

**SPECIAL CITY COUNCIL MEETING
TUESDAY, APRIL 14, 2020**

**DOCUMENTS RECEIVED
AFTER PUBLISHED AGENDA**

AGENDA QUESTIONS & ANSWERS

Items 2, 3, & 4

AGENDA QUESTIONS & ANSWERS

MEETING DATE: April 28, 2020

Item #2: [CONS 20-204](#) Adopt a Resolution Approving Plans and Specifications and Call for Bids for the Water Pollution Control Facility (WPCF) Headworks Bar Screens Project, Project No. 07567

Item #2 on this week's agenda is an \$8m project to prevent "flushable wipes" and other similar items from clogging out sewer systems and the WPCF. Given that the makers of these wipes advertise them and label them as "flushable", have we considered suing these companies for damages or false advertising and requiring them to cover the cost of upgrading our systems to handle their falsely advertised products? If not, then why not? It seems to me that we should require them to stop their false advertising, at a minimum.

The fact is that the problem far exceeds flushable wipes, and the need for this technology has been there since way before flushable wipes became popular. Anything other than human waste and biodegradable liquids that are discharged into the sewer have the potential to cause problems for the mechanical systems at WPCF. Some 30 years ago the technology of the day was to install "[muffin monster](#)" grinders at the headworks of the plants in order to "chew down" and pulverize the variety of objects that are either intentionally or unintentionally stuffed in or flushed down the sewers. In a few years it became clear that 1) the technology cannot deal with construction debris and the like that intentionally or unintentionally are disposed of in sewer manholes, and 2) any "rags", whether wipes, clothes, or variety of other hygiene items that get flushed down the sewer go through the head works grinders but they tend to reconstitute into rags and clog mechanical systems such as pumps or heat exchangers. Some of the large [heat-exchangers](#) at WPCF get clogged and need cleaning more than once or twice a day (or night). They require a mechanic (but often two plant operators working the shift) to open them up, which includes removing dozens of bolts, and can easily take hours to complete.

Even if all this solid waste somehow gets past the mechanical systems and along with sludge gets inside the digester tanks, they take valuable space away from sludge in the tanks, resulting in reduced performance, less bio-gas and energy production, and require a disruptive and time consuming process of taking a digester offline, opening it up, which results in some harmful digester gas to escape onto the air, and one of our three digesters to be out of service for weeks.

The technology that is currently proposed is not a novel system. It is being used in many wastewater treatment plants in the Bay Area and across the state, the nation, and indeed, across the world. A neighboring agency, City of San Leandro which has a treatment plant with a capacity 1/3 of ours, installed one as part of their \$50M plant upgrade a few years ago.

Installation of this technology at WPCF is such a keen priority that our engineers and operators did not want to wait a couple of years and include it in our upcoming \$100M plant upgrade, which just completed the Facilities Planning stage. The technology will result

	<p>in a much more efficient and effective operation of WPCF now, and, by taking trash and other garbage out of our three digesters, will make room for more biodegradable materials necessary for bio-gas production and increased production of renewable energy.</p> <p>None of this takes away from your comment about the need to stop the manufacturers of the wipes from marketing them as flushable. However, the more efficient and effective way to do so may be to act through our regional (Bay Area Clean Water Agencies (BACWA)), state (California Association of Sanitation Agencies (CASA)), and federal (Water Environment Federation (WEF)) organizations.</p>
<p>Item #3: PH 20-021 Community Development Block Grant (CDBG) COVID-19 Emergency-Related Funding: Adopt a Resolution Authorizing the City Manager to Implement a Contingency Plan for Allocation and Expenditure of Up to \$1.47 Million in Available CDBG Funds for COVID-19 Emergency Expenditures; and Approving a Substantial Amendment to the CDBG FY 2020 Annual Action Plan (Report from Deputy City Manager Ott)</p>	
<p>Tables 1 and 2 in the CDBG report are extremely confusing. It is unclear what the 3rd column represents. The 3rd column "Total" does not add up all of the rows. PLEASE have the tables redone to be clearer before Tuesday's presentation.</p>	<p>Table 1 and 2 have been updated, please see attached.</p>
<p>1. Was consideration given to using some of the CDBG \$ to help restaurants expand their outdoor seating areas? Does the city have other sources of non-General Fund dollars that could be used for this?</p> <p>2. Was consideration given to using some of the CDBG \$ to help businesses install plastic screens or purchase PPE for when they start to re-open? Does the city have other sources of non-General Fund dollars that could be used for this?</p>	<p>1. The Economic Development Division already has access to \$75,000 CDBG funds for \$5,000 microgrants for FY 2020. An additional \$50,000 of CDBG funds is being recommended to continue to support Hayward's Micro-Enterprise Grant Program, which is designed to provide funding to businesses with 5 or fewer employers. This grant money can be used by businesses as they see fit and this includes expansion of their outdoor seating areas. The DHIA Board has started conversations about using their funds for outdoor seating improvements for businesses on B Street.</p> <p>2. The Micro-Enterprise Grant Program is designed to allow businesses to use the grant funds as they see fit to support their business. If the program receives additional funding, the ED Division can also recommend to grantees to use the funds to procure PPE and install barriers and screens to limit physical contact and promote social distancing. Staff from the City Manager's Office, Economic Development, and Fire Prevention launched a new program to provide free blue pleated face masks to businesses in order to protect their employees and customers. As of April 27, over 15,000 masks have been distributed to</p>

