San Francisco, CA
- Children's Hospital Los Angeles, Los Angeles, CA
- University of New Mexico, Albuquerque, NM
- Community Hospital of the Monterey Peninsula, Monterey, CA
- Swedish Hospital, Seattle, WA
- Veterans Administration - Palo Alto Medical Center, Palo Alto, CA
- Kaiser Permanente - Sidney R Garfield Health Care Innovation Center, San Leandro, CA
- Mills Peninsula Health Services, Burlingame, CA
- Ventura Community Memorial Hospital, Ventura, CA
- California Pacific Medical Center, San Francisco, CA
- Intermountain Medical Center, Murray, UT
- National Intrepid Center of Excellence, Bethesda, MD
- Lucile Packard Children's Hospital, Palo Alto, CA
- University of Southern CA, Los Angeles, CA

**Higher Education**

- Norwich University Campus Center Renovation and Expansion, Northfield, VT
- Ponom College Student Recreation Center Renovation, Ponom, CA
- Pierce College Student Services Building, Woodland Hills, CA

## **ROSSDRULISCUSENBERY ARCHITECTURE, INC. / RDC AT A GLANCE**

RDC is a long established Bay Area architecture firm with offices in Alameda and Sonoma Counties. The following information generally describes our firm.

Legal Name/Address:	<b>RossDrulisCusenbery</b> Architecture, Inc. (RDC) 18294 Sonoma Highway, Sonoma, CA 95476 Tel: 707-996-8448; Fax: 707-996-8542
Primary Contact:	Mallory Cusenbery, AIA 18294 Sonoma Highway, Sonoma, CA 95476 707-996-8448 ext. 118; Fax: 707-996-8542 mross@rdcarchitecture.com
Alameda Branch Office:	Emeryville Office (SLEB Certified, Alameda County) 1201 Park Avenue #100, Emeryville, CA 94608
Tax Identification Number:	91-1758710
Organization Type:	Corporation
Principals:	Michael B. Ross, AIA, NCARB C18867, 1988 mross@rdcarchitecture.com  Mallory S. Cusenbery, AIA, C25358, 1994 mcusenbery@rdcarchitecture.com  Charles R. Drulis, AIA, (Emeritus Principal) C21236, 1990
Associate:	Mark Zall, AIA, C17270, 1986, mzall@rdcarchitecture.com
Firm History:	Michael Ross Associates established 1983; Michael Ross Charles Drulis Architects & Planners Partnership, 1992; Michael Ross Charles Drulis Architects & Planners, Incorporated 1997; Name changed to RossDrulisCusenbery Architecture, Inc. in 2002.
Professional Services Offered:	<ul style="list-style-type: none"><li>• Architecture &amp; Engineering Services (A/E)</li><li>• Interior Design &amp; Space Planning</li><li>• Facility Master Planning</li><li>• Facility Assessment</li><li>• Urban Design</li><li>• Architectural Programming</li><li>• Cost Estimation</li><li>• Sustainable Design</li><li>• Construction Phase Services</li><li>• Community Outreach</li><li>• Technical Consultation</li></ul>
Licensed Architects:	9 licensed architects (California)
Facility & Capacity:	The firm has 16 professional staff expandable to 30 positions, with over half our staff are licensed architects. RDC maintains two offices in Sonoma CA and Emeryville, CA.

SOUTH HAYWARD YOUTH AND FAMILY CENTER  
Fee Summary

June 27, 2018

BASIC SERVICES	RDC	Tomas Alvarez	IDA	BKF	WSP Lighting	WSP Acoustics	WSP AV	TS Studio	Cumming	Subtotal	Reimb	Total
Phase 1A	\$22,542	\$10,000		\$1,674						\$34,216	\$3,000	\$37,216
Phase 1B	\$51,386	\$15,000	\$4,500	\$2,874				\$10,600		\$84,360	\$2,500	\$86,860
Phase II	\$61,644		\$4,950	\$12,228				\$22,560	\$7,350	\$108,732	\$2,500	\$111,232
Total Basic Services	\$135,572	\$25,000	\$9,450	\$16,776	\$0	\$0	\$0	\$33,160	\$7,350	\$227,308	\$8,000	\$235,308
OPTIONAL SERVICES	RDC	Tomas Alvarez	IDA	BKF	WSP Lighting	WSP Acoustics	WSP AV	TS Studio	Cumming	Subtotal	Reimb	Total
Topographic Mapping				\$18,884						\$18,884		\$18,884
Phase 1A	TBD	TBD <sup>1</sup>	N/A	N/A	N/A	N/A	N/A	\$12,200	N/A	\$12,200		\$12,200
Phase 1B	TBD	TBD <sup>1</sup>	N/A	N/A	N/A	N/A	N/A	\$3,440	N/A	\$3,440		\$3,440
Phase II	TBD	N/A	N/A	N/A	\$9,250 <sup>2</sup>	\$8,990 <sup>2</sup>	\$7,840 <sup>2</sup>	\$3,440	N/A	\$29,520		\$29,520
Total Optional Services				\$18,884	\$9,250 26,080	\$8,990	\$7,840	\$19,080		\$64,044		\$64,044
TOTAL										\$291,352		\$299,352

