



CITY OF
HAYWARD
HEART OF THE BAY

CITY COUNCIL AGENDA
APRIL 1, 2014

MAYOR MICHAEL SWEENEY
MAYOR PRO TEMPORE MARK SALINAS
COUNCIL MEMBER BARBARA HALLIDAY
COUNCIL MEMBER FRANCISCO ZERMEÑO
COUNCIL MEMBER MARVIN PEIXOTO
COUNCIL MEMBER GREG JONES
COUNCIL MEMBER AL MENDALL

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CITY COUNCIL MEETING FOR APRIL 1, 2014
777 B STREET, HAYWARD, CA 94541
WWW.HAYWARD-CA.GOV

CLOSED SESSION
Closed Session Room 2B – 5:00 PM

1. PUBLIC COMMENTS

2. Conference with Labor Negotiators

Pursuant to Government Code 54957.6

- Lead Negotiators: City Manager David; City Attorney Lawson; Assistant City Manager McAdoo; Finance Director Vesely; Deputy City Attorney Vashi; Director of Maintenance Services McGrath; Acting Human Resources Director Collins; Senior Human Resources Analyst Monnastes; Jack Hughes, Liebert, Cassidy and Whitmore

Under Negotiation: All Groups

3. Conference with Property Negotiators

Pursuant to Government Code 54956.8

- Property Negotiators: City Manager David, City Attorney Lawson, Assistant City Manager McAdoo, Assistant City Attorney Conneely, Project Consultant DeClercq, Heather Gould and Rafael Yaquian of Goldfarb Lipman (outside legal counsel)

Under Negotiation: South Hayward Transit-Oriented Development Project, 28901 and 28937 Mission Boulevard

4. Conference with Property Negotiators

Pursuant to Government Code 54956.8

- Property Negotiators: City Manager David, Assistant City Manager McAdoo, City Attorney Lawson, Assistant City Attorney Conneely, and Assistant City Attorney Brick

Under Negotiation: 22632 Main Street (APN 428-0066-024-00); 22654 Main Street (APN 428-0066-039-00); 22696 Main Street (APN 428-0066-038-02); 1026 C Street (APN 428-0066-037-00); 1026 C Street (APN 428-0066-038-01)

5. Conference with Legal Counsel

Pursuant to Government Code 54956.9

- Anticipated Litigation (One Case)

6. Adjourn to City Council Meeting

**CITY COUNCIL MEETING
Council Chambers – 7:00 PM**

CALL TO ORDER Pledge of Allegiance Council Member Salinas

ROLL CALL

CLOSED SESSION ANNOUNCEMENT

PRESENTATION 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 Work Session, or Informational Staff Presentation 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.

NON-ACTION ITEMS: *(Work Session and Informational Staff Presentation items are non-action items. Although the Council may discuss or direct staff to follow up on these items, no formal action will be taken. Any formal action will be placed on the agenda at a subsequent meeting in the action sections of the agenda.)*

WORK SESSION (60-Minute Limit)

1. FY 2015 Community Agency Funding Recommendations including Community Development Block Grant (CDBG), Social Services, and Arts/Music (Report by Director of Library & Community Services Reinhart)

[Staff Report](#)

[Attachment I Resolution](#)

[Attachment II FY 2015 Funding Recommendations](#)

[Attachment III Application Summaries](#)

[Attachment IV Public Comments](#)

April 1, 2014



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 anytime before the Consent Calendar is voted on by Council if you wish to speak on a Consent Item.)*

CONSENT

2. Approval of Minutes of the Special Joint City Council/Hayward Housing Authority Meeting on March 18, 2014
[Draft Minutes](#)
 3. Fire Station No. 7 and Firehouse Clinic Construction Project: Approval of Plans and Specifications and Call for Bids
[Staff Report](#)
[Attachment I](#)
[Attachment II](#)
 4. Resignation of Aisha Wahab from the Keep Hayward Clean and Green Task Force
[Staff Report](#)
[Attachment I Resolution](#)
[Attachment II Resignation Letter](#)
-

The following order of business applies to items considered as part of Public Hearings and Legislative Business:

- *Disclosures*
 - *Staff Presentation*
 - *City Council Questions*
 - *Public Input*
 - *Council Discussion and Action*
-

LEGISLATIVE BUSINESS

5. Introduction of Ordinance Amending the Hayward Municipal Code by Adding Article 17 to Chapter 4 Relating to Camping and Storage of Personal Property on City-Owned Property (Report from City Attorney Lawson)
[Staff Report](#)
[Attachment I Proposed Ordinance](#)

COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS

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

April 1, 2014



ADJOURNMENT

NEXT REGULAR MEETING – 7:00 PM, TUESDAY, APRIL 15, 2014

PUBLIC COMMENT RULES: *The Mayor may, at the beginning of the hearing, limit testimony to three (3) minutes per individual and five (5) minutes per an individual representing a group of citizens or organization. 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 has 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.

Please visit us on:



April 1, 2014



DATE: April 1, 2014
TO: Mayor and City Council
FROM: Director of Library and Community Services
SUBJECT: FY 2015 Community Agency Funding Recommendations including Community Development Block Grant (CDBG), Social Services, and Arts/Music

RECOMMENDATION

That the Council reviews and comments on this report. Staff has attached a draft funding resolution (Attachment I) that will be presented to the Council for adoption at a Public Hearing on April 15, 2014.

SUMMARY

The FY 2015 Community Agency Funding recommendations for the Community Development Block Grant (CDBG), Social Services, and Arts/Music grant programs are presented in this report.

The FY 2015 funding recommendations were achieved using a single application and review process, conducted in compliance with the City's federally-mandated CDBG [Citizen Participation Plan](#), and supported by the efforts of the Community Services Commission (CSC).

The FY 2015 Funding Recommendations Chart is provided as Attachment II. The CSC's funding recommendations and the staff's funding recommendations are identical.

Allocations of federal FY 2015 CDBG funds are subject to budget authorization by Congress. Allocations of Social Services and Arts/Music funds are subject to Council authorization in the City's FY 2015 budget.

Because the final amounts of available funding are not yet known, the FY 2015 Funding Recommendations were established using estimates of available funding. When the exact amount of available funding has been determined, the Recommended allocations will be adjusted as needed on a percentage basis.

BACKGROUND

FY 2015 CDBG Program Overview

During FY 2015, the City will administer CDBG funds received from the U.S. Department of Housing and Urban Development (HUD).

Because of Hayward's population size, it is considered a CDBG Entitlement jurisdiction, and as such, formula funding is provided annually upon HUD's approval of Council's CDBG allocations, which forms a substantive portion of the City's Annual Action Plan.

The formula by which CDBG Entitlement funding is determined considers the total Congressional budget appropriation to HUD, and is calculated according to each Entitlement jurisdiction's population size and poverty level derived from the most recent Census data.

On January 17, 2014, Congress authorized the consolidated federal FY 2014 Appropriations Act, which resulted in a 1.5% reduction to CDBG Entitlement jurisdictions from FY 2013 appropriation levels. Additionally, twelve new CDBG Entitlement jurisdictions were established in FY 2014, further diminishing the availability of funds to each grantee.

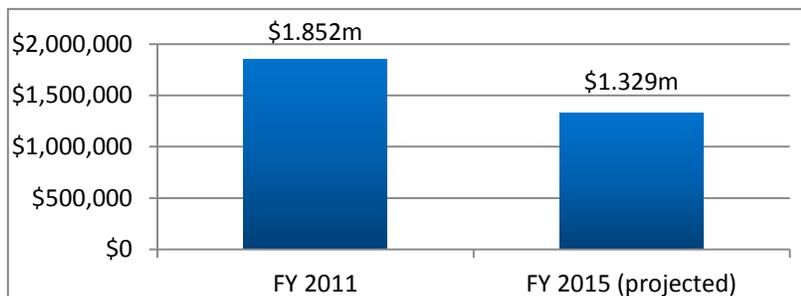
Reductions in the federal budget continue to diminish the City's CDBG formula allocation from HUD. The City's CDBG Entitlement allocation has shrunk approximately 28% over the last five fiscal years, as indicated in the chart in Figure 1.

Reductions to the CDBG program at the federal level have impacted financial support for essential community and economic development activities, including grants to nonprofit agencies to support housing-related services.

Federal reductions to the CDBG program have also reduced the program's administration and planning budget, providing fewer staff resources to administer the grant, in spite of the CDBG program's administratively complex and process-laden requirements.

While it is acknowledged that the aforementioned factors will impact the City's grant size, HUD has not yet released its FY 2015 formula allocations. Until that information is published, staff estimates a 2% reduction from the prior year's allocation, resulting in an estimated allocation of approximately \$1,329,000 to the City in FY 2015.

Figure 1: City of Hayward CDBG Entitlement Funding Levels



CDBG regulations stipulate that funds directly benefit low-income residents and neighborhoods, with activities restricted to “Public Services” and “Infrastructure” projects. This may include housing and homelessness prevention services, facilities rehabilitation, economic development, and capacity building.

A summary of the City of Hayward FY 2015 CDBG funding process is provided later in this report.

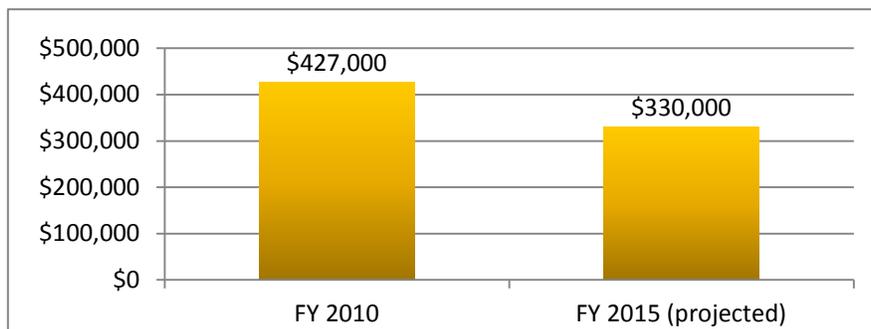
FY 2015 Social Services Program Overview

The City’s Social Services Program makes grants from the General Fund to support an array of services to low-income Hayward residents.

The total amount of funding allocated for Social Services Program grants has been reduced approximately 23% over the past five fiscal years, which is consistent with the reduction in the City’s budgeted expenditures overall (Figure 2).

As a starting point for the FY 2015 application process, it was estimated that total funding for Social Services grants in FY 2015 would potentially remain at the same level as in FY 2014 at approximately \$330,000.

Figure 2: City of Hayward Social Services Grant Program Funding Levels



Because Social Services program funds are sourced from the City’s General Fund, it is not yet known what amount, if any, Social Services funding will be available for allocation in FY 2015. Presentation of the City Manager’s Recommended Budget to Council is scheduled in May 2014; Council adoption of the budget is scheduled in June 2014.

FY 2015 Arts/Music Grant Program Overview

The City administers grants from the General Fund to support Arts/Music programs for the benefit of Hayward residents. Because Arts/Music programs are funded from the City’s General Fund, it is not yet known how much, if any, Arts/Music funding will be available until Council adoption of the FY 2015 budget.

As a starting point for the FY 2015 application process, it was estimated that the funding for Arts/Music program grants in FY 2015 would be comparable to the FY 2014 amount with an additional 10% for fiscal sponsorship fees, totaling \$81,950.

DISCUSSION

Integrated Application Review and Funding Recommendation Process

All applicants used the same “common” application regardless of the type of service proposed or source of funding sought. Applicants submit their funding requests electronically using the web-based City Data Services system. A complete copy of the application materials was posted to the City’s website.

The application materials included instructions, project eligibility guidelines, CDBG income limits, and Council Priorities. Applicants were asked to describe in their applications how the services proposed would support one or more of the Council Priorities and, as applicable, HUD’s Performance Measures for CDBG.

The application materials included an explanation of the purpose and limitations of the CDBG program and advisories that up to 15% of CDBG funds may be used for Public Services, as defined by the CDBG Regulations and Council’s Priorities and Categories of Need.

The application materials included information about the City’s Social Services program, which is funded by the City’s General Fund, and provides grants to support other types of community services that are outside the parameters of the CDBG program.

The application materials also included information about the Arts/Music program, which is funded by the City’s General Fund.

Fifty-six applications were submitted before the October 25, 2013 deadline. No late applications were received. Applications were grouped into four major categories so that similar applications would be evaluated in cohorts (Figure 3). Because of the large number and range of applications in the “Social Services” category, that category was further divided into four sub-categories.

