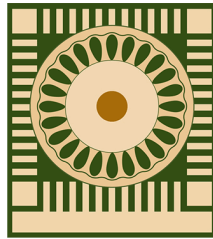


CITY OF HAYWARD

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



CITY OF
HAYWARD
HEART OF THE BAY

Agenda

Tuesday, April 9, 2019

7:00 PM

Council Chambers

City Council

SPECIAL CITY COUNCIL MEETING**CALL TO ORDER Pledge of Allegiance: Council Member Márquez****ROLL CALL****CLOSED SESSION ANNOUNCEMENT**

April 4, 2019

April 9, 2019

PRESENTATIONS

National Public Safety Telecommunications Week

Annual Volunteer Recognition Ceremony

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 19-046](#) Minutes of the City Council Meeting on March 26, 2019
Attachments: [Attachment I Draft Minutes of 03/26/19](#)
2. [CONS 19-193](#) Authorization for the City Manager to Accept and Appropriate up to \$92,000 in Grant Funding from the California Fire Safe Council for the City's Chipping and Defensible Space Program (Continued from 4/2/19)
Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
3. [CONS 19-227](#) Authorization for the City Manager to Execute a Professional Services Agreement with Carollo Engineers for Engineering Services for the WPCF Headworks Bar Screens Project (No. 07567) in an Amount Not-to-Exceed \$1,071,028
Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III Scope of Work](#)
4. [CONS 19-229](#) Road Repair and Accountability Act (RRAA) FY20 Pavement Rehabilitation & Preventive Maintenance Project: Resolution Approving Project List
Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III Location Map](#)
5. [CONS 19-230](#) New Sidewalks FY19 Project - Calhoun Street, Muir Street, Walpert Street - Award of Construction Contract
Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III Bid Results](#)
6. [CONS 19-236](#) Authorization to Amend the FY2019 Operating Budget for the Development Services Department-Code Enforcement Division for Contracted Security Services at the Property Located at Maple Avenue and Main Street
Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)

LEGISLATIVE BUSINESS

7. [LB 19-015](#) Approval of a Pilot Employee Home Loan Assistance Program
(Report from Director of Finance Claussen)

Attachments: [Attachment I Staff Report](#)

CITY MANAGER'S COMMENTS

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

COUNCIL REPORTS AND ANNOUNCEMENTS

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

COUNCIL REFERRALS

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

8. [RPT 19-270](#) Consider an Item for Discussion on a Future City Council Agenda Regarding Adoption of a Resolution to Establish César E. Chavez Day, as a City of Hayward Paid Holiday

Attachments: [Attachment I Council Referral Memorandum](#)

ADJOURNMENT

April 16 and 23, 2019 MEETINGS - CANCELED -

NEXT SPECIAL MEETING, Saturday, April 27, 2019

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
www.Hayward-CA.gov

File #: MIN 19-046

DATE: April 9, 2019

TO: Mayor and City Council

FROM: City Clerk

SUBJECT

Minutes of the City Council Meeting on March 26, 2019

RECOMMENDATION

That the City Council approves the minutes of the City Council meeting on March 26, 2019.

SUMMARY

The City Council held a meeting on March 26, 2019.

ATTACHMENTS

Attachment I Draft Minutes of 3/26/2019



MINUTES OF THE CITY COUNCIL MEETING
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, March 26, 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 Salinas.

ROLL CALL

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

CLOSED SESSION ANNOUNCEMENT

City Attorney Lawson reported the City Council convened in closed session at 5:30 p.m., concerning three items: 1) public employment pursuant to Government Code 54957 regarding the City Clerk's annual performance evaluation; 2) conference with legal counsel pursuant to Government Code 54956.9 regarding AGG, et al. v. City of Hayward, et al. U.S. District Court, ND CA, No. #4: 4:19-civ-00697-DMR; and 3) conference with legal counsel pursuant to Government Code 54956.9 regarding one anticipated litigation case. Mayor Halliday noted there was no reportable action related to Item 1. City Attorney Lawson noted there was no reportable action related to Items 2 and 3.

PUBLIC COMMENTS

Mayor Halliday offered an apology to all for the behavior that was displayed during the March 19, 2019 Council meeting and referred to language from the "Rules, Decorum and Order" section in the Council Member Handbook that she would be enforcing moving forward.

Council Member Márquez noted she was coping with personal matters on March 19, 2019 and offered an apology to all for the political remarks made during the meeting.

Ms. Rowena Dupre shared a story of Rachel and her dog who became homeless and fundraiser efforts by a group of women to help them and asked for donations.

Mr. Jim Drake, Hayward resident, spoke about eucalyptus trees and Conditions of Approval for a restaurant on Harder Road.

Mr. Kim Huggett, Hayward Chamber of Commerce Executive Director, spoke about three events: grand opening of 808 A Street Apartments, Erik's DeliCafe on B Street, and the International Trade Luncheon with Consul General of Canada, Rana Sarkar.

Mr. Carlos Archuleta spoke about ongoing issues and asked for the renegotiation of the agreement with Chabot College for PEG broadcasting services.

Ms. Wynn Grcich, Hayward resident, spoke about California legislation that will allow the liquifying of body remains and referred to related literature.

Ms. Lisa Brunner, Hayward resident, noted she attended the Homelessness-Housing Task Force meeting and noted the meeting's homelessness discussion did not address mental health.

Ms. Hedy Rodriguez shared the assistance provided to Rachel and her dog and asked what the City was doing reaching out to individuals who are homeless.

Ms. Araceli Orozco spoke about the March 19, 2019 Council meeting and the political remarks made by members of the Council.

Mr. Jesus Reynoso, via a Spanish/English interpreter, shared there was illegal dumping on City streets and near downtown and offered his assistance helping clean the streets.

Consent Items 3 and 4 were removed from the Consent Calendar for separate vote.

CONSENT

1. Minutes of the City Council Meeting on February 26, 2019 MIN 19-033

It was moved by Council Member Mendall, seconded by Council Member Márquez, and carried unanimously, to approve the minutes of the City Council meeting on February 26, 2019.

2. Minutes of the City Council Meeting on March 5, 2019 MIN 19-037

It was moved by Council Member Mendall, seconded by Council Member Márquez, and carried unanimously, to approve the minutes of the City Council meeting on March 5, 2019.

Council Member Márquez noted she inadvertently had not recused herself from voting on Consent Items 3 and 4, during the introduction of both ordinances, but was advised there was no need to take corrective action. She noted she would be recusing herself from voting on Consent Items 3 and 4, due to the proximity of her family business to one of the entities proposed for zoning modification.

Council Member Salinas disclosed he was going to recuse himself from voting on Items 3 and 4, due to the proximity of one of the entities proposed for modification to the Kids' Breakfast Club where he serves as the Executive Director.

3. Adoption of an Ordinance of the Council of the City of Hayward Amending the Hayward Municipal Code, Chapter 10, Article 1 (Zoning Ordinance), Section 10-1.3603(b) Related to a Proposed Modification of the Required Setbacks for Commercial Cannabis Businesses from Certain Sensitive Land Uses CONS 19-186

Staff report submitted by City Clerk Lens, dated March 26, 2019, was filed.



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

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

Ordinance 19-06, "An Ordinance of the Council of the City of Hayward Amending the Hayward Municipal Code, Chapter 10, Article 1 (Zoning Ordinance), Section 10-1.3603(b) Related to a Proposed Modification of the Required Setbacks for Commercial Cannabis Businesses from Certain Sensitive Land Uses"

4. Adoption of an Ordinance of the Council of the City of Hayward Amending the Hayward Municipal Code, Chapter 10, Article 1 (Zoning Ordinance), Section 10-1.3607(c) (1) Related to Reduction of Overconcentration Buffer from 1,000 Feet to 500 Feet for Commercial Cannabis Retail Dispensaries **CONS 19-200**

Staff report submitted by City Clerk Lens, dated March 26, 2019, was filed.

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

AYES: COUNCIL MEMBERS Zermeño, Mendall, Lamnin, Wahab
NOES: MAYOR Halliday
ABSENT: COUNCIL MEMBER Márquez, Salinas

Ordinance 19-07, "An Ordinance of the Council of the City of Hayward Amending the Hayward Municipal Code, Chapter 10, Article 1 (Zoning Ordinance), Section 10-1.3607(C)(1) Related to Reduction of Overconcentration Buffer from 1,000 Feet to 500 Feet for Commercial Cannabis Retail Dispensaries"

5. Resolution to Initiate the Formation and Annexation of the SoHay Properties to Benefit Zone No. 18 of the Consolidated Landscaping and Lighting District 96-1 **CONS 19-165**

Staff report submitted by Development Services Director Simpson, dated March 26, 2019, was filed.

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

Resolution 19-060, “Resolution of the City Council of the City of Hayward Initiating Proceedings for the Formation of Benefit Zone No. 18 of the City of Hayward Landscaping and Lighting Assessment District No. 96- 1 for the SoHay Properties”

6. Approval of Final Maps for Tracts 8445 and 8446 (SoHay), Associated with the Previously Approved Vesting Tentative Map for Tract 8428; William Lyon Homes, Inc. (Applicant/Owner) **CONS 19-166**

Staff report submitted by Development Services Director Simpson, dated March 26, 2019, was filed.

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

Resolution 19-053, “Resolution Approving the Final Maps for Tracts 8445 and 8446 (SoHay) and Authorizing the City Manager to Execute Subdivision Agreements”

7. La Vista Park Project: Award of Professional Services Agreement to SurfaceDesign, Inc., (SDI); Award of Professional Services Agreement to Langan; Appropriation of Funds; and Amendment of Resolution 18-081 **CONS 19-167**

Staff report submitted by Interim Public Works Director Ameri, dated March 26, 2019, was filed.

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

Resolution 19-054, “Resolution Authorizing the City Manager to Negotiate and Execute a Professional Services Agreement with SurfaceDesign, Inc. (SDI) for Preparation of Final Design Plans, Specifications and Engineer’s Estimate for the La Vista Park Project”

Resolution 19-055, “Resolution Authorizing the City Manager to Negotiate and Execute a Professional Services Agreement with Langan for Design-Level Geotechnical Investigation and Construction Support for the La Vista Park Project”

Resolution 19-056, “Resolution Amending Resolution 18-081, the Budget Resolution for Capital Improvement Projects for Fiscal Year 2019, Relating to an Appropriation of Funds from Fund 256 – Park Fund”



MINUTES OF THE CITY COUNCIL MEETING
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8. On-Call Public Works Construction Inspection Services - Authorization for the City Manager to Execute Professional Service Agreements with Park Engineering, CSG Consultants, and Willdan Engineering **CONS 19-191**

Staff report submitted by Interim Public Works Director Ameri, dated March 26, 2019, was filed.

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

Resolution 19-057, "Resolution Authorizing the City Manager to Negotiate and Execute Agreements with Park Engineering, CSG Consultants, and Willdan Engineers, for On-Call Construction Inspection Services"

9. Adoption of a Resolution Approving Annexation of the Ersted Property (Tract 8439) into the Hayward GHAD **CONS 19-183**

Staff report submitted by GHAD Manager Harrell and GHAD Attorney Morrison, dated March 26, 2019, was filed.

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

Resolution 19-058, "Resolution Approving the Annexation of the Ersted Property into the Hayward Geologic Hazard Abatement District"

WORK SESSION

10. Seismic Retrofit Standards for Multifamily Buildings Work Session (Report from Development Services Director Simpson) **WS 19-016**

Staff report submitted by Development Services Director Simpson, dated March 26, 2019, was filed.

Development Services Director Simpson announced the report and introduced Management Analyst James who provided a synopsis of the staff report.

Mayor Halliday opened public comments at 8:17 p.m.

Ms. Caryl Mahar, Rental Housing Association (RHA) Executive Director, expressed support for a voluntary retrofit program for wood frame, pre-1979 multifamily buildings, and requested that financial options be considered, and that a retrofit program be done in phases.

Ms. Alicia Lawrence, The Hayward Collective member, thanked staff for including reference to communities of color and noting that cities with mandatory retrofit programs have strong rent control ordinances.

Mayor Halliday closed the public comments at 8:21 p.m.

Discussion ensued among Council Members and City staff about the development of retrofit standards; soft retrofit financing, FEMA and earthquake insurance options; timeline for development and adoption of a soft story building retrofit ordinance; and the Uniform Building Code and buildings post-1979.

Council Member Zermeño expressed support for a screening and mandatory retrofit program for pre-1979 buildings with five or more units, and concurred with exemptions from future designations, parking requirements and noticing requirements.

Council Member Márquez expressed support for exploring ways the program can be financed, a screening program for pre-1979 buildings with as many units as possible, reduced risk retrofit standard, exemptions from future designations, parking requirements, and noticing requirements.

Council Member Mendall concurred with staff's recommendation for a screening program for pre-1979 buildings with five or more units, reduced risk retrofit standard, exemption from future designations, noticing requirements, and expressed preference for a balanced approach to preserve parking to the extent possible.

Council Member Lamnin expressed support for a screening program for pre-1979 buildings and a desire to have all size units addressed, reduced risk retrofit standard, have financing mechanism and tools to incentivize compliance and flexibility as much as possible, noticing requirements, and recommended working with city certified firms and Hayward Chamber of Commerce to support property owners.

Council Member Wahab expressed preference for having a mandatory retrofit program because Hayward is situated on earthquake and flood zones; a two-tier model, smaller units v. multifamily units; applying to all units with more flexibility for five units or less; having reduced risk and habitability retrofit standards; considering state and national funds for infrastructure changes; having noticing requirements and working with housing providers; having a 10-year exemption period; and did not favor reducing parking spaces.

Council Member Salinas expressed support for a screening program for pre-1979 buildings with five or more units and growing the industry for a retrofit program with local building trades and apprenticeship programs, having reduced risk retrofit standard; and concurred with exemption from future designations, parking requirements, and noticing requirements;



MINUTES OF THE CITY COUNCIL MEETING
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and recommended that the program be presented to the Homelessness-Housing Task Force for discussion or as an informational item.