<sup>1</sup> The scope and extent of this optional service requires the input of the City of Hayward and other stakeholders

<sup>2</sup> If detailed engineering is required





# CITY OF HAYWARD

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

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**File #:** LB 19-010

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**DATE:** February 5, 2019

**TO:** Mayor and City Council

**FROM:** Director of Utilities and Environmental Services

**SUBJECT**

Review and Approve Recommended Garbage and Recycling Rates Adjustment for 2019-2020

That Council reviews and approves the recommended garbage and recycling annual rate increase of 2.611% for all residential and commercial accounts effective March 1, 2019.

**SUMMARY**

Refuse rates typically increase on March 1 of each year, in accordance with the Franchise Agreement between the City and Waste Management of Alameda County (WMAC) that became effective on March 1, 2015. Rate Year Five (RY5) of the Franchise Agreement will commence on March 1, 2019. Per the Franchise Agreement, the rates for RY5 shall be set based on a Consumer Price Index (CPI) adjustment to WMAC's current revenues. In addition to the CPI, due to a change in international policy resulting in a severe downturn in the recycling commodities markets, Tri-CED, which is the residential recycling subcontractor to WMAC, has asked for additional compensation. Staff recommends that an additional special increase of \$2.00 per household be included in the overall rates, for a total rate increase of 2.611% for RY5. This increase will allow Tri-CED to receive an additional \$1.13 million per year for the remaining term of the Franchise Agreement, which will last from three to five years.

**ATTACHMENTS**

Attachment I	Staff Report
Attachment II	Resolution
Attachment III	Rates Survey 2019



DATE: February 5, 2019

TO: Mayor and City Council

FROM: Director of Utilities and Environmental Services

SUBJECT: Review and Approve Recommended Garbage and Recycling Rates Adjustment for 2019-2020

#### RECOMMENDATION

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#### SUMMARY

Refuse rates typically increase on March 1 of each year, in accordance with the Franchise Agreement between the City and Waste Management of Alameda County (WMAC) that became effective on March 1, 2015. Rate Year Five (RY5) of the Franchise Agreement will commence on March 1, 2019. Per the Franchise Agreement, the rates for RY5 shall be set based on a Consumer Price Index (CPI) adjustment to WMAC's current revenues. In addition to the CPI, due to a change in international policy resulting in a severe downturn in the recycling commodities markets, Tri-CED, which is the residential recycling subcontractor to WMAC, has asked for additional compensation. Staff recommends that an additional special increase of \$2.00 per household be included in the overall rates, for a total rate increase of 2.611% for RY5. This increase will allow Tri-CED to receive an additional \$1.13 million per year for the remaining term of the Franchise Agreement, which will last from three to five years.

#### BACKGROUND

The Franchise Agreement between the City and WMAC for garbage, recycling, and organics collection and processing is in effect for up to ten years and details a specific rate adjustment process for each year. In the first year of the contract, rates were negotiated and agreed upon at an initial rate. The rates for years two and three were increased by 3%. The Franchise Agreement required the rates for RY4 be set following a detailed cost-based adjustment to provide WMAC an after-tax return on its investment of 5.5%. The rate increase for RY4 was calculated to be 5.004%. However, because the increase did not go into effect until June 1, 2018, the actual increase was 6.672% for nine months. Rate Years

Five through Ten are to be set through an index-type of adjustment process using the CPI, government fees, and other factors.

Until recently, the majority of recyclables collected in the United States were sold to China. Policy changes enacted by China in 2017, and intensified in 2018, have severely negatively impacted the U.S. recyclables export market, especially for mixed-plastics and mixed-paper. For example, when markets were strong, processors could receive more than \$200 per ton for mixed paper. Last year, some haulers had to pay to dispose of mixed paper. In addition, local processors have experienced increased costs to remove contamination from recyclables. Residential recycling in Hayward is collected primarily by Tri-CED, a subcontractor to WMAC. At the September 18, 2018 Hayward Council meeting, Tri-CED's President and CEO, Richard Valle, spoke about restrictions imposed by China on contaminated materials, international recycling markets, commodity price comparison, and the formation of a stakeholders' task force to address the recycling crisis.