Figure 3. Community Agency Funding Categories and Sub-Categories

Category	Fund Source	Category (or Sub-Category) Description
Infrastructure	CDBG	Affordable housing development, housing rehabilitation, nonprofit facility improvements, economic development, capacity building. Requires compliance with federal regulations to document client income eligibility and financial management.

Category	Fund Source	Category (or Sub-Category) Description
Public Services*	CDBG	Housing and homelessness prevention services which include fair housing, coordination and operations of permanent supportive housing, homeless shelters, and transitional housing programs. Also subject to compliance with federal regulations to document client income eligibility and financial management. <u>CDBG regulations impose a 15% cap on the amount of funds allocated in this category.</u>
Social Services	General Fund	<p>A. <i>Crises Prevention and Intervention:</i> Safety net services such as food pantries, information and referral systems, and case management for vulnerable populations, and support services for victims of domestic violence and/or other abuse.</p> <p>B. <i>Health and Wellness:</i> Health-related activities that include mental health assessment, therapeutic counseling, case management, and other activities that improve overall health and wellness.</p> <p>C. <i>Education and Youth Services:</i> Activities that directly benefit children, adolescents, and young adults with emphases on academic support, leadership development, and safety net services.</p> <p>D. <i>Seniors and People with Disabilities:</i> Activities that improve accessibility, and improve and prolong independent living for seniors and people who have disabilities.</p>
Arts and Music	General Fund	Arts and music programs that benefit Hayward residents, with an emphasis on activities that support youth education.

**NOTE: Federal regulations impose a 15% cap on the amount that can be allocated that in the “CDBG Public Services” category; projects recommended for funding in this sub-category total \$253,000, which is the amount estimated to be available for FY 2015 in consideration of the 15% cap.*

Application Review Committee Structure

Community Services Commissioners reviewed all of the applications and provided comments and questions for each of the applicants online via the City Data Services system. There were three separate Application Review Committees (ARCs): the “Infrastructure” committee; the “Services” committee; and the “Arts and Music” committee. Each committee interviewed all applicants assigned to that category.

- The “Infrastructure” committee was chaired by Commissioner Peggy Guernsey. Also serving on this ARC were Commissioners Bonilla, Chiasson, Davis, Evans, and Fagalde. The committee interviewed applicants in that category on Saturday, November 16, 2013, and presented preliminary recommendations to the Community Services Commission on Wednesday, November 20, 2013. After discussion, the CSC established its official draft funding recommendations in that category on that evening, and a Public Comment period was subsequently opened. The Public Comment period extended from November 28, 2012 to February 19, 2014.
- The “Services” committee was chaired by Commissioner Linda Moore. Also serving on this ARC were Commissioners Balram, Chiasson, Evans, Fagalde, Frink, and Guernsey. The committee interviewed applicants on Saturday, December 7, 2013 and Saturday, January 11, 2014, and presented preliminary funding recommendations to the Community Services Commission on Wednesday, January 15, 2014. After discussion, the Commission established its official draft funding recommendations that evening, and a thirty-day Public Comment period was subsequently opened.
- The “Arts/Music” committee was chaired by Commissioner Julius Willis, Jr. Also serving on this ARC were Commissioners Araujo, Fagalde, Moore, and Romero. The committee interviewed applicants on Saturday, February 1, 2014, and presented preliminary funding recommendations to the Community Services Commission on Wednesday, February 19, 2014. After discussion, the Commission established its official draft funding recommendations that evening, and a thirty-day Public Comment period was subsequently opened.

After the conclusion of the Public Comment periods, the Commission discussed and finalized its FY 2015 funding recommendations at its publicly noticed meeting of Wednesday, March 19, 2014. The FY 2015 funding recommendations are provided for Council consideration as Attachment II.

All of the applications submitted proposed to support at least one City Council Priority, and all proposed to serve low-income Hayward residents. Attachment II presents the funding recommendations for all funding sources. The chart headings in Attachment II separate the recommendations according to funding source – i.e., those that would be funded with CDBG resources and those that would be funded from the General Fund. As Attachment II indicates, there are a number of agencies that were not recommended to receive funding. Brief analyses and rationale regarding each of those recommendations are provided in this report.

Minimum Contracting Standards for Nonprofit Agencies Requesting City Funds

The City’s Minimum Contracting Standards were established in the CDBG, Social Services, and Arts/Music grant programs in order to provide a fair and consistent way to confirm that adequate internal controls exist to account for an applicant’s resources, including City funds. Furthermore, the CDBG program has intensified its requirements with tighter fiscal controls and more frequent reporting and documentation. In turn, the City must also be attentive to a grantee’s programmatic and financial management capabilities.

One of the Minimum Contracting Standards requires applicants to undergo an annual financial audit. An independent third-party audit can cost \$3,000 - \$5,000 or more depending on the size of

an agency's budget, which can be beyond the means of some of Hayward's smaller nonprofit agencies unless they are able to secure pro bono services. To mitigate this barrier while still maintaining accountability, the City's funding process allows agencies that are unable to meet the Minimum Contracting Standards to apply for funding through an eligible fiscal sponsor. The fiscal sponsor may utilize up to 10% to offset their administrative costs for managing the grant on the applicant's behalf.

The FY 2015 process will be the third year in which Infrastructure and Services applicants have been required to maintain the Minimum Contracting Standards prior to applying for City funding, and the first year in which it is required for Arts/Music programs. To assist the Arts/Music applicants with this transition, City staff identified a fiscal sponsor for all of those agencies, and helped facilitate the fiscal sponsorship and application processes with applicants and the fiscal sponsor.

To ensure that grantees had sufficient capacity to meet the Minimum Contracting Standards, applicants were required to attach the agency's most recent annual financial audit, agency-wide budget, and proposed project budget to their grant proposal. Proposals that did not include these required attachments were deemed ineligible for funding. Applicants were advised of the requirements in the published Notice of Available Funding and at the Funding Forum. The application materials also clearly indicate that agencies are required to meet the Minimum Contracting Standards in order to be eligible for City funding. Additional clarification regarding the audit requirement is provided on page 4 of the application materials, as follows:

"In order to be eligible to apply for City funding, an applicant must have completed an independent fiscal audit for FY 2011-2012 (or calendar year 2012). If awarded funding, in order to execute a FY 2014-2015 contract, each agency must have completed an audit for FY 2012-2013 (or calendar year 2013). Submission of the management letters that accompanied the audits is also required. If there were any findings in the audits, a letter from the board of directors explaining the corrective measures taken to resolve the problem(s) must be provided."

"Agencies that do NOT have a current audit as described above are eligible to apply for City funding ONLY under the auspices of a fiscal agent that can meet this standard. The fiscal agent must apply for the funding, and if granted, the fiscal agent may utilize up to 10% of the grant for its own expenses."

The following applicants were determined to be ineligible to receive City funding as they were unable to meet the standard that requires a fiscal audit:

- Bridge of Faith: Meals of Love
- Silver Oak High School
- St. Antonius Coptic Orthodox Church: Coptic Youth Center

Staff has since conferred with each of the applicants to further explain the specifics of an independent fiscal audit, and resources in which the applicants can explore for future funding cycles.

FY 2015 Applications Not Recommended for Funding

- Seventh Step Foundation (Infrastructure #4): Agency requested funds for a part-time job developer. During the ARC interview, commissioners and staff noted that the agency did not have a method of tracking job placements. The lack of data collection would hinder the agency's ability to comply with CDBG reporting standards. Funding was not recommended for this reason.
- Eden Area YMCA (Infrastructure #9): Agency requested funds to repair drainage and asphalt in the YMCA parking lot. Commissioners noted that the applicant had the capacity to secure alternative funding sources for project execution. Given the limited availability of CDBG resources, funding was not recommended for this reason.
- Eden Housing: Montgomery Plaza (Infrastructure #10): Agency requested funds to acquire and refinance the Montgomery Plaza building, which provides low-moderate income housing to seniors. Commissioners noted that the applicant had the capacity to secure alternative funding sources for project execution. Staff noted that the project timeline and current funding gap did not lend itself to timely CDBG spending and reporting. The project was not recommended for funding for these reasons.
- Habitat for Humanity (Infrastructure #13): Agency requested funds to acquire and rehabilitate five residential units to create homeownership opportunities for qualified low-income families. It was noted that the project budget and timeline did not lend itself to timely CDBG spending and reporting. Additionally, the amount of funds requested was substantial relative to the limited amount of CDBG funds available. Funding was not recommended for these reasons.
- Rebuilding Together (Infrastructure #15): Agency requested funds to provide minor home repairs for low-income residents. Services proposed were similar to and well-aligned with the City's Housing Rehabilitation program. Staff conferred with the applicant to implement the services in partnership with the Housing Rehabilitation program as a sub-grantee.
- South Hayward Parish: Community Action Network (CDBG Public Services #8)
Agency requested funds to provide street outreach and case management services to homeless individuals. Staff noted that in the current and prior fiscal years, the agency has been unable to comply with CDBG reporting standards, which included financial reports that were several months delayed and several instances of inaccurate financial documentation. CDBG regulations require that the City monitor and address these concerns. Funding was not recommended for this reason.
- Davis Street Family Resource Center (Social Services #11)
Agency requested funds to support a community resource center for low-income residents. Commissioners were concerned that the location of the center was not located in Hayward, but instead located in Fremont. Additionally, services provided were duplicative of services

offered by local Hayward providers.

- Family Paths (Social Services #13)
Agency requested funds to provide crises intervention and counseling services to child trauma victims. Commissioners noted that the services were duplicative to those offered by other providers.
- Hayward Area Historical Society: Youth Council (Social Services #17)
Agency requested funds for a museum youth council in an effort to encourage community stewardship and leadership development. Commissioners and staff noted that the project was still in its developmental stages with no track record yet to demonstrate gainful skill attainment.
- La Familia Counseling Services (Social Services #20)
Agency requested funds for a youth leadership development program. Commissioners and staff noted however, that a majority of the proposed project budget was to purchase new furniture and technology equipment. The agency had not yet explored securing these items through donation or sponsorship.
- Eden Area YMCA: Eat Well, Active (Social Services #24)
Agency requested funds for childhood obesity prevention program. Commissioners expressed concern regarding the program's ability to tailor its program to effectively outreach and serve ethnic minority populations.
- Tri-City Health Center (Social Services #25)
Agency requested funds to provide case management services to low-income residents living with HIV/AIDS. Staff had concern regarding significant findings in the agency's independent fiscal audit. It was also noted that the agency recently secured a large federal grant that could support the services.
- Women on the Way (Social Services #26)
Agency requested funds to provide substance abuse rehabilitation services to homeless women recently released from incarceration. Commissioners noted that the proposed project budget was solely for utilities such as cable television, with no budget for direct rehabilitation services. Staff also expressed concern over the agency's inconsistency in financial reporting in the current and prior fiscal years.
- The Arc of Alameda County (Social Services #31)
Agency requested funds to offer subsidized employment training to low-income residents with disabilities. The proposed training model had program participants working on projects typically performed by City Code Enforcement or Maintenance staff and contractors. It was subsequently learned that the agency was already negotiating a partnership with the Code Enforcement team to act as a contractor.

FISCAL IMPACT

The CDBG Program has a neutral impact on the City's General Fund, as a portion of CDBG funds (up to 20%) may be used to pay for eligible Planning and Administration of the program, including NEPA environmental review, contracting, Labor Standards monitoring, lead-based paint compliance, procurement of contractors, site inspections, financial management, and federal reporting. However, as the City's CDBG grant size is reduced, the administrative cap is lowered accordingly, providing for fewer staff resources to administer the CDBG program, which remains an administratively complex and process-laden program despite the grant's reduced size.

The Social Services and Arts/Music funding recommendations will be affected by Council's budget deliberations as they relate to overall General Fund obligations. As these grants are made using General Funds, reducing or eliminating the grants would have a beneficial impact on the City's budget. However, it is acknowledged that the majority of Social Services grants support "safety net" services, i.e., food, housing, support services for low-income people, and information and referral. Reducing or eliminating grants would have a fiscal impact on those affected with services also subsequently reduced or eliminated. There would also be an impact to the nonprofit agencies that have been doubly stressed by the economic downturn – those that have experienced both an increase in client demand and a decrease in public and private funding.

