

HAYWARD CITY COUNCIL

RESOLUTION NO. 26-____

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR ALAMEDA COUNTY TRANSPORTATION COMMISSION ADMINISTERED FUNDING FOR THE SAFE STREETS HAYWARD – TENNYSON CORRIDOR PROJECT AND COMMITTING ANY NECESSARY MATCHING FUNDS AND STATING ASSURANCES TO COMPLETE THE PROJECT

WHEREAS, the Alameda County Transportation Commission (Alameda CTC) administers funding programs for project and programs that benefit the Alameda County transportation system, consisting of 2000 Measure B, 2010 Vehicle Registration fee (VRF), 2014 Measure BB, I-580 Toll Revenues, Congestion Management Agency Transportation Improvement Program (CMA-TIP) and Transportation Fund for Clean Air Programs, and such funding is collectively defined as and shall be referenced herein as the “Alameda CTC Administered Funds”); and

WHEREAS, the Alameda CTC adopted 2028 Comprehensive Investment Plan (CIP) Guidelines at its Commission meeting on May 28, 2026, which includes procedures governing the 2028 CIP application process, programming guidelines, and eligible uses of Alameda CTC Administered Funds; and

WHEREAS, the City of Hayward (the Applicant) is the project sponsor for the Safe Streets Hayward – Tennyson Corridor Project (the Project); and

WHEREAS, the Project will develop Plans, Specifications, and Estimates for the Tennyson Rd corridor between Patrick Avenue and Whitman Street, including a separated bike lane, intersection improvements, safer pedestrian crossings, and landscaping; and

WHEREAS, as the Project Sponsor, the Applicant has the legal authority to apply for funding for the Project and plans to submit a 2028 CIP application to Alameda CTC for \$3,105,000; and

WHEREAS, there are no legal impediments to the Applicant applying for funding and there is not active, pending, or threatened litigation that may adversely affect the proposed Project or the ability of the Applicant to deliver such a Project; and

WHEREAS, the Applicant authorizes its City Manager or designee to execute and file an application with Alameda CTC for discretionary Alameda CTC Administered Funds for the Project as referenced in this resolution; and

WHEREAS, as part of the requirements to apply for and receive Alameda CTC Administered Funds, Alameda CTC requires a resolution adopted by the responsible implementing agency stating the following:

1. Applicant will implement the Project as described in the Application; and
2. Applicant will have adequate staffing resources to deliver and complete the Project within the time period identified in the Application; and
3. Applicant understands it will enter into a Project Funding Agreement (Agreement) with Alameda CTC and will comply with the Agreement's requirements, including adherence to the agreed upon project scope, project delivery milestones, funding deadlines, project reporting, and deliverable deadlines; and
4. Applicant is committed to deliver the Project consistently with the Commission approved CIP Programming Guidelines and CIP policies, as they may change, for the funds awarded by the Commission to the Project; and
5. Applicant is committed to secure matching funds as proposed in the Application required for awarded Alameda CTC Administered Funds, by phase; and
6. Applicant is committed to provide any additional funding that may be required beyond the original proposed Application match amount to deliver the phase of the Project that is awarded with Alameda CTC Administered Funds; and
7. Applicant understands that Alameda CTC Administered Funds awarded to the Project is limited to the Commission approved programmed amount by phase and therefore any cost increases or unexpected funding shortfalls cannot be expected to be funded by shifting funds between phases, or by requesting additional Alameda CTC Administered Funds; and
8. Applicant understands that any cost savings in the Alameda CTC-funded phase(s) will be shared proportionally between the Applicant and Alameda CTC; and
9. Applicant is committed to comply with the applicable requirements set forth in Alameda CTC's Local Business Contract Equity (LBCE) Program and related exhibits, as applicable, for professional services and construction contracts funded with Measure B, Measure BB, and/or VRF funds, such as including LBCE Program goals and provisions in applicable solicitations and resulting contracts, providing timely notification to Alameda CTC of applicable solicitations prior to advertisement, and adhering to reporting requirements.

NOW THEREFORE, BE IT RESOLVED, that the City of Hayward is authorized to file an Application to Alameda CTC for funding the Project; and

BE IT FURTHER RESOLVED, that the Applicant hereby confirms that there is no pending or threatened litigation that might in any way adversely affect Applicant's ability to implement and deliver the proposed Project; and

BE IT FURTHER RESOLVED, that the Applicant authorizes its City Manager or designee to execute the funding Agreement with Alameda CTC; and

BE IT FURTHER RESOLVED, that Applicant shall provide Alameda CTC with a fully-executed copy of this Resolution upon submittal of the Application; and

BE IT FURTHER RESOLVED, that the City Council of the City of Hayward, by adopting this resolution, hereby confirms that:

1. Applicant will implement the Project as described in the Application; and
2. Applicant will have adequate staffing resources to deliver and complete the Project within the time period identified in the Application; and
3. Applicant understands it will enter into a Project Funding Agreement (Agreement) with Alameda CTC and will comply with the Agreement's requirements, including adherence to the agreed upon project scope, project delivery milestones, funding deadlines, project reporting, and deliverable deadlines; and
4. Applicant commits to delivering the Project consistently with the Commission approved CIP Programming Guidelines and CIP policies, as they may change, for the funds awarded by the Commission to the Project; and
5. Applicant will commit matching funds as proposed in the Application against the awarded Alameda CTC Administered Funds by phase in the amount of \$1,035,000, anticipated to be from regional sources; and
6. Applicant will provide any additional funding that may be required beyond the original proposed Application match amount to deliver the phase of the Project that is awarded with Alameda CTC Administered Funds; and
7. Applicant understands that Alameda CTC Administered Funds awarded to the Project is limited to the Commission approved programmed amount by phase and therefore any cost increases or unexpected funding shortfalls cannot be expected to be funded by shifting funds between phases, or by requesting additional Alameda CTC Administered Funds; and
8. Applicant understands that any cost savings in the Alameda CTC-funded phase(s) will be shared proportionally between the Applicant and Alameda CTC; and
9. The Applicant is committed to comply with the applicable requirements set forth in Alameda CTC's Local Business Contract Equity (LBCE) Program and related exhibits, as applicable, for professional services and construction contracts funded with Measure B, Measure BB, and/or VRF funds, such as including LBCE Program goals and provisions in applicable solicitations and resulting contracts, providing timely notification to Alameda CTC of applicable solicitations prior to advertisement, and adhering to reporting requirements.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2026

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