

**SPECIAL CITY COUNCIL MEETING
TUESDAY, MAY 19, 2020**

**DOCUMENTS RECEIVED
AFTER PUBLISHED AGENDA**

AGENDA QUESTIONS & ANSWERS

Items 6, 8, 14, 15 & 16

AGENDA QUESTIONS & ANSWERS

MEETING DATE: May 19, 2020

Item #6: [CONS 20-227](#) Adopt a Resolution Awarding a Contract to DeSilva Gates Construction LP for the FY20 Pavement Improvement Project, Project No. 05222, 05224, 05226, 05232, 05289, in an Amount of \$9,406,497, and authorizing the Public Works Director to spend up to \$11,000,000 for Total Construction Costs

When is the bike and ped plan coming to Council? Is the work session mentioned on p. 5 (re Huntwood from Tennyson to Whipple) on the whole bike and ped plan? When will it happen? Also, if we can't get a timely encroachment permit from UPRR, will doing that part later cost extra money?

The Bike and Ped Master Plan Update is in its Public Review period through June 30, 2020. After public comments are reviewed, the Plan Update will be presented to Council for adoption immediately following the summer recess. The draft Plan Update identifies a Class IV bikeway on Huntwood for the section between Tennyson and Whipple. Staff will present the Outreach Plan and details for the Huntwood segment as a work session on June 23. The plan is to have completed extensive outreach over the summer and bring the item back after Council recess for approval. The plan is to have all of Clawiter and Huntwood striped as proposed except within UPRR's ROW until the encroachment permit is processed. There will be extra mobilization costs if the Contractors have to leave and return at a later time.

Item #8: [CONS 20-233](#) Adopt a Resolution Rejecting All Bids, Approving Revised Specifications, and Calling for Bids for the Sidewalk Rehabilitation FY 20 Project, Project No. 05285

Will this year's sidewalk work be delayed?

Will be answered at the meeting.

Item #14: [WS 20-019](#) Community Agency Funding: Fiscal Year 2021 Community Agency Funding Recommendations for Social Services; Arts & Music; and Infrastructure, Economic Development, and Public Services; and Overview of the FY 2021-2025 Consolidated Plan and FY 2021 Annual Action Plan (Report from Deputy City Manager Ott)

Much of the \$82k in grants that we provide in the Arts sub-group are for events that will not be possible due to COVID-19. Things like the summer concert series are a good example of events that will likely be forced to be cancelled.

Combine this with the extreme pressure on the GF right now and the need to conserve cash for emergency needs.

At this time, staff is not recommending cancelling funding for the arts and music agencies. If these agencies were to be recommended for funding, staff would add a clause to their agreements that makes clear that funds will not be distributed if events or programs are canceled as a result of COVID-19. Also, staff monitors the performance of the agreements and works with our agencies to assess ability to undertake their proposed scope of work and can withhold funding if an agency is unable to meet their goals.

<p>With these factors in mind, should some of these funding grants be cancelled for this year? Alternatively, can staff assure Council that the funding will not be provided for events that are cancelled or agencies that are closed?</p>	
<p>Of the Housing and Homelessness agencies receiving General Fund Services or CDBG Public Services funding, how many did not receive any of the additional COVID-19 CDBG funding?</p> <p>Will the agencies that did not receive COVID-19 CDBG funding be prioritized for any future additional funding?</p> <p>If some of the agencies - in particular the agencies receiving CDBG Social Services, General Fund Arts & Music, or General Fund Services - are not able to commit to or carry out their contracts; will those funds be re-allocated to Housing & Homelessness agencies?</p>	<p>Staff is currently finalizing awards with non-profit agencies for the COVID-19 CDBG funding and anticipates sharing the full details of the awards at the June 23rd Public Hearing on Community Agency Funding. Tentatively, the following agencies recommended for funding in the Housing and Homelessness categories are currently not receiving COVID-19 CDBG funding:</p> <ul style="list-style-type: none"> Abode Services Building Opportunity for Self-Sufficiency Eden Council for Hope and Opportunity (ECHO) Centro Legal de la Raza Community Resources for Independent Living (CRIL) <p>Some of the agencies listed above were consulted on carrying out additional programming with COVID-19 CDBG funding but were unable to accept additional funds at this time. While the prioritization of any future funding will be determined based on the specific requirements of the funding source and the relevant qualifications of interested agencies, staff will also consider whether a qualifying agency has received past funding awards.</p> <p>Staff closely monitors the performance of the agencies that we fund to assess compliance with the agreements and to provide technical assistance. In the event that a CDBG funded agency is unable to complete their scope of work, staff would reprogram funds to meet the goals set out in the annual CDBG action plan. In light of the City's budget crisis, staff would recommend that the City not distribute any General Fund monies to agencies that are not able comply with their agreement. As stated above, staff would also add a clause to the agreements that makes clear that funds will not be distributed if events or programs are canceled as a result of COVID-19.</p>
<p>If there is additional funds available could they be used for additional business incentives?</p>	<p>Depending on the specific program requirements of any additional funds, there may be future opportunities to provide more business incentives.</p>