Mayor Halliday expressed preference for a screening program for pre-1979 buildings with five or more units, a reduced risk retrofit standard, exemption from future designations, noticing requirements, and parking requirements including unbundled parking.

LEGISLATIVE BUSINESS

11. Adoption of Emergency Ordinance Amending Just Cause for Tenant Evictions to Exempt Affordable Housing Conversion Projects (Report from City Manager McAdoo) LB 19-019

Staff report submitted by Deputy City Manager Ott, dated March 26, 2019, was filed.

City Manager McAdoo announced the staff report and introduced Housing Manager Morales who provided a synopsis of the report.

Discussion ensued among Council Members and City staff regarding the urgency for enacting the emergency ordinance and the impact to Section 24 low-income housing tax credit (LIHTC) financing of the Leisure Terrace Apartments and units of affordable housing throughout the Bay Area; affordable housing for the next 55 years; exemption during conversion of projects from market rate to affordable housing subject to regulatory controls; “just cause eviction” provisions going into effect once apartments are converted to affordable units; and decontrolled units.

Mayor Halliday opened the public hearing at 9:20 p.m.

Ms. Alicia Lawrence, The Hayward Collective member, spoke in opposition to the proposed emergency ordinance as outlined in the Collective’s letter and requested additional time to vet the proposed ordinance.

Ms. Araceli Orozco, Hayward resident, requested more input from stakeholders prior to enacting the emergency ordinance and asked if the Council’s decision would affect the funding of the proposed project.

Mr. Jason Snyder, with Reliant Group Management, addressed questions from Council Members regarding the Leisure Terrace Apartments and the financial impact if the project was not approved; the eight units under rent control; notices given to tenants of owner change; relocation options to Dublin, Antioch, Pittsburg and Napa for displaced tenants; long-term affordable housing benefits; and the apartment’s improvements related to seismic retrofit.

Mayor Halliday closed the public hearing at 9:36 p.m.

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

Council Member Zermeño seconded the motion.

Council Member Márquez offered a friendly amendment to the motion directing staff to work with the applicant, Reliant Group Management, using available inclusionary housing in-lieu fees, for relocation assistance of displaced tenants.

Discussion ensued among Council Members and City staff regarding the motion on the floor and using inclusionary affordable housing in-lieu fees for relocation assistance.

Mayor Halliday restated the motion indicating it was per staff's recommendation with a friendly amendment directing staff to work with Reliant Group Management and the displaced tenants to craft a relocation program, using available funds from the Affordable Housing In-Lieu Fee, to serve displaced residents up to 120% of area medium income (AMI) level.

Council Member Salinas and Council Member Zermeño were amenable to the friendly amendment.

Council Member Zermeño asked that the last "Whereas" in the proposed Ordinance be modified by changing the word "citizens" with "residents" to ensure consistency.

It was moved by Council Member Salinas, seconded by Council Member Zermeño, and carried unanimously, to approve the Ordinance with a friendly amendment directing staff to work with Reliant Group Management and the displaced tenants to craft a relocation program, using available funds in the Affordable Housing In-Lieu Fee, to serve displaced residents up to 120% of area medium income (AMI) level; and modifying the last "Whereas" in the Ordinance by changing the word "citizens" with "residents":

Ordinance 19-08, "An Emergency Ordinance of the City Council of the City of Hayward Amending Ordinance 19-05 on Just Cause for Tenant Evictions to Exempt Affordable Housing Conversion Projects"

PUBLIC HEARING

12. FY 2020 Master Fee Schedule/Fine and Bail Schedule (Report from Director of Finance Claussen) **PH 19-017**

Staff report submitted by Finance Director Claussen, dated March 26, 2019, was filed.

Finance Director Claussen provided a synopsis of the report.



MINUTES OF THE CITY COUNCIL MEETING
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, March 26, 2019, 7:00 p.m.

There being no public comments, Mayor Halliday opened and closed the public hearing at 10:04 p.m.

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

Resolution 19-059, "Resolution Adopting the FY 2020 Master Fee Schedule that Reflects Updated Fees and Charges for Departments in the City of Hayward and the Fine and Bail Schedule without Modification and Rescinding Resolution No. 18-050 and All Amendments thereto"

CITY MANAGER'S COMMENTS

City Manager McAdoo made two announcements about: 1) network issues during the meeting were due to security measures; 2) anticipated library opening in June and library programming at Hayward's Farmers Market.

COUNCIL REPORTS AND ANNOUNCEMENTS

Council Member Salinas noted he would be attending the California Association for Local Economic Development conference from March 27 to 29, 2019 in Southern California.

Council Member Márquez thanked the Keep Hayward Clean and Green Task Force for cleaning the neighborhood near Mt. Eden on March 23, 2019; and invited all to attend the Cesar Chavez Day celebration, hosted by La Alianza, on March 30, 2019 at City Hall.

COUNCIL REFERRALS

There were none submitted.

ADJOURNMENT

Mayor Halliday adjourned the meeting at 10:10 p.m.

APPROVED

Barbara Halliday
Mayor, City of Hayward

ATTEST:

Miriam Lens
City Clerk, City of Hayward



CITY OF HAYWARD

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

File #: CONS 19-193

DATE: April 2, 2019

TO: Mayor and City Council

FROM: Fire Chief

SUBJECT

Authorization for the City Manager to Accept and Appropriate up to \$92,000 in Grant Funding from the California Fire Safe Council for the City's Chipping and Defensible Space Program

RECOMMENDATION

That Council approves the attached resolution (Attachment II) authorizing the City Manager to accept and appropriate up to \$92,000 in grant funding from the California Fire Safe Council for the City's Chipping and Defensible Space Program.

SUMMARY

The Fire Department's chipping program has been successfully funded by a California Fire Safe Council (CFSC) grant source since its inception in 2015. CFSC recently awarded the City \$92,000 to run the chipping program during the summers of 2019 and 2020. Staff is requesting that Council authorizes the acceptance and appropriation of this funding source to continue providing the chipping program.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution



DATE: April 2, 2019

TO: Mayor and City Council

FROM: Fire Chief

SUBJECT: Authorization for the City Manager to Accept and Appropriate up to \$92,000 in Grant Funding from the California Fire Safe Council for the City's Chipping and Defensible Space Program

RECOMMENDATION

That Council approves the attached resolution (Attachment II) authorizing the City Manager to accept and appropriate up to \$92,000 in grant funding from the California Fire Safe Council for the City's Chipping and Defensible Space Program.

SUMMARY

The Fire Department's chipping program has been successfully funded by a California Fire Safe Council (CFSC) grant source since its inception in 2015. CFSC recently awarded the City \$92,000 to run the chipping program during the summers of 2019 and 2020. Staff is requesting that Council authorizes the acceptance and appropriation of this funding source to continue providing the chipping program.

BACKGROUND AND DISCUSSION

The City's no-cost chipping program is open to any residential property east of Mission Blvd, which is considered a high-hazard fire area because of its proximity to open space areas. The program is on a first-come-first-serve basis. Residents are responsible for cutting and stacking the debris, and the City's contractor comes to the front of each property to do the chipping. Chipping dates will coincide with residents getting ready for fire season in the spring and when awareness is heightened in the late summer to fall. To announce the program and raise awareness, postcards will be mailed to every home in the High Fire Area (approximately 8,600 households).

Additional grant funding is available to help seniors, disabled, or low-income residents with cutting, trimming, and stacking. The resident assistance program was successfully piloted in fall of 2017, when it served 8 homes on 5 acres. It assists those with limited physical abilities or economic resources with preparation of materials for chipping. Our goal is to serve 5 additional acres in 2018 and 2019. Hayward Fire Department staff and the contractor will

meet with the home owners to prioritize fuel reduction needed for defensible space. The contractor will complete the work and cut and stack fuel for chipping or removal as green waste.

The outreach and marketing of the above programs will also include materials to build awareness of the factors that increase the potential for wildfire damage in the high fire areas of the Hayward hills and Fairview. The ultimate goal is to focus residents on the things they can do to reduce hazards.

FISCAL IMPACT

The match from this grant will come from in-kind services, including East Bay Regional Park's District goat grazing, staff hours, and volunteer hours. This grant will have no impact on the City's funds.

STRATEGIC INITIATIVES

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

Prepared by: Mary Thomas, Management Analyst

Recommended by: Garrett Contreras, Fire Chief

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 19-____

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT AND APPROPRIATE
UP TO \$92,000 IN GRANT FUNDING FROM THE CALIFORNIA FIRE SAFE COUNCIL
FOR THE CITY'S CHIPPING AND DEFENSIBLE SPACE PROGRAM

WHEREAS, the Hayward Fire Department's chipping program has been successfully funded by a California Fire Safe Council (CFSC) grant source since its inception in 2015; and

WHEREAS, the Department uses this grant money to provide no-cost chipping services to any residential property east of Mission Blvd, which is considered a high-hazard fire area because of its proximity to open space.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward authorizes the City Manager to accept and appropriate up to \$92,000 in Grant Funding from the California Fire Safe Council for the City's Chipping and Defensible Space Program.

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

File #: CONS 19-227

DATE: April 9, 2019

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT

Authorization for the City Manager to Execute a Professional Services Agreement with Carollo Engineers for Engineering Services for the WPCF Headworks Bar Screens Project (No. 07567) in an amount not-to-exceed \$1,071,028

RECOMMENDATION

That Council adopts the attached resolution authorizing the City Manager to execute a professional services agreement with Carollo Engineers for engineering services for the WPCF Headworks Bar Screens Project in an amount not-to-exceed \$1,071,028.

SUMMARY

The Water Pollution Control Facility (WPCF) collects and treats wastewater from the City's residents and businesses. The WPCF headworks facility is the first treatment process in the plant and is responsible for removing large debris that can harm downstream pumps and other equipment. Currently, the headworks relies on grinders to protect downstream equipment. In recent years with the increasing popularity of "disposable" wipes, downstream processes have been impacted by the inability of the grinders to remove these wipes that cause pumps and pipes to clog. In addition, wipes collect in the digesters reducing their capacity and causing them to be removed from service more frequently for cleaning. This project includes installing new bar screens to replace the grinders. Bar screens are much more effective at removing wipes and are typically employed throughout the industry in headworks designs. This project also includes related evaluations and optional design services for the ferric chloride and odor control facilities.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution
Attachment III	Scope of Work

File #: CONS 19-227



DATE: April 9, 2019

TO: Mayor & City Council

FROM: Director of Public Works

SUBJECT: Authorization for the City Manager to Execute a Professional Services Agreement with Carollo Engineers for Engineering Services for the WPCF Headworks Bar Screens Project (No. 07567) in an Amount Not-to-Exceed \$1,071,028

RECOMMENDATION

That Council adopts the attached resolution authorizing the City Manager to execute a professional services agreement with Carollo Engineers for engineering services for the WPCF Headworks Bar Screens Project in an amount not-to-exceed \$1,071,028.

SUMMARY

The Water Pollution Control Facility (WPCF) collects and treats wastewater from the City's residents and businesses. The WPCF headworks facility is the first treatment process in the plant and is responsible for removing large debris that can harm downstream pumps and other equipment. Currently, the headworks relies on grinders to protect downstream equipment. In recent years with the increasing popularity of "disposable" wipes, downstream processes have been impacted by the inability of the grinders to remove these wipes that cause pumps and pipes to clog. In addition, wipes collect in the digesters reducing their capacity and causing them to be removed from service more frequently for cleaning. This project includes installing new bar screens to replace the grinders. Bar screens are much more effective at removing wipes and are typically employed throughout the industry in headworks designs. This project also includes related evaluations and optional design services for the ferric chloride and odor control facilities.

BACKGROUND

The WPCF treats an annual average flow of twelve million gallons per day (MGD) and meets current requirements to discharge treated effluent to the deep waters of the San Francisco Bay. All flow coming to the WPCF passes through the Headworks facility where it is collected in pump station wetwells prior to being pumped to the WPCF treatment units. Upon entering the pump station wetwells, the influent flow is conveyed through influent channels that contain grinders designed to break down large debris prior to pumping. The headworks was constructed in 1996 and is essential to plant operations. In 2016, a project was completed that rehabilitated interior concrete surfaces that had deteriorated from corrosion.

In 2018, Council authorized a professional services agreement with Black and Veatch to perform the WPCF Phase II Facilities Plan that is to serve as a comprehensive planning document and identify WPCF infrastructure needs for the next 25 years. A headworks evaluation was performed as part of the planning effort. The evaluation recommended replacing the existing grinders with new bar screens to address operational issues at the WPCF. In addition, several other related improvements including motorized actuators for operating the influent gates, odor control improvements, and preliminary design considerations for an improved ferric chloride facility are included in the project.

DISCUSSION

Bar Screens

The recommendation from the Phase II Facilities Plan is to replace the plant's existing grinders with new bar screens and related equipment (screenings conveyance and screenings washer/compactor). The grinders are designed to protect influent pumps from large debris; however, they do little to prevent rags and other stringy material from passing through to downstream processes. This has been further exacerbated by the proliferation of "disposable" wipes that are flushed down toilets and end up at the WPCF. These wipes cause significant problems because they do not break down in the collection system like toilet paper, creating solids that build up in tanks and piping systems. The impact of disposable wipes to the wastewater industry is well documented and is reflected in the significant mechanical hardships and maintenance time at the WPCF in downstream processes.

