

Miriam Lens

From: Kelly McAdoo
Sent: Tuesday, February 03, 2015 2:47 PM
To: Al Mendall; Barbara Halliday; Elisa Marquez; Francisco Zermeno; Greg Jones; Marvin Peixoto; Sara Lamnin
Cc: Fran David; Michael Lawson; Miriam Lens
Subject: Council agenda questions

Good afternoon Mayor and Council-

There were numerous agenda questions this week. Please see the questions and staff responses below.

Thank you-
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

Item 3: Laurel Ave Sidewalks

Question: For the project, 26.5% of the new sidewalks are in Hayward, but the City pays 33.3% of the cost. Why?

Staff Response: *Numbers presented in staff report are only estimates at this time. Both the City & County will calculate, and be responsible for, the actual project costs within their respective jurisdictions once bids are received and construction is completed. The \$100k is the estimated City's budget out of \$300k total project cost, but we'll only be responsible for our actual costs.*

Question: Item 3, Page 18, What are "Detectable warning tiles"?

Staff Response: *"Detectable Warning Tiles" are those "bumpy" plastic surfaces on curb ramps, typically bright yellow or dark grey, that help visually impaired pedestrians navigate the roadways/sidewalks.*

Question: Also related to this item, When is the approval anticipated from the County?

Staff Response: County agreement will have full approval prior to Council's award of construction contract.

Item 4: LLD/Maintenance District Engineering and Administration Services Contract

Question: I'm aware that there are unrecovered (or potentially unrecovered) costs for the assessment districts and thus the need for the research and outreach to attempt to recoup the costs. I'm concerned that we are considering an \$85,000 liability in addition to the actual costs incurred by these assessment districts - especially in MD1 where they have already voted down an increase. Is the cost spread across all the districts involved in the scope of work?

Staff Response: Most of the work identified in Phases I and II in the Scope of Work has historically been done by the City's consultant, and Tasks 1-9 in Phase III has been done primarily by staff (cost for all such work is paid for by assessments). Given the workload of the Development Review Engineer in Planning, Phase III work (Tasks 1-9) is being proposed to be done by the consultant this year. However, Task 10 in Phase III of the Scope of Work (Proposition 218 election for MD1) is not typically done each year. The projected cost for the related Prop 218 work by the consultant is \$21,000 (of the \$60,000 for all of the Phase III work), which will be paid for by MD1 assessments. The cost of work is assessed to each specific LLD zone or maintenance district, depending on the specific task. For tasks that entail work that is not associated with a specific LLD zone or maintenance district, the costs for such work is shared by the various LLD zones and two maintenance districts.

Question: Does there need to be some type of advanced outreach to this community to share the known costs and fund limits prior to incurring additional cost liabilities to the fund?

Staff Response: There certainly needs to be outreach and education to the residents in the MD1 area, to increase the likelihood they will support an assessment increase via a Proposition 218 election (see Tasks 10-2 and 10-3 on pages 34-35 of the packet), but such outreach is not needed prior to these tasks being performed. Staff plans to hold a Proposition 218 election, given the need for additional funds for that district, as has been discussed previously with Council.

Question: Is the election process described regarding MD1 the same as was conducted previously?

Staff Response: In essence yes but staff plans to do more advance outreach and education.

Question: Further, Have any parcels been annexed or de-annexed from any Benefit Zones since the last diagrams and related work was completed?

Staff Response: *No; a petition and election must be conducted for annexation and detachment at a noticed public hearing.*

Question: The proposal notes that reimbursable items are billed at "cost plus 15%", does that mean that we are billed twice for staff time?

Staff Response: *No, it only applies to reimbursable items performed by the consultant, such as mailing services. For example, the consultant would bill \$67.85 for mailing 100 letters/notices (\$49 for postage, \$10 for papers and envelopes, and \$8.85 (15% of cost) for the firm's employees' work).*

Item 5: City Contributions for CalPERS Medical Premiums

Question: Is the CalPers rate of \$122 per month, per employee, per retiree, and per dependent?

Staff Response: *The cost is either per employee or per retiree. Dependents are not included in this amount.*

Question: How does this cost relate to the 20-40% benefit cost of each employee?