## DISCUSSION

Staff received WMAC's initial rate application in December 2018. City staff performed a detailed review of WMAC's application for RY5, ensured all calculations were consistent with the procedures outlined in the Franchise Agreement, and confirmed the validity of the proposal. The CPI increase applied to the RY5 adjustment calculation is 3.7%.

In response to the China policy mentioned above, Tri-CED has requested a special rate increase of up to \$2.20 per residential customer. The Franchise Agreement allows for special adjustments when warranted by significant changes in government regulation. Tri-CED also serves the residents of Union City and submitted a similar special rate increase request to Union City. Union City is still considering Tri-CED's request since their rate increases do not go into effect until July 1. Union City has hired a consultant to review Tri-CED's financials and Hayward intends to participate in the study. Following a detailed review of Tri-CED's request, staff is recommending that Tri-CED receive additional compensation equivalent to \$2.00 per household per month, which would generate approximately \$1.13 million annually for Tri-CED, after accounting for franchise fees, to help offset the severe negative economic impact of the China policy and continue the City's existing recycling programs. If the consultant report indicates a different rate adjustment would be necessary, staff will bring that to Council in Rate Year Six.

WMAC's RY5 increase includes raising the cost of commercial recycling from 40% of the cost of an equivalent-sized garbage container, to 50% of the cost of an equivalent-sized garbage container. This increase to the commercial recycling rate is the final phase of a three-phase increase to set the cost of commercial recycling to one-half of what comparable garbage service would cost. The City requested WMAC implement the commercial recycling increase in phases in order to avoid burdening businesses with a large rate increase at the start of the contract. The City also favored a phased approach because it economically encourages businesses to sign up for recycling services.



Calculation of the proposed RY5 rate increase also includes approximately \$84,000 in additional annual compensation for Tri-CED to allow for recycling worker wage increases. This amount was agreed to during contract negotiations and equates to 0.224% of the overall proposed increase.

Due to the timing of the rate application, the RY4 increase went into effect on June 1, 2018. In addition to the above considerations, the RY5 calculation accounts for the fact that Hayward's RY4 increase was implemented over a nine-month period, instead of twelve months, and normalizes the starting rate calculations from a 6.672% increase in RY4 to 5.004% increase. The normalization of the starting rate, in combination with the proposed Tri-CED compensation, results in an overall requested RY5 increase of 2.611%.

#### Additional Request from Tri-CED to Landfill Recyclables

Tri-CED has also requested to landfill a portion of its material that used to be sent for secondary processing and then sold to China. Tri-CED's secondary processor cannot currently market the material due to the China policy. This material is called "unders" and is material left over after Tri-CED processes recyclables at its facility. The unders consist of some recyclable material that is mixed with non-recyclable material. Tri-CED cannot extract the recyclable material in an economically feasible manner, so Tri-CED had been sending the unders to be further processed and sold. The material currently cannot be marketed and Tri-CED is mandated by State regulations to remove material from its facility within 48 hours. The landfilling of unders from Tri-CED will result in approximately 200 tons of additional material per month being sent to landfill. This will result in lowering of the franchise recovery rate, which is the percentage of material WMAC is able to divert from the landfill, by about 2%. The Franchise Agreement prohibits the disposal of recyclable materials in a landfill unless specifically approved by the City. Staff recommends that Tri-CED be permitted to landfill unders for a period of six months. If market conditions do not change and Tri-CED wishes to continue to landfill unders, they will need to submit an additional request within five months.

#### ECONOMIC IMPACT

Residents and businesses will be paying 2.611% more for refuse and recycling services for the period of March 1, 2019, through February 28, 2020. With a 2.611% increase, the new monthly service charge for residential customers with the standard 32-gallon cart for garbage service would be \$34.52, or \$0.88 higher than the existing rate. For residents subscribing to the smaller 20-gallon cart, the new service charge would be \$23.62, or \$0.60 higher than the existing rate. A comparison of rates with several nearby communities is included as Attachment III.

#### FISCAL IMPACT

With the proposed increase, it is projected that General Fund Franchise Fees revenue related to this agreement will increase by approximately \$166,340 annually.

## STRATEGIC INITIATIVES

This agenda item is a routine operational item and does not directly relate to Council's three adopted strategic initiatives.

## SUSTAINABILITY FEATURES

The rate increase will allow the City, WMAC, and Tri-CED to continue to provide Hayward residents and businesses with recycling and composting services, so they can divert waste from the landfill. 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. No additional programs are contemplated as part of Rate Year Five services.

## PUBLIC CONTACT

The public was notified of the rate increase in 2014 as part of the new franchise agreement announcement mailed to all rate payers. That notice provided an estimated increase for each year of the franchise agreement and indicated that the increase that would be effective on March 1, 2019, would be a minimum of 3% and a maximum of 6%. If Council approves the proposed rate increase, customers will be notified through bill inserts included with their garbage bill and a message printed on their garbage bill.