Bags and disposable wipes end up in the "digester" and reduce the space available for organic matter that can produce beneficial bio-gas. Currently, WPCF staff take a digester out of service annually for cleaning and rag removal. The WPCF has three digesters, which means they are rotated out of service for cleaning once every three years. Typically, facilities that have effective rag removal at their headworks facilities can go five or more years between digester cleanings. The most recently cleaned digester had fifteen dumpster sized loads of rags removed after only a few years since it was last cleaned. The annual expense for cleaning, screening for rags, and disposal can be up to \$35,000 a year, not including staff time. In addition, one of the two grinders are removed from service annually for re-tooling the cutting blades. This costs the City over \$60,000 annually in maintenance costs.

Motorized Valve Actuators for Influent Gates

The headworks has three influent channels (two with grinders and one with a manual bar rack). During the dry weather season, normally only one grinder channel is in service. During the wet weather season, a second channel is placed into service when flows exceed approximately 20 million gallons per day (mgd). Currently, the level is monitored, and the Operator is alerted via a high-level alarm to place a second channel in service. The gates are manually operated and due to their size, opening and closing the gates requires significant effort and time. Electrically operated gates will greatly simplify the operations of the facility by allowing channels to be placed into service more quickly and from remote locations,

allowing Operators to attend to more pressing matters that frequently occur during wet weather.

Ferric Chloride Facility

There is a ferric chloride facility immediately adjacent to the Headworks facility that is old and in need of upgrading. Access to the facility is difficult for chemical deliveries and is even more constrained following the completion of Whitesell Street. The chemical is currently used for odor control in the Headworks, and the location could be impacted by the layout of the new equipment including the screenings washer/compactor and associated dumpster. In addition, the ferric chloride facility is not fully contained against accidental spills from leaking pipes and appurtenances and may not be fully code compliant for storage of hazardous materials. This task includes a study of the existing conditions and recommendations for any upgrades required to bring the facility into compliance with current fire codes, and possible relocation to a more accessible area. The scope of work includes preliminary design, and an optional final design task should it be determined that the existing facility needs to be replaced or upgraded.

Ventilation System and Odor Control Improvements

The 2016 Headworks Rehabilitation Project upgraded the ventilation system in the bottom level of the Headworks to draw foul air from the channels and to provide supply air directly to the lower level where most of the odors are generated. With the addition of bar screens and screenings handling/washing equipment, improvements may be required to the upper level as well. The scope of work includes an evaluation of the ventilation system and recommended improvements that would be incorporated into the design. In addition, the existing biofilter that was installed with the original project in 1996 to reduce odors has wood chip media that has degraded and is no longer functioning effectively. This type of odor control technology has limited lifespan, typically 10 to 15 years, and is therefore in need of replacement. The scope of work includes an evaluation of odor control technologies and recommendation for replacement. An optional final design services task has been included pending the outcome of the evaluation.

Optional Services

The area adjacent to the headworks is congested and contains several large fans serving the West Trickling Filter. Depending on the layout needed for the screenings washer compactor equipment, and possible exterior entry stairway to the station's lower level to free up room in the upper level for screenings conveyance, an optional design task was included for relocating some of the existing equipment. Since the need to relocate the equipment will not be known until further refinement of the design concepts, an optional task is included for this item.

The preference in performing this work during the summer, dry months is to minimize possible bypass pumping costs, and reduce risks of encountering high flows during construction. Depending on the equipment selection and lead time for fabrication, the City may elect to pre-purchase the equipment to ensure delivery in time to install during the dry

season. This approach may also result in reduced construction time and costs. Staff will evaluate if this approach makes sense during the preliminary design phase, and if so, optional services are included to assist the City with pre-purchase contract documents. Staff will return to Council for authorization to pre-purchase the equipment if this approach allows procurement in time for installation during dry weather.

An optional design task is also included for computation fluid dynamics (CFD) modeling of the influent wetwell. CFD modeling might be beneficial to determine if the influent flow can be channeled or modified to improve the approach to the bar screens. Increased screenings efficiency might be achievable with minor modifications of the channel to reduce turbulence and improve the flow profile upstream of the bar screens.

Staff will evaluate and authorize these additional design services only if needed and as determined during further design development in the preliminary design stage.

Consultant Selection

On January 23, 2019, staff issued requests for proposal to consulting firms with specialized experience and knowledge of headworks facilities. On March 12, staff received three proposals from Black and Veatch, Carollo Engineers, and Lee & Ro. After reviewing the submitted proposals, staff recommends Carollo Engineers for the project based on their responsiveness to the proposal and schedule, extensive knowledge of headworks facilities, and the experience of the proposed team in designing similar retrofit projects. The firm focuses on water and wastewater related projects and has performed recent similar projects for numerous clients in the Bay Area. In addition, Carollo Engineers has completed several projects for the City including the 2018 Headworks Rehabilitation Project, and the highly successful cogeneration project at the WPCF.

Staff has reviewed the proposed scope of work and has negotiated a final proposal fee of \$693,249 for final design services and engineering services during construction, and optional design services not to exceed \$377,779. As noted above, optional tasks may or may not be authorized pending the outcome of preliminary design work. Due to uncertainties in the design scope of this kind of complicated work, staff has requested an additional \$82,000 to cover additional design tasks and/or engineering services during construction if needed. Staff may utilize any additional budget allocated for optional services only after detailed review, on a case by case basis.

The total professional services are about 15% of the estimated total construction cost, which is reasonable given the scope of work and the nature of complicated retrofit projects. The engineering services during construction is about 4.5% of total construction cost, which is reasonable for these types of projects.

ECONOMIC IMPACT

Replacing the grinders with bar screens are part of an effort to modernize and upgrade existing facilities. The project will reduce operations and maintenance costs associated with

repairing grinders and cleaning digesters. In addition, unplanned outages and staff time attending to issues related to accumulations of rags and wipes in the piping and pumping systems will be reduced. The community will enjoy the benefits of the project, including maintaining effective treatment that provides environmental protection of the San Francisco Bay.

FISCAL IMPACT

The FY 2019 through FY 2028 Capital Improvement Program (CIP) includes funding for the projects described in the Sewer Replacement Fund (Fund 611). The projects are described in the approved CIP as follows:

FUND	PROJECT No.	DESCRIPTION	BUDGET
612	07567	WPCF Sludge Screening	\$ 2,315,000
611	07677	WPCF Biobeds Media Replacement	\$282,000
611	07619	WPCF Motorized Valve Actuators for Influent Gates	\$105,000
		Total	\$2,702,000

The breakdown for project costs is as follows:

Total Project Cost

Design and Engineering Services During Construction (Consultant)	\$ 1,071,028
Design Administration – City Staff	100,000
Construction Contract (Estimated)	4,352,000
Inspection and Testing (Estimated)	100,000
Total	<u>\$5,623,028</u>

The construction cost is only an estimate and assumes all project elements will be constructed. Note this will be confirmed during the preliminary design phase. Should the construction cost exceed the funds currently allocated in the CIP, staff will return to Council to request that additional funds be appropriated to cover the additional cost.

STRATEGIC INITIATIVES

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

SUSTAINABILITY FEATURES

No sustainability features are associated with this item.

PUBLIC CONTACT

All project work will be within the WPCF boundary; therefore, no public contact is necessary for this project.

NEXT STEPS

Following Council approval, staff will finalize a professional services agreement with Carollo Engineers and issue a Notice to Proceed. Staff will return to the City Council for approval of the final design plans and specifications and call for bids in December.

The following schedule has been developed for this project:

City Council Approval	April 9, 2019
Approval of Plans and Specifications and Call for Bids	December 1, 2019
Award of Construction Contract	February 2020
Construction Completion	February 2021

Prepared by: Suzan England, Senior Utilities Engineer

Recommended by: Alex Ameri, Director of Public Works

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 19-

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH CAROLLO ENGINEERS FOR DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE HEADWORKS BAR SCREENS PROJECT AT WATER POLLUTION CONTROL FACILITY

BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized and directed to negotiate and execute, on behalf of the City of Hayward, an agreement for professional services with Carollo Engineers for design and engineering services during construction for the Headworks Bar Screens Project at Water Pollution Control Facility in an amount not to exceed \$1,071,028, in a form approved by the City Attorney.

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
WATER POLLUTION CONTROL FACILITY
HEADWORKS BAR SCREEN PROJECT**

SCOPE OF SERVICES

March 25, 2019

TASK 1 – PROJECT MANAGEMENT AND MEETINGS

Task 1.1 – Project Administration and Management. Carollo will provide project administration and management to perform planning, execution, and reporting of this project from design through construction. Carollo will prepare monthly progress letter reports for attachment to the invoice to track and report status of budget expenditures (using a summary table or “S” curve), schedule, and key work products completed during that billing period.

Task 1.2 – Meetings. Carollo will attend and conduct four (4) meetings (each two-hours in duration exclusive of travel time) during the preliminary and final design phases. These include:

- One Kick-Off Meeting - Carollo will review the project scope and deliverables, project cost and schedule, and information requests. Carollo will solicit input from WPCF engineering and O&M staff, discuss the existing headworks and collection system, ask questions, and collect anecdotal information about facility operation, known issues, O&M challenges, and preferences for the improvements. Carollo will conduct a visual check of the existing headworks and surrounding site condition.
- One Preliminary Design Review Meeting - Carollo will review the evaluation approach and present ideas for changes and refinements to the headworks project recommended in the 2019 Preliminary Treatment TM. Carollo will also present the evaluation approach, key findings, and recommendations for the biofilter replacement and the ferric chloride facility improvements.
- Two Design Review Meetings - Carollo will review the submitted documents and respond to City review comments for the 50% and 90% submittals.

Carollo will prepare meeting agenda and minutes after each meeting to document key discussion issues, action items, and decisions made.

Deliverables for Tasks 1.1 and 1.2:

- Monthly progress letter reports with invoices.
- Meeting agendas, handouts, presentation materials, and minutes for the design meetings.
- Updates to action items and project schedule.

TASK 2 – PRELIMINARY DESIGN SERVICES

Task 2.1 – Background Review. Carollo will conduct a background review of the following documents:

- 2019 WPCF Phase II Facility Plan Project Preliminary Treatment TM.
- Plans for the incoming trunk lines.
- 1995 WPCF Headworks Improvements Project Documents.
- 2016 WPCF Headworks Rehabilitation Project Documents.

- Plant operating data concerning flow data, operating levels in the East Barminutor Pit, influent channels, Wet Pits A and B, and other relevant information.

Task 2.2 – Update of Preliminary Treatment TM. Carollo will review the findings of the 2019 WPCF Phase II Facility Plan Project Preliminary Treatment TM and evaluate the following to confirm/refine the recommended design concept(s):

- Hydraulic evaluation and potential impacts on incoming trunk lines including operating levels, solids deposition, odors, and potential areas that could be at risk of overflow.
- Screen sizing (including bar spacing width) based on flow criteria to be provided by the City.
- Modifications required to the three influent gates to accommodate motorized operators and/or gate replacement to accommodate electric actuators.
- Downward opening gates on channel outlets to allow channel isolation that could also serve as weirs when the channel is in operation.
- Overflow management alternatives including options for diverting flow to the center channel.
- Alternatives to eliminate cascading waterfalls on the inlet to and within the channels leading the influent pump station wet wells.
- Overall layout and installation (including structural modifications required in the headworks building) of the new screens, screening conveyance, and screenings handling systems inside the headworks building and truck access to the screenings for disposal on the outside of the headworks building.
- Bypassing operations and/or sequencing during construction of improvements.
- Ventilation system improvements including impacts to existing fans and/or ducting to accommodate new equipment.
- Civil improvements for screenings handling.
- Electrical power supply and distribution alternatives for the new headworks equipment and lighting alternatives for the lower level and upper level of the headworks.
- Schedule for installation of screens.
- Preliminary construction sequencing concepts and contingency planning including possible temporary bypassing of flows.

Carollo will provide the City a list of three facilities located in the San Francisco Bay Area with similar screens and/or screenings handling to visit. City will provide a written summary of findings to Carollo to consider for incorporation into the design. Carollo will arrange for and attend the site visits (8 hours total time) with City staff prior to the Preliminary Design Review Meeting.

Carollo will prepare a Draft TM to summarize the updates to the Preliminary Treatment TM. The Draft TM will include as a minimum the following:

- Preliminary mechanical layout plans and draft specifications for new screens, conveyor, and washer/compactor.
- Preliminary structural modification plans for the upper level, lower level, and roof (if necessary) of the headworks.
- Preliminary channel modification plans to accommodate conveyance of overflows.
- Preliminary influent gate improvement plans to accommodate motorized operation.
- Preliminary ventilation system improvement plans to accommodate the new screenings equipment inside the existing headworks and meet NFPA 820 guidelines.
- Preliminary plans for routing a new 3" 3W plant water pipe to the headworks for hose

down and cleanup.

- Preliminary electrical lighting improvement plans for the lower level and upper levels of the headworks.
- Preliminary design construction cost estimate.

City will have 14 days to review and provide Carollo with one collated set of written comments to address. Carollo will incorporate applicable City comments into the Final TM.

Task 2.3 – Biofilter Replacement Evaluation. Carollo will evaluate replacing the City’s existing biofilter in-kind, retrofitting the City’s existing biofilter with different types of media, and replacing the City’s existing biofilter with an alternative technology. Three alternative technologies, packaged biofilter systems, chemical scrubbers, and carbon scrubbers will be compared to the City’s existing biofilter technology. Sizing of the upgraded odor control system will be coordinated with the ventilation system improvements evaluation in Task 2.2. The results of this evaluation will be used to develop recommendations to replace or retrofit the existing odor control system.

Carollo will prepare a Draft TM to summarize the Biofilter Replacement Evaluation. City will have 14 days to review and provide Carollo with one collated set of written comments to address. Carollo will incorporate applicable City comments into the Final TM.