PUBLIC CONTACT

- **On August 17, 2013**, a Notice of Funding Availability was published in English and Spanish in the Daily Review newspaper and on the City's website. The notice was also posted at the Hayward Public Library and City Hall; and the Public Notice was emailed to currently funded agencies, previously funded agencies, applicants from previous years, and all other interested parties on the Community Agency Funding mailing list (several hundred individuals and local agencies) maintained by the Library and Community Services Department. Several broadcast email reminders were also sent in advance of the event.
- **On September 18, 2013**, application materials were published. The materials were readily accessible by logging onto City Data Services web-based system, or downloadable from the City's website.
- **On September 19, 2013**, a public Funding Forum was conducted to provide information about the application process. Attendees received an orientation to CDBG, Social Services, and Arts/Music funding. The orientation included an explanation of the purpose and limitations of the CDBG program and advisories that up to 15% of CDBG funds may be used for Public Services, as defined by the CDBG Regulations and Council's Priorities and Categories of Need. Attendees were informed about the City's Social Services program, which is funded by the City's General Fund, and provides grants to support other types of community services that are outside the parameters of the CDBG program. Attendees were also informed about the Arts/Music program, which is funded by the City's General Fund. The Forum presentation materials posted to the City's website for public review.

- All funding deliberations took place at properly noticed Community Services Commission meetings that were open to the public. These meetings took place on:
 - **November 20, 2013**
 - **January 15, 2014**
 - **February 19, 2014**, and
 - **March 19, 2014**.
- From **November 20, 2013 through February 19, 2014**, the Public Comment period for the CDBG Infrastructure draft recommendations was in effect. During this time members of the public, including applicants, could submit their comments regarding the funding process or the funding recommendations.
- From **January 15, 2014 through February 19, 2014**, the Public Comment periods for CDBG Public Services and General Fund Social Services draft funding recommendations were in effect.
- From **February 19, 2014 through March 19, 2014**, the Public Comment period for the Arts/Music draft funding recommendations was in effect.
- During the above-mentioned public comment periods, seven verbal public comments and four written public comments were submitted by **March 19, 2014**. The public comments received are provided in Attachment IV. All public comments were reviewed by the CSC prior to its establishment of the FY 2015 funding recommendations.
- On **Saturday, March 15, 2014**, a notice was published in the Daily Review newspaper to advise the general public that City Council will conduct a Public Hearing on **Tuesday, April 15, 2014**, to make its final FY 2015 CDBG funding allocations, and its preliminary FY 2015 Social Services and Arts/Music funding decisions (subject to final approval by Council in June, 2014, with the adoption of the FY 2015 General Fund budget).

NEXT STEPS

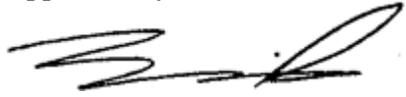
Council will conduct a public hearing on Tuesday, April 15, 2014, at which time staff will recommend:

- 1) Council authorization of its FY 2015 CDBG Allocations, which will form the substantive portion of the City's FY 2015 (HUD Program Year 2014) Annual Action Plan; and
- 2) Council authorization of its preliminary funding decisions in the FY 2015 Social Services and Arts/Music categories. Final Council authorization of funding allocations in those categories will be made within the context of Council's FY 2015 budget deliberations in May and June 2014.

Prepared by: Grace Kong, Administrative Analyst
Dawn Jaeger, Community Services Manager

Recommended by: Sean Reinhart, Director of Library & Community Services

Approved by:



Fran David, City Manager

Attachments:

Attachment I: Draft Resolution
Attachment II: FY 2015 Funding Recommendations
Attachment III: Application Summaries
Attachment IV: Public Comments

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member _____

RESOLUTION AUTHORIZING AN APPLICATION FOR FEDERAL ASSISTANCE UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR FISCAL YEAR 2014-2015 AND APPROVING THE FISCAL YEAR 2014-2015 ACTION PLAN.

WHEREAS the Housing and Community Development Act of 1974 makes funds available to qualified cities for certain community development activities, and the City of Hayward is qualified to receive certain funds pursuant to said act; and

WHEREAS the City Council has considered public testimony and the CDBG Program recommendations prepared by staff and the Community Services Commission, a copy of which is attached as Attachment II and hereby referred to for further particulars; and

WHEREAS the Council has considered the environmental impact of the program and hereby finds and determines that the program is composed of projects that are categorically excluded from the National Environmental Protection Act or will be subject to later environmental review and finds and determines that the activities funded by the program are either not subject to the California Environmental Quality Act or will be subject to later environmental review;

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Hayward hereby approves the Community Development Block Grant Program and authorizes the City Manager on behalf of the City of Hayward to execute and submit the required applications and all implementing documents in connection therewith.

IN COUNCIL, HAYWARD, CALIFORNIA, April 15, 2014

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:
MAYOR: Sweeney

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

Community Services Commission
 FY 2015 **INFRASTRUCTURE** Funding Recommendations

CDBG

CDBG Sub-Category: Economic Development, Job Creation, Capacity Building				
#	Applicant Agency	Request	Staff Rec.	CSC Rec.
1	Community Child Care Council (4Cs)	\$36,000	\$27,000	\$27,000
2	Community Initiatives: Day Labor Center	\$53,000	\$48,000	\$48,000
3	Hayward Area Historical Society: Nonprofit Alliance*	\$30,000	\$20,000	\$20,000
4	Seventh Step Foundation	\$20,280	\$0	\$0
5	South Hayward Parish*	\$5,000	\$5,000	\$5,000
Subtotal		\$144,280	\$100,000	\$100,000
CDBG Sub-Category: Facilities Accessibility and Rehabilitation				
#	Applicant Agency	Request	Staff Rec.	CSC Rec.
6	COH: Mural Art Program	\$45,000	\$20,000	\$20,000
7	COH: Housing Rehabilitation	\$380,000	\$380,000	\$380,000
8	Community Resources for Independent Living*	\$10,000	\$10,000	\$10,000
9	Eden Area YMCA*	\$142,280	\$0	\$0
10	Eden Housing Inc.: Montgomery Plaza	\$300,000	\$0	\$0
11	Emergency Shelter Program/Ruby's Place*	\$45,000	\$45,000	\$45,000
12	Family Emergency Shelter Coalition	\$19,800	\$19,800	\$19,800
13	Habitat for Humanity East Bay	\$528,850	\$0	\$0
14	Hayward Area Recreation and Park District	\$100,000	\$60,700	\$60,700
15	Rebuilding Together	\$65,000	\$0	\$0
16	Women on the Way*	\$13,500	\$13,500	\$13,500
Subtotal		\$1,649,430	\$549,000	\$549,000

Summary	
CDBG: Econ. Development, Job Creation, Capacity Building	\$100,000
CDBG: Facilities Accessibility and Rehabilitation	\$549,000
Total FY 2015 Recommended CDBG Infrastructure	\$649,000
Available FY 2015 CDBG Infrastructure Funding	\$649,000

* Agency has a second application for additional funding in the Services category.

Community Services Commission
FY 2015 SERVICES Funding Recommendations

CDBG

CDBG: Public Services				
#	Applicant Agency	Request	Staff Rec.	CSC Rec.
1	Abode Services	\$39,925	\$39,000	\$39,000
2	Centro Legal de la Raza	\$40,000	\$26,000	\$26,000
3	Eden Council for Hope and Opportunity: Fair Housing	\$34,990	\$25,000	\$25,000
4	Eden Council for Hope and Opportunity: Tenant Landlord	\$52,375	\$26,000	\$26,000
5	Emergency Shelter Program/Ruby's Place	\$45,000	\$37,000	\$37,000
6	Family Emergency Shelter Coalition	\$40,000	\$40,000	\$40,000
7	Family Violence Law Center	\$60,000	\$60,000	\$60,000
8	South Hayward Parish: Community Action Network	\$12,000	\$0	\$0
Subtotal CDBG: Public Services		\$324,290	\$253,000	\$253,000

GENERAL FUND

Social Services Sub-Category: Crises Prevention and Intervention				
#	Applicant Agency	Request	Staff Rec.	CSC Rec.
9	Alameda County Community Food Bank	\$30,000	\$21,000	\$21,000
10	CALICO	\$25,000	\$20,000	\$20,000
11	Davis Street Family Resource Center	\$15,000	\$0	\$0
12	Eden Information & Referral Inc.	\$50,000	\$50,000	\$50,000
13	Family Paths	\$40,000	\$0	\$0
14	SAVE/COPS	\$24,057	\$24,000	\$24,000
15	South Hayward Parish: Food Pantry	\$25,000	\$15,000	\$15,000
Subtotal		\$209,057	\$130,000	\$130,000

Social Services Sub-Category: Education and Youth Services				
#	Applicant Agency	Request	Staff Rec.	CSC Rec.
16	Alameda County Office of Education: Project EAT	\$84,200	\$30,000	\$30,000
17	Hayward Area Historical Society: Youth Council	\$17,558	\$0	\$0
18	Hayward Public Library	\$41,000	\$30,000	\$30,000
19	Horizon Services Inc.	\$65,000	\$30,000	\$30,000
20	La Familia Counseling Services	\$29,200	\$0	\$0
21	St. Rose Hospital Foundation	\$26,250	\$15,000	\$15,000
22	Tiburcio Vasquez Health Center	\$35,000	\$18,000	\$18,000
Subtotal		\$298,208	\$123,000	\$123,000

Social Services Sub-Category: Health and Wellness				
#	Applicant Agency	Request	Staff Rec.	CSC Rec.
23	East Bay Agency for Children	\$18,500	\$10,000	\$10,000
24	Eden Area YMCA	\$22,267	\$0	\$0
25	Tri-City Health Center	\$20,669	\$0	\$0
26	Women on the Way	\$20,000	\$0	\$0
Subtotal		\$81,436	\$10,000	\$10,000

Social Services Sub-Category: Seniors and People with Disabilities				
#	Applicant Agency	Request	Staff Rec.	CSC Rec.
27	Afgan Elderly Association	\$10,000	\$10,000	\$10,000
28	Community Resources for Independent Living	\$23,836	\$21,000	\$21,000
29	Legal Assistance for Seniors	\$22,000	\$15,000	\$15,000
30	Spectrum Community Services	\$30,000	\$21,000	\$21,000
31	The Arc of Alameda County	\$45,000	\$0	\$0
Subtotal		\$130,836	\$67,000	\$67,000

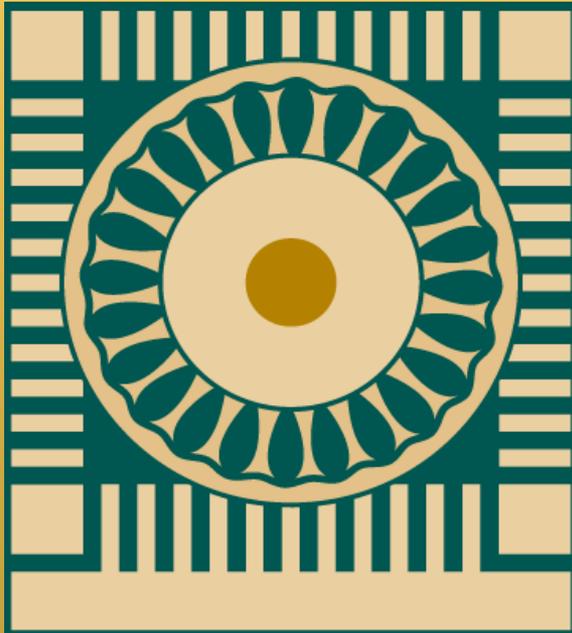
Summary	
CDBG: Public Services	\$253,000
General Fund: Social Services	\$330,000
Total FY 2015 Recommended Services	\$583,000
Available FY 2015 Services Funding	\$583,000

Community Services Commission
 FY 2015 **ARTS and MUSIC** Funding Recommendations

GENERAL FUND

Arts and Music				
#	Applicant Agency	Request	Staff Rec.	CSC Rec.
1	Hayward Arts Council	\$18,134	\$18,134	\$18,134
2	Hayward Band & Orchestra Festival	\$8,140	\$8,140	\$8,140
3	Hayward Municipal Band	\$16,165	\$16,165	\$16,165
4	Pacific Chamber Symphony	\$5,176	\$5,176	\$5,176
5	Sun Gallery	\$30,195	\$30,195	\$30,195
6	Youth Orchestra of Southern Alameda County	\$4,142	\$4,142	\$4,142
Total		\$81,950	\$81,950	\$81,950

Summary	
Total FY 2015 Recommended Arts and Music	\$81,950
Available FY 2015 Arts and Music	\$81,950



APPLICANTS FOR COMMUNITY FUNDING FY 2015

Library & Community Services

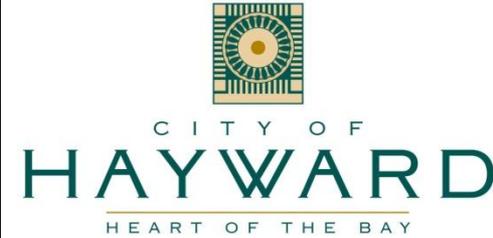
CDBG Infrastructure

CDBG Public Services

General Fund Social Services

General Fund Arts and Music

Summary of Applicants



CDBG Infrastructure: 16

CDBG Public Services: 8

General Fund Social Services: 26

General Fund Arts and Music: 6

Total Number of Proposals: 56

Recommended for Funds: 39

Total Funding Requested: \$2,982,424

Total Funding Available: \$1,313,9500



Community Child Care Council (4Cs)



Request Amount: \$36,000

Prior Year: \$27,000

Training and job creation for new child-care businesses

Hayward Day Labor Center



Request Amount: \$53,000

Prior Year: \$47,642

(Includes IIBA's prior year allocation)

Job training and placement, and immigrants rights education for unemployed residents. A joint collaboration between HDLC and the International Institute of the Bay Area (IIBA).