<p>Are we still using HAHS as a fiscal agent?</p> <p>Do the family education funds include adult literacy?</p>	<p>HAHS is not functioning as a fiscal sponsor this year, and is seeking funding for their own program offering in the Arts and Music category.</p> <p>The Family Education Program includes support for adult ESL. The ESL classes operate on a goal-based tutoring model to strengthen their English to pass GED, college entrance exams, complete citizenship paperwork and requirements, write resumes and job applications to increase their incomes and their contribution to the working community in Hayward, and ultimately support their children with their academic needs.</p>
<p>Item #15: PH 20-032 Master Fee Schedule: Adopt a Resolution Amending the FY 2021 Master Fee Schedule (Report from Finance Director Claussen)</p>	
<p>Page 5: “Updated Water, Sewer, and Recycled Water rates for FY 2021 were adopted by City Council in 2019, Resolutions 19-152 and 19-153.”</p> <p>I have previously asked staff to consider postponing the FY 2021 water and sewer rates increases (perhaps until January 2021). Where does that staff-level discussion stand?</p> <p>Has any consideration been given to perhaps applying a COVID-19 surcharge to all fees to reflect the higher cost of providing services across the board? Perhaps a 5-10% temporary increase in all fees for the duration of the emergency or for all of FY21.</p>	<p>“An approximately 3% water rate increase and a 4% sewer rate increase adopted last year are slated to go into effect on October 1. Based on the direction from the City Manager, staff is evaluating the implications of postponing the rate increases and will present a report to Council for its consideration in September.”</p> <p>Staff do not believe that this type of surcharge Has been discussed. Should it be supported by Council staff can explore the legal aspects of such a charge. This does, however, seem contrary to the spirit of what the City has done in many other area ie, waving late fees, extending payment due dates, eliminating utility shutoffs for non-payment during the shelter in place order.</p>
<p>Why are we raising the affordable housing impact fee?</p>	<p>This change is reflective of the action of Resolution 17-167 adopted by Council on May 15, 2018.</p>
<p>Are deposits for Engineering and Transportation applied to later fees and returned if not used?</p> <p>Why not make the effective date August 1 rather than July 19?</p>	<p>Yes</p> <p>This is at the discretion of Council, they cannot be effective prior to that date as it is the required 60 days from the time of adoption.</p>

<p>Why are there police towing fees on city vehicles?</p>	<p>Towing services are provided by an outside vendor to the City and we must compensate them for providing the service.</p>
<p>Item #16 LB 20-022 Adopt Resolutions Amending the Employment Agreement Between the City Manager and the City of Hayward to Eliminate the City Manager’s July 2020 Scheduled 2% Cost of Living Adjustment and Authorizing the Mayor to Execute the Agreement and Reducing the Mayor and City Council’s Salary by 2% and the Mayor and Council’s Travel and Miscellaneous Budget by 50% for Fiscal Year 2021 (Report from Assistant City Manager/Interim Human Resources Director Hurtado)</p>	
<p>Will there be a need to take action for 2022 FY budget to either continue the Council salary reduction or to restore it if financial situation is improved?</p>	<p>The resolution is written in a way that the adjustments are effective only for FY 2021. Should Council decide to continue the reduction in pay we will do another resolution to extend the terms. If not extended the terms will revert back.</p>