Task 2.4 – Ferric Chloride Facility Evaluation. Carollo will evaluate the application of ferric chloride at the City’s WPCF. Carollo will perform jar testing at two sets of flows to estimate the ferric chloride and polymer dosages needed to enhance primary sedimentation. Carollo will also take samples upstream of the ferric chloride application point and downstream of the headworks and test for dissolved sulfide concentrations to assess the effectiveness of applying ferric chloride for sulfide reduction and corrosion control at the headworks. The results of these analyses will be used to develop recommendations to for sizing and layout of a new ferric chloride facility at a new location within the WPCF to be determined with plant staff that would better facilitate O&M needs and chemical delivery access.

Carollo will prepare a Draft TM to summarize the Ferric Chloride Facility Improvements Evaluation. City will have 14 days to review and provide Carollo with one collated set of written comments to address. Carollo will incorporate applicable City comments into the Final TM.

Deliverables for Tasks 2.1 to 2.4:

- Updated Preliminary Treatment TM in PDF format.
- Biofilter Replacement TM in PDF format.
- Ferric Chlorine Facility Improvement TM in PDF format.

TASK 3 – FINAL DESIGN SERVICES

Task 3.1 – Final Design (50%, 90%, and 100% Design). Carollo will prepare biddable construction documents (drawings and specifications) based on the preliminary findings and recommendations in Task 2.2. For this task, design is assumed to include the following project elements:

- Two new multi-rake bar screens located at the lower level of the headworks to replace the two existing grinders. It is assumed the two screening channels will be modified to be made wider (but not deeper) to accommodate the new screens.
- One new screenings conveyor and one new screenings washer/compactor located at the upper level of the headworks. It is assumed that a new stairwell structure will be provided on the exterior side of the headworks to provide stair access to the lower level of the headworks.
- Three new influent gates with motorized operators.
- Ventilation system improvements (fans, ducting, etc.) for the lower level and upper level of the headworks to

accommodate the new screenings equipment.

- A new 3" 3W plant water pipe to the headworks for hose down and cleanup.
- Civil improvements for screenings handling outside of the headworks.
- Electrical improvements including new lighting for the lower level and upper level of the headworks.
- Instrumentation and control improvements to accommodate the new equipment and associated control strategies.

Drawings will be prepared using Carollo's CADD drafting standards. Specifications will be prepared using the City's front-end specifications and Carollo's technical specifications. Front-end specifications will include general bidding requirements, general conditions, and special conditions. Technical specifications will be prepared using Carollo's standard CSI format for Divisions 2 through 17.

Carollo will prepare and submit 50% and 90% design documents to the City for review and comment. The 50% drawings will include the following disciplines: general, typical details, demolition, civil, structural, mechanical, HVAC, electrical, and instrumentation. The instrumentation drawings will include process and instrumentation drawings (P&IDs) completed to a 90% design level. The 50% specifications will include all divisions except for the City's front-end specifications. City will have 14 days to review the 50% design and provide Carollo with one collated set of written comments to address.

The 90% design submittal will be a completed set of contract documents to be submitted concurrently to the City and Carollo's in-house technical checking team for review and comment. The 90% design submittal will include applicable comments from the 50% design review. Preliminary construction cost estimate and schedule will also be provided. City will have 14 days to review the 90% design and provide Carollo with one collated set of written comments to address.

Applicable review comments from the City's and Carollo's in-house technical checking team at the 90% design stage will be incorporated into the 100% design submittal for bidding. The City will reproduce and distribute bid documents to prospective bidders. Changes following the 100% design submittal will be made by addenda to the bid documents.

The following subconsultants will perform the following work to assist Carollo with final design:

- Ewing Construction Services will prepare a preliminary construction schedule at the 50% and 90% design stages.
- Towill will perform aerial photography of the WPCF including the sludge drying beds and prepare digital planimetric/topographic mapping for only the area surrounding the headworks to serve as a base map for the Headworks Bar Screen Project.
- Fugro will provide geotechnical design parameters for improvements for the headworks area based solely on reviewing available geotechnical reports for the project site to be provided by the City.

Task 3.2 – Construction Cost Estimates. Carollo will prepare construction cost estimates at the 50%, 90%, and 100% design stages.

Deliverables for Tasks 3.1 and 3.2:

- Aerial photography for the WPCF including the sludge drying beds with digital planimetric/topographic mapping for only the headworks area.
- Geotechnical design parameters for the headworks area.
- 50%, 90%, and 100% design documents in PDF format. Plans will be provided in half-size

(11x17). Final bid documents will be produced in both half-size and full size (22x34) PDF format.

- 50%, 90%, and 100% design documents in hard copy format. Provide 5 hard copies of the plans and 2 hard copies of the specifications.
- 50%, 90%, and 100% specifications in MS WORD format.
- Construction cost estimates at 50%, 90%, and 100% completion in PDF and MS EXCEL format.
- Construction schedules at 50% and 90% completion in PDF format.

TASK 4 – BID PERIOD SERVICES

Task 4.1 – Prebid Meeting. Carollo will attend the pre-bid meeting and site walk to be scheduled and conducted by the City. Carollo will assist the City with answering technical questions from prospective bidders.

Task 4.2 – Addenda. Carollo will respond to bidders' questions and assist the City in preparing up to two addenda during the bid period. The City will reproduce and distribute each addendum to prospective bidders.

Task 4.3 – Conformed Documents. Carollo will prepare conformed documents based on incorporating changes outlined in the addenda. For budgeting purposes, 80 hours have been assumed for this task.

Deliverables for Tasks 4.1 to 4.3:

- Addenda.
- Conformed documents in PDF format (both half-size (11x17) and full size (22x34), as well as MS WORD documents for the specifications and AutoCAD files for the drawings.

TASK 5 – ENGINEERING SERVICES DURING CONSTRUCTION

Task 5.1 – Submittal Review. Carollo will review and respond to submittals from the Contractor that have been screened by the City's construction manager. For budgeting purposes, Carollo will respond to 50 submittals and 30 resubmittals at an average review time of 5 and 3 hours per submittal and resubmittal, respectively.

Task 5.2 – RFI Review. Carollo will review and respond to RFIs from the Contractor that have been screened by the City's construction manager. For budgeting purposes, Carollo will respond to 40 RFIs at an average review time of 4 hours per RFI.

Task 5.3 – Design Clarifications. Carollo will prepare as-needed design clarifications to clarify and/or change the intent of the contract documents at the request of the City. For budgeting purposes, Carollo will prepare 4 design clarifications at an average preparation time of 10 hours per design clarification.

Task 5.4 – Site Visits. Carollo will perform as-needed site visits to review construction related issues at the City's request. For budgeting purposes, Carollo will make 6 site visits at an average site visit time (including travel time) of 6 hours per site visit.

Task 5.5 – Record Drawings. Carollo will prepare record drawings based solely on as-built drawing markups received from the Contractor and the City's construction manager. For budgeting purposes, 120 hours have been assumed for this task.

Deliverables for Tasks 5.1 to 5.5:

- Submittal review comments.
- RFI responses.

- Design clarifications.
- Record drawings in PDF format in half-size and full-size, and in AutoCAD files.

TASK 6–OPTIONAL SERVICES

The following optional services tasks can be provided to cover additional engineering services to be requested by the City. Each task will only be performed by Carollo upon receiving separate written approval from the City in advance of the work to be completed.

Task 6.1 – Final Design Services for a New Ferric Chloride Facility. Carollo will prepare biddable construction documents (drawings and specifications) based on the preliminary findings and recommendations in Task 2.4. For this task, design of a new ferric chloride facility is assumed to include a slab on grade structure with a canopy, one ferric chloride storage tank, two metering pumps, and associated piping and valves to enable discharge to one location at a time. Final design services for the 50%, 90%, and 100% design documents will generally follow the scope outlined in Task 3.1 and the 100% design submittal will be incorporated into the Headworks Bar Screen Project as a single design package for bidding and construction. In addition, Fugro will provide the required geotechnical design parameters for this work based solely on reviewing available geotechnical reports for the project site to be provided by the City. Towill will prepare the required digital planimetric/topographic map for the work to serve as a base map.

Deliverables for Task 6.1:

- 50%, 90%, and 100% design documents in PDF format.
- Additional geotechnical design parameters.
- Additional digital planimetric/topographic maps in AutoCAD file format.

Task 6.2 – Final Design Services for Odor Control Facility. Carollo will prepare biddable construction documents (drawings and specifications) based on the preliminary findings and recommendations in Task 2.3. For this task, design retrofit of the existing biofilter is assumed to include replacement of the existing media and air distribution piping with new organic media and underlying air distribution piping. Final design services for the 50%, 90%, and 100% design documents will generally follow the scope outlined in Task 3.1 and the 100% design submittal will be incorporated into the Headworks Bar Screen Project as a single design package for bidding and construction. In addition, Fugro will provide the required geotechnical design parameters for this work based solely on reviewing available geotechnical reports for the project site to be provided by the City. Towill will prepare the required digital planimetric/topographic map for the work to serve as a base map. Mizutani Environmental will prepare an application package for the biofilter replacement for the City to submit to BAAQMD to obtain an Authority-to-Construct permit.

Deliverables for Task 6.2:

- 50%, 90%, and 100% design documents in PDF format.
- Additional geotechnical design parameters.
- Additional digital planimetric/topographic maps in AutoCAD file format.
- Application package for BAAQMD Authority-to-Construct permit.

Task 6.3 – Final Design Services to Relocate West Trickling Filter Equipment. Carollo will prepare biddable construction documents (drawings and specifications) to relocate the West Trickling Filter Equipment if determined to be required to accommodate improvements for the headworks. For budgeting purposes, Carollo has included 40 hours for evaluation and 200 hours for design of this task. Final design

services for the 50%, 90%, and 100% design documents will generally follow the scope outlined in Task 3.1 and the 100% design submittal will be incorporated into the Headworks Bar Screen Project as a single design package for bidding and construction. In addition, Fugro will provide the required geotechnical design parameters for this work based solely on reviewing available geotechnical reports for the project site to be provided by the City.

Deliverables for Task 6.3:

- 50%, 90%, and 100% design documents in PDF format.
- Additional geotechnical design parameters.

Task 6.4 – Pre-Purchase Equipment Assistance. Carollo will assist the City with preparing pre-purchase documents (drawings and specifications) for new screens, conveyor, and washer/compactor so they can be delivered to the WPCF and assigned to the contractor for installation, testing, and startup. The pre-purchase documents will include applicable mechanical and P&ID drawings and technical equipment and control specifications for these equipment. City will be responsible for preparing the front-end purchasing documents and manage the procurement process with assistance by Carollo.

Deliverables for Task 6.4:

- Pre-purchase documents in PDF format.
- Submittal review comments.

Task 6.5 – CFD Modeling. Carollo will perform three-dimensional (3D) computational fluid dynamics (CFD) modeling of the screening channels' flow path to simulate flow interaction between channel geometry and fluid flow and evaluate potential modifications and/or improvements to create more uniform flow conditions upstream and downstream of the proposed screen.

Deliverables for Task 6.5:

- 3D CFD summary results in PDF format.

Task 6.6 – Additional Surveying. Towill will prepare additional digital planimetric/topographic maps of the entire WPCF (minus the areas already completed above) and the sludge beds including the area south of where Depot road would extend onto the project site to serve as AutoCAD base maps for the City's use on other design projects by others.

Deliverables for Task 6.6:

- Additional digital planimetric/topographic maps in AutoCAD file format.



CITY OF HAYWARD

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

File #: CONS 19-229

DATE: April 9, 2019

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT

Road Repair and Accountability Act (RRAA) FY20 Pavement Rehabilitation & Preventive Maintenance
Project: Resolution Approving Project List

RECOMMENDATION

That the Council adopts a resolution (Attachment II) approving the project list for RRAA FY20 Pavement Rehabilitation funding.

SUMMARY

A yearly application must be submitted to the California Transportation Commission (CTC) to continue receiving RRAA funding. The application must include a resolution approving a project list of street segments or defined regions of the City for the estimated revenue. The RRAA revenue estimate for FY20 is \$2,750,000 and the project list includes the Hayward neighborhoods within the limits of Hesperian Boulevard, Jackson Street/SR-92, Mission Boulevard/SR-238, and the City boundary.

ATTACHMENTS

Attachment I Staff Report
Attachment II Resolution
Attachment III Location Map



DATE: April 9, 2019

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Road Repair and Accountability Act (RRAA) FY20 Pavement Rehabilitation & Preventive Maintenance Project: Resolution Approving Project List

RECOMMENDATION

That the Council adopts a resolution (Attachment II) approving the project list for RRAA FY20 Pavement Rehabilitation funding.

SUMMARY

A yearly application must be submitted to the California Transportation Commission (CTC) to continue receiving RRAA funding. The application must include a resolution approving a project list of street segments or defined regions of the City for the estimated revenue. The RRAA revenue estimate for FY20 is \$2,750,000 and the project list includes the Hayward neighborhoods within the limits of Hesperian Boulevard, Jackson Street/SR-92, Mission Boulevard/SR-238, and the City boundary.

BACKGROUND

On April 28, 2017, the Governor signed Senate Bill 1 (SB 1), the RRAA of 2017, to address basic road maintenance, rehabilitation, and critical safety needs through an increase in per gallon fuel excise taxes and vehicle registration fees.

To receive each year's SB 1 apportionments, cities must apply to the CTC for funds by submitting a tentative project list approved by a Council resolution. The project list must contain either a list of street segments or defined regions of the City undergoing rehabilitation, an estimated completion date for the project, and the estimated useful life of the paving methods utilized.

DISCUSSION

This project is part of the larger \$12,724,000 FY 2020 Pavement Rehabilitation and Preventive Maintenance Project. The RRAA revenue estimate of \$2,750,000 will be used to treat the Hayward neighborhoods within the limits of Hesperian Boulevard, Jackson Street/SR-92, Mission Boulevard/SR-238, and the City boundary. The preventative maintenance treatment estimated useful life is five to ten years, and the pavement rehabilitation treatment estimated useful life is ten to fifteen years.