## NEXT STEPS

The rate increase would be effective on March 1, 2019. If Council approves this request, staff will work with WMAC to implement the new rates and advise customers. A brief statement regarding the fee increase will be printed on the customer's garbage bills.

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

HAYWARD CITY COUNCIL

RESOLUTION NO. 19-

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

RESOLUTION APPROVING THE GARBAGE & RECYCLING RATE ADJUSTMENT  
FOR 2019-2020

WHEREAS, the Franchise Agreement between the City of Hayward and Waste Management of Alameda County (WMAC) became effective on March 1, 2015; and

WHEREAS, garbage and recycling rates typically increase on March 1 of each year and Rate Year Five of the Franchise Agreement will commence on March 1, 2019; and

WHEREAS, the Franchise Agreement dictates that the rates for Rate Year Five shall be set based on a Consumer Price Index (CPI) adjustment to WMAC's projected Rate Year Four revenues; and

WHEREAS, the City completed the necessary review of WMAC's rate application; and

WHEREAS, calculations based on the methodology specified in the Franchise Agreement show that an increase of 2.611% is appropriate and warranted; and

WHEREAS, the rate increase includes a special adjustment in response to a significant and unforeseen in international policy and resulting downturn in recycling commodities markets; and

WHEREAS, due to the change in international policy, Tri-CEC, WMAC's subcontractor has requested to landfill certain recyclable material called "unders".

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby approves the increase of increase by 2.611% from March 2019 through February 2020 for garbage and recycling rates for residents and businesses in the City of Hayward that are served under the Franchise Agreement.

BE IT FURTHER RESOLVED that the City Council of the City of Hayward hereby approves Tri-CED's request to landfill unders for a period not to exceed six months from the date of this resolution.



IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2019

ADOPTED BY THE FOLLOWING VOTE:

AYES:            COUNCIL MEMBERS:  
                     MAYOR:

NOES:           COUNCIL MEMBERS:

ABSTAIN:       COUNCIL MEMBERS:

ABSENT:        COUNCIL MEMBERS:

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

APPROVED AS TO FORM:

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

## Comparison of Monthly Garbage & Recycling Rates

Table 1: Single-Family Dwelling Rates

Municipality	Garbage (20 gallon)	Garbage (30-35 gallon)*	Garbage (60-64 gallon)
Newark (Republic)	\$29.30	\$32.56	\$57.68
Hayward (current)	\$23.02	\$33.64	\$59.99
Hayward (proposed)	\$23.62	\$34.52	\$61.56
Fremont (Republic)	\$34.04	\$34.77	\$38.12
Oakland (WMAC)	\$41.54	\$47.17	\$83.26
Castro Valley (ACI)	\$30.79	\$47.74	\$82.91
Union City (Republic)	\$42.93	\$50.31	\$87.23

\*Cities are listed by most common container size rate (30 – 35 gallon)

Table 2: Multi-family Dwelling Rates (assuming 1x per week service for 20 units)

Municipality	Garbage (3cy)	Recycling (1cy)	Organics (1cy)	Total
Fremont (Republic)	\$227.08	\$6.47 per unit	\$88.80	\$445.28
Hayward (current)	\$368.63	\$7.19 per unit	Included w/ Garbage	\$512.43
Hayward (proposed)	\$378.25	\$7.38 per unit	Included w/ Garbage	\$525.85
Newark (Republic)	\$349.10	\$52.78	\$127.02	\$528.90
Union City (Republic)	\$401.39	\$91.90	\$91.90	\$585.19
Castro Valley (ACI)	\$902.84	Included w/ Garbage	Included w/ Garbage	\$902.84
Oakland (WMAC)	\$771.70	\$14.42 per unit	Included w/ Garbage	\$1,060.10

Table 3: Commercial Rates (assuming 1x per week service)

Municipality	Garbage (3cy)	Recycling (1cy)	Organics (1cy)	Total
Fremont (Republic)	\$226.39	\$75.53	\$88.80	\$390.72
Hayward (current)	\$368.63	\$57.23	\$71.54	\$497.40
Hayward (proposed)	\$378.25	\$73.41	\$73.41	\$525.07
Newark (Republic)	\$349.10	\$52.78	\$127.02	\$528.90
Union City (Republic)	\$401.39	\$91.90	\$91.90	\$585.19
Castro Valley (WMAC)	\$902.84	Included w/ Garbage	Included w/ Garbage	\$902.84
Oakland (WMAC)	\$549.39	(open market)	\$173.03	-