Staff Response: *This amount is included in the 20-40% benefit cost calculation. It is not an additional amount; rather it is the minimum required. We exceed this contribution for all of our bargaining groups.*

Item 6: CFD Formation

Question: On Page 68, near the top of the page is the statement "City Share of 1%." Is that 1% property tax revenues?

Staff Response: *Yes. The City receives about 16% of the 1% in levied property tax. Every city has a different apportionment percentage based on levels of service pre-Proposition 13.*

Question: On Page 69, what is the "Incremental Revenue Verification"? (last set of numbers on the page)

Staff Response: *This relates to a per capita calculation in the model and we could have titled this section a bit better. The incremental revenue is meant to state the per capita revenue allocation = total revenue/total service population.*

Question: Lastly, does not moving forward with additional CFD's compromise our ability to continue the Cannery CFD?

Staff Response: *The Cannery CFD #2 will continue. Council can annex the Libitzky and Burbank sites into the CFD pursuant to the existing CFD. However, the annexation process still requires a vote, separate rate analysis, public hearing, etc. Council can decide to move forward with all future CFD formation, including the annexations, or suspend future CFD formations, but continue with the annexations at a new rate and after a new formation process and vote.*

Question: Does the Cannery utilize a higher than average amount of public safety services?

Staff Response: *This is not data that staff tracks currently. It would require some effort to analyze crime data and public safety response for just the parcels within the Cannery CFD. If the Council directs staff to prepare this data, we can provide it to Council at a later date.*

Item 7: Eden Shores Development Agreement Extension

Question: Is there any impact to the City/Development's financial obligations related to the project area as a result of the proposed extension?

Staff Response: *No*

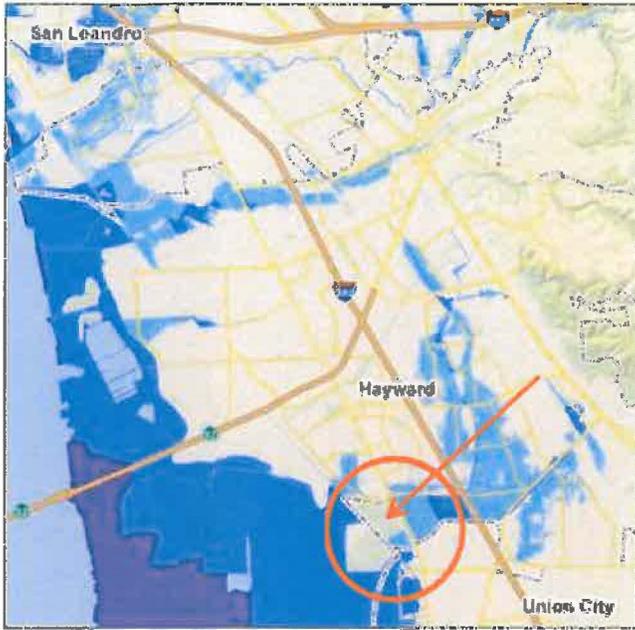
Question: Does this extension limit our ability to be flexible related to business park development/designation if needed?

Staff Response: *No. Any changes to designated land uses/zoning would be in response to the property owners' (Development Agreement party) request, and would be reflected, if needed, via a further amendment to the Development Agreement.*

Question: Does the 1998 EIR for the Project reflect projected sea level rise for the area?

Staff Response: *The 1998 EIR would not have reflected sea level rise for the Specific Plan area that the Development Agreement for South of the Route 92 Specific Plan is covering. Item 7 on the CC agenda is simply an extension of the development agreement terms and that action in itself would not trigger additional CEQA analysis. Future development projects envisioned under that Specific Plan would be subject to additional CEQA analysis and sea level rise would be addressed as would traffic impacts, etc.*

In addition, as you can see from the mapped area below, the area that has not yet been built out in the Specific Plan area (circled in red and identified by arrow) is not in a designated flooding area as it is a light green color.



Areas of Hayward that are subject to flooding during a 100-year storm with coastal waves (purple), a 100 year storm (dark blue), and a 500-year storm (light blue). Source: Association of Bay Area Governments