STRATEGIC INITIATIVES

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

SUSTAINABILITY FEATURES

The action taken for this agenda report will not result in a new physical development, purchase or service, or a new policy or legislation. Any physical work will be approved in a separate Council action. Sustainability features for individual CIP projects are listed in each staff report.

PUBLIC CONTACT

The general process and guidelines for selecting streets to include in the annual pavement maintenance program are discussed at Council Infrastructure Committee meetings. There has been no other public contact related to this project to date.

FISCAL IMPACT

The estimated revenue from RRAA for FY19 is \$2,750,000. This amount will be budgeted in the Recommended FY20-FY29 CIP that will go to Council for adoption in May 2019.

NEXT STEPS

If Council approves this recommendation, staff will submit the resolution and defined regions in the City to the CTC.

May 2019	Submit RRAA funding application to CTC
Fall 2019	Finalize project list of streets
Winter 2019	Call for Bids
Spring 2020	Begin Construction
Summer 2020	Complete Construction

Prepared by: Kathy Garcia, Deputy Director of Public Works

Recommended by: Alex Ameri, Director of Public Works

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 19-

Introduced by Council Member _____

RESOLUTION APPROVING PROJECT LIST FOR FY 2020 ROAD REPAIR AND
ACCOUNTABILITY ACT (RRAA) FUNDING

WHEREAS, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and Signed into law by the Governor in April 2017 in order to address the significant multi-modal transportation funding shortfalls statewide; and

WHEREAS, SB 1 includes accountability and transparency provisions that will ensure the residents of Hayward are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and

WHEREAS, the City must approve a list of all projects or defined regions of the City proposed to receive funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

WHEREAS, the City will receive an estimated \$2,750,000 in RMRA funding in Fiscal Year 2020 from SB1; and

WHEREAS, this is the third year in which the City of Hayward is receiving SB 1 funding and will enable the City of Hayward to continue essential road maintenance and rehabilitation projects, safety improvements, repairing and replacing aging bridges, and increasing access and mobility options for the traveling public that would not have otherwise been possible without SB 1; and

WHEREAS, the City has undergone a robust public process to ensure public input into our community's transportation priorities; and

WHEREAS, the City will use a Pavement Management System to develop the SB 1 project list to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the community's priorities for transportation investment; and

Whereas, the funding from SB 1 will help the City maintain and rehabilitate street sections in the defined region of the City listed below in Fiscal Year 2020 and dozens of similar projects into the future; and

WHEREAS, the 2018 California Statewide Local Streets and Roads Needs Assessment found that the City's streets and roads are in an "at low risk" condition and this revenue will help us increase the overall quality of our road system and over the next decade will help bring our streets and roads into a "good" condition; and

WHEREAS, the SB 1 project list and overall investment in our local streets and roads infrastructure with a focus on basic maintenance and safety, investing in complete streets infrastructure, and using cutting-edge technology, materials and practices, will have significant positive co-benefits statewide.

THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that:

1. The foregoing recitals are true and correct.
2. The fiscal year 2019-20 list of projects planned to be funded with Road Maintenance and Rehabilitation Account revenues include:
 - Hayward neighborhoods within the limits of Hesperian Boulevard, Jackson Street/SR-92, Mission Boulevard/SR-238, and the City boundaries.
 - Preventative maintenance treatment estimated useful life is five to ten years.
 - Pavement rehabilitation treatment estimated useful life is ten to fifteen years.
 - Begin construction: Spring 2020
 - End construction: Summer 2020

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

File #: CONS 19-230

DATE: April 9, 2019

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT

New Sidewalks FY19 Project - Calhoun Street, Muir Street, Walpert Street - Award of Construction Contract

RECOMMENDATION

That the Council approves Addendum No. 1 and Addendum No. 2 consisting of revisions to the plans and specification for the FY 2019 New Sidewalks Project and adopts the attached resolution (Attachment II) awarding the contract for the project to McGuire and Hester, in the amount of \$1,372,881.20 and approving an amount of \$350,000 for Administrative Change Orders.

SUMMARY

The New Sidewalks FY19 Project calls for three locations where new sidewalks will be installed: Calhoun Street, Muir Street, and Walpert Street. The project will help provide a safe and continuous pedestrian route to Saint Clement School, John Muir Elementary School, and Hayward High School. Existing driveways and curb ramps in new sidewalk areas will be reconstructed to comply with the current Americans with Disabilities Act (ADA) requirements.

On March 21, 2019, the project received five (5) bids, with one bid below the Engineer's Estimate. At \$1,372,881.20, the low bid received is \$92,118.80, or 6.3%, below the Engineer's Estimate of \$1,465,000. Staff recommends award of contract to the responsible low bidder, McGuire and Hester, in the amount of \$1,372,881.20. Staff also requests approval of \$350,000 for Administrative Change Orders. The project budget of \$2,540,000 is funded via Measure B (Pedestrian and Bicycle) and Measure BB (Pedestrian and Bicycle) funds.

Because the low bid was lower than the Engineer's Estimate and the majority of design work was performed by City staff, staff also requests Council approval to use the remaining amount of approximately \$357,000 from the original project budget to construct a new sidewalk access to the frontage of the proposed Hayward Housing Navigation Center, and other eligible expenses.

ATTACHMENTS

File #: CONS 19-230

Attachment I Staff Report
Attachment II Resolution
Attachment III Bid Results



DATE: April 9, 2019

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: New Sidewalks FY19 Project – Calhoun Street, Muir Street and Walpert Street - Award of Construction Contract

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Because the low bid was lower than the Engineer's Estimate and the majority of design work was performed by City staff, staff also requests Council approval to use the remaining amount of approximately \$357,000 from the original project budget to construct a new sidewalk access to the frontage of the proposed Hayward Housing Navigation Center, and other eligible expenses.

BACKGROUND

Calhoun Street, Muir Street, and Walpert Street were identified as needing new sidewalk construction and repairs of existing sidewalk segments to further the City's goal of providing safe and continuous pedestrian access throughout the City. The City has received multiple requests from residents in the neighborhood for sidewalk improvements at these locations.

The Walpert Street Sidewalk Project was originally advertised to receive construction bids on April 17, 2018. However, the lowest bid was significantly higher than the engineer's estimate. At that time, staff decided to include the Walpert Street project into the New Sidewalks FY19 Project to receive better bid results via economies of scale.

At the May 23, 2018 Council Infrastructure Committee (CIC) meeting, two residents of Muir Street expressed concerns with the project. The main concerns included: the reduction of several "front yards" due to the addition of the new sidewalk; one resident's request to retain non-standard driveways; and that two properties were subject to existing deferred improvement agreements. Staff met with the property owners and presented a redesign for the sidewalk that reduced the amount of front yard modification to a minimum. Staff also explained the reasoning behind incorporating standard driveways. The deferred improvement agreements issue was discussed with the property owners at a June 25, 2018 meeting at City Hall. The most pressing concern was two property owners (24965 & 25101 Muir Street) who were financially responsible for sidewalk, driveway, and curb & gutter improvements in front of their property because of deferred improvement agreements. The two property owners expressed difficulty in paying for the costs of the improvements. Realizing the impact of sidewalk improvement in raising property values, a neighboring property owner, Gordon Dotson Properties, LP, agreed to pay for both deferred improvement agreement costs, a total of \$10,000, which was paid in full to the City in March 2019.

On February 19, 2019, Council approved the plans and specifications for the New Sidewalks FY19 Project and called for bids to be received on March 19, 2019.

DISCUSSION

This project will provide new sidewalks on:

- North side of Calhoun Street (from 250' east of Mission Boulevard to 100' east of E. 15th street)
- Both sides of Muir Street (from Orchard Avenue to Evelyn Lane)
- Both sides of Walpert Street (from Fletcher Lane to Second Street)

The proposed improvements will add 0.66 miles of new sidewalk to the City's inventory, which totals approximately 460 miles. The new concrete sidewalk, curb, and gutter will meet current City standards. In addition, existing curb ramps that are non-compliant with the Americans with Disabilities Act (ADA) will be removed and reconstructed to comply with current ADA requirements.

On March 19, 2019, staff postponed the bid opening to March 21, 2019 to include Addendum No. 2.

On March 21, 2019, five (5) bids were received for the New Sidewalks FY19 Project (Attachment III). McGuire and Hester, of Alameda, submitted the lowest bid in the amount of \$1,372,881.20 which is 6.3% lower than the Engineer's Estimate of \$1,465,000. Redgwick Construction Co., of Oakland, submitted the second lowest bid in the amount of \$1,609,298, which is 9.8% over the Engineer's Estimate.

All bid documents and licenses are in order. Staff recommends award of the contract to the responsible low bidder, McGuire and Hester, in the amount of \$1,372,881.20, and approval of \$350,000 for Administrative Change Orders.

This project is categorically exempt under Section 15301(c) of the California Environmental Quality Act Guidelines for the operation, repair, maintenance, or minor alteration of existing facilities.

ECONOMIC IMPACT

The addition of new sidewalks in this area will improve the overall community appearance in this area and may have a positive impact on property values as discussed previously in this report.

FISCAL IMPACT

Project funding sources are as follows:

• 213 - Measure BB – Local Transportation	\$1,210,000
• 216 - Measure B – Local Transportation	<u>\$1,330,000</u>
Total:	<u>\$2,540,000</u>

Estimated project costs are as follows:

• Design and Contract Administration (Consultant & Staff)	\$325,000
• Construction Inspection and Testing	\$135,000
• Construction Contract	\$1,372,881
• Construction Contingency – Administrative Change Orders	<u>\$350,000</u>
Total:	<u>\$2,182,881</u>

Because the low bid was lower than the Engineer's Estimate and the majority of design work was performed by City staff, staff requests Council approval to use the remaining amount of approximately \$357,000 from the original budget to construct a new sidewalk access to the frontage of the proposed Hayward Housing Navigation Center, and other eligible expenses.

STRATEGIC INITIATIVES

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

- Goal 1: Prioritize safety for all modes of travel
- Goal 2: Provide Complete Streets that balance the diverse needs of users of the public right-of-way
- Objective 1: Increase walking, biking, transit usage, carpooling, and other sustainable modes of transportation by designing and retrofitting streets to accommodate all modes.

SUSTAINABILITY FEATURES

The project satisfies the following General Plan policies:

- M-1.7 Eliminate Gaps (in pedestrian networks)
- M-3.1 Serving All Users
- M-3.10 Motorists, Bicyclists, and Pedestrian Conflicts
- M-5.2 Pedestrian System
- M-5.4 Sidewalk Design
- M-5.7 Safe Sidewalks

The project requires the contractor to recycle all construction and demolition debris as a result of the project.

PUBLIC CONTACT

Staff sent letters to the affected property owners notifying them of the proposed work and preliminary schedule.

For Calhoun Street, staff has obtained a pedestrian easement from Saint Clement School to accommodate the installation of a 5-foot wide sidewalk.

For Muir Street, staff held a public outreach meeting at City Hall with residents to resolve all concerns. Staff has received all necessary right-of-entry authorizations.

For Walpert Street, the project requires right-of-way acquisition from Hayward Unified School District's (HUSD) school to maintain the existing bus loading zone in front of the school. In addition, right-of-entry permits are needed from specific property owners adjacent to the project to grant the City's contractor permission to enter the property and install driveway conforms. Staff has completed the right-of-way acquisition and received all necessary right-of-entry authorizations.

NEXT STEPS

May 2019	Begin Work
September 2019	Complete Work

Prepared by: Kathy Garcia, Deputy Director of Public Works

Recommended by: Alex Ameri, Director of Public Works

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 19-

Introduced by Council Member _____

RESOLUTION APPROVING AWARD OF CONTRACT FOR THE NEW
SIDEWALKS FY19 PROJECT, PROJECT NOS. 05246, 05247, 05258, 05259,
05272, AND 05284 TO MCGUIRE AND HESTER

WHEREAS, by resolution on February 19, 2019, the City Council approved the plans and specifications for the New Sidewalk FY19 Project, Project Nos. 05246, 05247, 05258, 05259, 05272, & 05284, and called for bids to be received on March 19, 2019; and

WHEREAS, on March 15, 2019, Addendum No. 1 was provided to revise the plans and specifications; and

WHEREAS, on March 19, 2019, Addendum No. 2 was provided to revise the specifications and bid opening date; and

WHEREAS, on March 21, 2019, five (5) bids were received, ranging from \$1,372,881.20 to \$1,698,581.70; McGuire and Hester of Alameda, California submitted the low bid in the amount of \$1,372,881.20 which is 6.3% below the engineer's estimate of \$1,465,000; and

WHEREAS, the Administrative Change Order (ACO) or contingency budget of \$350,000 was not disclosed; and

WHEREAS, the project budgeted amount of \$2,540,000 exceeds the total project cost of \$2,182,881 by approximately \$357,000.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that McGuire and Hester is hereby awarded the contract for the New Sidewalk FY19 Project, Project Nos. 05246, 05247, 05258, 05259, 05272, & 05284 in the amount of \$1,372,881.20, in accordance with the plans and specifications adopted therefore and on file in the office of the City Clerk of the City of Hayward at and for the price named and stated in the bid of the hereinabove specified bidder, and all other bids are hereby rejected.

BE IT FURTHER RESOLVED, that the amount of \$350,000 is hereby authorized for Administrative Change Orders.

BE IT FURTHER RESOLVED that the remaining budgeted amount of up to \$357,000 may be utilized for sidewalk construction at the frontage, and other eligible expenses to improve the location of the Hayward Housing Navigation Center.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute the contract with McGuire and Hester, in the name of and for and on behalf of the City of Hayward, in a form to be approved by the City Attorney.