Hayward Area Historical Society: Nonprofit Alliance



Request Amount: \$30,000

Prior Year: New Application

Nonprofit training and capacity building

Seventh Step Foundation

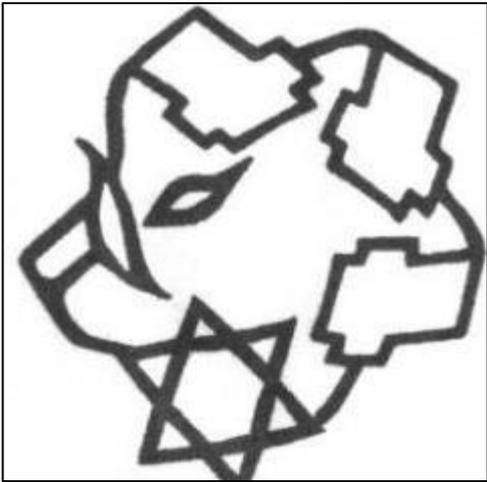


Request Amount: \$20,280

Prior Year: Not Recommended

Job training and placement

South Hayward Parish: Planning Grant

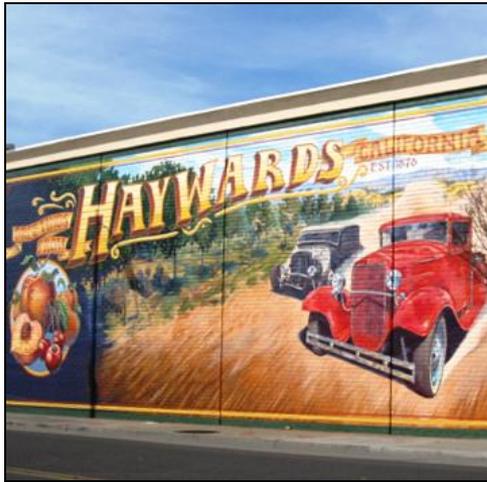


Request Amount: \$5,000

Prior Year: New Application

Planning grant for Service Support Center serving homeless individuals and families

City of Hayward: Mural Art Program



Request Amount: \$45,000

Prior Year: \$45,000

Design and installation of murals to eliminate blight and graffiti

City of Hayward: Housing Rehabilitation Program



Request Amount: \$380,000

Prior Year: \$342,000

Grants for home repairs offered to low-income seniors and people with disabilities

Community Resources for Independent Living



Request Amount: \$10,000

Prior Year: New Application

Sewer line replacement

Eden Area YMCA



Request Amount: \$142,280

Prior Year: New Application

Drainage and asphalt replacement

Eden Housing



Request Amount: \$300,000

Prior Year: New Application

Housing development for low-income seniors

Ruby's Place



Request Amount: \$45,000

Prior Year: New Application

Bathroom and plumbing upgrades

Family Emergency Shelter Coalition



Request Amount: \$19,800

Prior Year: New Application

Sewer line replacement and shelter upgrades

Habitat for Humanity East Bay



Request Amount: \$528,850

Prior Year: New Application

Rehabilitation of five single-family units

Hayward Area Recreation and Park District



Request Amount: \$100,000

Prior Year: \$54,000

ADA restrooms and pathway, security lighting of the Bret Harte community center

Rebuilding Together



Request Amount: \$65,000

Prior Year: New Application

Minor home repairs for low-income residents

Women on the Way

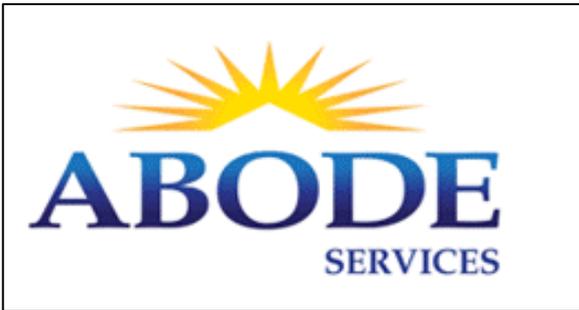


Request Amount: \$13,500

Prior Year: New Application

Sewer line and plumbing replacement

Abode Services: AC Impact



Request Amount: \$39,925

Prior Year: \$17,214

Permanent supportive housing for chronically homeless individuals

Centro Legal de la Raza



Request Amount: \$40,000

Prior Year: \$26,235

Tenant education rights and legal counseling

Eden Council for Hope & Opportunity: Fair Housing



Request Amount: \$34,990

Prior Year: \$29,570

Fair housing audit to investigate discriminatory housing practices

Eden Council for Hope & Opportunity: Tenant-Landlord



Request Amount: \$52,375

Prior Year: \$26,235

Mediation between tenants and landlords, discrimination investigation, and referrals to legal services

Ruby's Place



Request Amount: \$45,000

Prior Year: \$37,100

Emergency shelter for homeless women and children survivors of domestic violence

Family Emergency Shelter Coalition



Request Amount: \$40,000

Prior Year: \$37,630

Shelter for families with children

Family Violence Law Center

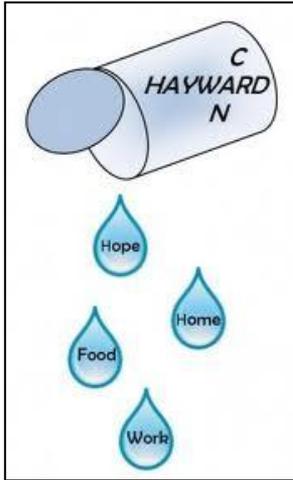


Request Amount: \$60,000

Prior Year: \$50,000

Legal counseling and mitigation services for survivors of domestic violence related to housing

South Hayward Parish: Community Action Network

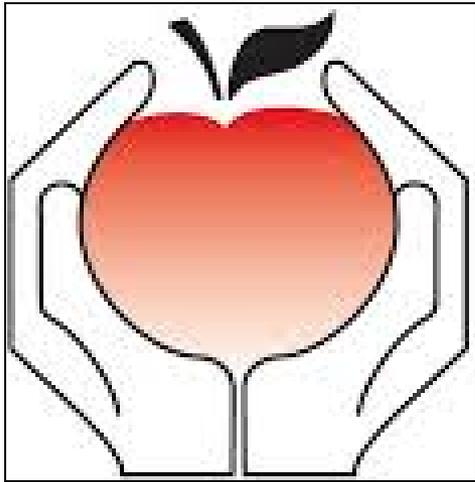


Request Amount: \$12,000

Prior Year: \$10,600

Street outreach and case management services for chronically homeless individuals

Alameda County Community Food Bank



Request Amount: \$30,000

Prior Year: \$20,750

Food scholarships for local food pantries and shelters

CALICO



Request Amount: \$25,000

Prior Year: \$14,525

Investigation and counseling for children survivors of domestic violence and sexual abuse

Davis Street Family Resource Center



Request Amount: \$15,000

Prior Year: Not Recommended

Community resource center for low-income families

Eden Information & Referral: 211



Request Amount: \$50,000

Prior Year: \$50,000

Information and referral phone system for local and countywide resources

Family Paths



Request Amount: \$40,000

Prior Year: New Application

Counseling for children and family survivors of abuse related trauma

Safe Alternatives to Violent Environments

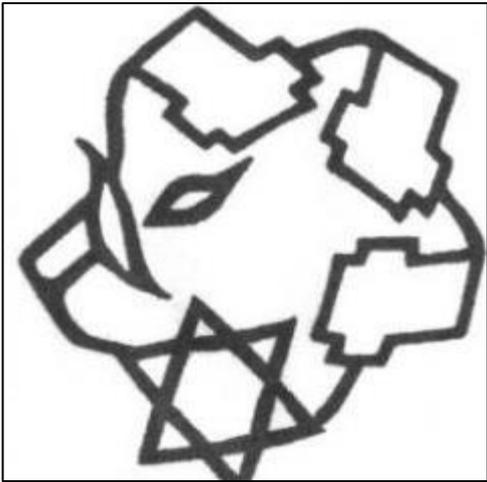


Request Amount: \$24,057

Prior Year: \$15,000

Intervention and counseling to survivors of domestic violence, in collaboration with police

South Hayward Parish: Food Pantry



Request Amount: \$25,000

Prior Year: \$12,201

Food distribution to low-income families

Alameda County Office of Education: Project EAT



Request Amount: \$84,200

Prior Year: \$18,000

Food production and sustainability education for high school students

Hayward Area Historical Society: Youth Council

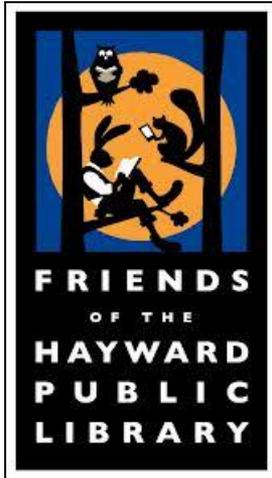


Request Amount: \$17,558

Prior Year: New Application

Museum youth council as a leadership training program

Hayward Public Library: Family Education Program



Request Amount: \$41,000

Prior Year: New Application

Family Education Program – Academic support for low-income students

Horizon Services: Lambda Project



Request Amount: \$65,000

Prior Year: \$28,775

Drop-in and counseling center for LGBTQ youth

La Familia Counseling Service

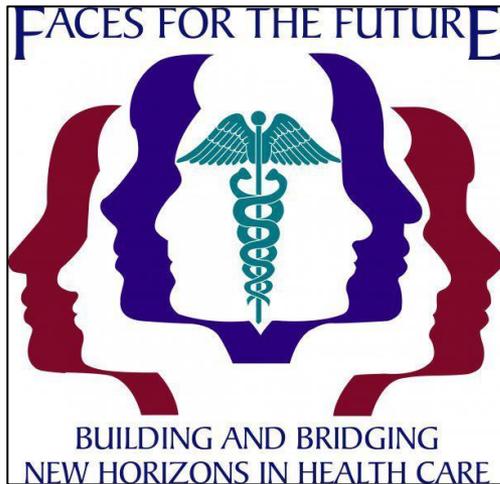


Request Amount: \$29,200

Prior Year: New Application

Fuller Neighborhood Resource Center – youth leadership training program

St. Rose Hospital Foundation: FACES for the Future



Request Amount: \$26,250

Prior Year: Not Recommended

Health-care career training program for high school students

Tiburcio Vasquez Health Center: Keepin' It Real

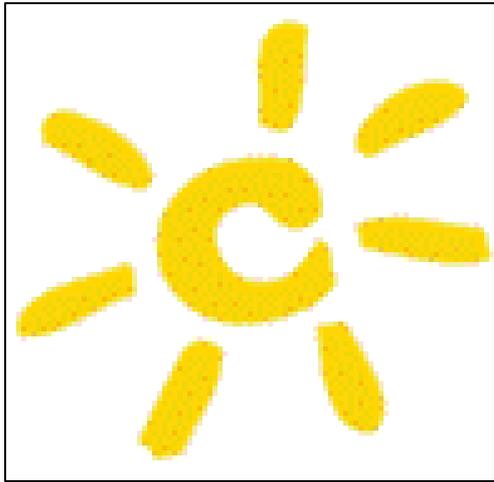


Request Amount: \$35,000

Prior Year: \$18,400

Peer health education training for middle and high school students

East Bay Agency for Children



Request Amount: \$18,500

Prior Year: \$15,355

Mental health therapy for elementary school students

Eden Area YMCA: Eat Well, Live Active



Request Amount: \$22,267

Prior Year: New Application

Childhood obesity prevention and health education for families

Tri-City Health Center



Request Amount: \$20,669

Prior Year: \$20,667

Case management and counseling for individuals living with HIV/AIDS

Women on the Way



Request Amount: \$20,000

Prior Year: \$20,000

Substance abuse rehabilitation services for women recently released from incarceration

Afghan Elderly Association: Healthy Aging Program



Request Amount: \$10,000

Prior Year: New Application

Health education and counseling for Afghan seniors

Community Resources for Independent Living



Request Amount: \$23,836

Prior Year: \$20,750

Independent Living Program – Life skills and self-sufficiency training for people with disabilities

Spectrum Community Services



Request Amount: \$30,000

Prior Year: \$20,750

Hot meal service for low-income seniors

Legal Assistance for Seniors



Request Amount: \$22,000

Prior Year: \$18,260

Legal training and advocacy for seniors

Arc of Alameda County: Walpert Work Crew



Request Amount: \$45,000

Prior Year: Not Recommended

Subsidized work training for people with disabilities

Hayward Nonprofit Alliance



The Hayward Nonprofit Alliance is the lead organization on this collaborative Arts and Music application, and will assume fiscal sponsor responsibilities for all projects reviewed in the remaining summaries.

