

Miriam Lens

From: Kelly McAdoo
Sent: Tuesday, January 13, 2015 10:06 AM
To: Al Mendall; Barbara Halliday; Elisa Marquez; Francisco Zermeno; Greg Jones; Marvin Peixoto; Sara Lamnin
Cc: Fran David; Michael Lawson; Miriam Lens; Alex Ameri; David Rizk
Subject: Council agenda questions - 1/13/2015

Good morning Mayor and Council-

There were some Council questions on tonight's agenda. I am forwarding along these questions with the staff response. Please let us know if you need anything else before the meeting.

Thanks-
Kelly

Kelly McAdoo
Assistant City Manager
City of Hayward
777 B Street
Hayward, CA 94541-5007
(510) 583-4305 office
(510) 583-3601 fax
Kelly.mcadoo@hayward-ca.gov

Regarding Item 4 (East Bay Dischargers Authority: 4th Amendment to JPA):

1. Will the revisions have any effect/pose any obstacle to the City's plans for use of recycled water?

Staff Response: No, these are primarily benign editorial changes.

2. Just for my clarity, the report mentions a two phase revision to the agreement, which seemed like a good approach. Have both phases been completed in this amendment, or is there a "fifth" revision anticipated?

Staff Response: The fifth revision, which will be done at some future time after the requisite discussions, would be more substantive, such as addressing questions as how to better handle water recycling and capacity rights in the system. We should keep in mind that current EBDA JPA will expire in 2020 so work on a new one should begin a few years in advance.

Regarding Item 5 (Water Pollution Control Facility Prof Svcs Agreement for the Digesters Improvement Project):

1. Please help me understand the difference for this project from the CIP. What is the basis for the 11% rise in cost? Is there funding in the FY16 budget to accommodate this amount or would additional funding be requested?

Staff Response: The CIP listed several project needs at the WPCF and assigned preliminary planning stage design and construction costs to them. The projects were much further refined during the request for proposal phase to design the projects. The 11% additional fee was added to the project and placed in the contract as contingencies to cover unanticipated issues that may arise during the design that may have cost increases to address them. This funding for additional services is not used unless City staff is convinced that extra services are needed to complete the project. Almost all design projects have a certain amount in contingencies for additional services. No additional funding is needed at the design stage.

2. What is the funding source for the \$675,000?

Staff Response: The funding source is the renewal and replacement fund of the CIP which gets its funding from the wastewater operating budget.

For Item 7 (Prof Svcs Agreement for Land Use Analysis for Hayward Airport Influence Area), am I correct in the following understanding?

The consultant is needed to gather/process all applicable standards into a single regulatory document to guide development in the applicable area as the City no longer goes through an administrative body for project/proposal review?

Staff Response: The work proposed to be done relates to developing zoning and land use regulations for properties within the Hayward Airport Influence Area (e.g., height limits, density/occupancy thresholds, noise). It entails more than just gathering and processing information into one document; it entails actually developing regulations as part of our Zoning Ordinance to ensure minimum state and federal standards for safety related to airport use and activity are met. Our zoning regulations are decades old and don't reflect current law. This work requires highly technical expertise that is above and beyond that possessed by current staff.

We do not need to forward projects to the Airport Land Use Commission (ALUC), regardless of whether we develop these standards or not, due to the ALUC not taking action within 60 days of our new General Plan being forwarded to that body.