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

New Sidewalks FY19 Project - Calhoun Street, Muir Street, Walpert Street Proj Nos: 05246, 05247, 05258, 05259, 05272, 05284						ATTACHMENT III													
Bid Opening: 03/21/2019						* marks an allowance		Engineer's Estimate		McGuire & Hester		Redgwick Construction Co.		Seton Pacific Construction		Kerex Engineering Inc.		Sposeto Engineering Inc.	
								2810 Harbor Bay Pkwy		21 Hegebberger Ct		2095 Jerrold Ave, Suite 317		PO Box 23831		4558 Contractors Place			
								Alameda, CA 94502		Oakland, Ca 94621		San Francisco, Ca 94124		Pleasant Hill, Ca 94523		Livermore, Ca 94551			
Alex Ameri, Director of Pubic Works & Utilities						Date		Ph:510-632-7676		Ph:510-792-1727		Ph:415-643-4802		Ph:347-613-5788		Ph:925-443-4200			
								Fax:510-562-5209		Fax:510-792-1728		Fax:415-643-4807		Fax:877-413-9730		Fax:925-443-6800			
Bid Table																			
Item #	Item Code	Item Description	Quantity	Unit	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total	
1	10-1.07	MOBILIZATION	1	LS	\$80,000.00	\$80,000.00	\$72,000.00	\$72,000.00	\$76,500.00	\$76,500.00	\$80,000.00	\$80,000.00	\$75,000.00	\$75,000.00	\$38,200.00	\$38,200.00			
2	10-1.	TRAFFIC CONTROL	1	LS	\$80,000.00	\$80,000.00	\$17,000.00	\$17,000.00	\$121,400.00	\$121,400.00	\$70,000.00	\$70,000.00	\$75,000.00	\$75,000.00	\$60,000.00	\$60,000.00			
3	10-1.17	CLEARING AND GRUBBING	1	LS	\$5,000.00	\$5,000.00	\$10,000.00	\$10,000.00	\$61,200.00	\$61,200.00	\$18,000.00	\$18,000.00	\$155,000.00	\$155,000.00	\$63,000.00	\$63,000.00			
4	10-1.30	THERMOPLASTIC STRIPING, MARKINGS AND PAVEMENT MARKERS	1	TN	\$15,000.00	\$15,000.00	\$17,403.00	\$17,403.00	\$11,500.00	\$11,500.00	\$16,850.00	\$16,850.00	\$35,000.00	\$35,000.00	\$14,000.00	\$14,000.00			
5	10-1.15	RECYCLING IMPLEMENTATION	1	LF	\$3,000.00	\$3,000.00	\$1.00	\$1.00	\$200.00	\$200.00	\$8,000.00	\$8,000.00	\$10,000.00	\$10,000.00	\$2,000.00	\$2,000.00			
6	10-1.05	ROADWAY EXCAVATION (F)	1066	TN	\$100.00	\$106,600.00	\$160.00	\$170,560.00	\$125.00	\$133,250.00	\$60.00	\$63,960.00	\$75.00	\$79,950.00	\$244.00	\$260,104.00			
7	10-1.16B	REMOVE EXISTING ASPHALT CONCRETE	4476	TN	\$12.00	\$53,712.00	\$2.30	\$10,294.80	\$6.00	\$26,856.00	\$6.00	\$26,856.00	\$7.00	\$31,332.00	\$2.50	\$11,190.00			
8	10-16.A	REMOVE EXISTING CONCRETE	3830	SY	\$18.00	\$68,940.00	\$5.60	\$21,448.00	\$5.00	\$19,150.00	\$5.00	\$19,150.00	\$7.00	\$26,810.00	\$5.75	\$22,022.50			
9	10-16.A	GRIND EXISTING CONCRETE	1	SF	\$1,500.00	\$1,500.00	\$1.00	\$1.00	\$1,200.00	\$1,200.00	\$11,000.00	\$11,000.00	\$7,500.00	\$7,500.00	\$800.00	\$800.00			
10	10-16.A	REMOVE EXISTING CONCRETE CURB AND GUTTER	510	SF	\$40.00	\$20,400.00	\$13.80	\$7,038.00	\$25.00	\$12,750.00	\$25.00	\$12,750.00	\$20.00	\$10,200.00	\$14.00	\$7,140.00			
11	10-1.12	REMOVE EXISTING FENCE	280	SF	\$20.00	\$5,600.00	\$11.00	\$3,080.00	\$30.00	\$8,400.00	\$10.00	\$2,800.00	\$20.00	\$5,600.00	\$8.00	\$2,240.00			
12	10-1.16G	REMOVE EXISTING TREE AND ROOT (LARGE)	8	SF	\$5,000.00	\$40,000.00	\$5,000.00	\$40,000.00	\$4,200.00	\$33,600.00	\$5,000.00	\$40,000.00	\$4,000.00	\$32,000.00	\$26,000.00	\$208,000.00			
13	10-1.16G	REMOVE EXISTING TREE AND ROOT (SMALL)	6	SF	\$2,000.00	\$12,000.00	\$1,800.00	\$10,800.00	\$1,700.00	\$10,200.00	\$2,000.00	\$12,000.00	\$1,600.00	\$9,600.00	\$2,500.00	\$15,000.00			
14	10-1.18	ROOT PRUNE EXISTING TREE AND INSTALL ROOT BARRIER	14	LF	\$500.00	\$7,000.00	\$500.00	\$7,000.00	\$1,900.00	\$26,600.00	\$2,200.00	\$30,800.00	\$1,200.00	\$16,800.00	\$800.00	\$11,200.00			
15	10-1.12	RELOCATE EXISTING FENCE	47	EA	\$20.00	\$940.00	\$99.00	\$4,653.00	\$50.00	\$2,350.00	\$70.00	\$3,290.00	\$110.00	\$5,170.00	\$139.00	\$6,533.00			
16	10-1.12	REMOVE, SALVAGE, RELOCATE AND REINSTALL EXISTING SIGNS	19	SF	\$500.00	\$9,500.00	\$443.60	\$8,428.40	\$230.00	\$4,370.00	\$300.00	\$5,700.00	\$200.00	\$3,800.00	\$280.00	\$5,320.00			
17	10-1.12	REMOVE AND RELOCATE EXISTING IRRIGATION PIPE AND SPRINKLER HEADS	180	LF	\$20.00	\$3,600.00	\$34.00	\$6,120.00	\$50.00	\$9,000.00	\$95.00	\$17,100.00	\$30.00	\$5,400.00	\$18.00	\$3,240.00			
18	10-1.12	REMOVE, SALVAGE, REINSTALL SLIDING GATE	1	EA	\$5,000.00	\$5,000.00	\$17,964.00	\$17,964.00	\$2,100.00	\$2,100.00	\$2,450.00	\$2,450.00	\$7,500.00	\$7,500.00	\$16,000.00	\$16,000.00			
19	10-1.23	HOT MIX ASPHALT	1059	EA	\$160.00	\$169,440.00	\$166.00	\$175,794.00	\$185.00	\$195,915.00	\$235.00	\$248,865.00	\$250.00	\$264,750.00	\$258.00	\$273,222.00			
20	10-1.26	MICROSURFACING (TYPE I)	3674	EA	\$8.00	\$29,392.00	\$8.00	\$29,392.00	\$12.00	\$44,088.00	\$9.00	\$33,066.00	\$13.00	\$47,762.00	\$8.80	\$32,331.20			
21	10-1.17	MINOR CONCRETE (MEDIAN CURB)	85	EA	\$25.00	\$2,125.00	\$70.00	\$5,950.00	\$135.00	\$11,475.00	\$95.00	\$8,075.00	\$110.00	\$9,350.00	\$50.00	\$4,250.00			
22	10-1.17	MINOR CONCRETE (SIDEWALK - 4" THICK)	12029	SF	\$15.00	\$180,435.00	\$16.00	\$192,464.00	\$16.00	\$192,464.00	\$17.00	\$204,493.00	\$13.00	\$156,377.00	\$11.60	\$139,536.40			
23	10-1.17	MINOR CONCRETE (CURB AND GUTTER)	3147	EA	\$50.00	\$157,350.00	\$61.00	\$191,967.00	\$90.00	\$283,230.00	\$75.00	\$236,025.00	\$60.00	\$188,820.00	\$51.00	\$160,497.00			
24	10-1.17	MINOR CONCRETE (RESIDENTIAL DRIVEWAY - 6" THICK)	7606	EA	\$16.00	\$121,696.00	\$18.00	\$136,908.00	\$17.00	\$129,302.00	\$22.00	\$167,332.00	\$20.00	\$152,120.00	\$14.60	\$111,047.60			
25	10-1.17	MINOR CONCRETE (RETAINING FOOTING AT BACK OF WALK)	200	EA	\$25.00	\$5,000.00	\$70.00	\$14,000.00	\$65.00	\$13,000.00	\$115.00	\$23,000.00	\$75.00	\$15,000.00	\$65.00	\$13,000.00			
26	10-1.28	3 1/2 INCH X 12 INCH METAL DUCT THRU CURB DRAIN	13	EA	\$750.00	\$9,750.00	\$400.00	\$5,200.00	\$150.00	\$1,950.00	\$200.00	\$2,600.00	\$500.00	\$6,500.00	\$225.00	\$2,925.00			
27	10-1.28	3 INCH X 9 INCH RECTANGULAR PIPE THRU CURB DRAIN	83	EA	\$750.00	\$62,250.00	\$288.00	\$23,904.00	\$135.00	\$11,205.00	\$150.00	\$12,450.00	\$150.00	\$12,450.00	\$245.00	\$20,335.00			
28	10-1.28	16 INCH X 16 STANDARD AREA DRAIN	1	EA	\$5,000.00	\$5,000.00	\$8,340.00	\$8,340.00	\$1,200.00	\$1,200.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$800.00	\$800.00			
29	10-1.16D	ADJUST WATER VALVE BOX & COVER TO GRADE	13	EA	\$500.00	\$6,500.00	\$1,170.00	\$15,210.00	\$400.00	\$5,200.00	\$500.00	\$6,500.00	\$250.00	\$3,250.00	\$300.00	\$3,900.00			
30	10-1.16D	ADJUST WATER METER BOX & COVER TO GRADE	43	LF	\$500.00	\$21,500.00	\$385.00	\$16,555.00	\$450.00	\$19,350.00	\$500.00	\$21,500.00	\$250.00	\$10,750.00	\$300.00	\$12,900.00			
31	10-1.16D	ADJUST SANITARY SEWER CLEANOUT & COVER TO GRADE	2	LF	\$500.00	\$1,000.00	\$1,500.00	\$3,000.00	\$500.00	\$1,000.00	\$500.00	\$1,000.00	\$500.00	\$1,000.00	\$400.00	\$800.00			
32	10-1.16D	ADJUST SURVEY MONUMENT AND COVERT TO GRADE	4	LF	\$500.00	\$2,000.00	\$1,050.00	\$4,200.00	\$950.00	\$3,800.00	\$1,200.00	\$4,800.00	\$500.00	\$2,000.00	\$1,400.00	\$5,600.00			
33	10-1.16D	ADJUST MANHOLE FRAME AND COVER TO GRADE	1	LF	\$1,860.00	\$1,860.00	\$2,240.00	\$2,240.00	\$1,100.00	\$1,100.00	\$650.00	\$650.00	\$3,500.00	\$3,500.00	\$1,800.00	\$1,800.00			
34	8-2.04	ARBORIST SUPERVISION	14	SF	\$300.00	\$4,200.00	\$170.00	\$2,380.00	\$750.00	\$10,500.00	\$550.00	\$7,700.00	\$750.00	\$10,500.00	\$310.00	\$4,340.00			
35	10-1.34	24-INCH BOX TREE	27	LF	\$2,000.00	\$54,000.00	\$650.00	\$17,550.00	\$965.00	\$26,055.00	\$1,500.00	\$40,500.00	\$1,800.00	\$48,600.00	\$1,100.00	\$29,700.00			
36	10-1.39	CITY OF HAYWARD STEEL BEAM GUARD RAIL	250	LF	\$60.00	\$15,000.00	\$87.00	\$21,750.00	\$80.00	\$20,000.00	\$174.00	\$43,500.00	\$120.00	\$30,000.00	\$108.00	\$27,000.00			
37	10-1.39	CITY OF HAYWARD STEEL BEAM GUARD RAIL TERMINAL SECTION	2	LF	\$2,000.00	\$4,000.00	\$375.00	\$750.00	\$250.00	\$500.00	\$500.00	\$1,000.00	\$3,500.00	\$7,000.00	\$1,400.00	\$2,800.00			
38	10-1.16E	INSTALL RUBBERIZED SPEED HUMPS	2	LF	\$15,000.00	\$30,000.00	\$7,730.00	\$15,460.00	\$2,500.00	\$5,000.00	\$11,750.00	\$23,500.00	\$5,000.00	\$10,000.00	\$13,000.00	\$26,000.00			
39	10-1.37	6' CHAIN LINK FENCE (SLATTED)	165	LF	\$30.00	\$4,950.00	\$60.00	\$9,900.00	\$65.00	\$10,725.00	\$74.00	\$12,210.00	\$75.00	\$12,375.00	\$66.00	\$10,890.00			
40	10-1.38	4' HIGH WROUGHT IRON FENCE	305	LF	\$75.00	\$22,875.00	\$124.00	\$37,820.00	\$120.00	\$36,600.00	\$140.00	\$42,700.00	\$120.00	\$36,600.00	\$105.00	\$32,025.00			
41	10-1.33	DECOMPOSED GRANITE (2" Thick)	1859	LF	\$15.00	\$27,885.00	\$4.00	\$7,436.00	\$7.00	\$13,013.00	\$8.00	\$14,872.00	\$10.00	\$18,590.00	\$7.00	\$13,013.00			
Bid Alt No.1 42	10-1.38	ADD ALTERNATE A ITEMS: MODIF+C2:C38Y HEIGHT OF EXISTING DECORATIVE WROUGHT IRON FENCE (RAISE BY 1.5 FT FROM STATION -26+50 TO -27+70)	120	LF	\$75.00	\$9,000.00	\$91.00	\$10,920.00	\$100.00	\$12,000.00	\$250.00	\$30,000.00	\$200.00	\$24,000.00	\$199.00	\$23,880.00			