ITEM 14 – WS 20-019

**COMMUNITY AGENCY FUNDING:
FISCAL YEAR 2021 COMMUNITY AGENCY
FUNDING RECOMMENDATIONS FOR SOCIAL
SERVICES; ARTS & MUSIC; AND
INFRASTRUCTURE, ECONOMIC DEVELOPMENT,
AND PUBLIC SERVICES; OVERVIEW OF THE FY
2021-2025 CONSOLIDATED PLAN AND FY 2021
ANNUAL ACTION PLAN**

REVISED ATTACHMENT II



DATE: May 19, 2020

TO: Mayor and City Council

FROM: City Manager

THROUGH: Deputy City Manager

SUBJECT Revised Attachment II for Agenda Item WS 20-019: Community Agency Funding

RECOMMENDATION

That Council accepts the revisions to Attachment II for agenda item WS 20-019. The revisions reflect a redistribution of \$13,680 to bring the General Fund Social Services funding recommendations in line with the Community Services Commission’s recommendation on March 18, 2020. Specifically, the following revisions have been made:

Agency	Project	Change
Centro Legal de la Raza	Tenant Rights Consultation & Assistance	- \$5,763
Community Resources for Independent Living	Hayward Housing Services	-\$3,050
Family Violence Law Center	Family Violence and Homelessness Prevention Project	+\$1,250
South Hayward Parish	Case Management	-\$3,863
Hayward Adult School	Raising Leaders in Hayward	+\$4,850
Horizon Services, Inc.	Lambda Project	+\$2,350
La Familia Counseling Services	FESCO Les Marquis House	-\$5,083
Ruby's Place	Shelter	-\$4,371
SAVE/COPS	SAVE/COPS	+\$13,680
NET CHANGE		\$0

Recommended by: Jennifer Ott, Deputy City Manager

Approved by:

Kelly McAdoo, City Manager

**COMMUNITY SERVICES COMMISSION
COMMUNITY AGENCY FUNDING ARC DRAFT RECOMMENDATIONS
FY 2021**

CATEGORY	AGENCY	PROJECT	FY 2020 FUNDING	FY 2021 REQUESTS	FY 2021 RECOMMENDATIONS
CDBG - PUBLIC SERVICES					
Housing & Homelessness	Abode Services	Alameda County Impact	\$ 48,108	\$ 54,786	\$ 54,786
Housing & Homelessness	Building Opportunities for Self Sufficiency (BOSS)*	South County Homeless Project	\$ -	\$ 40,000	\$ 35,731
Housing & Homelessness	Eden Council for Hope and Opportunity (ECHO Housing)**	Fair Housing	\$ 25,000	\$ 25,000	\$ 25,000
Housing & Homelessness	Eden Council for Hope and Opportunity (ECHO Housing)	Tenant/Landlord Services	\$ 25,000	\$ 25,765	\$ 25,000
Youth & Family	Hayward Public Library	Family Education Program	\$ 77,608	\$ 180,000	\$ 131,568
TOTAL FY 2021 CDBG PUBLIC SERVICES			\$ 175,716	\$ 325,551	\$ 272,085
CDBG - ECONOMIC DEVELOPMENT & INFRASTRUCTURE					
Economic Development	City of Hayward, Economic Development Division	City of Hayward, Business Incentive Program	\$ 75,000	\$ 100,000	\$ 100,000
Economic Development	Community Child Care Council (4-Cs) of Alameda County	Child Care Initiative Project	\$ 30,000	\$ 40,000	\$ 40,000
Economic Development	Downtown Streets, Inc. (2017)	Hayward Downtown Streets Team/Tennyson Corridor	\$ 234,999	\$ 236,414	\$ 236,414
Economic Development	Love Never Fails*	IT Biz Workforce Development	\$ -	\$ 104,370	\$ 104,370
Infrastructure	Friends of Hayward*	Sycamore Lodge Staircase Repair	\$ -	\$ 15,000	\$ 15,000
Infrastructure	St. Rose Hospital Foundation	Hospital Project	\$ -	\$ 150,000	\$ 150,000
Infrastructure	City of Hayward, Community Services Division	Home Repair with Habitat and Rebuilding Together	\$ 300,000	\$ 300,000	\$ 300,000
Infrastructure	City of Hayward, Community Services Division	Infrastructure Administration	\$ -	\$ 30,000	\$ 30,000
TOTAL FY 2021 CDBG ECONOMIC DEVELOPMENT & INFRASTRUCTURE			\$ 639,999	\$ 975,784	\$ 975,784
GENERAL FUND - ARTS & MUSIC					
Arts & Music	Hayward Area Forum for the Arts dba Sun Gallery	Sun Gallery Programs	\$ 29,654	\$ 33,000	\$ 18,000
Arts & Music	Hayward Area Historical Society*	Discovery Kids	\$ -	\$ 9,860	\$ 8,860
Arts & Music	Hayward Municipal Band	Hayward Municipal Band	\$ 11,231	\$ 15,000	\$ 7,072
Arts & Music	La Familia	Hayward Arts Council	\$ 20,000	\$ 27,000	\$ 16,000
Arts & Music	La Familia	Hayward Band/Orchestra	\$ 7,920	\$ 9,000	\$ 9,000
Arts & Music	Love Never Fails*	LNF 'Survivor' Dance Team	\$ -	\$ 49,446	\$ 10,473
Arts & Music	Pacific Chamber Orchestra	Discover Music educational assemblies for HUSD Elementaries	\$ 8,800	\$ 12,000	\$ 8,800
Arts & Music	Youth Orchestra of Southern Alameda County	Hayward Scholarships	\$ 3,795	\$ 3,795	\$ 3,795
TOTAL FY 2021 ARTS & MUSIC RECOMMENDATIONS			\$ 81,400	\$ 159,101	\$ 82,000
GENERAL FUND - SERVICES					
Food Security	Alameda County Community Food Bank	Food Distribution - Food Purchase Program (Soc Svcs)	\$ 35,000	\$ 40,000	\$ 35,000
Economic Development	Centro Community Partners*	Technical Assistance Services for LMI women and minority entrepreneurs	\$ -	\$ 15,000	\$ -
Housing & Homelessness	Centro Legal de la Raza	Tenant Rights Consultation & Assistance	\$ 82,836	\$ 200,000	\$ 74,570
Housing & Homelessness	Community Resources for Independent Living (CRIL)	Hayward Housing Services	\$ 20,000	\$ 30,000	\$ 15,000
Housing & Homelessness	Covia Foundation*	Home Match Hayward	\$ -	\$ 32,000	\$ -
Youth & Family	East Bay Agency for Children (EBAC)	Hayward HUB Family Resource Center	\$ 30,000	\$ 50,000	\$ 20,000
Information & Referral	Eden I&R**	211	\$ 51,813	\$ 50,000	\$ 50,000
Youth & Family	Eden United Church of Christ*	Newcomer Navigation Center	\$ -	\$ 40,000	\$ 10,000
Youth & Family	Eden Youth and Family Center	Eden Youth and Family Center	\$ 20,000	\$ 50,000	\$ 20,000
Housing & Homelessness	Family Violence Law Center	Family Violence and Homelessness Prevention Project	\$ 45,000	\$ 60,000	\$ 37,350
Housing & Homelessness	First Presbyterian Church of Hayward dba South Hayward Parish	South Hayward Parish (SHP) Case Management	\$ 33,000	\$ 38,000	\$ 29,950
Youth & Family	Friends of Hayward*	Prospect Hill Neighborhood Association Garden	\$ -	\$ 15,000	\$ -
Housing & Homelessness	Gold Star Senior Shared Housing & Community Development, Inc*	Gold Star Senior Shared Housing & Community Development, Inc	\$ -	\$ 15,000	\$ -
Youth & Family	Hayward Adult School	Raising Leaders in Hayward-Workshops & Internships	\$ 35,000	\$ 52,539	\$ 14,850
Youth & Family	Horizon Services, Inc.	Lambda Project	\$ 20,000	\$ 50,000	\$ 17,350
Legal	Housing & Economic Rights Advocates (HERA)	Housing & Economic Rights Advocates (HERA)	\$ 12,000	\$ 15,000	\$ -
Legal	International Institute of the Bay Area	Legal Services for Immigrants	\$ 15,000	\$ 30,000	\$ 15,000
Housing & Homelessness	La Familia Counseling Service	FESCO Les Marquis House - Emergency Shelter	\$ 45,000	\$ 50,000	\$ 25,000
Legal	Legal Assistance for Seniors (LAS)	Legal Services & Education to Hayward Seniors	\$ 17,000	\$ 20,000	\$ 10,000
Housing & Homelessness	Ruby's Place	Shelter and Children	\$ 40,000	\$ 43,000	\$ 25,000
Youth & Family	SAVE/COPS*	SAVE/COPS	\$ -	\$ 13,680	\$ 13,680
Food Security	Spectrum Community Services	Meal Program for Seniors	\$ 15,000	\$ 20,250	\$ 17,200
Youth & Family	St. Rose Hospital Foundation*	FACES for the Future	\$ -	\$ 20,500	\$ 10,000
Youth & Family	Tandem Partners in Early Learning*	StoryCycles	\$ -	\$ 27,979	\$ -
Health	Tiburcio Vasquez Health Center, Inc.	School-Based Health Centers at Tennyson & Hayward High Schools	\$ 12,137	\$ 50,000	\$ -
Health	Tri-City Health Center	HIV Program - Early Intervention Services	\$ 15,000	\$ 20,000	\$ 15,000
TOTAL FY 2021 SOCIAL SERVICES RECOMMENDATIONS			\$ 543,786	\$ 1,047,948	\$ 454,950