Hayward Arts Council



Request Amount: \$18,134
(Prior year plus 10% fiscal sponsor fee)

Prior Year: \$16,485

Provides five art galleries in Hayward:

1. Art IS Education month at Cinema Place Gallery
2. Art of the Blues at Russell City Blues Festival
3. John O'Lague Galleria's exhibits at City Hall
4. Chamber of Commerce Gallery
5. Foothill Arts of the Bay Gallery

Hayward Band and Orchestra Festival



Request Amount: \$8,140
(Prior year plus 10% fiscal sponsor fee)

Prior Year: \$7,400

Partnering with Hayward Unified School District music teachers, the Hayward Band and Orchestra Festival assembles instrumental music students from six Hayward high schools and middle schools to play under conductors and music educators.

Hayward Municipal Band

hayward municipal band

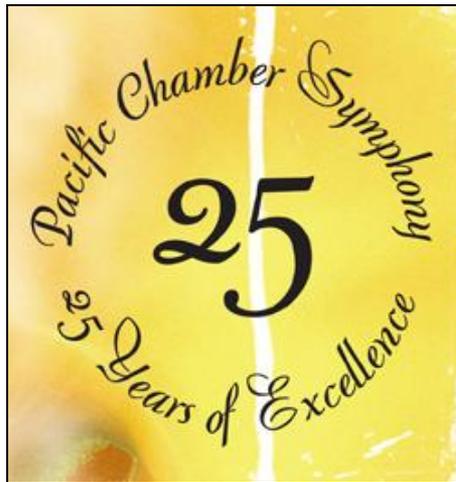
Request Amount: \$16,165
(Prior year plus 10% fiscal sponsor fee)

Prior Year: \$14,695

Provides five free Sunday concerts in Memorial Park. Comprised of a forty member musical group, performances include Classical, Popular, Big Band, Jazz, Rock, Musicals and Latin as well as music from the early 1700s to the present day.



Pacific Chamber Symphony



Request Amount: \$5,176
(Prior year plus 10% fiscal sponsor fee)

Prior Year: \$4,705

The Pacific Chamber Symphony performs a variety of music to introduce and teach music fundamentals (i.e. rhythm, melody, acoustics and timbre, harmony, form, style, etc.) in assemblies for each public elementary school in Hayward.

Sun Gallery



Request Amount: \$30,195
(Prior year plus 10% fiscal sponsor fee)

Prior Year: \$27,450

The Sun Gallery offers a range of exhibits and education programs that brings art to the community. Art education activities for adults and children combine gallery exposure with hands-on experiences in the studio, lectures, workshops, and readings.

Youth Orchestra of South Alameda County



Request Amount: \$4,142
(Prior year plus 10% fiscal sponsor fee)

Prior Year: \$3,765

The Youth Orchestra of Southern Alameda County provides music education to supplement school music programs. Students learn classical orchestral repertoire, playing techniques and background information on composers and periods.

SUMMARY OF PUBLIC COMMENTS

INFRASTRUCTURE

Total of four comments: (3) Verbal Comments (1) Written Comment

Ruby's Place

1. **Vera Ciammetti, Executive Director - Verbal 11/20/13**

Vera Ciammetti from Ruby's Place requested that the Community Services Commission consider recommending an allocation to Ruby's Place for the sewer and facilities rehabilitation projects in the current funding process.

She further indicated that Ruby's Place, although she had originally agreed via telephone, was unwilling to take the 0% interest loan that was offered by the City through the loan program.

Family Emergency Shelter Coalition (FESCO)

2. **Gay McDaniel, Executive Director – Verbal 11/20/13**

Gay McDaniel from Family Emergency Shelter Coalition also requested that the Community Services Commission consider recommending an allocation to FESCO for the sewer and facilities rehabilitation in the current funding process.

She further indicated that Ruby's Place, although she had originally agreed via telephone, was unwilling to take the 0% interest loan that was offered by the City through the loan program.

Hayward Day Labor Center (HDLC)

3. **Gabriel Hernandez, Executive Director - Verbal 12/18/13**

Gabriel Hernandez from the Hayward Day Labor Center (HDLC) requested that the Community Services Commission consider an allocation of the full grant amount proposed in the joint application between HDLC and the International Institute of the Bay Area.

Habitat for Humanity Silicon Valley/East Bay

4. **Jenny Wyant, Project Manager – Via Email 11/22/13**

Ms. Wyant expressed disappointment in the CSC's recommendation to not fund their program for FY 14-15 and requested additional details regarding the CSC's decision. Staff let Ms. Wyant know that additional information was not available, and the CSC's reasoning is listed on the comments section of the Draft Recommendations.

SUMMARY OF PUBLIC COMMENTS SERVICES

Total of five comments: (3) Verbal Comments and (2) Written Comments

South Hayward Parish – Community Action Network

1. **Anthony Wilson – Verbal 1/15/14**

Mr. Wilson shared his experience as a client of the Hayward Community Action Network, and also expressed his appreciation for the opportunity to address the Services Application Review Committee.

2. **Sue Merrill, Executive Director – Written 2/3/14 (Attached 2 Pages)**

Ms. Merrill respects the City Staff and CSC funding recommendations, however is in disagreement with how the rationale for recommendations was presented during the decision making process. Ms. Merrill has provided a written comment to clarify CAN's position regarding their current funding and monitoring.

** Staff Note: The attached documents were sent to all commissioners and council members directly through the City Clerk's Office and by subverting the funding process public comment procedures. Steps have been taken to ensure this does not happen again by any other agency. Staff offers our apologies to the commission for not having previously communicated with the City Clerk how Community Development Block Grant public comment process procedures work and that they are designed to increase fairness for all applicants**

Eden Area YMCA

3. **Kenny Altima, Branch Operating Director – Verbal 1/15/14**

Mr. Altima of the YMCA expressed his appreciation of the Community Services Commission's consideration of the YMCA's application. He also wanted to reiterate that the local YMCA does not receive any funding from the national YMCA organization, and that local fundraising was required to sustain programs.

Family Paths

4. **Marcella Reeves, Executive Director – Written 2/12/14 (Attached 2 Pages)**

Ms. Reeves as to provide a written response not to the Community Services' funding decisions, but rather a response to some of the comments made about Family Paths during funding deliberations on January 15, 2014.

**Staff Note: Family Path's document is partly a rebuttal to a comment made during the previous Commission Meeting, therefore although it violated the process; it is being allowed as it has relevance as to their actual provision of service **

Centro Legal de la Raza

5. **Jennifer Miller, Program Director - Verbal 2/19/14**

Ms. Miller provided a verbal public comment, however the content of the comment related to the application for FY 14-15 for Centro Legal de la Raza and therefore cannot be used for consideration.



SOUTH HAYWARD PARISH
27287 Patrick Avenue
Hayward, CA 94544
510 785-3663

January 31, 2014

Dear Commissioners,

I appreciate the difficult decisions that face you and your careful considerations in making funding decisions. Unfortunately, some of the information on which you based your decision to recommend no funding for the Hayward Community Action Network (CAN) program of South Hayward Parish was incomplete or incorrect. We therefore respectfully request that you revise your decision based on the information provided below.

Reason for Denial 1 (as understood/articulated at the January 15, 2014 Commission Meeting):

Hayward CAN has demonstrated poor performance.

Annually, Hayward CAN meets all performance objectives. 72% of those objectives have been exceeded by an average of 119%. All of our performance progress reports have been submitted on time every quarter.

We have had multiple technical difficulties in uploading our financial and board documentation to the City Data Services system. Each time we are aware of an error, we have done our best to resolve it quickly. We have worked diligently as our staffing changed to continue to improve our abilities with this system. We regret that we have not had as quick a learning curve with the system as might be preferred, but we are committed to continued improvement. Please keep in mind all documentation was completed on time. What has been difficult and is being addressed is our ability to upload those documents to the City System. The issue is compounded by the fact that subsequent months cannot be uploaded until all issues with previous months are resolved. For example, there was recently a question about a reimbursement request for November 2013 that we were working with Staff to resolve. Until it was clarified, we could not upload December. We have developed improved systems and understanding of City Data Service and documentation expectations and anticipate that by April of this year, there will be no further issues.

In our Monitoring by the City last year, a few items were identified for correction and all were addressed. The documentation to support this resolution is included with this appeal.

Reason for Denial 2:

Lack of alignment with the Housing First Philosophy and lack of collaboration with EveryOne Home.

Our Agency was instrumental in bringing the AC Impact program to Hayward - a program for which we do not receive funding. Our advocacy for this Housing First model program is just one concrete example of our commitment to this philosophy. Further, we actively work with our program participants to place them into permanent housing as quickly and effectively as possible and help them retain that housing. We also participate in trainings at the county and national level to improve our understanding of the Housing First philosophy.

South Hayward Parish Congregations
Good Shepherd Lutheran-South Hayward United Methodist
Congregation Shir Ami-Starr King Unitarian Universalist-St. Clements Roman Catholic
United Church of Hayward-New Bridges Presbyterian

Our staff and peer leaders regularly participate in EveryOne Home meetings, volunteer on committees, and one of our peer leaders was recently requested to participate in this year's EveryOne Home led funding review process. This collaboration is above and beyond the services paid for by the City funding, but again demonstrates our commitment to collaboration and to the 10 year plan to end homelessness in our county and city. CAN's program, including the component proposed for City funding is consistent with the 10 year plan, especially, Goal S, "Deliver Flexible Services to support stability and independence" and its supporting objectives related to cultural competency, low barriers to participation and housing, and service coordination. Lastly, in an effort to improve access to permanent housing, EveryOne Home initiated Home Stretch. Hayward CAN staff were among the first to sign up for and complete this training. Our Case Manager has already submitted a dozen applications.

No other Hayward Based agency provides comparable support at the level we do to the population we serve.

Reason for Denial 3:

Hayward CAN is not an effective use of City funds.

Hayward CAN's grant request was not only the lowest in its funding category, but also has consistently one of the lowest costs per person with some of the highest outcomes. In the first 6 months of this fiscal year, Hayward CAN has placed twice as many Hayward residents in permanent housing as required by our contract with the City and three times that number into transitional housing.

We also work with multiple City departments, including law enforcement as well as County public health and sheriff, the business community, and more than 30 non-profit and faith organizations. Our program meets multiple City priorities and provides spin off benefits as outlined in our proposal.

None of this information is new, but was not discussed during the January 15 Commission meeting, nor requested during our interview on January 11.

Our program has not had a Commission Liaison visit since first receiving CDBG funding in 2010. All of you are most welcome to visit.

We urge you to reconsider your decision. Case Management is one of the most difficult program aspects to fund. Our \$12,000 request encompasses the majority of the cost for this service benefiting Hayward homeless residents - 40% of whom were born in this city, 80% of whom have been here for 10 or more years. Without the City's help, these residents will not have access to the case management they need to move out of crisis into housing and jobs and become contributing members of our community.

Respectfully,



Susan Merrill
Executive Director, South Hayward Parish

CC: Councilmember Barbara Halliday
City Staff

South Hayward Parish Congregations
Good Shepherd Lutheran-South Hayward United Methodist
Congregation Shir Ami-Starr King Unitarian Universalist-St. Clements Roman Catholic
United Church of Hayward-New Bridges Presbyterian



February 12, 2014

Dear Community Services Commission Members,

I am writing to provide you with information about Family Paths, Inc. This letter is not a request to revisit the funding recommendations for FY 14-15. We accept your decision and consider that issue closed.

I would like to thank Commission Members for the very important work you do to provide much needed support and services to Hayward's most vulnerable children and families. You are tasked with making very tough decisions and are to be commended for taking on this very challenging work.