	<p>essential businesses with priority going to restaurants and grocery stores. Masks were either donated or purchased with donated funds.</p> <p>Additional funding for the City's COVID-19 Small Business Resiliency Grant Program will be made available from the Community Relief Fund to support small business recovery. That program does not require or prescribe how the grant funds should be used. However, businesses are encouraged to use the funds for layoff aversion and to serve seniors and economically vulnerable populations.</p>
<p>1. Regarding the funds for senior meal delivery, with the Governor's recent order regarding meal delivery for seniors, should this funding be prioritized for deliveries to people who don't qualify for State or County funding, but still need delivery due to other circumstances such as lack of transportation to access distribution sites?</p> <p>2. On Page 35 of the Annual Action Plan, the PY19 Economic Development project description states that the funding is for housing rehabilitation and that increased funding is allocated, but fewer projects are anticipated. Would you please provide a little more information about the connection between housing rehab and economic development for this project and the number of projects anticipated?</p>	<p>1. The program details for the State's new program are being developed and the Agency on Aging will be receiving the funds to distribute in Alameda County. Staff will be working with this non-profit to understand the scope of the program and use our funding to City non-profits to add, rather than duplicate services. Staff are exploring additional food distribution sites for free food pickup and continue to explore ways to provide food delivery services to those in need. Additionally, staff works closely with funded agencies to ensure that they are responding to state and local policy appropriately to meet the needs of the City's most vulnerable residents.</p> <p>2. The Economic Development and Housing projects are two separate activity areas.</p> <p>As part of the Substantial Amendment, the City proposes no changes to the Housing Project, and will maintain funding at \$300,000. These funds are split evenly among two nonprofits, Habitat for Humanity and Rebuilding Together, to provide minor home repairs to low-income seniors and persons with disabilities. Given the COVID-19 pandemic and the Shelter-in-Place order, this project's benefit has been amended to reflect a reduced number of households, as construction timelines will be delayed.</p> <p>As part of the Substantial Amendment, the City proposes to allocate an additional \$50,000 to the Economic Development Project, to fund up to 10 additional grants to micro-enterprises to promote economic recovery. The total proposed funding for the Economic Development Project is \$389,999, which is comprised of the following awards:</p> <ul style="list-style-type: none"> - \$234,999 to Downtown Streets Team for job creation activities. No change in funding from 2019 Annual Action Plan. - \$30,000 to Community Child Care Council of Alameda County for microenterprise development. No change in funding from 2019 Annual Action Plan. - \$125,000 to Economic Development Division to distribute 25 grants in the community. \$50,000 increase from 2019 Annual Action Plan.