*New agency applying for funds

**Non-competitive award

All amounts are preliminary and subject to change. Final award amounts will be authorized by Hayward City Council in June 2020. CDBG awards are dependent upon FY 2021 federal funding allocations and GF awards are subject to available budgetary funding.

eCOMMENTS RECEIVED

Items 14 & 15

eComments received for May 19, 2020 Hayward City Council Meeting:

Item	Name	Comment	Position
14. WS 20-019 Community Agency Funding: Fiscal Year 2021 Community Agency Funding Recommendations for Social Services; Arts & Music; and Infrastructure, Economic Development, and Public Services; and Overview of the FY 2021-2025 Consolidated Plan and FY 2021 Annual Action Plan (Report from Deputy City Manager Ott)	Erin Scott	My name is Erin Scott and I am the Executive Director of the Family Violence Law Center. I want to thank the Community Services Commission and Hayward City staff for their hard work developing the recommendations before you today. Domestic violence is increasing, and survivors have been impacted significantly by the economic downturn. We support these funding recommendations. FVLC thanks the City of Hayward and the Council for its ongoing support.	Support
15. PH 20-032 Master Fee Schedule: Adopt a Resolution Amending the FY 2021 Master Fee Schedule (Report from Finance Director Claussen)	Lisa Malul	My name is Lisa Malul, Executive Director of Rebuilding Together Oakland East Bay. We want to thank Council and City Staff for continuing to trust us with among the most important jobs in the world, the health and safety of seniors in their homes. Even now, and certainly for years after the pandemic recedes, the net financial impact on seniors will grow heavier. This means that the need and requests for home repair and rehabilitation requests will exponentially increase.	

ITEM 14 – WS 20-019

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PUBLIC COMMENTS

From: [Ernesto Sarmiento](#)
To: [List-Mayor-Council](#)
Cc: [Julia Lang](#)
Subject: City Council Meeting Agenda 05.19.20 - Written Public Comment Item #14
Date: Tuesday, May 19, 2020 1:28:07 PM

CAUTION: This is an external email. Do not click on links or open attachments unless you know the content is safe.

City Council Meeting 05.19.2020
Written Public Comment:
Agenda Item #14

Greetings City Council,

On Behalf of Downtown Streets Team, I would like to thank you for your consideration for funding our program in the coming fiscal year. Thanks to CDBG funding, we have been able to serve our Team Members through this crisis with case management, employments support, and basic needs stipends. We even had 2 Team Members gain employment and one Team Member move to full time and hit their 90 days at their job during this pandemic.