I would also like to thank Commissioner Moore who had the responsibility of facilitating a process that by its very nature can be emotionally loaded. Ms. Moore I want to thank you personally for your fair and even-handed demeanor and language throughout the discussion process on January 15, 2014. I would also like to thank all the Commissioners that served on the Application Review Committee. The discussion clearly touched some Members personally, and evoked important follow up questions from other Committee Members.

I would ask the Commission to consider two points about the process on January 15th. A comment was made about Family Paths' 24/7 Parent Support Line information tracking capacity. Although the Line was not part of our application for Hayward funding I can certainly understand how lack of data could reflect poorly on agency infrastructure and management priorities. Enclosed please find a copy of our Hotline call sheet, which is filled out for every call. Our Line receives which well over 6,000 telephone calls per year and each call is recorded on separate call sheets and is stored electronically. Please note that the copy of the call sheet enclosed is a screen shot only. In its active (live) functioning we have multiple drop- down menus that track a multitude of data. Since this database is cloud-based any interested Member may pull up a blank call sheet if that is so desired. Just let me know and our database consultant will make those arrangements. This will be a blank call sheet, though live, and will not link to any Family Paths client data as required by HIPAA regulations.

I am also enclosing our agency brochure which summarizes our programs and services. I hope that will clear up any confusion that our services are in any way duplicative of Calico.

The discussion of our alleged lack of tracking capacity quickly moved into a discussion about Family Paths' "performance". This was (again) not part of the criteria for the Application Committee's decision not to fund Family Paths but nonetheless, much discussion ensued. As Commissioner Moore pointed out, performance applies only to agencies currently funded by

Hayward and is based on site visits by Commissioners, accurate and timely quarterly reports, etc.

Commission Members and City staff have seen a good deal of turnover in the past 6 to 7 years and many folks in the room on the night of January 15 were probably unaware that Family Paths has a long history of Hayward funding, on the order of over 25 years of funding in fact. Without exception, Family Paths (formerly Parental Stress Service) received high marks at every site visit. We were very well known and highly regarded by Hayward staff, Anne Culver and Theresa Rodriguez as City staff to name just two, as well as former Commission members. We lost funding when we proposed a change in the service a few years back and to our great dismay we were no longer recipients of Hayward support. Despite that loss Family Paths has chosen to systematically and very strategically leverage Alameda County Behavioral Health Care funding and Social Services Agency funding in an effort to bring a substantive level of mental health services to Hayward children and families. Currently the amount of leveraged funding we bring to Hayward each year is over \$1.5 million dollars. We have also maintained a strong presence in Hayward for over 30 years. In fact, our direct service staffing level in Hayward is higher than our Oakland administrative office.

I'll close with a final concern that came up for me in the proposal application process, and that is the issue of an unfair playing field. It is in the spirit of fairness that I offer this feedback. Agencies that are current recipients of Hayward funding have a clear advantage over agencies that are "new" applicants for funding. Since we were recipients of Hayward funding for more than two decades we know well the significant advantage we enjoyed by having consistently strong site visit outcomes, timely reporting, and relationship with City staff. Now we are on the other side of that advantage, and it is our experience, as well as other agencies, that we are at a distinct disadvantage when we apply now, for the reasons cited above. I don't have a simple solution to propose but I wonder if a middle ground can somehow be reached.

I hope to arrange a meeting with City staff soon and if amenable I would appreciate having a representative from the Commission join that meeting as well. We're incredibly proud of the services we provide in Hayward, dating back now to the 1980's.

Thank you for your time and consideration of these issues. I would like to again thank and commend Commission members for your fine work. We hope to see you all again at funding interviews for next year.

Sincerely,

Marcella Reeves, MFT
Executive Director
Family Paths, Inc.
mreeves@familypaths.org
893.9230 ext. 285

SUMMARY OF PUBLIC COMMENTS

ARTS AND MUSIC

Total of two Comments: (1) Verbal Comment and (1) Written Comment

Hayward Municipal Band

1. **Lolita Morelli, Executive Director - Via Email 2/19/14**

The Hayward Municipal Band is a Hayward institution bringing superior musical enjoyment to thousands since 1957

We were only funded for 5 concerts in 2013 and I was told by Mr. Griffin that I should only ask for 5 concerts for 2014. Years ago we were funded for 8 Sunday concerts plus the Veteran's Day Parade, the County Fair on Hayward Day, the Zucchini Festival and the 4th of July at Weeke's Park.

At the Feb.1st meeting, it was suggested that I seek funds from other sources. Presently over 39% of the cost of the concerts is covered by HARD, Fairway Park Baptist Church and donation of services and equipment by individuals.

We have many of the best musicians in the Bay Area in our band. They stay with our band, although the pay is considerably less than in other performing groups, because they are loyal to the memory of Tony Morelli who built and directed the band for 38 seasons, loyal to Kathy Maier, Tony's daughter who directs just like her father, loyal to me, loyal to each other and loyal to the City of Hayward. They enjoy and are proud to be part of our superior musical organization.

Youth Orchestra of Alameda County (YOSAC)

1. **Carol Morgan, Executive Director – Verbal 2/19/14**

Ms. Morgan expressed regret that she would be unable to attend the February 19th Community Services Commission meeting. Ms. Morgan would instead be attending the Band and Orchestra Festival put on by Hayward Arts Council. YOSAC and the Hayward Arts Council will be connecting, looking to partner on future events, and pool resources as was suggested by the February 1st Music and Arts ARC.



**MINUTES OF SPECIAL JOINT CITY COUNCIL/HAYWARD HOUSING
AUTHORITY MEETING OF THE CITY OF HAYWARD**
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, March 18, 2014, 7:00 p.m.

The Special Joint City Council/Hayward Housing Authority meeting was called to order by Mayor/Chair Sweeney at 7:00 p.m., followed by the Pledge of Allegiance led by Mayor/Chair Sweeney.

ROLL CALL

Present: COUNCIL/HA MEMBER Zermeño, Jones, Halliday, Peixoto, Salinas,
Mendall
MAYOR/CHAIR Sweeney

Absent: None

CLOSED SESSION ANNOUNCEMENT

Mayor Sweeney reported that the Council met in closed session regarding a performance evaluation for the City Clerk pursuant to Government Code 54957; met with real property negotiators pursuant to Government Code 54956.8 regarding South Hayward BART Land Purchase and Requisition; met with legal counsel pursuant to Government Code 54956.9 regarding pending litigation regarding Net Connection Hayward, LLC v. City of Hayward, U.S. District Court, N.D. of CA No. C 13-1212 SC, City of Hayward v. Chances Are, Alameda County Superior Court No. RG13681065, City of Hayward v. Donald T. Henriques, et. al., Alameda County Superior Court Case No. HG14713837; and met with labor negotiators pursuant to Government Code 54957.6 regarding all groups. The Council took no reportable action.

PRESENTATION

Mayor Sweeney read the proclamation designating March 2014 as American Red Cross Month and encouraged all residents to support the organization in its humanitarian mission. Mr. John McCoy, a volunteer with the American Red Cross and member of the Alameda County American Red Cross Leadership Council accepted the proclamation on behalf of the American Red Cross Bay Area Chapter and thanked the City for its continued support.

PUBLIC COMMENTS

Mr. Jim Drake, Hayward resident, commented that the safety of the city needed to be a top priority and he stressed the need for more police officers patrolling the streets.

Ms. Amber Bell, City employee and Service Employees International Union (SEIU) Local 1021 member, asked the Council to direct the City's negotiating team to go back to the bargaining table to reach an equitable contract.

Ms. Wynn Grcich, Hayward resident, spoke about water fluoridation and announced a “March for Clean Water” rally on March 22, 2014, at Union Square, San Francisco.

Mr. Larry Arend, City resident and member of the Prospect Hill Neighborhood Association, noted that the City was measuring the impact of the loop on the Prospect Hill Neighborhood and added that his neighbors were looking forward to the results of the study.

Mr. Kim Huggett, Hayward Chamber of Commerce President, announced three events: the Export Conference on March 20 at City Hall, the Contractor’s Workshop on March 26 at Marelich Mechanical, and the ‘Shop Hayward’ Business Showcase and Mixer on April 9 at the Golden Peacock Banquet Hall and Restaurant.

Mr. Edward Bogue, Hayward resident, announced the Southgate Area Homeowner Association was sponsoring a Candidates Night for Hayward Mayor and City Council on April 9, 2014, at the Alameda County Flood Control Conference Room.

WORK SESSION

1. Hayward2040 General Plan Update Draft Environmental Impact Report

Staff report submitted by Senior Planner Buizer, dated March 18, 2014, was filed.

Development Services Director Rizk announced the report and introduced Senior Planner Buizer who provided a synopsis of the report.

Discussion ensued among City Council and City staff. There was general consensus that the General Plan Update Draft Environmental Impact Report and the requests that were incorporated were well done. The Council thanked City staff and the General Plan Update Task Force for their efforts and offered the following comments: the General Plan needs to address the obligation that the Air Quality Management District has in monitoring air quality in the area; protecting commercial property will lead to local job creation; consider developing an impact fee structure that would recognize that developments have an impact on traffic and air quality; consider adding bicycle lanes on Hesperian Boulevard; provide Council with a list of proposed zone changes in the General Plan; consider having neighborhood-serving commercial retail with residential; and consider noise and pollution issues.

CONSENT

2. Approval of Minutes of the City Council Meeting on February 25, 2014

It was moved by Council Member Halliday, seconded by Council Member Zermeño, and carried unanimously, to approve the minutes of the City Council Meeting on February 25, 2014.



**MINUTES OF SPECIAL JOINT CITY COUNCIL/HAYWARD HOUSING
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City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, March 18, 2014, 7:00 p.m.**

-
3. Resolution Appropriating Funds and Authorizing the City Manager to Execute Amendments to Agreements to Increase Funds by \$200,000 with Consultants for Outside Building Plan Check/Inspection Services and \$25,000 for Development Review Engineer Services in Planning for the Current Fiscal Year

Staff report submitted by City Building Official Lepori, dated March 18, 2014, was filed.

It was moved by Council Member Halliday, seconded by Council Member Zermeño, and carried unanimously, to adopt the following:

Resolution 14-029, “Resolution Appropriating Funds and Authorizing the City Manager to Execute Amendments to Agreements to Increase Funds by \$200,000 for Fiscal Year 2014 with Consultants for Outside Plan Check/Inspection Services and \$25,000 for Outside Development Review Engineer Services”

4. Russell City Energy Center – Resolution Commenting on RCEC’s Application to Bay Area Air Quality Management District for Variances in Air Quality Permit Conditions

Staff report submitted by Director of Public Works-Utilities & Environmental Services Ameri, dated March 18, 2014, was filed.

It was moved by Council Member Halliday, seconded by Council Member Zermeño, and carried unanimously, to adopt the following:

Resolution 14-030, “Resolution Urging the Bay Area Air Quality Management District to Take Action to Address Ongoing Emission Violations from the Russell City Energy Center”

5. Authorization to Negotiate and Execute Professional Services Agreements with John DeClercq for Project Management Services Related to the South Hayward BART Transit Oriented Development Project and Appropriation of Funds to Cover Agreement Services

Staff report submitted by Assistant City Manager McAdoo, dated March 18, 2014, was filed.

It was moved by Council/HA Member Halliday, seconded by Council/HA Member Zermeño, and carried unanimously, to adopt the following:

Resolution 14-031, “Resolution of the City Council of the City of Hayward Authorizing the City Manager to Negotiate and Execute a Professional Services Agreement with John DeClercq to Provide Project Management Services for the South Hayward BART Project”

Housing Authority Resolution 14-02, “Resolution of the Housing Authority Board Authorizing the Executive Director to Negotiate and Execute a Professional Services Agreement with John DeClercq to Provide Project Management Services for the South Hayward BART Project”

Resolution 14-032, “Resolution of the City Council of the City of Hayward Amending Resolution 13-104, as Amended, the Budget Resolution for the Operating Budget of the City of Hayward for Fiscal Year 2014, for a Transfer of Funds from the General Fund (Fund 100) to the General Fund Capital Improvement Fund, South Hayward BART Project, Project No. 5076”

LEGISLATIVE BUSINESS

- 6. Adopt Findings for Denial for Conditional Use Permit (Application No. PL-2012-0069) and Vesting Tentative Tract Map (Application No. PL-2013-0070) associated with 194 townhomes and 16,800 square feet of commercial space on an 11.33 acre site located at 22301 Foothill Boulevard. Integral Communities (Applicant); MDS Realty II & 22301 Foothill Hayward, LLC (Owners)

Staff report submitted by Senior Planner Golubics, dated March 18, 2014, was filed.

Development Services Director Rizk provided a synopsis of the report.

There being no public comments Mayor Sweeney opened and closed the public hearing at 7:53 p.m.