Listed Subs

	<div><div>Name</div><div>Address</div><div>Address</div><div>Licence No.</div><div>Description</div><div>Supply Amount</div></div>	<div><div>Eighteen Trucking</div><div>Hayward, CA</div><div></div><div></div><div>Trucking</div><div>\$68,000.00</div></div>	<div><div>All City Trucking</div><div>Oakland, Ca 94621</div><div></div><div>#0505001</div><div>Trucking</div><div>\$80,000.00</div></div>	<div><div>Paving Construction Services, Inc.</div><div>Alviso, Ca</div><div></div><div>#798808</div><div>Asphalt Paving</div><div>\$223,351.00</div></div>	<div><div>Telfer Technologies</div><div>McClellan, CA</div><div></div><div>#1005314</div><div>Micro-Surfacing</div><div>\$45,000.00</div></div>	<div><div>Los Loza Landscaping</div><div>Castro Valley, CA</div><div></div><div>#529261</div><div>Planting</div><div>\$24,030.00</div></div>
	<div><div>Name</div><div>Address</div><div>Address</div><div>Licence No.</div><div>Description</div><div>Supply Amount</div></div>	<div><div>Sierra Traffic Markings</div><div>Roseville, Ca</div><div></div><div>#755317</div><div>Striping</div><div>\$20,755.00</div></div>	<div><div>AAA Fence</div><div>Santa Clara</div><div></div><div>#522762</div><div>Fence</div><div>\$12,000.00</div></div>		<div><div>Pacific Coast GE</div><div>Pittsburg, Ca</div><div></div><div></div><div>Asphalt Work</div><div>\$300,000.00</div></div>	<div><div>Graham Contractors Inc.</div><div>San Jose, CA</div><div></div><div>#315789</div><div>Microsurfacing</div><div>\$25,718.00</div></div>
	<div><div>Name</div><div>Address</div><div>Address</div><div>Licence No.</div><div>Description</div><div>Supply Amount</div></div>	<div><div>Professional Tree Care Company</div><div>Berkeley</div><div></div><div>#676952</div><div>Tree Removal</div><div>\$41,600.00</div></div>	<div><div>Professional Tree Care Company</div><div>Berkeley</div><div></div><div>#676952</div><div>Tree Removal</div><div>\$67,250.00</div></div>		<div><div>Chrisp Company</div><div>Fremont,CA</div><div></div><div>#374600</div><div>Striping</div><div>\$35,000.00</div></div>	<div><div>Sierra Traffic Markings</div><div>Roseville, Ca</div><div></div><div>#755317</div><div>Striping</div><div>\$20,755.00</div></div>
	<div><div>Name</div><div>Address</div><div>Address</div><div>Licence No.</div><div>Description</div><div>Supply Amount</div></div>	<div><div>PC&N Construction Inc</div><div>Byron</div><div></div><div>#771652</div><div>Metal Guardrail</div><div>\$19,700.00</div></div>	<div><div>PC&N Construction Inc</div><div>Byron</div><div></div><div>#771652</div><div>Metal Guardrail</div><div>\$19,700.00</div></div>		<div><div>Bailey Fence Co.</div><div>Hayward, Ca</div><div></div><div></div><div>Fencing</div><div>\$65,000.00</div></div>	<div><div>Calco Fence Inc.</div><div>Livermore, Ca</div><div></div><div>#458341</div><div>Fencing</div><div>\$73,624.00</div></div>
	<div><div>Name</div><div>Address</div><div>Address</div><div>Licence No.</div><div>Description</div><div>Supply Amount</div></div>	<div><div>California Fence Supply</div><div>Fremont, CA</div><div></div><div>#951956</div><div>Fencing</div><div>\$61,295.00</div></div>	<div><div>Vulcan Construction</div><div>Pleasanton, Ca</div><div></div><div></div><div>Asphalt Materials Suppliers</div><div>\$73,000.00</div></div>			<div><div>Mountain F. Enterprises</div><div>Folsom, Ca</div><div></div><div>#842929</div><div>Tree Removal</div><div>\$183,500.00</div></div>
	<div><div>Name</div><div>Address</div><div>Address</div><div>Licence No.</div><div>Description</div><div>Supply Amount</div></div>	<div><div>Graham Contractors Inc.</div><div>San Jose, CA</div><div></div><div>#315789</div><div>Microsurfacing</div><div>\$25,718.00</div></div>	<div><div>Telfer Technologies</div><div>Woodland, Ca</div><div></div><div>#1005314</div><div>Micro-Surfacing</div><div>\$42,839.00</div></div>			
	<div><div>Name</div><div>Address</div><div>Address</div><div>Licence No.</div><div>Description</div><div>Supply Amount</div></div>		<div><div>Sierra Traffic Markings</div><div>Roseville, Ca</div><div></div><div>#755317</div><div>Striping</div><div>\$20,755.00</div></div>			
			<div><div>Argent Materials</div><div>Oakland, Ca</div><div></div><div>Aggregate Base Supplier</div><div>\$3,500.00</div></div>			
			<div><div>FBD Vanguard Construction</div><div>Livermore, Ca</div><div></div><div>#833032</div><div>Concrete</div><div>\$323,211.00</div></div>			



CITY OF HAYWARD

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

File #: CONS 19-236

DATE: April 9, 2019

TO: Mayor and City Council

FROM: Director of Development Services

SUBJECT

Authorization to Amend the FY2019 Operating Budget for the Development Services Department-Code Enforcement Division for Contracted Security Services at the Property Located at Maple Avenue and Main Street

RECOMMENDATION

That Council adopts the attached resolution approving an amendment to the FY2019 budget for the Development Services Department - Code Enforcement Division increasing the Consultant Services appropriation from \$50,000 to \$162,000 for contract services to provide security at the property located at the corner of Maple Avenue and Main Street.

SUMMARY

Staff is requesting an additional appropriation of \$112,000 to cover the cost of security services for a nuisance property located at the corner of Maple Avenue and Main Street. The Code Enforcement Division will pursue reimbursement from the developer to repay the General Fund for this service.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution



DATE: April 9, 2019

TO: Mayor and City Council

FROM: Director of Development Services

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RECOMMENDATION

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SUMMARY

Staff is requesting an additional appropriation of \$112,000 to cover the cost of security services for a nuisance property located at the corner of Maple Avenue and Main Street. The Code Enforcement Division will pursue reimbursement from the developer to repay the General Fund for this service.

BACKGROUND

On February 7, 2017, Council adopted Resolution #17-013 approving the Maple & Main mixed-use project development designed to complement downtown Hayward. The project is comprised of a five-story residential building, wrapping around a 462-space six-level parking garage structure and two courtyards. The project includes 240 residential units consisting of 15 studios, 82 one-bedroom units, 123 two-bedroom units, and 20 three-bedroom units with an average unit size of 990 square feet. The project proposes 20% of the units as affordable to Very Low- and Low-Income tenants. The applicant also proposes up to 5,571 square foot of new retail space on Main Street, along with a 1,560 square foot leasing office/lobby, and retention of most of the existing multi-story medical office building at the corner of Maple Court and McKeever Avenue. In addition, the proponent proposes a professional on-site management company, [Alliance Residential Company](#), that manages several properties in the Bay Area, including those with unbundled parking. Alliance will address site maintenance and security, leasing, affordable housing agreement implementation, on-site parking management and enforcement, etc.

The site primarily consists of three abandoned structures located on three adjacent parcels located at:

- 22491 Maple Ct
- 22477 Maple Ct
- 22330 Main St

On July 12, 2018, multiple complaints were received from surrounding businesses and residents. The Code Enforcement Division along with representatives from Fire, Building, and the Police department, conducted a joint inspection of the properties along with owner representative, Blake Peters of Bay Area Property Developers.

Nuisance conditions identified on the grounds and in buildings located at the properties included, but were not limited to the following:

- Presence of standing sewer water;
- Unsafe building, electrical, and plumbing conditions;
- Broken and damaged windows and building ingress points;
- Trash and debris; and
- Un-Permitted occupancy and use of building for residential purposes.

On July 18, 2018, due to identified health and safety concerns, all buildings were deemed unsafe and the property owners were issued a Notice of Violation identifying egregious conditions with orders to correct violations as well as submit a detailed security plan for review and approval by the City for implementation by the property owner.

On January 16, 2019, due to ongoing non-response by the property owner to implement an approved security plan or abate nuisance conditions at the property, the City proceeded to establish contracted security services with National Security Industries, to maintain public safety around the property in an effort to reduce its nuisance impact on nearby commercial and residential properties.

DISCUSSION

Staff requested and the Council approved an amendment to the FY2019 Code Enforcement Contract Services budget as part of the FY2019 mid-year budget amendment. However, invoices totaling \$42,111 for the months of January & February have been received by the City. The estimated monthly cost to maintain security around the property is \$28,000.

Staff is recommending appropriation of an additional \$112,000 to the Code Enforcement Contract Services budget to cover the cost of security through the end of the fiscal year.

In July, Code Enforcement will recommend that Council include the properties as part of the resolution confirming the Report and Assessment for Community Preservation Fees Past Due to become special assessments against the properties if past due invoices are not paid by

August 1, 2019. These special assessments will appear on the property owner's November 2019 tax bill.

The primary function of special assessments is to allow the City to collect past due fees via annual tax bills. Authority for this process is granted under the Community Preservation and Improvement Ordinance, Residential Rental Inspection Ordinance, and Government Code Section 38773.1.

FISCAL IMPACT

There is an impact to the General Fund of \$112,000 to cover the cost of security to ensure the health and safety of the public around the properties. Potentially, this impact will be offset by the property owner through special assessment or other collection processes. All special assessment costs are collected along with lien amounts on individual tax bills. The City of Hayward annually receives two special assessment allocations from the County, one in December and one in April.

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. This item supports the following goal and objectives:

Goal 1: Improve quality of life for residents, business owners, and community member in all Hayward neighborhoods.

Objective 1: Increase neighborhood safety and cohesion

SUSTAINABILITY FEATURES

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

PUBLIC CONTACT

No public contact has occurred in association with this action.

NEXT STEPS

Should Council approve this action, staff will prepare paperwork to process the additional appropriation of funds.

Prepared by: Jade Kim, Management Analyst II

Recommended by: Laura Simpson, Director of Development Services

Approved by:

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

Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 19-

Introduced by Council Member _____

RESOLUTION AMENDING THE FY 2019 OPERATING BUDGET FOR THE
DEVELOPMENT SERVICE DEPARTMENT, CODE ENFORCEMENT DIVISION
FOR CONTRACTED SECURITY SERVICES AT THE PROPERTY LOCATED AT
MAPLE AVENUE AND MAIN STREET

WHEREAS, on February 7, 2017, Council adopted Resolution #17-013 approving the Maple & Main mixed-use project development; and

WHEREAS, the site primarily consists of three abandoned structures located on three adjacent parcels located at:

- 22491 Maple Ct
- 22477 Maple Ct
- 22330 Main St; and

WHEREAS, on July 12, 2018 multiple complaints were received from surrounding businesses and residents regarding the nuisance conditions of the properties; and

WHEREAS, on July 18, 2018 City staff identified health and safety concerns and all buildings were deemed unsafe; and

WHEREAS, a Notice of Violation identifying egregious conditions was issued to the property owner; and

WHEREAS, on January 16, 2019, due to the ongoing non-response by the property owner to implement an approved security plan or abate the nuisance conditions, the City proceeded to execute a contract with National Security Industries to maintain public safety around the property; and

WHEREAS, the estimated monthly cost of security is \$28,000; and

WHEREAS, the properties will be listed on the Report and Assessment for Community Preservation Fees Past Due report authorizing a special assessment if fees are not paid by August 1, 2019.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward, hereby authorizes an amendment to the FY19 Operating Budget approving an additional appropriation of \$112,000 for Code Enforcement Contract Services.

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

File #: LB 19-015

DATE: April 9, 2019

TO: Mayor and City Council

FROM: Director of Finance

SUBJECT

Approval of a Pilot Employee Home Loan Assistance Program

RECOMMENDATION

That the Council considers the approval of a pilot employee home loan assistance program.

SUMMARY

City of Hayward employees have expressed interest in an employee home loan assistance program and a survey was sent to California jurisdictions to inquire about details of existing home loan assistance programs. Existing programs fall into three categories: (1) Jurisdiction operated financing for all employees meeting established program standards; (2) Jurisdiction operated financing for department heads and/or city managers only; and (3) Partnership programs with financial services organization for all employees. Of these three types of programs, the partnership programs are the most employed by jurisdictions.

ATTACHMENTS

Attachment I Staff Report



DATE: April 9, 2019

TO: Mayor and City Council

FROM: Director of Finance

SUBJECT: Approval of a Pilot Employee Home Loan Assistance Program

RECOMMENDATION

That the Council considers the approval of a pilot employee home loan assistance program.

SUMMARY

City of Hayward employees have expressed interest in an employee home loan assistance program and a survey was sent to California jurisdictions to inquire about details of existing home loan assistance programs. Existing programs fall into three categories: (1) Jurisdiction operated financing for all employees meeting established program standards; (2) Jurisdiction operated financing for department heads and/or city managers only; and (3) Partnership programs with financial services organization for all employees. Of these three types of programs, the partnership programs are the most employed by jurisdictions.

BACKGROUND

In May 2017, City Council expressed a desire to explore options to encourage City of Hayward employees to live within the City limits. Since then, staff has researched various options and administered an employee survey to determine employee interests. On May 16, 2018¹, an informational report on the employee survey results and program options was provided to the Council Budget and Finance Committee. The Committee requested staff research comparable programs, educational programs, and to develop a Down Payment Assistance Program for Council's consideration. Staff returned to the Committee with options for consideration at the January 30, 2019² regularly scheduled meeting. The discussion below includes feedback from the Committee.