We want to update you that our Hayward Downtown Streets Team has plans of re-launching our community beautification project in Mid-June. Our Team Member volunteers are all very excited to get back to making our streets a better place for everyone. Participation will not be mandatory and other support options such as Case Management and Employment Services will be available.

Before we have our Team back beautifying Hayward, we have prepared strict safety operations guidelines to ensure both staff and participants are safe. Alameda County Public health has deemed us an essential service so that we may operate once more in full.

We look forward to growing our impact in the community to improve the lives of people experiencing homeless. We appreciate the City Council's consideration for our future funding.

Thank you,

Ernesto Jr. Sarmiento

Project Manager – Hayward

22537 Main Street, Hayward, Ca 94541

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From: [Carol Morgan](#)
To: [List-Mayor-Council](#)
Subject: agenda item 14 WS 20-019 Community Agency Funding
Date: Tuesday, May 19, 2020 2:44:19 PM

CAUTION: This is an external email. Do not click on links or open attachments unless you know the content is safe.

Dear Mayor Halliday, Hayward Council Members and Community Agency Members,

I am writing on behalf of YOSAC, the Youth Orchestra of Southern Alameda County, now doing business as East Bay Youth Orchestra (EBYO). We very much appreciate the recommendation to continue to grant us \$3795 as in past years. As you can no doubt surmise, we have had to cancel the remaining weeks of our season as of March 17. However, we have been continued to be actively engaged in communicating with our families and the community, including our partner groups such as Hayward-LaHonda Music Camp, Odd Fellows Sycamore Lodge Chamber Music Camp and others. We consider it important for all of us in the music community to support each other in this time of many questions and ideas for how to proceed. We have been scheduling and accepting auditions in hopes of starting fresh in September and are having board meetings via Zoom. Please know that we are very grateful for your longtime support for the arts in Hayward. You will have many difficult decisions to make but whatever happens, we do know that you care deeply about all of us who offer arts opportunities to Hayward residents. Thank you so much.

Carol Morgan, Chair
EBYO Board of Directors

From: [Winda Shimizu](#)
To: [List-Mayor-Council](#)
Subject: Community Services Commission City of Hayward Grant YR 2020-21
Date: Tuesday, May 19, 2020 2:33:46 PM

CAUTION: This is an external email. Do not click on links or open attachments unless you know the content is safe.

Dear City Council Member:

In February the Community Services Commission recommended \$16K for Hayward Arts Council with a possible additional funding of \$5k to be considered by City Council Members at the next meeting.

HAC needs these additional funds more than ever.

Business as usual is no longer an option. Our robust schedule of exhibits and events is on hold now, so we are rethinking and planning differently for the year ahead. Once we reopen our **six** galleries the goal is to strengthen the exhibitions with additional programs for the enjoyment of the community. In June we will launch the second virtual exhibition at haywardartscouncil.org

We are collaborating with the Hayward Public Library in many projects. In the fall, we are planning a series of virtual art workshops where HAC members will teach art techniques and attendees can work on a hands on project. In addition, we are part of the South Hayward Youth and Family Center committee providing advice in the art exhibit areas, public art, and maker space facility in this new development.

We hope you will approve additional funds to continue our mission: "To stimulate community interest in the arts, to encourage participation of all artists in visual and performing arts, and to promote Hayward as a cultural center."

Thank you for your efforts to keep the community informed, adjusting to the ever changing climate, and providing support to all community groups in Hayward.

Hayward Arts Council valued our partnership and the incredible efforts you all are making to keep us safe and healthy.

In gratitude,



Online Exhibit featuring the artworks of HAC members live at www.haywardartscouncil.org

Winda I. Shimizu

Executive Director | Hayward Arts Council
2018 Alameda County Women Hall of Fame
Commissioner I Alameda County Arts Commission
Visual & Performing Arts Plan (VAPA) Community Partner I Hayward Arts Now Leader
Office: 22100 Princeton Street, H2, Hayward, CA 94541
email: hac@haywardartscouncil.org
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