<p>3. Is there a conflict in Centro Legal administering relief funding given their work in eviction defense activities?</p>	<p>3. The City is still in discussion with several nonprofit agencies who may have the capacity to administer the rental relief program, including Centro Legal de la Raza. Staff is reviewing any potential conflict issue related to Centro Legal's administration of the program with the City Attorney's Office. Staff anticipates identifying a service provider and setting implementation timeline by May 1st.</p>
<p>Item #4: LB 20-020 Hayward Community Relief Fund: Approval of the Hayward Community Relief Fund Distribution Process (Report from City Manager McAdoo)</p>	
<p>Was consideration given to retaining some percentage of the funds donated to help build the HCF long-term endowment?</p>	<p>The Foundation has a several different types of funds: Relief, Affiliate, Donor Advised, and Endowment</p> <ul style="list-style-type: none"> • A Relief Fund can only be set up in a state of emergency and for the purpose of the emergency and recovery. Money cannot be transferred from a Relief Fund to an Endowment Fund. • We set up a Relief Fund for a few reasons: <ul style="list-style-type: none"> • It can be done quickly. • Foundations and groups like EBCE are looking to give to Relief Funds right now, not other types of funds. • The Foundation can release relief funds to individuals and businesses as well as nonprofits, so there is some more flexibility. Unfortunately, EBCF does not have the capacity to administer that for us right now, which is why we are using other nonprofit partners. However, that could be an option in the future.
<p>Not a question, just a point of information: Eden UCC has been providing similar assistance to Ashland/Cherryland residents. Hayward residents applied for the funding but could not be served. An intake was completed, however and those could be a good starting place if this plan is implemented. Eden (Arlene Nehring) is willing to work with staff at La Familia to share their lessons learned and information.</p> <p>40K project with Hayward Rotary? Also, are there waitlisted applications from the earlier business grant process?</p>	<p>It is a good idea to connect Eden UCC with La Familia. Staff will follow up with both of them.</p> <p>Rotary plans to use the existing waitlist from the City's Small Business Resiliency Grant program. \$40,000 will serve eight additional grantees.</p>

Updated Table 1

CDBG PROJECT CATEGORY	CURRENT FY2020 FUNDING	PROPOSED CDBG COVID-19 FUNDING	TOTAL AMENDED FUNDING AMOUNT
Administration & Planning	\$300,427		\$300,427
Acquisition, Disposition, Clearance & Relocation	\$571,365		\$0
Economic Development	\$339,999	(Uncommitted Current CDBG funds) \$50,000	\$389,999
Housing	\$300,000		\$300,000
Public Facilities & Infrastructure Improvements	\$440,000		\$440,000
Public Services	\$253,551	(New CDBG-CV CARES Act funds) \$902,238 (Current Uncommitted CDBG funds) \$521,365	\$1,677,154
Total Funding Allocations	\$2,205,342	\$1,473,603	\$3,107,580

Updated Table 2

CDBG PROJECT CATEGORIES	CURRENT FY2020 FUNDING	AMENDED FUNDING RECOMMENDATIONS	PROPOSED CHANGE
Administration & Planning	\$300,427	\$300,427	No change
Acquisition, Disposition, Clearance & Relocation	\$571,365	\$0	Reallocate full amount to Public Services project category
Economic Development	\$339,999	\$389,999	\$50,000 reallocation from CDBG-EN Acquisition Project funds
Housing	\$300,000	\$300,000	No change
Public Facilities & Infrastructure Improvements	\$440,000	\$440,000	No change
Public Services	\$253,551	\$253,551	Maintain original amount allocated to Public Services
		\$902,238	Allocate all CDBG-CV funds to Public Services
		\$521,365	Reallocate remaining CDBG-EN Acquisition Project funds (after \$50,000 Economic Development allocation)
Total	\$2,205,342	\$3,107,580	<u>\$902,238 (CDBG-CV new funds) and \$571,365 (CDBG-EN reallocated current funds) for a total of \$1,473,603 to support COVID-19 Response</u>

eCOMMENTS RECEIVED

Item 3

eComments received for April 28, 2020 Hayward City Council Meeting:

Item	Name	Comment	Position
3. PH 20-021 Community Development Block Grant (CDBG) COVID-19 Emergency-Related Funding: Adopt a Resolution Authorizing the City Manager to Implement a Contingency Plan for Allocation and Expenditure of Up to \$1.47 Million in Available CDBG Funds for COVID-19 Emergency Expenditures; and Approving a Substantial Amendment to the CDBG FY 2020 Annual Action Plan (Report from Deputy City Manager Ott)	Elizabeth Dominguez	I believe that this is a good way to distribute the cities expenses. However I would advise for a more public notice to be made, not many citizens are aware that there are grants available. Potentially sending a notice via mail or email to parents/ college students via school emails. If I search "grants" under the Hayward website, the grant for low income residents is the third one down, it should be the first. If It gets approved today, requirements and application process should be facilitated.	Support