¹ Council and Budget Finance Committee Meeting on May 16, 2018:

<https://hayward.legistar.com/LegislationDetail.aspx?ID=3502683&GUID=AE9107D0-B230-42E2-9AFE-2D637217D348&Options=&Search=>

² Council and Budget Finance Committee Meeting on January 30, 2019:

<https://hayward.legistar.com/LegislationDetail.aspx?ID=3846982&GUID=82850CDD-8EC4-4626-A4B4-7EC3CF32F68E>

Alameda County plans to offer a down payment assistance loan program for all eligible residents of the County utilizing Measure A1 funds; this program allows qualifying households who have combined incomes that are equal to or less than 100% of the County's Area Median Income (AMI) to be eligible for up to a \$150,000 subsidy. Households between 100% and 120% of the [County's AMI](#) will be eligible for up to a \$100,000 subsidy.

DISCUSSION

A survey was sent to California jurisdictions to inquire about details of existing home loan assistance program offerings by employers and supplemental research was completed by staff. Programs from nine jurisdictions were identified, and ten jurisdictions requested details of the survey results. There is a growing interest in being able to offer these types of program to employees.

Employee home loan assistance programs can be categorized in three types:

- 1) Jurisdiction operated financing for all employees: Loans for either down payments or home loans are offered at or near the jurisdiction's investment rate. The loans are financed through available funds that would normally be invested. Most loans are only available to employees moving into the employer jurisdiction for the first time.

In the four city-operated programs of jurisdiction operated financing for all employees that currently exist, there are very few loans in place. For example, in Union City, the program commenced in 2015 and only one loan has been administered. Similarly, the City of Mountain View founded their housing assistance program in 1995, and there have been six loans in the history of the program, with no currently active loans. In the City of Santa Barbara, a home purchase program was created in 2001, and was funded out of general fund reserves. In 2011, as cities struggled with the Great Recession, the City of Santa Barbara was heavily criticized by the media and public for having \$3.8 million in outstanding loans for 36 employees participating in the program, and the housing assistance program was terminated.

- 2) Jurisdiction operated financing for department heads and/or city managers only: In these programs, home loans are available for department heads and/or a city manager to move into the employer jurisdiction. The loans are financed through available funds that would normally be a part of a city's investment portfolio and are generally offered at interest rates similar or tied to the local agency investment fund (LAIF) rate.

The housing loan assistance programs available to department heads and/or city managers are used to draw in a broader talent pool to leadership roles within a jurisdiction.³

- 3) Partnership program with financial services organization for all employees: The two counties that provided information about their employee home purchase program coordinate with financial services organizations to provide a home loan mortgage at a discounted rate, and waive closing costs, or offset closing costs by an employer grant.

The two partnership programs with financial services organizations are heavily used by employees and viewed as successful by employers. Alameda County partners with a financial services organization that waives origination and application costs and offers loans at a discounted rate. Alameda County provides space for onsite consultation and sends out reminders to staff on a quarterly basis. Since the commencement of Alameda County's program in 2015, there have been 123 loans closed. In San Mateo County, that county offers a \$100,000 county financed down payment loan only if an employee also arranges for a home loan through the partner financial institution. The San Mateo County program is offered through a quarterly lottery.

Table I provides a summary of the responding agencies and their corresponding programs.

TABLE I. SUMMARY OF EXISTING EMPLOYEE HOME LOAN ASSISTANCE PROGRAMS

JURISDICTION	JURISDICTION OPERATED FINANCING FOR ALL EMPLOYEES	JURISDICTION OPERATED FINANCING FOR DEPARTMENT HEADS AND/OR CITY MANAGERS ONLY	PARTNERSHIP PROGRAM WITH FINANCIAL SERVICES ORGANIZATION FOR ALL EMPLOYEES
City of San Mateo	Down Payment	Home Loan	
City of Union City	Home Loan		
City of San Bruno	Home Loan		
San Mateo County	Down Payment		Home Loan
City of Mountain View	Home Loan	*Home Loan	
City of Santa Barbara	Home Loan (Ceased in 2011)		
City of Beverly Hills		Home Loan	
City of Cupertino		Home Loan	
Alameda County			Home Loan

*The City of Mountain View offers different home loan terms for their department heads and council appointed positions than the rest of the employees. Their program is currently under review.

³ Two of the cities that offered programs in this category also offered different loans to all employees. For example, the City of San Mateo offers all employees a down payment assistance program and the department heads, City Manager, and City Attorney have access to loans secured through City funds of up to four times the employee's annual compensation.

City of Hayward Pilot Home Loan Assistance Program

Partnership Program with Financial Services Organization

Staff recommends partnering with a local financial institution that offers a first mortgage to employees with favorable terms. Staff is exploring partnership opportunities with a credit union and a local financial institution for preferable terms such as a waiver of closing costs and a discounted mortgage rate. Employees would need to meet creditworthiness standards such as a minimum FICO score, a maximum debt-to-income-ratio, and a demonstration of reserves for two months of principal, interest, taxes, and insurance.

City Down Payment Assistance Loan of up to \$150,000

To supplement the first mortgage from the financial services organization, staff proposes to implement a pilot program with \$1,500,000 from City Reserve Funds for up to ten (10) \$150,000 down payment loans. Staff will be overseeing the management of the program. Program guidelines are proposed as follows:

Eligibility:

- Must be a non-probationary employee
- Must be a full-time employee in good standing, without being subject to discipline above a written reprimand in the 24 months preceding the loan application
- Employee must enroll in financial planning program with the Employee Assistance Program (EAP) or equivalent

Location/Type of Unit:

- Must be a unit within the City of Hayward
- Can be a single-family home, townhome, or a unit within a multi-family building
- Purchase price capped at \$1,000,000
- Unit purchased must be primary residence and contain a domicile

Terms:

- Down payment loan up to \$150,000
- Applicant must provide a down payment of at least 2.5% of purchase price
- Repayment:
 - Interest rate fixed for five (5) years at 1% above City's portfolio interest rate
 - Interest rate thereafter, for years six (6) through thirty (30) of the loan, will be set annually and shall accrue at a rate equal to the "Yield at Market" achieved by the City's Managed Portfolio for the quarter ended on June 30 of the previous calendar year, plus 100 basis points or 1%, but shall not exceed 6% and will not increase at a rate of more than 2% in any given calendar year
- Principal payments deferred during the first 5 years of the loan; interest-only payments in years 1-5
- Outstanding loan balance due at refinance, sale of property, or conversion to rental
- Employment separation within the first five years will result in
 - Principal Payments beginning the month following separation;

- Hardship provisions would be in place for terminations based on medical or other reasons
- First interest-only payment due 60 days after close of escrow
- No short-term rentals allowed

Application process:

- Home purchase workshop required
- Lottery would take place, with a time period allowed for home purchase after being chosen
- Completion of qualification paperwork with partner financial organization required to be entered into the lottery

Table II provides a comparison of a loan to an employee under the pilot program compared to a loan completed through the open market.

TABLE II. COMPARISON OF PILOT PROGRAM TO MARKET RATE LOAN

	CITY OF HAYWARD PROPOSED PILOT PROGRAM	MARKET RATE LOAN
Home Purchase Price	\$670,000	\$670,000
Individual Contribution to Down Payment (2.5% of Purchase Price)	\$16,750	\$134,000
City of Hayward Down Payment Loan	\$117,250	\$0
Down Payment Interest Rate	2.38%* in Years 1-5, TBD in Years 6-30, not to exceed 6%	0%
Mortgage Loan	\$536,000	\$536,000
Mortgage Loan Interest Rate	4% Fixed Rate	4.125% Fixed Rate
Repayment Term	30 Years	30 Years

*Interest rate proposed would be tied to the City's managed investment portfolio plus 1%. Allowing the City to ensure it will achieve a rate of return at the same or higher than if it invested the funds in the City's pooled investments but lend to recipients at a below market rate for a comparable loan.

Staff recommends a partnership program with an outside financial services organization for an employee's first mortgage and implementing a complementary City employee down payment assistance loan pilot program using \$1,000,000 of City Reserve Funds. About eight to ten employees could participate in the pilot program with a maximum loan from the City of \$150,000 each. All servicing fees would be paid by loan recipients, as is standard with most residential loan programs. Once the funds are expended, the program can be reviewed for effectiveness, and reconsidered for future funding.

This recommendation includes the feedback received from the members of the Council Budget and Finance Committee at the regularly schedule January 30, 2019 committee meeting.

ECONOMIC IMPACT

There is no direct economic impact associated with this item.

FISCAL IMPACT

While the City would be committing resources to the pilot program, the funds will be returned to the City, with interest, in the form of regularly scheduled loan payments and/or loan repayments in full. The commitment of City resources should not exceed \$1,000,000. Proceeds from the loan will be returned to the General Fund.

STRATEGIC INITIATIVES

There is no direct impact on any of the City's Strategic Initiatives associated with this item.

SUSTAINABILITY FEATURES

There are no direct sustainability features associated with this item.

PUBLIC CONTACT

The Employee Home Loan program has been discussed at regularly scheduled Council Budget and Finance Committee meetings on May 16, 2018 and January 30, 2019.

NEXT STEPS

If the pilot program is approved by Council, staff will engage with an outside banking partner to oversee the program and service the loans. Once the banking partner has been vetted and comprehensive program terms are known, staff will bring the terms and program back to Council for approval of terms and appropriation of funds for the program.

Prepared by: Monica Davis, Community Services Manager and
Dustin Claussen, Director of Finance

Recommended by: Dustin Claussen, Director of Finance

Approved by:



Kelly McAdoo, City Manager



CITY OF HAYWARD

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

File #: RPT 19-270

DATE: April 9, 2019

TO: Mayor and City Council

FROM: Council Members Elisa Márquez, Mark Salinas, and Francisco Zermeño

SUBJECT

Consider an Item for Discussion on a Future City Council Agenda Regarding Adoption of a Resolution to Establish César E. Chavez Day, as a City of Hayward Paid Holiday

RECOMMENDATION

That the City Council discusses and determines whether an item regarding the adoption of a resolution to establish César E. Chavez Day, as a City of Hayward paid holiday, should be placed on a future City Council agenda for discussion.

ATTACHMENTS

Attachment I Council Referral Memorandum



COUNCIL REFERRAL MEMORANDUM

DATE: April 9, 2019

TO: Mayor and Council

FROM: Council Members Elisa Márquez, Mark Salinas, and Francisco Zermeño

SUBJECT: Consider an Item for Discussion on a Future City Council Agenda Regarding Adoption of a Resolution to Establish César. E. Chávez Day, as a City of Hayward Paid Holiday

RECOMMENDATION:

It is recommended that the City Council discuss and determine whether an item regarding the adoption of a resolution to establish César E. Chávez Day, as a City of Hayward paid holiday, should be placed on a future City Council agenda for discussion.

POLICY ISSUE:

According to United States Census Bureau (2019), 160,500 people live in Hayward. The United States Census also reports approximately 64,200 (or 40%) of Hayward's population is Latinx. Hayward is home to three public educational institutions: the Hayward Unified School District, Chabot College, and California State University, East Bay (CSUEB). Latinx students represent 65% of the local school district and Chabot College and CSUEB are federally designated Hispanic Serving Institutions.

In November of 2017 the City Council unanimously voted to accept an update to the city's 25-year-old anti-discrimination plan that calls for proactive steps to build trust and participation in local government across all population groups. The Community Task Force created an action plan called the Commitment for an Inclusive, Equitable and Compassionate Community (CIECC). Through this commitment, the City Council promised to make policies that strengthen cultural proficiencies across ethnic and racial communities and identities.

DESIRED OUTCOME:

It is recommended that the Director of Human Resources work with bargaining groups and determine an implementation plan.

TIMELINE:

The request is to bring back a resolution to adopt César E. Chávez Day, as a City of Hayward paid holiday within six to nine months.

DESIRED COUNCIL ACTION:

The desired outcome is for the City Council, to adopt a resolution observing March 31st as César E. Chávez Day, as a paid City of Hayward holiday. The Holiday shall be observed on March 31st, if March 31st lands on Saturday, the Holiday will be observed the Friday before March 31st. If March 31st lands on Sunday, the Holiday shall be observed on the Monday after March 31st. The goal is to adopt the resolution prior to March of 2020.

KEY STAKEHOLDER GROUPS:

All City of Hayward bargaining groups, La Alianza de Hayward, and The Community Task Force.

DISCUSSION

The purpose of this agenda item is to provide an opportunity for Council to discuss whether staff time and City resources should be devoted to researching the issue described above, and to determine whether the item should be placed on a future agenda. An item placed on a future agenda would enable the Council to discuss in detail whether or not the Council chooses to endorse the request to bring back a resolution to adopt César E. Chávez Day, as a paid City of Hayward holiday within six to nine months.

STRATEGIC INITIATIVES


This referral aligns with Complete Communities Strategy: Goal #1 - Improve quality of life for residents, business owners, and community members in all Hayward Neighborhoods. Objective #5 - Actively value diversity and promote inclusive activities.


COMMUNITY RELEVANCE

César Estrada Chávez has a school named after him in our City. Chabot College named the plaza where he spoke back in the 1970s, the César E. Chávez Plaza. César also spoke at that time at our City Hall on Mission Blvd. The Hayward Public Library was dedicated in his honor in 1994, and our new library was dedicated to him in October of 2018. La Alianza de Hayward has celebrated his birthday for over 20 years at City Hall Plaza. Bruce Roberts, our Poet Laureate, penned a poem in his honor. All these events are due to César's influence in our City. Observing his birthday will affirm his fight for social justice, diversity, and equality for all. César E. Chávez's values continue to be relevant and are shared among our community members in Hayward.

Prepared and Submitted by:


Elisa Márquez


Mark Salinas


Francisco Zermeño