Council Member Mendall offered a motion per staff recommendation, and Council Member Jones seconded the motion.

It was moved by Council Member Mendall, seconded by Council Member Jones, and carried with the following roll call vote, to adopt the following:

AYES: Council Members Jones, Peixoto, Mendall
MAYOR Sweeney
NOES: Council Members Zermeño, Halliday, Salinas
ABSENT: None
ABSTAINED: None



**MINUTES OF SPECIAL JOINT CITY COUNCIL/HAYWARD HOUSING
AUTHORITY MEETING OF THE CITY OF HAYWARD
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Resolution 14-033, “Resolution Denying Vesting Tentative Tract Map Application PL-2013-0070 and Conditional Use Permit Application PL-2012-0069 Pertaining to the Development of One Hundred and Ninety-Four Townhome-Styled Condominiums and Sixteen Thousand Eight Hundred Square Feet of Commercial Space at 22301 Foothill Boulevard in Downtown Hayward”

7. Approval of Financing Plan for Fire Station 7 and Firehouse Clinic Project#

Staff report submitted by Assistant City Manager McAdoo, Director of Public Works – Engineering & Transportation Fakhrai, Fire Chief Contreras, and Director of Finance Vesely, dated March 18, 2014, was filed.

City Manager David provided a synopsis of the report and presented the conceptual plan for Fire Station 7 and Firehouse Clinic.

There was general Council consensus to support the recommended conceptual financing plan for Fire Station 7 and the new Firehouse Clinic, and there was support for the City’s partnership with the Alameda County Health Services Agency and the Tiburcio Vasquez Clinic.

Council Member Jones asked for a report on the impact to the Water Enterprise Fund and confirmed that the City would only bear the capital cost associated with the Firehouse Clinic.

Council Member Zermeño expressed the need to ensure that fire staff and engines are properly housed and secured during the reconstruction of Fire Station 7.

Mayor Sweeney opened the public hearing at 8:10 p.m.

Mr. Jim Drake, Hayward resident, expressed concern that the city could not afford the capital expense for the construction of Fire Station 7 and Firehouse Clinic and did not support using the funding from the Water Enterprise Fund.

Mr. Moses Sullivan, Hayward resident and Palma Ceia Baptist Church member, supported the project and the possible temporary relocation of firefighters and engines from Fire Station 7 to Palma Ceia Baptist Church during the construction.

Mayor Sweeney closed the public hearing at 8:15 p.m.

Council Member Zermeño offered a motion to approve the recommended conceptual financing plan for the construction of Fire Station 7 and the new Firehouse Clinic, and Council Member Peixoto seconded the motion.

Council Member Mendall supported the motion and strongly urged staff to explore avenues to control costs and requested City staff to enter into a private sector loan agreement that would not prevent the City from prepaying the private loan.

Mayor Sweeney indicated that Council Member Jones had requested that the Council be provided with a full report on the status of the Water Enterprise Fund. Mayor Sweeney also requested that Council be provided with the formal financing documents.

Council Members Zermeño and Peixoto were amenable to the three requests offered by Council Members Mendall and Jones and Mayor Sweeney.

It was moved by Council Member Zermeño, seconded by Council Member Peixoto, and carried unanimously, to approve the conceptual financing plan for the construction of Fire Station 7 and the new Firehouse Clinic, including three recommendations as follows: 1) enter into a private sector loan agreement that would not prevent the City from prepaying the private loan; 2) provided the Council with a full report on the status of the Water Enterprise Fund; 3) provide Council with the formal financing documents.

AYES: Council Members Zermeño, Jones, Halliday,
Peixoto, Salinas, Mendall
MAYOR Sweeney
NOES: None
ABSENT: None
ABSTAINED: None

8. Direction on Potential Hayward BART Station Renaming

Mayor Sweeney announced the report and Council Member Zermeño requested to continue the item until after the negotiations with the unions were settled. There was no consensus to continue the item.

Staff report submitted by Community and Media Relations Officer Holland, dated March 18, 2014, was filed.

City Manager David provided a synopsis of the report.

Discussion ensued among Council Members and City staff.

There being no public comments, Mayor Sweeney opened and closed the public hearing at 8:31 p.m.

Council Member Zermeño noted the proposal was a good idea, but urged Council members to make City employees a priority and he offered a motion to continue the item until after the negotiations with the bargaining unions were settled. The motion died for lack of a second.



**MINUTES OF SPECIAL JOINT CITY COUNCIL/HAYWARD HOUSING
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Council Member Halliday offered a motion directing City staff to proceed with spending no more than \$2,000 to get a station renaming cost estimate and participate in the process along with the other two stations that are pursuing name changes. Council Member Salinas seconded the motion.

Council Member Zermeño said spending \$2,000 was too much and therefore did not support the motion.

Council Member Jones noted that regardless of the outcome of the cost estimate, he would not be supporting the cost associated with renaming the Hayward BART station.

Mayor Sweeney agreed with Council Member Jones and noted that even if the estimate came close to \$600,000, the proposal would not get his support.

It was moved by Council Member Halliday, seconded by Council Member Salinas, and failed with the following roll call vote, to direct City staff to proceed with spending no more than \$2,000 to get a station renaming cost estimate and participate in the process along with the other two stations that are pursuing name changes.

AYES: Council Members Halliday, Salinas
NOES: Council Members Zermeño, Jones, Peixoto, Mendall
MAYOR Sweeney
ABSENT: None
ABSTAINED: None

COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS

Council Member Zermeño announced the Keep Hayward Clean and Green Task Force was conducting a clean-up and graffiti removal event on March 22, 2014, at the upper B Street neighborhood, and invited all to attend.

ADJOURNMENT

Mayor/Chair Sweeney adjourned the meeting at 8:37 p.m., in memory of Ms. Virginia Casuga, a Hayward resident and dedicated City employee for almost 26 years. Ms. Casuga had BSBA and MBA degrees in Accounting. Ms. Casuga was married to Richard, a retired Merchant Marine, had a daughter who is a great baker and had a son who serves in the Navy. She was an accomplished gardener, liked playing mahjong, and was loyal to her job and worked up until one week before her passing. Mayor Sweeney requested that staff work with her family to find an appropriate place to plant a tree in her memory.

APPROVED:

Michael Sweeney
Mayor, City of Hayward
Chair, Hayward Housing Authority

ATTEST:

Miriam Lens
City Clerk, City of Hayward
Secretary, Hayward Housing Authority

DATE: April 1, 2014

TO: Mayor and City Council

FROM: Director of Public Works – Engineering & Transportation

SUBJECT: Fire Station No. 7 and Firehouse Clinic Construction Project: Approval of Plans and Specifications and Call for Bids

RECOMMENDATION

That Council adopts the attached resolution (Attachment I) approving the plans and specifications for the Fire Station No. 7 and Firehouse Clinic Construction project and calls for bids to be received on April 22, 2014.

BACKGROUND

Hayward Fire Station No. 7, located at 27280 Huntwood Avenue in Hayward, is currently a four-piece modular building with an adjacent apparatus bay that opened in 1998. The modular building is 4,300 square feet, while the apparatus bay is 2,300 square feet. This modular building, which originally served as temporary housing for firefighters during the construction of Fire Station No. 1, includes an office, kitchen, day room/classroom, dormitory, locker room, male and female restrooms, and equipment storage; this building also houses an EMS decontamination sink, station repair shop and fitness exercise equipment. The limited apparatus bay houses a fire engine and a ladder truck.

This modular fire station is dilapidated and lacking in several areas primarily due to its original purpose as a temporary facility. The interior and exterior of the building show severe signs of aging. There is evidence of mold, rust, and rot throughout the station structure, particularly in the ceiling where ceiling tiles have sustained persistent leaks. Similar problems are also evident in bathrooms, hallways, and exterior flashing and venting gates. Furthermore, the modular building has shifted on its piers, with the floor area in the day room showing separation beneath the carpet. Ceiling tiles and cabinetry are misaligned throughout the structure. This new building project will address and mitigate all the existing problems.

This project also includes a Firehouse Clinic. The Alameda County Grand Jury (Grand Jury) has stated that Alameda County suffers from a critical shortage of access to health care for uninsured and low income residents, thus causing many to seek care in hospital emergency departments that are already overcrowded. Alameda County has attempted to improve this system by opening many

community-based health clinics and has pioneered the establishment of school-based health clinics to help better serve this population. The Alameda County Health Care Services Agency (ACHCSA) has expanded upon this concept by proposing a pilot program to build community-based health clinics at a number of firehouses throughout the county. Besides providing much-needed medical care to this segment of the population, staff at these clinics will also be able to help patients enroll into the healthcare system. The Grand Jury endorses establishing a pilot program at Fire Station No. 7.

On July 17, 2012, Council authorized the City Manager to negotiate and enter into an agreement with WLC Architects, Inc. (WLC) for the design of a new Fire Station No. 7 in an amount not to exceed \$370,000. Staff determined that it was cost-effective to have the same architect design and prepare construction documents for the new clinic; therefore, on July 30, 2013, Council authorized the City Manager to amend the agreement with WLC for an additional amount not-to-exceed \$100,000 for architectural services to design a new Firehouse Clinic.

On March 18, 2014, Council authorized a conceptual financing plan for the project. This plan, which totals over \$12 million, would consist of a combination of traditional bank financing and loans; the financing arrangements are described further under the “Fiscal Impact” of this report.

DISCUSSION

The conditions described above for the fire station modular building and the apparatus bay are such that it is more cost effective to construct a new building rather than attempting to mitigate the existing conditions. Replacing the building with new modular buildings was not considered because modular buildings are designed to be temporary structures and would require replacement after a few years, whereas the proposed building will have a life span of fifty to sixty years. In addition, modular buildings pose operational challenges. For example, currently the delay from walking from the portable buildings to the metal apparatus bay through two locked doors poses response time delays as well as security issues; and the lack of a drive-through bay causes the apparatus from this very busy station to have to pull into the street and back up off of Huntwood Ave..

The proposed Fire Station No. 7 building will be a 13,509 square foot, two-story building consisting of a four-bay wide, double-deep apparatus bay, a public lobby, Battalion Chief quarters, staff work spaces, and living quarters. A day room, kitchen, and dining room will be grouped together with access to a secured staff parking area. Other features being proposed for this fire station include a workshop, conference room, and an exercise room. Even though there are only two bays in the existing station, the battalion chief responds out of the back parking lot with his/her vehicle under a temporary metal awning effectively creating a third virtual “bay”. Therefore, three operational bays are needed, with the fourth bay available to finally house a reserve ladder truck out of the elements.

The proposed Firehouse Clinic will be a 2,400 square foot one-story building, consisting of seven exam rooms, a waiting area, a treatment room, a consultation room, a laboratory, and restrooms. The outside architectural features of the clinic building will be compatible with the new fire station building (see Attachment II). The Clinic will be operated at no cost to the City

through a partnership between Alameda County Health Agency and Tiburcio Vasquez.

The site has an area of 52,200 square feet (1.15 acres) that will accommodate both buildings, as well as parking for twenty-eight vehicles and two accessible spaces. Utilizing guidelines from the US Green Building Council, the buildings will be constructed with material designed to be highly durable and energy efficient. Such materials will help increase the life of the building and reduce maintenance costs. Due to the high cost, the Leadership in Energy and Environmental Design (LEED) certification will not be pursued; however, the buildings have been designed to meet Silver LEED certification requirements.

Some of the “green” features included in the building are low flow lavatory and sink faucets, high efficient domestic hot water heaters and cooling system, energy efficient windows, a reflective rooftop covering, skylights, energy efficient lighting fixtures, and automatic lighting controls. Green features for the site include: a storm drain bio-retention area; flow-through planters; and water efficient landscape. In addition, high efficiency LED street lights will be added on Huntwood Avenue and Lustig Court and two parking stalls will have electrical power ready for future vehicle charging stations. If staff can identify sufficient savings in the proposed project, solar will be added into the project. If not, HFD will look for funding in future years to add solar: estimated cost at this time is approximately \$600,000 additional; which would be recouped over the long run through savings on the station’s PG&E charges.

The project is categorically exempt from environmental review under Section 15302 (Replacement or Reconstruction) of the California Environmental Quality Act (CEQA) Guidelines for the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced.

FISCAL IMPACT

The estimated project costs for both structures are as follows:

Construction Contract	\$10,000,000
Other Costs (Technology/network equipment, Equipment, Security, Furniture, etc.)	563,000
Temporary Housing (during construction)	200,000
Design and Administration	627,000
Construction Administration, Inspection and Testing	<u>810,000</u>
Total:	\$12,200,000

As stated above, \$500,000 of this total amount has already been expended for architectural and engineering design services. The County Health Services Department will reimburse the City \$1.2 million for the Firehouse Clinic.¹ On March 18, Council approved a financing plan for the remaining balance of the project’s estimated cost of \$10.5 million. The financing plan consists of traditional bank financing and an internal loan from the Water Enterprise Fund. After bids are

¹ As a result of this County money flowing to the project, the City is obligated to assure that the building is utilized for the delivery of health-related services for the depreciated life of the building.

received, staff will return with a request to award the construction contract and appropriate the necessary funds; and will seek Council approval of the final official financing documents.

The estimated project funding sources are as follows:

Bank Financing	\$5,500,000
Water Enterprise Fund	5,000,000
County Health Services Department (for Firehouse Clinic)	1,200,000
CIP Fund 405 (for design contract)	500,000
Total:	<u>\$12,200,000</u>

PUBLIC CONTACT

A public information meeting was held on January 22, 2014 at the current Fire Station No. 7. A notice of this meeting was sent to all property owners, occupants and other interested individuals within 500 feet of the subject site to provide an opportunity to comment. Several residents were in attendance and expressed support for the project.

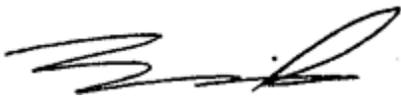
SCHEDULE

Open Bids	April 29, 2014
Award Contract	May 27, 2014
Begin Work	June 30, 2014
Complete Work	August 13, 2015

Prepared by: Yaw Owusu, Assistant City Engineer

Recommended by: Morad Fakhrai, Director of Public Works – Engineering & Transportation
Garrett Contreras, Fire Chief

Approved by:



Fran David, City Manager

Attachments:

Attachment I: Resolution

Attachment II: Location Map

HAYWARD CITY COUNCIL

RESOLUTION NO. 14-_____

Introduced by Council Member _____

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR THE FIRE STATION NO. 7 AND FIREHOUSE CLINIC CONSTRUCTION PROJECT, PROJECT NO. 07472, AND CALL FOR BIDS

BE IT RESOLVED by the City Council of the City of Hayward as follows:

WHEREAS, those certain plans and specifications for the Fire Station No. 7 and Firehouse Clinic Construction Project, Project No. 07472, on file in the office of the City Clerk, are hereby adopted as the plans and specifications for the project;

WHEREAS, the City Clerk is hereby directed to cause a notice calling for bids for the required work and material to be made in the form and manner provided by law;

WHEREAS, sealed bids therefor will be received by the City Clerk’s office at City Hall, 777 B Street, 4th Floor, Hayward, California 94541, up to the hour of 2:00 p.m. on Tuesday, April 29, 2014, and immediately thereafter publicly opened and declared by the City Clerk in the Public Works Conference Room, 4D, located on the 4th Floor of City Hall, Hayward, California;

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City Council will consider a report on the bids at a regular meeting following the aforesaid opening and declaration of same.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the 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.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2014

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward



HEALTH CENTER AT FIRE STATION NO. 7 SITE LOCATION MAP

DATE: April 1, 2014
TO: Mayor and City Council
FROM: City Clerk
SUBJECT: Resignation of Aisha Wahab from the Keep Hayward Clean and Green Task Force

RECOMMENDATION

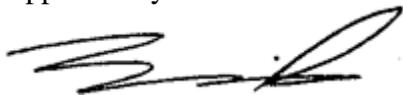
That the City Council accepts the resignation of Ms. Aisha Wahab from the Keep Hayward Clean and Green Task Force.

BACKGROUND

Ms. Aisha Wahab was appointed to the Keep Hayward Clean and Green Task Force on September 17, 2013. Ms. Wahab submitted the attached resignation letter (Attachment II). Her resignation is effective March 17, 2014, and her vacated position will be filled as part of the annual appointment process for the City's Appointed Officials to Boards and Commissions in July 2014.

Prepared and Recommended by: Miriam Lens, City Clerk

Approved by:



Fran David, City Manager

Attachments:

- Attachment I Resolution Accepting the Resignation
- Attachment II Resignation Letter

HAYWARD CITY COUNCIL

RESOLUTION NO. 14-

Introduced by Council Member _____

RESOLUTION ACCEPTING THE WRITTEN RESIGNATION OF AISHA WAHAB FROM THE KEEP HAYWARD CLEAN AND GREEN TASK FORCE

WHEREAS, Ms. Aisha Wahab was appointed to the Keep Hayward Clean and Green Task Force on September 17, 2013, and;

WHEREAS, Ms. Aisha Wahab submitted her resignation on March 17, 2014, effective immediately.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the Council hereby accepts the resignation of Ms. Aisha Wahab; and commends her for her civic service to the City.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2014.

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

From: Aisha Wahab
Sent: Monday, March 17, 2014 2:40 PM
To: Miriam Lens
Subject: Keep Hayward Clean & Green Task Force

Hi Miriam,

I would like to thank you for all that you have done for me and all that you continue to do for the City.

I wanted to resign from the KHCG Task Force due to my inability to do more for the group. I have ran into other things that have taken too much time and I need to not hold a position if I'm unable to give it my all.

My apologies for this, I know you helped a great deal.

Thank You!

I hope I can do more soon.

Thanks,

Aisha Wahab, MBA

DATE: April 1, 2014
TO: Mayor and City Council
FROM: City Attorney
SUBJECT: Introduction of Ordinance Amending the Hayward Municipal Code by Adding Article 17 to Chapter 4 Relating to Camping and Storage of Personal Property on City-Owned Property.

RECOMMENDATION

That the City Council introduces the attached ordinance amending the Hayward Municipal Code (HMC) by adding Article 17 to Chapter 4 relating to Camping and Storage of Personal Property on City Owned Property (Attachment I).

BACKGROUND

The proposed ordinance would prohibit camping and storage of personal property, including camping paraphernalia, on all City-owned property including municipal parking lots, municipal parking structures, improved and unimproved City-owned property, and City parks.

Camping on City-owned property raises public health and safety concerns and is inconsistent with uses for which the respective property is intended. Improvised encampments lack necessary sanitary facilities, and the accumulation of large amounts of personal property (both abandoned and not) cause a visual blight, create an attractive nuisance for juveniles, diminish property values, and otherwise diminish the quality of life in areas adjacent to such encampments. Encampments may also serve as a potential focal point for criminal activity such as narcotics trafficking and prostitution.

Along with the Food Sharing Event Ordinance (HMC Article 4, Chapter 13), which was adopted in 2013, the proposed camping ordinance is a component of the City's continuing efforts to ensure that City-owned property and public spaces are maintained in a safe and clean condition and are available for the uses for which they are intended.

DISCUSSION

The proposed ordinance is intended to address the public health and safety concerns associated with camping and storage of personal property on City-owned property by declaring the activity a public nuisance and authorizing staff to issue administrative citations or institute civil action to abate the conditions.

The proposed ordinance would prohibit two forms of conduct on City-owned property: (1) camping, which means to pitch or occupy camp facilities or to use camp paraphernalia, and (2) storage of personal property, including camp facilities (i.e. tents) and camp paraphernalia (i.e., cots, sleeping bags, etc.) Storage is defined by the ordinance as to put aside or accumulate for use when needed, to put for safekeeping, to place or leave in a location.

Violations of the ordinance may be addressed through issuance of administrative citations pursuant to Chapter 1, Article 7 of the Municipal Code. The current Master Fee Schedule sets administrative penalties at \$100 for the first offense, \$200 for the second offense and \$500 for each subsequent offense. Violators have the opportunity to appeal citations to a hearing officer. Alternatively, persistent violators may be issued misdemeanor citations pursuant to Chapter 1, Article 3 of the Municipal Code.

The proposed ordinance is a content-neutral time, place, and manner regulation that is valid for regulating conduct that may have some expressive component protected by the First Amendment. The City has a substantial interest in maintaining all City-owned property in a clean condition and ensuring that the property is available for the purposes for which it is intended. Additionally, the City has a substantial interest in preventing visual blight and maintaining safety on all City-owned property.

Other local jurisdictions with some form of camping regulations include the cities of Livermore, Dublin, Pleasanton, Berkeley and San Jose. Additionally, the Hayward Area Recreation and Parks District prohibits camping on District property, except during District sponsored events.

ECONOMIC IMPACT

The proposed ordinance is not intended to generate revenue through collection of fines or penalties.

FISCAL IMPACT

The proposed ordinance is not expected to significantly impact any department's operating budget.

PUBLIC CONTACT

A copy of the proposed ordinance and this staff report were made available for public viewing with the publication of the Agenda for this City Council Meeting on March 28, 2014.

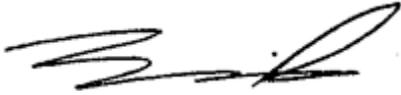
NEXT STEPS

Upon introduction this evening, the Council will consider adoption of the ordinance during the April 15, 2014 City Council Meeting. The Ordinance will become effective thirty (30) days after adoption.

Prepared by: Michael Vigilia, Assistant City Attorney

Recommended by: Michael S. Lawson, City Attorney
Kelly McAdoo, Assistant City Manager

Approved by:



Fran David, City Manager

Attachment I – Ordinance

ORDINANCE NO.

ORDINANCE OF THE CITY OF HAYWARD, CALIFORNIA
ADDING ARTICLE 17 TO CHAPTER 4 OF THE HAYWARD
MUNICIPAL CODE REGARDING CAMPING AND STORAGE
OF PERSONAL PROPERTY ON CITY-OWNED PROPERTY

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Article 17 is added to Chapter 4 of the Hayward Municipal Code and is hereby enacted to read as follows:

ARTICLE 17

CAMPING AND STORAGE OF PERSONAL PROPERTY

SEC. 4-17.00 FINDINGS AND PURPOSE. City-owned property such as municipal parking lots, municipal parking structures, public sidewalks, public rights-of-way and City parks should be readily accessible and available to residents and the public at large. The use of these areas for camping purposes or storage of personal property interferes with the rights of others to use the areas for the purposes for which they were intended. The purpose of this article is to maintain these areas within the city in a clean and accessible condition.

SEC. 4-17.10 DEFINITIONS. For the purpose of this Article, certain words and phrases are defined, and certain provisions shall be construed as herein set out, unless it shall be apparent from their content that a different meaning is intended:

- (a) "Camp" means to pitch or occupy camp facilities; to use camp paraphernalia.
- (b) "Camp facilities" include, but are not limited to, tents, huts or temporary shelters.
- (c) "Camp paraphernalia" includes, but is not limited to, tarpaulins, cots, beds, sleeping bags, hammocks, cooking equipment and similar items.
- (d) "City-owned property" includes, but is not limited to, municipal parking lots, municipal parking structures, public sidewalks, public rights-of-way, City parks, and improved or unimproved City-owned land.

(d) “City Park” includes Portuguese Park, Giuliani Plaza, Newman Park, Library Park and City Hall Plaza and any other park or open space within City limits that is not under the management of the Hayward Area Recreation and Park District. City Hall Plaza includes the pathways, green space and rights-of-way located on the property bounded by “B” Street to the North, Watkins St. to the East, Montgomery Ave. to the West and the City Walk Condominiums to the South.

(e) “Store” means to put aside or accumulate for use when needed, to put for safekeeping, to place or leave in a location.

SEC. 4-17.20 CAMPING PROHIBITED. It shall be unlawful for any person to camp, occupy camp facilities or use camp paraphernalia on any City-owned property.

SEC. 4-17.25 STORAGE OF PERSONAL PROPERTY PROHIBITED

It shall be unlawful for any person to store personal property, including camp facilities and camp paraphernalia on any City owned property.

SEC. 4-17.30 VIOLATIONS. A violation of this Article is declared to be a public nuisance which may be enjoined by civil action or pursuant to the procedures provided in this Code for abatement of nuisances. Additionally, any violation of this Article may be enforced subject to the provisions relating to administrative citations found in Chapter 1, Article 7.

Section 2. If any section, subsection, paragraph or sentence of this Ordinance, or any part thereof, is for any reason found to be unconstitutional, invalid or beyond the authority of the City of Hayward by a court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance.

Section 3. This Ordinance shall become effective thirty (30) days after adoption by the City Council.

INTRODUCED at a regular meeting of the City Council of the City of Hayward, held
the ___ day of, _____ 2014, by Council Member _____ .

ADOPTED at a regular meeting of the City Council of the City of Hayward
held the _____ day of _____ , 2014, by the following votes of members of said City Council.

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

APPROVED:
Mayor of the City of Hayward

DATE:

ATTEST:
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward