



CITY OF
HAYWARD
HEART OF THE BAY

CITY COUNCIL AGENDA
MARCH 27, 2012

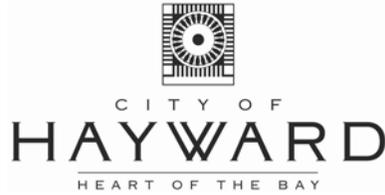
MAYOR MICHAEL SWEENEY
MAYOR PRO TEMPORE BARBARA HALLIDAY
COUNCIL MEMBER OLDEN HENSON
COUNCIL MEMBER MARVIN PEIXOTO
COUNCIL MEMBER BILL QUIRK
COUNCIL MEMBER MARK SALINAS
COUNCIL MEMBER FRANCISCO ZERMEÑO

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CITY COUNCIL MEETING FOR MARCH 27, 2012
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 Morariu, Human Resources Director Robustelli, Finance Director Vesely, Assistant City Attorney Roufougar, Library and Community Services Director Reinhart, and Maintenance Services Director McGrath
 - Under Negotiation: HPOA, SEIU, Local 21 IFPTE
3. Adjourn to City Council Meeting

CITY COUNCIL MEETING
Council Chambers - 7:00 PM

CALL TO ORDER Pledge of Allegiance Council Member Peixoto

ROLL CALL

CLOSED SESSION ANNOUNCEMENT

PRESENTATION Business Recognition Award - R.F. MacDonald Company

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.)*

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 CALENDAR

1. Approval of Minutes of the Special Joint City Council/Redevelopment Successor Agency Meeting on March 6, 2012

[Draft Minutes](#)

2. Park In-Lieu Fee Allocation to the Hayward Area Recreation and Park District (HARD) in the amount of \$665,000 for Tidal Gate Improvements at the Hayward Shoreline Trail, and ADA Improvements at the Hayward Senior Center Kitchen

[Staff Report](#)

[Attachment I Draft Resolution](#)

[Attachment II Letter re Hayward Shoreline Trail and Tidal Gate](#)

[Attachment III Letter re Hayward Senior Center](#)

[Attachment IV Park-In-Lieu Zone Map](#)

3. Authorization to Submit an Application for a Caltrans Community Based Transportation Planning Grant and Authorization for City Manager to Execute All Necessary Agreements Related to the Grant

[Staff Report](#)

[Attachment I](#)

4. Authorization for Staff to Submit Applications for a California Energy Commission Loan and a PG&E No-interest On Bill Financing Loan for the Conversion of City Streetlights to Light-Emitting Diode (LED) Lights, to Obligate the use of Federal Energy Efficiency and Conservation Block Grant funds for Jackson Street and C Street LED Streetlight Retrofits, and to Authorize Staff to issue a Request for Proposals to Select a Streetlight Conversion Vendor

[Staff Report](#)

[Attachment I](#)

[Attachment II](#)

[Attachment III](#)

[Attachment IV](#)

5. Authorization to Negotiate and Execute Contracts with 1) Tyler Technologies, Inc., for an Enterprise Resource Planning (ERP) System; 2) Technology Management Services for ERP project management services; and 3) Amend the Existing Contract with the Government Finance Officers Association for ERP Technical Consulting Services

[Staff Report](#)

[Attachment I](#)



6. Install Storm Water Trash Capture Device: Award of Contract
[Staff Report](#)
[Attachment I Resolution](#)
[Attachment II Location Map](#)
[Attachment III Bid Summary](#)

7. Resignation of Sarabjit Singh Toor from the Community Services Commission
[Staff Report](#)
[Attachment I Resolution](#)
[Attachment II Resignation Letter](#)

COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS

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

ADJOURNMENT

NEXT MEETING – 7:00 PM, TUESDAY, APRIL 3, 2012

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 and their address before speaking and are expected to honor the allotted time. A Speaker's Card must be completed by each speaker and is 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:





**MINUTES OF THE SPECIAL JOINT CITY
COUNCIL/REDEVELOPMENT SUCCESSOR AGENCY
MEETING OF THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, March 6, 2012, 7:00 p.m.**

The Special Joint City Council/Redevelopment Successor Agency Meeting was called to order by Mayor Sweeney at 7:00 p.m., followed by the Pledge of Allegiance led by Council Member Halliday.

ROLL CALL

Present: COUNCIL/RSA MEMBERS Zermeño, Quirk, Halliday, Peixoto, Salinas,
Henson
MAYOR/CHAIR Sweeney
Absent: None

CLOSED SESSION ANNOUNCEMENT

Mayor Sweeney announced that Council met pertaining to six items: Performance Evaluation, City Clerk; Pending Litigation, City of Hayward v. Inocencio, Alameda County Superior Court Case No. HG11575075; Pending Litigation, City of Hayward v. Young, Alameda County Superior Court Case No. HG11609627; Anticipated Litigation, One Case; Pending Litigation, Franklin Sunseri v. City of Hayward c/o JT2 Integrated Resources Workers' Compensation Appeals Board Case No. ADJ3810992; Labor Negotiations, All Bargaining Units. There were no reportable items.

PUBLIC COMMENTS

There were no public comments.

SPECIAL JOINT CITY COUNCIL/PLANNING COMMISSION WORK SESSION

1. Presentation by Cal Poly State University Students Regarding the Hayward Downtown Plan Update Project

Staff report submitted by Development Services Director Rizk, dated March 6, 2012, was filed.

Development Services Director Rizk announced the project and introduced Senior Planner Buizer who then announced the report and introduced Cal Poly State University Professor Zeljka Howard and Cal Poly State University students.

Professor Zeljka Howard thanked the City for giving Cal Poly State University students with the opportunity to contribute to the Hayward Downtown Plan update, gave an overview of the presentation, and turned the presentation over to the students.

Student Ellen Moore gave an overview of the planning process, research findings, public outreach, and community input. Student Jackie Terrell provided an overview of the Land Use Plan and Circulation Plan. Student Chris Ulrich gave an overview of the City Center Opportunity Area. Student Ellen Moore provided an overview of the key features of the Main Street/B Street/Library Area. Student Jenna Hahn provided an overview of the BART Center Area and final deliverables, which included a Synoptic Survey and Envision Downtown Hayward 2040 Plan.

Members of the City Council and Planning Commission thanked the students for their work incorporating the public input into their visioning efforts and said they looked forward to reviewing their final report.

Planning Commissioner Mendall noted that the pedestrian bridge over Foothill Boulevard was worth further consideration. He liked the suggestions for B Street and Main Street, but preferred the angled parking over the proposed parallel parking. He appreciated the students' attention to small projects that could be within the City's ability to accomplish. Mr. Mendall suggested using staff's expertise to accomplish development of the Form-Based Code rather than using and paying for an outside consultant.

Planning Commissioner Loché liked the shuttle and pedestrian bridge features that would connect key areas in the downtown with surrounding areas. In response to Mr. Loché's question regarding the prospect of obtaining the Strategic Growth Council Sustainable Communities Planning Grant, Development Services Director Risk responded that staff had submitted a strong proposal, but if unsuccessful, would need to reevaluate its capacity to develop changes to the Downtown Plan's regulations.

Commissioner Faria was pleased with key features that build community and also promote the City, such as the sports facility and a hotel.

Planning Commission Chair Márquez appreciated the inclusion of well-lit pedestrian paths, bike lanes, shuttles, gateways, visible signage, sports facility, cultural center, and downtown hotel. Ms. Márquez suggested outreaching to Cal State University East Bay (CSUEB) and Chabot College students in order to connect them to the downtown by offering classes to provide continuity.

Commissioner Lamnin concurred that a pedestrian crossing was needed for Foothill Boulevard, and suggested a more cost effective approach might be similar to Downtown Oakland where at certain intersections the traffic stops and pedestrians are able to walk in all directions. Ms. Lamnin favored the shuttle plan but questioned its viability. She also suggested considering the vision that downtown owners had for their properties. She concurred with Chair Márquez's idea about connecting CSUEB to downtown by offering classes and suggested using the existing Library. Ms. Lamnin suggested a possible method of funding the new Library would be to combine it with a Performing Arts and/or Sports complex center. She asked for research on incorporating social services into the Plan. She also expressed a need for a downtown hotel.

Council Member Zermeño liked the recommendation of a pedestrian pathway along the creek connecting with the Japanese Gardens, the Senior Center, and the Douglas Morrison Theater. Mr. Zermeño favored the directional signage in downtown and suggested having a digital marquee on



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Foothill Boulevard. Mr. Zermeño said he favored all of the suggestions especially the two-way traffic on Main and B streets, the theater, gateways, and YMCA. He favored a shuttle connecting CSUEB, Chabot College, Southland Mall, BART Station, and the downtown.

Council Member Salinas observed that the presentation showed a lower population density closer to the downtown area and suggested staff be careful not to under-zone the area in regards to population increases. In response to Mr. Salinas' question about what type of densities people were looking for, Ms. Terrell responded there seemed to be a trend towards accepting an increased density in urban areas. He reiterated a suggestion by the Fire staff to turn the building at the corner of Main Street and C Street, across the Fire Station, into a small clinic, and suggested to incorporate it as a health component for that area. Mr. Salinas liked the gateways, but expressed concern about the missing element of a central area where students and faculty could gather for entertainment and commerce.

In response to Council Member Peixoto's question regarding plans for the existing Library, Ms. Moore noted that the recommendation was to preserve it. Ms. Moore explained for Council Member Peixoto that concern was expressed by both the community and students in regards to the configuration of the mini-loop and the issue it presented to the pedestrian friendly component. Mr. Peixoto concurred with Commissioner Mendall about retaining the angular parking on B Street. Mr. Peixoto commented that the transit-oriented development which resulted in high density residential next to the BART station with a retail element had yet to become a reality.

Council Member Halliday mentioned that mixed-use zoning could work in the downtown. She supported the idea of connecting B and Main Streets and accommodating two-way traffic along B Street with parallel parking. She favored preserving the existing Library property as a historic square and was concerned about the proposed amphitheater location. Ms. Halliday favored the Performing Arts Center near the BART station along B Street, and a hotel at the City Center site. She liked the pedestrian bridge at the BART site connecting the BART platform with the adjacent parking structure, but mentioned that a pedestrian bridge at the intersection of Foothill Boulevard and B Street needed further research. Ms. Halliday liked the proposed shuttle.

Council Member Henson suggested the final report should contain both short and long-term plans for future development. He said Foothill Boulevard, as a major thoroughfare, needs renovation and would like to see an area blocked off for pedestrian-use only. Mr. Henson supported the shuttle proposals and a Performing Arts Center near BART. He suggested a more modern signage proposal. He spoke about the need to incorporate the "completer streets" element, which allows easy access for motorists, bicycles and pedestrians. Mr. Henson also noted the City Center site is an opportunity for a hotel, and felt the Mervyns' site should remain a retail opportunity.

Mayor Sweeney appreciated the students' addressing concerns with the mini-loop and its design. Mayor Sweeney said the challenge with pedestrian overpasses was creating a viable, healthy, attractive overpass that would stand up over time. Mayor Sweeney mentioned changing B Street to a two-way street could be a concern to business owners and the public and asked that it be further

considered in coordination with business owners. Mayor Sweeney said density needed to be lowered to have the appropriate transition moving away from the Downtown area to more typical residential areas. Mayor Sweeney noted support for the hotel and recreational opportunities, but said the Mervyns' site should remain a commercial opportunity. Lastly, Mayor Sweeney liked the plan of improved lighting and said it was a start in addressing the downtown vagrant problem. On behalf of the Council, he thanked the students for their work and the Planning Commission for their input.

CONSENT

2. Approval of Minutes of the City Council Meeting on February 21, 2012

It was moved by Council Member Peixoto, seconded by Council Member Henson, and carried unanimously, to approve the minutes of the City Council Meeting of February 21, 2012.

3. Adoption of a Resolution to Approve Hayward Association of Management Employees Memorandum of Understanding and Adoption of a Salary and Benefits Resolution for the Unrepresented Management, Human Resources, and City Attorney Employees

Staff report submitted by Human Resources Director Robustelli, dated March 6, 2012, was filed.

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

Resolution 12-027, "Resolution Approving a Three Year Memorandum of Understanding for the Hayward Association of Management Employees"

Resolution 12-028, "Resolution Authorizing the Salary and Benefits for the Unrepresented Management Employees, Human Resources and City Attorney Employees"

4. Adoption of an Enforceable Obligation Payment Schedule, Approval of the Recognized Obligation Payment Schedule, Approval of the Successor Agency Preliminary Administrative Budget, and Approval of Certain Determinations Regarding Separate Assets and Liabilities of the Successor Agency of the Redevelopment Agency

Staff report submitted by Assistant City Manager Morariu, dated March 6, 2012, was filed.

It was moved by Council/RSA Member Peixoto, seconded by Council/RSA Member Henson, and carried unanimously, to adopt the following:

Redevelopment Successor Agency Resolution 12-01, "Resolution of the City Council of the City of Hayward, Acting as the Governing Board of the Successor Agency for the Redevelopment Agency of the City of Hayward, Adopting an Amended Enforceable Obligation



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Payment Schedule, Approving the Recognized Obligation Payment Schedule, Approving the Successor Agency Administrative Budget, and Directing the City Manager to Take All Actions Necessary to Effectuate Associated Requirements of ABX1 26”

LEGISLATIVE BUSINESS

5. Fiscal Year 2012 Mid-Year Budget Review and General Fund Ten-Year Plan Update

Staff report submitted by Finance Director Vesely, dated March 6, 2012, was filed.

Finance Director Vesely provided a synopsis of the report noting that there was a revised agenda report that was submitted after the agenda was published.

Council Member Halliday commended the Library for securing grants that were projected to exceed \$175,000. In response to Ms. Halliday’s question regarding the Community Oriented Policing Services (COPS) Grant, Finance Director Vesely confirmed that nine officer positions were built into the budget projections in the Ten-Year Plan that would cover FY 2013 and beyond. In regard to the Business License Tax ordinance, Ms. Vesely noted the ordinance needed to be updated in order to recognize an increase in revenue. City Manager David added that the Business Tax License was a voter-approved activity and to prepare a successful ballot measure would take approximately 24 to 36 months. Ms. Vesely clarified for Ms. Halliday the medical rates increased by 6% rather than the budgeted 10%.

In response to Council Member Salinas’ question of whether or not the City was collecting fees for certain services rendered, Finance Director Vesely said part of the budget process was reviewing all fees and updating the Master Fee Schedule, and she noted that there would be new fees as result of the review and to be in compliance with Propositions 26 and 218. The Master Fee Schedule would be presented to Council in April.

In response to Mr. Salinas’ question regarding bargaining units’ response to the Ten-Year Plan, City Manager David noted negotiations were taking place and added that this year employees were being asked to make permanent concessions in order to close the budget gap.

In response to Mr. Salinas’ question about the appropriate amount to be held in the Reserve Fund, Ms. Vesely said the Government Finance Officers Association (GFOA) recommended two months of operating expenses and said currently, the City’s reserves were at approximately 20%.

Council Member Zermeño commented that the City needed to be cautious in how funds were spent and suggested using in-house expertise instead of outside consultants. He suggested looking at moving the Municipal Election from June to November in order to diminish costs. In response to

Mr. Zermeño's question about the availability of additional COPS grants, City Manager David said staff had just learned about COPS grants, but they seemed to be less lucrative.

In response to Council Member Henson's question about a sector that might give the City a revenue boost, City Manager David said the City has seen increased sales tax contributions by large retailers such as Target and Costco.

In response to Mr. Henson's question about how much is being sent to the State, Ms. Vesely mentioned there were the Educational Revenue Augmentation Fund and the Redevelopment Agency monies. Ms. Vesely indicated that she would provide Council with a summary.

Council Member Peixoto commended staff for the analysis in preparing the mid-year report. Mr. Peixoto asked if the city's sales tax revenue was below the county's average. Finance Director Vesely said the City was lagging, but gradually improving. It was noted that the City was responsible for the administrative costs of the successor agency.

There being no public comments, Mayor Sweeney opened and closed the public hearing at 9:17 p.m.

Council Member Henson offered a motion per the staff recommendation and Council Member Zermeño seconded it.

Mayor Sweeney referred to the decline in property tax, sales tax, and property transfer tax and noted the revenue impact was real. He commented on how hard Council, City staff, and the community had worked in keeping the City operating and commended the community for the passage of Measure A. He also noted that employee concessions were important in order to protect services and jobs. He supported the motion on the floor.

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

Resolution 12-029, "Resolution Amending Resolution 11-015, as Amended, the Budget Resolution for the City of Hayward Operating Budget for Fiscal Year 2012, Relating to an Appropriation of Funds"

COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS

Council Member Zermeño noted that Hayward was incorporated on March 11, 1876, and on March 11, 2012, the City would be celebrating its 136th "Birthday." Mr. Zermeño urged all to establish this date as a "Shop Day" in Hayward.

Council Member Salinas announced the "Hayward Honors Women – Teach In" event on March 8, 2012, at City Hall, commemorating Women's History Month. Mr. Salinas commended the Stonebrae Elementary School, Mandarin Immersion Program, for obtaining second place in the 2012 San Francisco Chinese New Year Parade for Great Bay Area Schools. He also noted that the Hayward Japanese Gardens is a destination spot that attracts folks from San Jose and all over the Bay Area.



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ADJOURNMENT

Mayor Sweeney adjourned the meeting at 9:24 p.m.

APPROVED:

Michael Sweeney, Mayor, City of Hayward

ATTEST:

Miriam Lens, City Clerk, City of Hayward

DATE: March 27, 2012

TO: Mayor and City Council

FROM: Director of Development Services

SUBJECT: Park In-Lieu Fee Allocation to the Hayward Area Recreation and Park District (HARD) in the amount of \$665,000 for Tidal Gate Improvements at the Hayward Shoreline Trail, and ADA Improvements at the Hayward Senior Center Kitchen

RECOMMENDATION

That Council adopts the attached resolution allocating \$665,000 of Park In-Lieu fees to the Hayward Area Recreation and Park District: \$125,000 for Tidal Gate Improvements at the Hayward Shoreline Trail from the Park in-Lieu account for Zones B, C, D and E; and \$540,000 for the Hayward Senior Center Kitchen Americans with Disabilities Act (ADA) Improvements from the Park in-Lieu account for Zone C, D and E.

BACKGROUND

The City of Hayward requires all subdivisions and other development of land for residential purposes to set aside land and/or pay in-lieu fees to provide for park and recreational facilities serving the area being subdivided or developed. Collected park in-lieu fees are used for the purpose of acquiring necessary land and developing new or rehabilitating existing parks in the Park Dedication Zone in which the property is located. Exceptions to fund allocation are made for district-wide parks and facilities. The Hayward Area Recreation and Park District (HARD) submits annual requests for disbursement of these funds, for which Council approval is required prior to disbursement.

DISCUSSION

Hayward Shoreline Trail - Hayward Shoreline Trail is a part of the regional San Francisco Bay Trail system that will eventually encircle the San Francisco Bay. The Oliver Ponds, remnants of a salt-harvesting industry that began during the mid-19th century in the San Francisco Bay, still exist today in limited areas of the Bay. HARD purchased the ponds from the Oliver estate in the mid-1990s. The HARD Marsh, formerly salt ponds, was restored to tidal action in 1986. Beyond lies the fresh and brackish water Hayward Marsh, an East Bay Regional Park District project created in 1988 to naturally cleanse and release into the Bay some one million gallons per day of secondary treated sewage discharge water.

HARD is working to improve approximately 3,200 linear feet of the approximately 10-ft. wide Hayward Shoreline Trail with a layer of base rock for public use. As part of this project, HARD will improve the key tidal gate under part of the Hayward Shoreline Trail to provide better control of water into the restored marsh. Tidal gates are essentially barriers that control water moving from one area to another, and are used to regulate and maintain the amount of water required to improve and control water circulation for the marsh environment. New rip rap rock was added to protect the shoreline levee. FEMA is funding the riprap rock levee repair portion of this project, and HARD seeks an amount not-to-exceed \$125,000 from the district-wide in-lieu funds, except Zone A due to the insufficient fund balance, to help fund the tidal gate improvement project.

Hayward Senior Center - The Hayward Senior Center is located at 22325 North Third Street at the Japanese Gardens. The kitchen, built in 1978, serves free or low-cost meals to over 100 seniors a day. The Hayward Senior Center Kitchen ADA Improvement project will completely rebuild the Hayward Senior Center kitchen to comply with the Americans with Disabilities Act (ADA) requirements and the current California Health Department codes.

As a part of this project, HARD will improve the functional work and pantry areas of the kitchen with new commercial kitchen appliances and a new stand alone refrigerator/freezer, grease trap, and trash container area. HARD seeks an amount not-to-exceed \$540,000 from the district-wide in-lieu funds, specifically, from Zones C, D and E to help fund this project; Zones A and B were excluded due to insufficient available funds. This new kitchen will serve about 30,000 free or low-cost meals annually to the seniors that participate in the many programs offered at this facility.

Staff supports the use of the district-wide park-in-lieu funds for these two projects. The Tidal Gate Improvement project will require allocation of \$31,250 from each of Zones B, C, D and E; there are sufficient funds in those Zone accounts to fund the improvement project. The Hayward Senior Center Kitchen ADA Improvement project will require allocation of \$180,000 from each of Zones C, D and E; there are sufficient funds in those Zone accounts to fund the improvement project.

Park In-Lieu Funds – Current Balances and Proposed Allocations

| | <u>Zone B</u> | <u>Zone C</u> | <u>Zone D</u> | <u>Zone E</u> |
|---|---------------|---------------|---------------|---------------|
| Available funds | \$138,255 | \$1,660,484 | \$325,003 | \$347,674 |
| Funding required for the tidal gate improvements at Hayward Shoreline Trail (Requested total \$125,000) | \$31,250 | \$31,250 | \$31,250 | \$31,250 |
| Funding required for Hayward Senior Center Kitchen ADA improvements (Requested total \$540,000) | | \$180,000 | \$180,000 | \$180,000 |
| Remaining balance after the allocation: | \$107,005 | \$1,449,234 | \$113,753 | \$136,424 |

FISCAL IMPACT

No fiscal impact to the City is anticipated. HARD is responsible for providing funds from other revenue sources to cover the remaining cost of the park improvements in its annual budget.

Prepared by: Michelle Koo, RLA ASLA, Landscape Architect

Recommended by: David Rizk, AICP, Development Services Director

Approved by:



Fran David, City Manager

Attachments:

- | | |
|----------------|---|
| Attachment I | Draft Resolution |
| Attachment II | Letter of Request from HARD for Hayward Shoreline Trail and Tidal Gate Improvement Project, dated January 3, 2012 |
| Attachment III | Letter of Request from HARD for Hayward Senior Center Kitchen ADA Improvement Project, dated January 5, 2012 |
| Attachment IV | Park In-Lieu Zone Map |

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member _____

RESOLUTION APPROVING REQUEST OF HAYWARD AREA RECREATION AND PARK DISTRICT FOR ALLOCATION OF PARK DEDICATION IN-LIEU FEES FOR THE PURPOSE OF IMPROVING TIDAL GATE AT HAYWARD SHORELINE TRAIL AND COMPLYING WITH THE AMERICANS WITH DISABILITY ACT (ADA) AT HAYWARD SENIOR CENTER KITCHEN

BE IT RESOLVED that the City Council of the City of Hayward does hereby approve the request of the Hayward Area Recreation and Park District for allocation of park dedication in-lieu fees in the amount of \$665,000 for the purpose of improving the tidal gate and trail at Hayward Shoreline Trail and obtaining Americans with Disability Act (ADA) Compliance at Hayward Senior Center, to be divided among the following park sites:

- 1. Hayward Shoreline Trail Tidal Gate Improvement –
In Lieu Fee Zones B, C, D and E - \$125,000 (\$31,250 from each zone fund)
- 2. Hayward Senior Center Kitchen Updates for ADA Compliance –
In Lieu Fee Zones C, D and E – \$540,000 (\$180,000 from each zone fund)

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2012

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

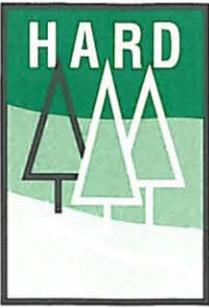
ABSTAIN:

ABSENT:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward



HAYWARD AREA RECREATION AND PARK DISTRICT

1099 'E' Street, Hayward, California 94541-5299 • Telephone (510) 881-6700 FAX (510) 888-5758

December 21, 2011

Michelle Koo
Landscape Architect
City of Hayward
777 "B" Street
Hayward, CA 94541

RECEIVED

JAN 03 2012

PLANNING DIVISION

RE: Hayward Shoreline Trail and Tidal Gate Improvement Project

Dear Ms. Koo;

The Hayward Area Recreation and Park District (HARD) is working to improve about 3,200 linear feet of the ten plus foot wide Hayward Shoreline Trail with a layer of base rock for public use. As part of this project, the Park District will improve the key tidal gate under part of the Hayward Shoreline trail to provide better control of water into the restored marsh. The Park District is seeking an amount not to exceed \$125,000 from District Wide in-lieu accounts (except Area A) to help fund this project. FEMA is funding the rip rap rock levee repair portion of this project. The approved plans for this project are filed at the City.

In order to offer improved recreational use of the Hayward Shoreline and allow new school programs to be offered at this site, the Park District will improve a 3,200 foot section of trail with base rock and improve the tidal gate so that all residents can participate in the many programs offered at this facility.

The Hayward District Wide in-lieu account has sufficient funds to fund this project. If you have any questions, please call me at (510) 881-6716 or email me at lepl@haywardrec.org.

Sincerely,

Larry Lepore
Superintendent of Parks

BOARD OF DIRECTORS

- Louis M. Andrade
- Paul W. Hodges Jr.
- Minane Jameson
- Carol A. Pereira
- Dennis M. Waespi

GENERAL MANAGER

Rita Bedoya Shue



HAYWARD AREA RECREATION AND PARK DISTRICT

1099 'E' Street, Hayward, California 94541-5299 • Telephone (510) 881-6700 FAX (510) 888-5758

January 2, 2012

Michelle Koo
Landscape Architect
City of Hayward
777 "B" Street
Hayward, CA 94541

RE: Hayward Senior Center Kitchen ADA Improvement Project

Dear Ms. Koo;

The Hayward Area Recreation and Park District (HARD) is planning to completely rebuild the Hayward Senior Center kitchen to make it ADA compliant and to bring the kitchen built in 1978 to current Health Department codes. As part of this project, the Park District will improve the functional work and pantry areas of the kitchen with new commercial kitchen appliances, and a new exterior stand alone refrigerator/freezer, grease trap and trash container area. The Park District is seeking an amount not to exceed \$540,000 from District Wide in-lieu accounts (except Area A) to help fund this commercial kitchen project. The plans for this project will be filed at the City.

This new commercial kitchen will serve about 30,000 free or low cost meals to seniors that participate in the many programs offered at this facility. The Hayward District Wide in-lieu account has sufficient funds to fund this project. If you have any questions, please call me at (510) 881-6716 or email me at lepl@haywardrec.org.

Sincerely,

Larry Lepore
Superintendent of Parks

090602 HaywardNewKitchen

**BOARD OF
DIRECTORS**

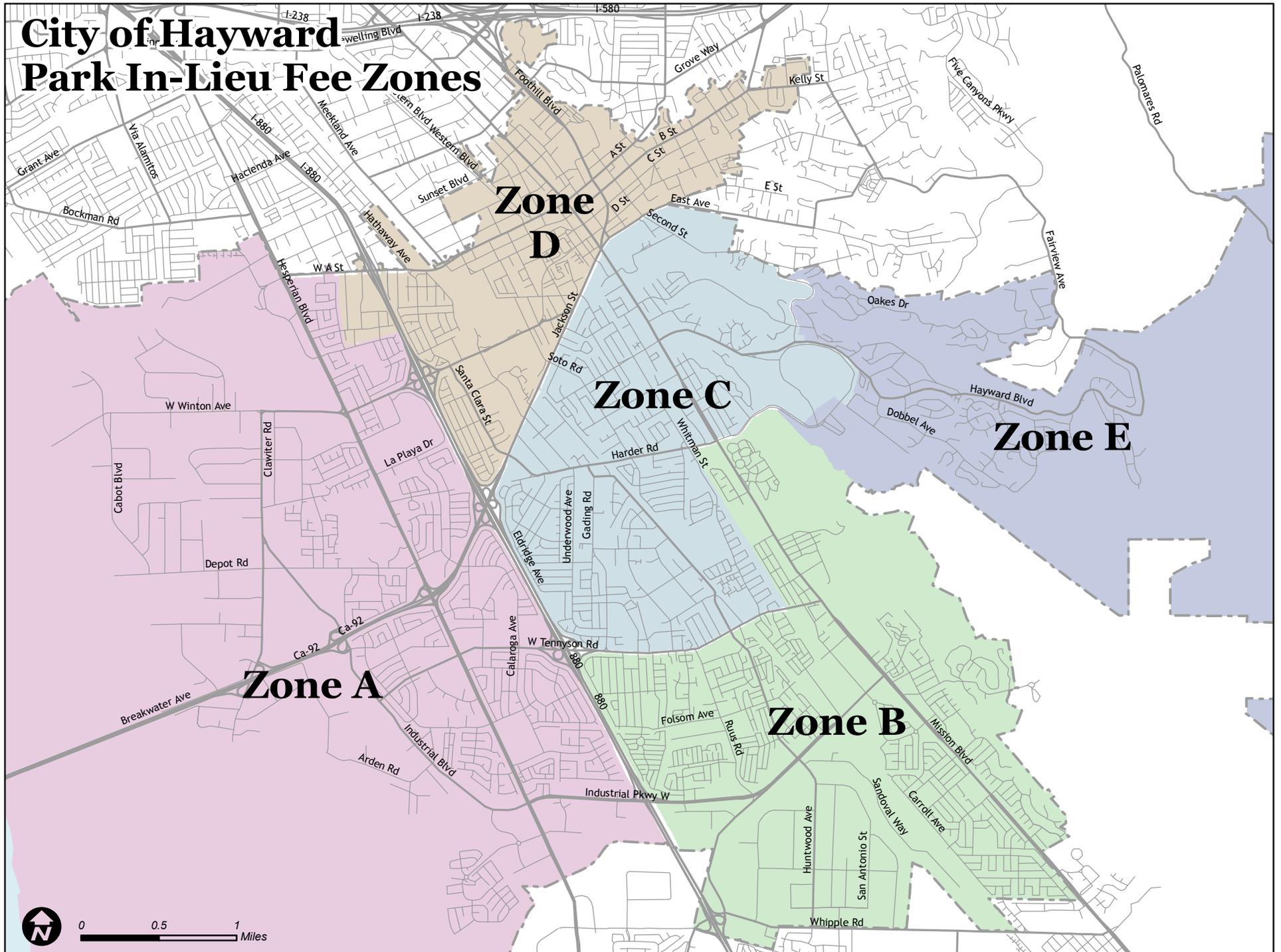
Louis M. Andrade
Paul W. Hodges Jr.
Minane Jameson
Carol A. Pereira
Dennis M. Waespi

GENERAL MANAGER

Rita Bedoya Shue

RECEIVED
JAN 05 2012
PLANNING DIVISION

City of Hayward Park In-Lieu Fee Zones



DATE: March 27, 2012

TO: Mayor and City Council

FROM: Director of Public Works - Engineering & Transportation

SUBJECT: Authorization to Submit an Application for a Caltrans Community Based Transportation Planning Grant and authorization for City Manager to execute all necessary agreements related to the Grant.

RECOMMENDATION

That Council adopts the attached resolution authorizing staff to submit an application to Caltrans for a Community Based Transportation Planning Grant for the purpose of preparing a Safe Routes to Schools Citywide Master Plan, and providing the required ten percent local match, and authorize the City Manager to execute all necessary agreements related to the grant, including a fund transfer agreement with Caltrans.

BACKGROUND

Each year, Caltrans makes funding available for transportation projects that promote coordinated land use and transportation planning, public engagement, livable communities and a sustainable transportation system including mobility, access, and safety. A major state, regional and local initiative towards meeting these goals is the Safe Routes to Schools Program.

Community Based Transportation Planning Grant funds coordinate transportation and land use planning projects that encourage community involvement and partnership. These grant funds are to be used to address specific identified areas of concern. Projects must support livable and sustainable community concepts with a transportation or mobility objective and promote community identity and quality of life. Proposed projects should involve conceptual level plans or studies that include community based stakeholder collaboration and consensus building through active public engagement. Applications must also address, to the extent practical, how the project will meet statewide planning goals including sustainability, improving mobility, supporting the economy and enhancing public safety and security.

Because there are significant transportation needs near and around schools, staff believes that preparation of a Master Plan would help properly identify those needs and eventually receive funding. Thus, staff recommends that the City apply for a grant for Master Plan preparation.

DISCUSSION

Because of recent school closures, the concept of the neighborhood school is fast decreasing. The distance that students need to travel from home to school has markedly increased and in many cases, students currently need to cross more major streets (i.e. four lane arterials) to get to school. In addition, increased traffic at schools during the morning and afternoon peak times has caused traffic and circulation problems that were unforeseen when these schools were built. Additionally, because of budget constraints for both cities and school districts, it is very difficult to construct improvements to address obstacles to walking and biking to school.

For years, the City has tried to apply for Safe Routes to Schools grants at both the Federal and at the State levels to construct improvements to address some of these issues. We have been successful on some occasions. For example, the City received funding to construct sidewalks on Baumberg and Berry Avenues. However, given that community engagement and public outreach are increasingly becoming a part of the grant requirements, the City is left at a disadvantage because we currently do not have adequate mechanisms in place to meet more demanding grant requirements.

The Safe Routes to Schools Program, particularly on the local level, requires significantly more community engagement and coordination than had been required in the past. While the City of Hayward has been successful in receiving funds through prior Safe Routes to Schools funding cycles, we have not been as successful lately because our applications have not included this component. Thus, the City is at a competitive disadvantage when it comes to funding decisions made by Caltrans. A Safe Routes to Schools Master Plan (Master Plan), which is an eligible project under Community Based Transportation Planning Grants, would greatly enhance the City's chances for getting these projects funded. The Hayward Unified School District has agreed to be a co-sponsor of the application and will participate at all levels on plan development and implementation.

A Master Plan will address these two factors through two means. First, the plan will include a thorough Public Participation Process. The Plan will identify how to engage the public in the initial stages of Safe Routes to Schools Planning. One approach could be to utilize the City's existing Neighborhood Partnership Program process to identify the specific school needs, and then ask the major stakeholders in the affected schools to participate in the development of actions to address the specified needs. The outcome for each affected school will be a list of capital projects that will provide improvements to promote walking and biking to school and will greatly enhance the City's opportunity to submit successful applications. It should be noted that since the plan will be prepared by a consultant, one of the tasks will include a review of successful outreach mechanisms in other communities and how such mechanisms might be applied in Hayward.

FISCAL IMPACT

There are approximately \$3 million in funds available statewide in this grant cycle to fund Community Based Transportation Planning Projects. Staff has estimated the cost of preparing a Master Plan to be \$300,000. This cost will include the contract with a consultant to prepare the Master Plan. The major component of this plan is expected to be the development of a public

engagement process that can be applied to all of the schools. The budget will also include costs for project administration by staff.

Since the applicant must provide ten percent matching funds, staff recommends that we apply for \$300,000 with the \$30,000 match to come from the Transportation System Improvement Fund. The adopted FY12 Capital Improvement Program includes adequate funding to provide the required match. Additionally, the application process requires execution of a Fund Transfer Agreement with the California Department of Transportation before such funds can be claimed through the Transportation Planning Grant Program

PUBLIC CONTACT

Staff has had ongoing discussions with various school principals and School District representatives on Safe Routes to Schools issues and they have been very supportive of the City's efforts in prior Safe Routes to Schools funding cycles. If this application is successful, considerable outreach to the schools and to the community will occur, including to parents, teachers, administrators, students and other stakeholders. This outreach will be conducted in conjunction with the City's existing Neighborhood Partnership Program and through other means as will be identified in the Master Plan.

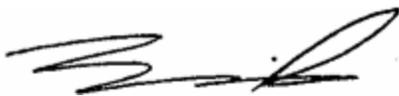
SCHEDULE

| | |
|------------------|-------------|
| Grant Approval | Fall 2012 |
| Project Start | Spring 2013 |
| Project Complete | Spring 2014 |

Prepared by: Don Frascinella, Transportation Manager

Recommended by: Morad Fakhrai, Public Works Director – Engineering and Transportation

Approved by:



Fran David, City Manager

Attachments

Attachment I Resolution

HAYWARD CITY COUNCIL

RESOLUTION NO. 12-

Introduced by Council Member _____

RESOLUTION AUTHORIZING STAFF TO APPLY FOR A CALTRANS COMMUNITY BASED TRANSPORTATION PLANNING GRANT AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL AGREEMENTS ASSOCIATED WITH THE GRANT

WHEREAS, the City of Hayward is eligible to receive Federal and/or State funding for certain transportation planning-related plans, through the California Department of Transportation; and

WHEREAS, staff has identified these grant funds as a funding source for preparing a Safe Routes to Schools Citywide Master Plan; and

WHEREAS, the application process requires execution of a Fund Transfer Agreement with the California Department of Transportation before such funds can be claimed through the Transportation Planning Grant Program;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hayward authorizes staff to apply for a Caltrans Community Based Transportation Planning Grant.

BE IT FURTHER RESOLVED by the City Council of the City of Hayward that the City Manager is authorized to execute any and all agreements and amendments associated with the grant thereto with the California Department of Transportation

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2012

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

DATE: March 27, 2012

TO: Mayor and City Council

FROM: Director of Public Works - Engineering & Transportation

SUBJECT: Authorization for Staff to Submit Applications for a California Energy Commission Loan and a PG&E No-interest On Bill Financing Loan for the Conversion of City Streetlights to Light-Emitting Diode (LED) Lights, to Obligate the use of Federal Energy Efficiency and Conservation Block Grant funds for Jackson Street and C Street LED Streetlight Retrofits, and to Authorize Staff to issue a Request for Proposals to Select a Streetlight Conversion Vendor

RECOMMENDATION

That Council adopts the attached resolutions to:

1. Obligate the use of \$80,000 from the Federal Energy Efficiency and Conservation Block Grant funds for the Jackson Street and C Street LED Streetlight Conversion Project;
2. Approve an application to the California Energy Commission for a \$3 million loan to convert approximately 7,600 streetlights City wide from high pressure sodium to LEDs;
3. Approve an application to PG&E for a no-interest loan of \$250,000 to convert all of the traffic signal safety lights to LEDs; and
4. Authorize staff to issue a RFP for selecting the streetlight conversion vendor.

BACKGROUND

In 2010, the City of Hayward was awarded \$1,361,900 in formula-based Energy Efficiency and Conservation Block Grant (EECBG) funds allocated through the Federal American Recovery and Reinvestment Act (ARRA). On January 25, 2011, Council approved the obligation of funding for three of the programs included in the grant:

- Energy Efficiency Program for Large Energy Users
- Energy Efficiency Retrofit Grants for Nonprofits and Government Agencies
- Residential and Commercial Energy Audits

On March 22, 2011, Council approved the obligation of a portion of these funds (\$70,000) for the Tennyson Streetlight Project to install LED streetlights on Tennyson Road between Mission Boulevard and Tampa Avenue. This project finished about \$10,000 under budget, was completed

in August 2011, and has received positive feedback from the community. In light of the positive response from the public and the considerable savings from the low energy consuming LED lights, staff recommends that the City not only move forward with the immediate implementation of LEDs on Jackson Street and C Street using available EECBG funds, but also proceed with the necessary steps for implementing a complete conversion of the City's streetlights and traffic signal safety lights to LEDs.

DISCUSSION

Following the successful installation of LED lights along Tennyson Road last summer, staff selected Jackson Street between Watkins Street and Santa Clara Avenue and C Street between Watkins to Main as specific locations to proceed with conversion to LED immediately for two reasons. First, Jackson Street functions as a major gateway into the City, which will mean that those entering the City from Jackson Street should immediately notice the difference and the improvement in lighting. Secondly, since staff is considering two different types of fixtures for the citywide project, C Street can be utilized as a pilot program to test out these two different fixture types. This will allow the general public a convenient location from which to observe the lights and to provide staff with feedback on their preference. Staff will provide an outlet for review through the City's website and will include pictures of the different fixtures and their impact on the surrounding lighting. One of the means to obtain public feedback would be through a comment mechanism, either in person, in writing, via email, or through Access Hayward.

Since there are remaining EECBG funds available, staff recommends obligation of \$80,000 of those funds for the Jackson Street and C Street LED conversion project. City staff has submitted a formal request to the Department of Energy (DOE) requesting a reallocation of funds from other programs supported by Hayward's Federal EECBG funds, and based on past approvals from DOE for similar reallocation requests, expects approval of such request in the near future.

The energy efficient LED streetlight conversion program is a money-saving project that will have a positive impact on the City's General Fund in terms of energy savings and reduced maintenance costs. The Bay Area Climate Collaborative, a group of the region's government, business, and non-profit organizations that creates common direction and accelerates the clean energy economy, has monitored the implementation of similar streetlight retrofit projects and has noted an energy savings of upwards of about 60%. In addition to the energy and maintenance savings, the conversion to LEDs will result in a reduction of greenhouse gases, which is consistent with the City's "Green" initiative and Climate Action Plan goals.

One of the primary complaints heard by residents during Neighborhood Partnership meetings is the lack of adequate lighting in various neighborhoods. Although this project will provide some upgrades and brighten currently lit areas by converting all of the existing streetlights from 70 watts (approximately one-half of the City's streetlights) to 100 watt equivalency, this project will not completely solve the City's lack of adequate lighting in our neighborhoods. The vendor chosen for the streetlight conversion project will also make recommendations for lighting improvements in specific areas. However, the overriding project goal is energy efficiency and reduction of streetlight energy and maintenance costs. The installation of new street lights in

neighborhood areas will continue to be addressed through other mechanisms, including the City's existing Neighborhood Partnership Program meetings and requests from the public at large. As has been the case with past installations, staff will attempt to address street lighting improvements on those streets where safety is an issue. While staff does not prioritize specific requests, they do make a judgment on whether additional lighting would address obvious safety concerns; and if that is the case, staff requests that PG&E expedite their review. This required review by PG&E is conducted whenever the City adds street lights to its inventory.

The LED streetlight conversion project, which will have a goal of converting about 7,600 streetlights to LEDs, is a complicated project with many parts, including the selection of the appropriate equipment best suited to the City's lighting needs, purchase and installation of the fixtures, disposal of old fixtures, obtaining PG&E rebates, photometric surveys, assessment of various lighting needs, and the provision of a streetlight layer for the City's GIS system. To facilitate the work, staff recommends that Council authorizes the release of a Request for Proposals (RFP) for the selection of a vendor that can provide all the necessary services and materials for this project. Once a preferred vendor has been identified through the RFP process, staff will come back to Council for award of the contract.

In addition, staff is proposing, as part of this initiative, the conversion of approximately 400 traffic signal safety lights throughout the City. The safety lights are considered to be part of the traffic signal, although they have no role in controlling traffic. Safety lights provide additional illumination at the intersections, thereby improving safety and visibility. Most of the City's energy expense for traffic signals involves the safety lights, since the signal heads themselves are already LEDs and as such, consume very little energy.

FISCAL IMPACT

The estimated costs of the various projects and the approximate energy savings per year are as follows:

| Project | Number of Street Lights | Funding Source | Est. Project Cost | Est. PG&E rebate | Est. Project Cost w/rebate | Est. Annual Energy (Savings)** | Approx. Debt Service | Net Annual (Savings) Years 1-7* | Net Annual (Savings) Years 8+ |
|------------------------|-------------------------|----------------|-------------------|------------------|----------------------------|--------------------------------|----------------------|---------------------------------|-------------------------------|
| Citywide SL Conversion | 7,600 | CEC | \$ 3,500,000 | \$ 500,000 | \$ 3,000,000 | \$ (350,000) | \$ 340,000 | \$ (10,000) | \$ (350,000) |
| Jackson St./C St. | 103 | EECGB | \$ 80,000 | \$ 10,000 | \$ 70,000 | \$ (5,000) | \$ - | \$ (5,000) | \$ (5,000) |
| Safety Lights | 400 | PG&E | \$ 250,000 | \$ 40,000 | \$ 210,000 | \$ (30,000) | \$ 20,000 | \$ (10,000) | \$ (30,000) |

Note: * Savings through years 1-7 will primarily pay the debt service.

**The full energy savings will be from 8th year on. Additional savings in maintenance cost will also be realized in the first year.

The California Energy Commission (CEC) and PG&E have special loan programs for local agencies to convert their high energy consuming streetlights to LED lights. For the CEC loan program, public agencies can obtain up to \$3 million to finance energy efficient projects. The PG&E program is a no-interest loan called On-Bill Financing, which provides up to \$250,000 for governmental agencies to convert to more energy efficient technologies. These loans are paid back in seven to ten years through the energy savings that occur with the conversion. The actual duration of the CEC loan is dependent upon the energy cost savings realized by the conversion project.

Staff is proposing that the Council authorize staff to secure both the PG&E and CEC loans to finance the conversion of the 400 signal safety lights and the 7,600 citywide streetlights, respectively. To convert all streetlights citywide will cost approximately \$4 million. The City would be eligible to receive a PG&E rebate of up to \$500,000 will offset some of the cost of the Citywide LED streetlight conversion. However, since the maximum that the City can borrow from the CEC is \$3 million and depending upon the proposals received from the various vendors, conversion of some streetlights may need to be deferred to the future.

In the first year, it is estimated that the citywide conversion to LED streetlights would save about \$350,000 per year. Additionally, in the first year, there will be no maintenance charges since the fixtures will be under warranty. Streetlight energy and maintenance costs are funded with Gas Tax funds. Once the loan has been repaid, all of the savings may be used for critical local streets and roads paving needs, or for new street light improvements where needed.

Similarly with regard to the safety lights, there will be an energy cost savings of about \$60,000 annually once the loan has been repaid. Again, in the first year because of the warranty, there will be no maintenance costs for the safety lights. As was the case with the Citywide project, once the loan has been repaid there will be savings to the gas tax funds, again providing more funding for other projects.

Staff has confirmed the availability of the PG&E and CEC funding; however, a Council action is required to demonstrate the City's commitment. Once Council authorizes staff to proceed with the application, the CEC will hold the funds in reserve.

Staff will also continue to identify other funding sources with better loan terms and will return to Council if a different funding recommendation will be made. In addition, staff will evaluate other possibilities, such as collaboration with other local municipalities in the area for group procurement of LED streetlights, for further cost reduction.

Once the debt service has been satisfied, the completion and implementation of this project will result in savings to the Gas Tax Fund from reduced energy use and maintenance over the long term. The computation of the actual savings shall be part of the services to be provided by the selected vendor chosen for the streetlight conversion project. This project will have no impact on the General Fund since streetlight energy and maintenance costs are funded with Gas Tax funds.

PUBLIC CONTACT

As noted above, staff will be installing sample fixtures on C Street between Watkins and Mission and between Mission and Main from two different manufacturers. Feedback from the public on these examples will greatly help guide the selection of a preferred fixture type to be universally installed throughout the City.

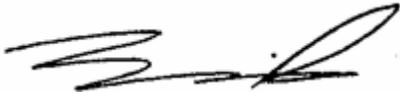
SCHEDULE

Staff anticipates that the Jackson Street project will be completed by August 2012 and the safety light conversion project by October. When the vendor for the citywide streetlight conversion project is selected, staff will request Council approval for their contract and at that time will provide a more complete estimate for the project's schedule. However, staff anticipates that this project can be completed by early next year.

Prepared by: Don Frascinella, Transportation Manager

Recommended by: Morad Fakhrai, Public Works Director – Engineering and Transportation

Approved by:



Fran David, City Manager

Attachments

- Attachment I: Resolution (Obligating Use of EECBG funds and establishing Project)
- Attachment II: Resolution (authorizing application for CEC loan)
- Attachment III: Resolution (authorizing application for PG and E loan)
- Attachment IV: Resolution (authorizing issuance of a RFP)

HAYWARD CITY COUNCIL

RESOLUTION NO. 12-

Introduced by Council Member _____

RESOLUTION AUTHORIZING OBLIGATION OF THE USE OF FEDERAL ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT FUNDS FOR THE JACKSON STREET AND C STREET LED STREETLIGHT CONVERSION PROJECT AND APPROPRIATING FUNDS

WHEREAS, the City of Hayward has been allocated \$1,361,900 in formula-based Energy Efficiency and Conservation Block Grant (EECBG) funds through the Federal American Recovery and Reinvestment Act; and

WHEREAS, approximately \$80,000 of the EECBG funds will be used for the conversion of streetlights on Jackson Street to Light Emitting Diode (LED), as described in the Council agenda report dated March 27, 2012; and

WHEREAS, EECBG regulations requires Council action to obligate these funds; and

WHEREAS, the City Council Sustainability Committee reviewed this program on May 5, 2010.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hayward finds that the approval of the Jackson Street and C Street LED Streetlight Conversion Project is categorically exempt from environmental review under the California Environmental Quality Act pursuant to California Code of Regulations, Title 21, Sections 15301 (repairs and minor alterations to existing facilities).

BE IT FURTHER RESOLVED by the City Council of the City of Hayward that \$80,000 from EECBG funds are hereby obligated for the Jackson Street and C Street LED Streetlight Conversion Project.

BE IT FURTHER RESOLVED by the City Council of the City of Hayward that \$80,000 is appropriated in the Transportation System Improvement Fund for the Jackson Street and C Street LED Streetlight Conversion Project.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2012

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

HAYWARD CITY COUNCIL

RESOLUTION NO. 12-

Introduced by Council Member _____

RESOLUTION AUTHORIZING STAFF TO APPLY FOR A PG&E NO INTEREST LOAN TO RETROFIT SAFETY LIGHTS WITH LIGHT EMITTING DIODE (LED) FIXTURES AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL AGREEMENTS DOCUMENTS ASSOCIATED WITH THE LOAN

WHEREAS, the City of Hayward is interested in converting all of its streetlights to LEDs; and

WHEREAS, PG&E offers a no interest loan of up to \$250,000 to governmental agencies for energy efficiency projects; and

WHEREAS, loans are repaid through energy savings over a period of seven to ten years at no cost to the City; and

WHEREAS, the City of Hayward is eligible to receive such loans.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hayward authorizes staff to apply for a PG&E loan of \$250,000 for the purposes of retrofitting all of its traffic signal safety lights to LEDs.

BE IT FURTHER RESOLVED, by the City Council of the City of Hayward that the City Manager is authorized to execute any and all agreements and amendments associated with the loan.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2012

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

HAYWARD CITY COUNCIL

RESOLUTION NO. 12-

Introduced by Council Member _____

RESOLUTION AUTHORIZING STAFF TO APPLY FOR A CALIFORNIA ENERGY COMMISSION ENERGY EFFICIENCY LOAN FOR A CITYWIDE LIGHT EMITTING DIODE (LED) STREETLIGHT RETROFIT PROJECT AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL AGREEMENTS AND DOCUMENTS ASSOCIATED WITH THE LOAN

WHEREAS, the City of Hayward is interested in converting all of its streetlights to LEDs; and

WHEREAS, the California Energy Commission provides loans to schools, hospitals, local governments, special districts and public care institutions to finance energy efficiency improvements

WHEREAS, the City of Hayward is eligible to receive such loans.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hayward authorizes staff to apply for a California Energy Commission loan of \$3 million dollars for the purposes of retrofitting its 7,600 streetlights to LEDs.

BE IT FURTHER RESOLVED, that the amount of the loan will be paid back in full, plus interest, under the terms and conditions of the Loan Agreement, Promissory Note and Tax Certificate of the California Energy Commission.

BE IT FURTHER RESOLVED, that the City Council of the City of Hayward finds that the approval of the Citywide LED Streetlight Conversion Project is categorically exempt from environmental review under the California Environmental Quality Act pursuant to California Code of Regulations, Title 21, Sections 15301 (repairs and minor alterations to existing facilities).

BE IT FURTHER RESOLVED by the City Council of the City of Hayward that the City Manager is authorized to execute any and all agreements and amendments associated with the loan.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2012

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

HAYWARD CITY COUNCIL

RESOLUTION NO. 12-

Introduced by Council Member _____

RESOLUTION AUTHORIZING STAFF TO ISSUE A REQUEST FOR PROPOSALS (RFP) FOR A VENDOR TO PERFORM TASKS NECESSARY TO CONVERT CITYWIDE STREETLIGHTS TO LIGHT EMITTING DIODE (LED)

WHEREAS, the City of Hayward is interested in converting all of its streetlights to LEDs; and

WHEREAS, there are a considerable number of tasks that must be undertaken to complete this conversion; and

WHEREAS, staff recommends that a vendor with specialized expertise in LED streetlight conversion projects be retained to undertake the retrofit;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hayward authorizes staff to issue an RFP for the purposes of completing the tasks necessary to retrofit the City's streetlights to LEDs.

BE IT FURTHER RESOLVED, that staff will come back to the City Council to recommend selection of a specific vendor whose scope of services best meets the City's needs as defined in the RFP.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2012

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

DATE: March 27, 2012

TO: Mayor and City Council

FROM: Clancy Priest, Technology Services Director
Tracy Vesely, Finance Director

SUBJECT: Authorization to Negotiate and Execute Contracts with 1) Tyler Technologies, Inc., for an Enterprise Resource Planning (ERP) System; 2) Technology Management Services for ERP project management services; and 3) Amend the Existing Contract with the Government Finance Officers Association for ERP Technical Consulting Services

RECOMMENDATION

That the Council adopts the attached resolution authorizing the City Manager to:

- 1) Negotiate and execute a contract with Tyler Technologies, Inc. for an Enterprise Resource Planning (ERP) system;
- 2) Execute all documents necessary to procure and implement software and hardware for the system in an amount not to exceed \$2.3 million, including one year prepaid maintenance;
- 3) Procure project management services with Technology Management Services (TMS) in an amount not to exceed \$160,000; and
- 4) Procure project consultation services with the Government Finance Officers Association (GFOA) in an amount not to exceed \$200,000.

BACKGROUND

The City's existing financial system, Financial Management Information System (FMIS), first went live in July of 1986. The system has been in use for over twenty-five years and has gone through numerous upgrades during that time. While the system has served the City well, it is now outdated and does not meet the needs of a modern municipal government.

In September 2009, the Council approved a Technology Strategic Plan. One of the top priorities identified in the plan was to replace the existing financial system with an ERP system – a comprehensive system to manage administrative functions for finance, human resources, payroll, purchasing, utility billing, community development, and other related functions. The City currently uses various separate systems to accomplish these functions and many do not fully support the City's business processes. For example, the current financial system fails to provide many important features and requires significant manual tasks and calculations to complete critical City functions (e.g., manual payroll and procurement processes). There are barriers within the system that are not conducive to integration with other critical City technology systems. ERP systems have

many components and modules; however, all are built on the same architecture, using software that operates as one single system, providing the ability to integrate data and processes throughout an organization.

DISCUSSION

An ERP system utilizes an integrated business model, enabled by a common suite of related applications/modules that use the same database – thus improving operational efficiency and providing better access to information. With a successful implementation, each department within the organization will utilize the system for daily activities to access, analyze, modify, and report information related to the City’s administrative functions (finance, purchasing, accounting, human resources, benefits, utility billing, permitting, work management, etc.). Outlined below are some common features found in modern ERP systems.

Use of Modern Technology Standards

Our current legacy system (FMIS) uses outdated technology that is cumbersome and expensive to support. In addition, the support provided by our current vendor is limited. Up-to-date ERP systems are built using modern programming languages, standards, and technical architectures and include many features that can significantly improve efficiency, accountability, and security while providing new levels of transparency into City processes.

Workflow Capabilities

Workflow is the automation of business processes within the ERP system. Workflow helps automate paper intensive processes in many legacy applications such as the approval process for a purchase order, approval process for a personnel action form, or budget control activities. Workflow capabilities permit users to define event-driven routings, create automated in-boxes and prioritized queues, and automate background queries. Significant process change will ensure that the savings of automated workflow are realized.

Advanced Reporting and Analysis

The system provides end-users with the ability to access system data using modern reporting tools, including both standard reports and also “ad hoc” reporting ability. The ERP system also provides analytic tools that allow the organization to analyze key data and use data to make management decisions including an easy way for exporting system data to spreadsheet applications (e.g. Microsoft Excel) for further analysis and reporting.

Security

Security capabilities, such as single sign-on, roll based security, data inscription, and field level security provide protection for sensitive data by allowing users access to necessary information and restricting access to other data. Utilizing these capabilities, system administrators are able to better control who accesses the system and what rights each user has: it is a significant improvement to

and strengthening of internal controls. From a user perspective, single sign-on simplifies access to systems by only requiring the user to maintain one password.

Use of Dashboards

ERP systems now provide executive dashboards or scorecards that “push” key information out to users. Key data is displayed graphically on the user’s portal to provide a quick update on vital indicators, such as items requiring approval. Problem areas can then be examined in detail using drill down, drill around, or other analytic features. From the dashboard, users can quickly navigate to source data and view supporting documents.

Public Sector-Specific Functionality

Public sector organizations require specialized systems to accommodate unique functions not commonly found in the private sector, such as fund accounting and mandated state financial reporting, utility billing, permitting, and land management. In addition, public sector organizations often face unique challenges with budgeting, payroll calculations driven by labor contracts, and public sector procurement rules. ERP systems help automate these businesses by providing tools developed specifically for enforcing rules, performing calculations, and providing required information and reports at key points in the process.

Self-service

Most ERP systems allow for customers, vendors, and employees to access portions of the system via the Web to access account information, update demographics and other data elements themselves rather than going through central customer service, purchasing, or human resources departments. Self-Service features can replace time-consuming manual processes that require central staff to take down information over the phone and key it into a system.

Taking Advantage of ERP

The most important benefit of ERP systems is the potential increase in productivity among City staff, specifically staff associated with core financial (purchasing, budgeting, financial reporting) and HR/payroll functions. Most significant will be the reduction of many redundant data entry tasks and separate spreadsheets/databases currently used to track information and perform calculations. Without the constant need to enter data, staff will be free to perform more value-added activities and will be less susceptible to error. For example, budget staff can allocate more time to analyzing data to improve the management of public funds in the annual budget; purchasing staff can focus on reducing costs through contract agreements; and staff responsible for financial reporting can devote time to communicating the results rather than just attempting to extract them from an outdated financial system. In addition, because all of this information will be stored in one central system rather than separate disparate systems, reporting will be easier allowing for greater accountability and controls. It will also create efficiencies from a technology management perspective – fewer systems to retain and maintain.

To use the system most effectively, staff will be entering information directly into the system rather than using paper forms for payroll/timesheets, purchasing requisitions, and other routine operational tasks. This is a shift from current practices. ERP systems have the capability to improve many inefficient processes for the City if the City is willing and has the necessary support and dedication of effort to do so.

ERP implementations present an opportunity to rethink processes and start anew; discarding old ways of doing business that currently only exist because “it’s the way we’ve always done it.” However, the way that it has always been done is also often the way that seems most comfortable to employees, managers, and other stakeholders. Introducing change is never easy and in a project this large, it only adds the uncertainty of human reactions to the issues of changing technology and changing business processes. Managing this change effort is a big part of the overall scope of the project – as it will ensure its success.

Selecting an ERP system requires an understanding of the City’s needs and expectations for business process improvement and the knowledge that there are different types of systems available. Selecting the right system focused on the specific needs of the public sector is critical to the success of the project and to the ongoing cost controls and efficiency of City business processes.

ERP Systems have been commonly classified by “tier;” a Tier 1 ERP system is software designed for a large enterprise, such as a multi-site, multi-national, or multi-industry corporation. A Tier 2 ERP is designed for mid-sized agencies often with a unique and specific focus (such as public sector). Critical factors when selecting one of these ERP tiers include the level of complexity and breadth of organization operations and the ability to support the system. Many cities use a Tier 2 ERP system, but some larger cities have deployed Tier 1 systems. The vendors that responded to City’s issued RFP are Tier 2 level ERP systems focused on local governments.

The ERP systems considered were designed and built in alignment with the City’s strategic technology architecture. The ERP systems are accessed by internal staff using a web browser, requiring only appropriate browsers on user desktops. System security is robust, as are the business continuity options presented by the systems. In addition, the ERP systems considered were developed for public sector organizations like the City. All three responders to the City’s RFP have hundreds of other cities using their proposed systems.

ERP Vendor Selection Process

The City retained the Government Finance Officers Association (GFOA) to assist in the ERP software vendor selection and contract negotiations phases of the project. GFOA was chosen from three qualified vendors that responded to a Request for Proposal (RFP) issued for ERP consulting services.

The process began on January 11, 2011 with several sessions held at City Hall, including two ERP 101 Classes and an Executive Visioning session. The following day, staff officially began the project with a kickoff meeting in the Council Chambers. Following the kickoff, the team then conducted a series of meetings over the next several months on needs assessment and process mapping steps to assess the impact of an ERP on the organization, and to define functional scope.

Other important outcomes completed during this phase of the project included the development of a governance structure composed of executive sponsors, a steering committee, a system evaluation team comprised of staff representatives from all departments, and a project management team. Business process change and change management strategies were also developed, as well as a Request for Proposal (RFP) for the actual software and associated implementation.

The RFP was released on June 23, 2011 with responses due August 17, 2011. Three vendors responded, and those proposals were extensively evaluated by the system evaluation team and the steering committee over a one-month period. Two vendors were invited to provide comprehensive scripted demonstrations before the evaluation team and other interested City staff. More than seventy staff members from all City departments attended software demonstrations pertinent to their work. The City’s evaluation team was made up of sixteen employees representing both “core” user departments (finance, human resources, permitting) along with other departments that will be important users of the system (e.g., public works, fire, and police). In addition, about sixty other representatives from various City departments participated in evaluation proposals, viewing software demonstrations and providing feedback.

After the demonstrations, a clarification document was sent to each vendor containing questions posed by the evaluation team and gathered from staff comments made on a survey website created for gathering staff feedback. After consideration of the written proposals, the comprehensive demonstrations, and the clarifications provided by the vendors, the evaluation team unanimously recommended to the steering committee that Tyler Technologies Inc. be selected to provide the City an ERP system. The steering committee forwarded that recommendation to the City Manager.

Tyler Technologies. Inc. will provide an integrated ERP system that includes financials, purchasing, human resources, payroll, utility billing, community development, work orders and other related processes and is capable of meeting almost all of the City’s needs in these areas (See table below). In addition to the features describing a modern ERP system listed above, the system also provides integrated document management capabilities to store files and self service capabilities to provide additional services to employees, citizens, and vendors.

Table 1

| Scope for ERP Implementation | |
|---|--|
| Core ERP | |
| Financials <ul style="list-style-type: none"> • General Ledger • Project Accounting • Grant Accounting • Purchasing • Accounts Payable • Accounts Receivable • Cashiering • Fixed Assets • Budget Prep and Forecasting • Treasury Management | Human Resources/Payroll <ul style="list-style-type: none"> • Personnel Administration • Position Control • Benefit Administration • Leave Management • Applicant Tracking • Risk Management • Time Entry • Payroll • Training Tracking |

| Non - Core ERP |
|--|
| <ul style="list-style-type: none"> • Work Orders • Utility Billing • Permitting (Building, Planning and Fire) • Business License |

Tyler Technologies will also be providing implementation and training services for the project. Tyler will be leading the City’s project team through their implementation methodology and providing services such as chart of account set up, data conversion, testing, report development, software enhancements, and training. The City also contracted with Tyler for documented best business practices recommendations and desktop user guides for core functions within the system. All implementation services are detailed in the City’s statement of work that provides information on scope, timeline, responsibilities, expectations, assumptions, and key processes for the project.

As part of the Tyler maintenance agreement, the City will be provided (at no cost) all future upgrades and enhancements of the software and have access to assistance with report writing, Tyler’s customer portal, system documentation, the Tyler knowledgebase, and local user groups. In addition, Tyler will maintain the system to comply with all federal reporting requirements.

Project Management & Consultation Support

Given the complexity of the ERP selection process, the City engaged the services of Technology Management Services (TMS) for ERP project management, and the Government Finance Officers Association (GFOA) for ERP technical consulting. These services have been critical to the success of the process this far.

Project Management is a key component to the success of any large project. While the City has established Project Management through the Technology Services Department, there is a considerable need for outside assistance in this area. TMS has assisted the City with the development of the Request for Proposal, the evaluation of the vendors, and the refinement of the project Scope of Work. The services provided by TMS are integral to the project and their continued involvement will be to focus on the implementation of the system over the next two years.

GFOA has consulted with the City during our initial project creation. The services provided by GFOA have been invaluable to the City with assistance in mapping our existing processes, general needs assessment, vetting of qualified vendors, and initial contract negotiations. GFOA will assist the City with consultation services during the next phase(s) in the areas of Chart of Accounts creation, contract oversight, best practices, and vendor compliance. The City has found GFOA’s assistance of great value and will continue with our working relationship.

As the City embarks on the implementation of the ERP (a highly technical and multi-dimensional process), it is necessary to continue these valuable services to ensure a successful ERP. With limited City resources, both TMS and GFOA offer critical project management and technical skills

that City staff does not possess. Staff is recommending that the City engage in contracts with these two organizations for the provision of services over the two-year implementation period,

FISCAL IMPACT

The total project budget is approximately \$3.9 million, of which \$2.1 million is for the ERP software acquisition and implementation with Tyler Technologies. The project addresses all of the City’s core financial system needs as outlined in Table 1 above. Table 2 identifies the total project cost components and all funding sources.

Table 2

| Project Components | Cost |
|-----------------------------|------------------|
| Software and Implementation | 2,100,000 |
| 1 Year Prepaid Maintenance | 200,000 |
| Technical Hardware | 700,000 |
| Project Management Services | 360,000 |
| Contingency | 500,000 |
| Total Project Cost | 3,860,000 |

| Funding sources | Amount |
|------------------------------|------------------|
| Technology Services CIP Fund | 3,254,000 |
| Waste Water Enterprise Fund | 249,000 |
| Water Enterprise Fund | 305,000 |
| Airport Enterprise Fund | 52,000 |
| Total Funding | 3,860,000 |

Funding is currently allocated in the FY 2012 Technology Services Capital Improvement Program budget in the amount of \$3.25 million – with additional project funding totaling over \$600,000 that will be allocated from the appropriate user enterprise funds in the FY 2013 & FY 2014 budgets. Not all project costs are due and payable in the FY 2012, as staff intends to finance (at basically a 0% rate) the \$700,000 in hardware acquisition costs over a five-year period. This will allow some flexibility in cash flow and budgeting. Staff will return to Council to approve procurement of the hardware to complete the project.

The recurring, annual system maintenance and support will cost is approximately \$200,000 per year. The \$2.1 million system acquisition cost includes one year of system maintenance and support (July 2013 – July 2014). The City is purchasing one additional year as part of the current project cost (see Table 2). Effective July 2015, the City will need to pay the annual maintenance and support costs, which will be budgeted and funded through the Technology Services Internal Service Fund.

It should be noted that the original project cost estimates were estimated at about \$11 - \$14 million. The current price tag is dramatically lower and is due to a favorable marketplace and a refined project scope. In the budget update presented to City Council in September 2011, staff had estimated a project cost of \$4 million - \$6 million.

The long-term fiscal impact of the system, however, will be the incredible efficiencies resulting from the business process improvements achieved through implementing the new system. While it is almost impossible to quantify the benefits of improved data and decision making tools, enhanced customer service for citizens and employees, a streamlined budget process, and more efficient internal processes, these improvements will be significant.

PUBLIC CONTACT

Technology Services reported the project progress and status to the Council Technology Application Committee in October and November of 2011.

SCHEDULE

Contract negotiations are nearing completion. It is anticipated that a phased implementation will be used, with the first phase, including financials, being implemented by April 2013. Human Resources and Payroll would be implemented in parallel with a go-live date scheduled for July 2013. Other features would follow with the entire project expected to be complete approximately 30 months from the signing of the contracts.

Prepared by: Clancy Priest, Technology Services Director
Tracy Vesely, Finance Director

Approved by:



Fran David, City Manager

Attachment I: Resolution

HAYWARD CITY COUNCIL

RESOLUTION NO. 12-

Introduced by Council Member

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE CONTRACTS WITH TYLER TECHNOLOGIES, INC., FOR AN ENTERPRISE RESOURCE PLANNING (ERP) SYSTEM, AND PROJECT MANAGEMENT SERVICES FROM TECHNOLOGY MANAGEMENT SERVICES, AND AMEND THE EXISTING CONTRACT FOR PROJECT CONSULTANT SERVICES FROM THE GOVERNMENT FINANCE OFFICERS ASSOCIATION (GFOA)

BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized and directed to negotiate and execute contracts, and any supporting documents, with Tyler Technologies, Inc., for an Enterprise Resource Planning (ERP) system, in an amount not to exceed \$2,300,000, and Technology Management Services, for project management services, in an amount not to exceed \$160,000, all in a form to be approved by the City Attorney.

BE IT FURTHER RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized and directed to negotiate and execute an amendment to the City's contract for project consultation services with Government Finance Officers Association (GFOA), in an amount not to exceed \$200,000, in a form to be approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2012

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

DATE: March 27, 2012
TO: Mayor and City Council
FROM: Director of Public Works – Utilities & Environmental Services
SUBJECT: Install Storm Water Trash Capture Device: Award of Contract

RECOMMENDATION

That Council adopts the attached resolution awarding the contract to Advance Drilling Works, Inc., in the amount of \$121,245.

BACKGROUND

The State Water Resources Control Board adopted the current Municipal Regional Stormwater Permit (MRP) at a hearing on October 14, 2009. The MRP covers storm water discharges from municipalities and local agencies in Alameda, Contra Costa, San Mateo, and Santa Clara counties, and the cities of Fairfield, Suisun, and Vallejo. Under the MRP, permittees are required to install, by July 1, 2014, full trash capture devices to treat storm water runoff from an area equivalent to 30% of their respective retail/wholesale land that drains to Municipal Separate Storm Sewer Systems (MS4s) within the permittee's jurisdiction. The total Hayward retail/wholesale commercial area equals 726 acres. Assuming the MRP is not amended in the interim due to issues with unfunded state mandates, Hayward is required to install full trash capture devices for a minimum of 218 acres of drainage area ($726 \times 30\% = 217.8$ acres).

This project will install a trash capture device near the intersection of Tennyson Road and Tyrrell Avenue to treat storm water and to partially meet the Water Board's requirement. Another device will be installed at a later date to fully reach the required goal. The trash capture device selected for this project is a hydrodynamic separator that uses vortex settling to remove debris and trash. As storm water enters the separator, the swirling (or vortex) action of the water causes the solids to move to the center of the cylindrical chamber. These solids are trapped inside this chamber and eventually settle into a bottom storage compartment. The Maintenance Services Department will periodically use a vacuum truck to remove trash trapped in the storage compartment.

DISCUSSION

In early 2011, City staff selected the Tennyson and Tyrrell intersection, located near the County flood control channel, as a strategic location to install the trash capture device. One reason for this selection is because the Maintenance Services Department regularly removes large amounts of trash from the storm system in this area; another is because this is the main outlet just before storm water

is discharged to the County flood control channel, which is part of the MS4s. As a result, a large trash capture device at this location can capture trash from approximately 146 acres (67% of the required 218 acres) of stormwater runoff area. Another trash capture device will be installed at a later date and in a different location to treat the storm water runoff from the remaining seventy-two acres to fully meet the MRP requirement prior to July 2014.

The State Water Resource Control Board developed a list of suppliers based on quotes received from various trash capture device suppliers for the Trash Capture Demonstration Project. As a result, it was not necessary for the City to issue a separate Request for Proposals to obtain and compare costs for the devices. All of the hydrodynamic separators have similar pricing. City staff evaluated various trash device vendors and decided the Contech CDS (Continuous Deflection Separation) unit is the most appropriate device to capture trash from storm water runoff at this location. The primary reason staff selected the Contech CDS unit was for its reliability. Several local cities such as Oakland and Dublin have installed the CDS unit and report the device is operating smoothly.

The project will remove the existing storm water inlet at the intersection of Tennyson Road and Tyrrell Avenue and replace it with the Contech CDS unit and a new inlet. Once the CDS unit is in place, the existing 48-inch and 39-inch Reinforced Concrete Pipes will be connected to the diversion box of the CDS unit. Leak testing will be done to assure water tightness at all the joints. When the installation is complete, the opened trench will be backfilled, compacted, and paved to match the original pavement section.

On March 6, 2012, the City received twelve bids for the installation work. Advance Drilling Works, Inc., of Pleasanton, CA submitted the low bid in the amount of \$121,245, which is approximately 19% below the Engineer's Estimate of \$150,000. JMB Construction, Inc. submitted the second lowest bid in the amount of \$127,450. The bids ranged from \$121,245 to \$255,800.

All bid documents and licenses are in order. Staff recommends award of contract to the low bidder, Advance Drilling Works, Inc., in the amount of \$121,245.

FISCAL IMPACT

The estimated project costs are as follows:

| | |
|--|---------------|
| Design (by City staff) | \$ 15,000 |
| Contech CDS Device | \$63,000 |
| Construction | 121,245 |
| Inspection & Testing During Construction | <u>15,000</u> |
| Total: | \$214,245 |

In October 2009, the San Francisco Estuary Project (SFEP) received an award of \$5 million in federal stimulus funds (American Recovery and Reinvestment Act of 2009) to support a Bay Area-wide Trash Capture Demonstration Project; the City of Hayward has participated in this Demonstration Project. All Bay Area cities and counties that wish to participate will receive funds to install trash capture devices to retrofit existing storm drainage infrastructure. Hayward's current

grant allocation for this project is approximately \$137,000. All construction must be completed and all devices installed by November 1, 2012.

This project will be funded from a combination of the SFEP grant and available monies from the Beverage Container Recycling Fund. The California Beverage Container Recycling and Litter Reduction Act provides grant funds to eligible cities and counties that may only be used for beverage container recycling or litter cleanup activities. The City receives about \$40,000 annually. Staff will use these grant funds to pay the City's share of the expenditure for this project. This is an eligible expenditure of the funds. There is sufficient balance in the fund to cover the remainder of the project cost. As a practical matter, necessary funds have been deposited in an existing capital improvement program fund to pay for the project. At the time this project was approved for advertising on February 7, 2012, Council also approved a transfer of \$113,000 from the Beverage Container Recycling Fund to the Sewer Collection System Replacement Fund and an appropriation of \$250,000 from the Sewer Collection System Replacement Fund for this project.

Staff previously reported on the Governor's consideration to propose eliminating, suspending, or limiting the scope of a number of state unfunded mandates to lessen the impact on local governments. Unfortunately, this has not materialized. Therefore, staff is proceeding with awarding this project in order for the City to meet its mandated obligations by November 1, 2012.

PUBLIC CONTACT

As parking is already prohibited on Tennyson Road at Tyrrell Avenue, the project will not cause a parking issue in the area. However, construction will have noise impacts on residents adjacent to the project. Prior to construction, staff will notify area residents of the project and its potential impacts. To limit impacts of construction noise on adjacent residences, the contractor will be restricted to work between the hours of 7:30 a.m. and 4:30 p.m. during weekdays.

Prior to start of construction, staff and/or the contractor will provide notices to affected residents, property, and business owners to inform them of the nature and purpose of the work, potential impacts, work schedule, and City contact for additional information.

SCHEDULE

| | |
|----------------|----------------|
| Award Contract | March 27, 2012 |
| Begin Work | May 2012 |
| Complete Work | July 2012 |

Prepared by: Thomas Lam, Associate Civil Engineer

Recommended by: Alex Ameri, Director of Public Works – Utilities & Environmental
Services

Approved by:



Fran David, City Manager

Attachments:

- Attachment I – Resolution
- Attachment II – Project Location Map
- Attachment III – Bid Summary

HAYWARD CITY COUNCIL

RESOLUTION NO. 12-

Introduced by Council Member _____

RESOLUTION AWARDDING THE CONTRACT TO ADVANCE DRILLING WORKS, INC. FOR THE INSTALL STORM WATER TRASH CAPTURE DEVICE PROJECT, PROJECT NO. 7541

WHEREAS, by resolution on February 7, 2012, the City Council approved the plans and specifications for the Install Storm Water Trash Capture Device Project, Project No. 7541, and called for bids to be received on March 6, 2012; and

WHEREAS, on March 6, 2012, 12 bids were received ranging from \$121,245 to \$255,800; Advance Drilling Works, Inc. of Pleasanton, CA, submitted the low bid in the amount of \$121,245, which is 19% percent below the Engineer’s Estimate of \$150,000; and

NOW, THEREFORE, BE IT RESOLVED that Advance Drilling Works, Inc. is hereby awarded the contract for the Install Storm Water Trash Capture Device Project, Project No. 7541, in accordance with the plans and specifications adopted therefore and on file in the office of the City Clerk of the City of Hayward, at and for the price named and stated in the final proposal of the hereinabove specified bidder, and all other bids are hereby rejected.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute an agreement with Advance Drilling Works, Inc. in the name of and for and on behalf of the City of Hayward, in an amount not to exceed \$121,245, in a form to be approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2012

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

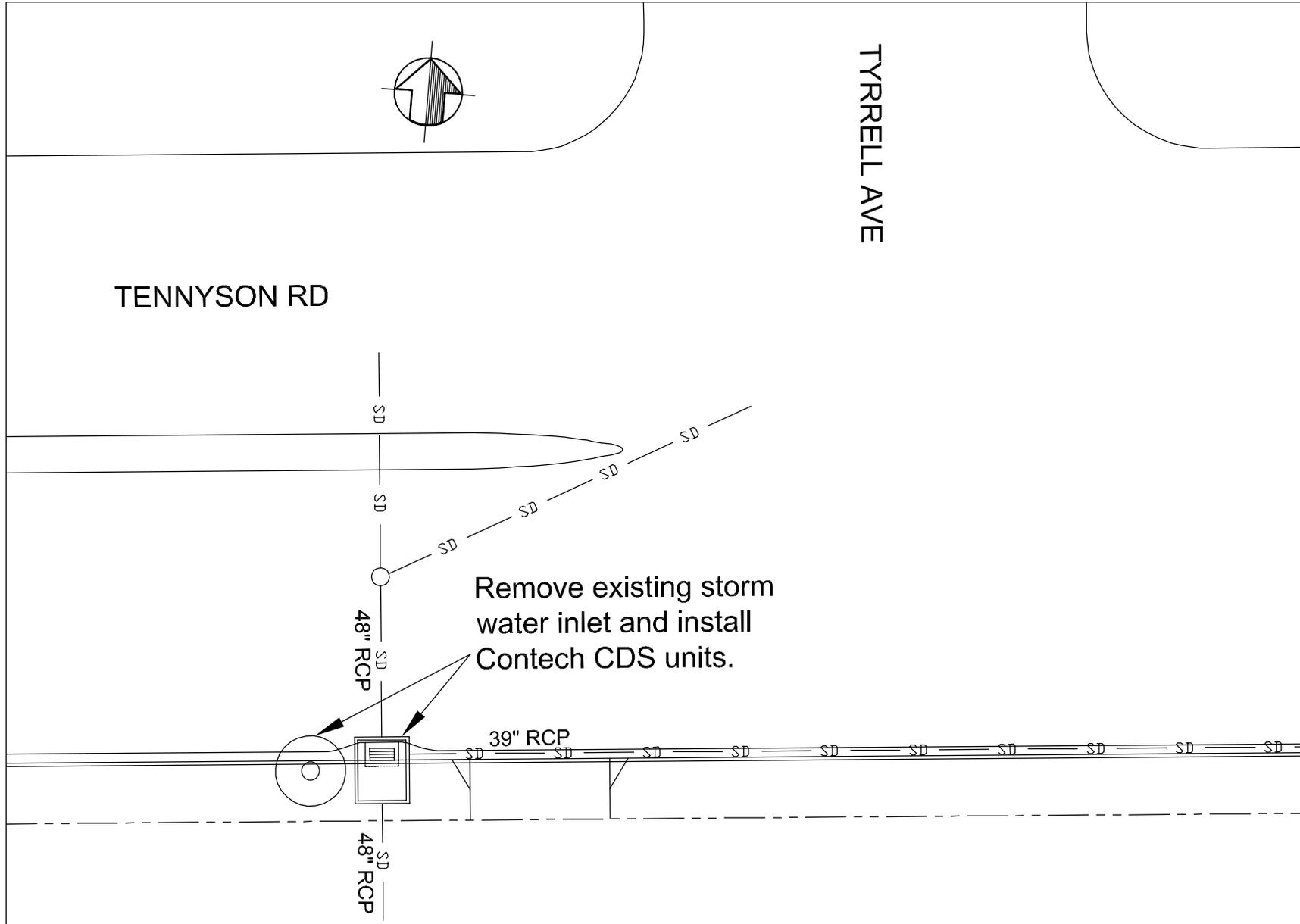
ABSENT: COUNCIL MEMBERS:

ATTEST: _____

City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward



Location Map

CITY OF HAYWARD
 CONSTRUCTION OF INSTALL STORM WATER TRASH CAPTURE DEVICE
 PROJECT NO. 614-7541
 BIDS OPENED: 3/6/12
 (NUMBER OF BIDS RECEIVED - 12)

| BID SUMMARY | | | | ENGINEER'S ESTIMATE | | Advanced Drilling Works | | JMB Construction | |
|--------------------|------|------|------------------------------|----------------------------|-------------------|---|-------------------|--|-------------------|
| | | | | | | PO Box 894 Pleasanton , CA 94566 (925) 417-7422 (925) 846-9114 Fax | | 132 South Maple Ave South San Francisco, CA 94080 (650) 267-5300 (650) 267-5301 Fax | |
| ITEM | QTY. | UNIT | DESCRIPTION | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL |
| 1 | 1 | LS | MOBILIZATION | 10,000.00 | 10,000.00 | 2,876.00 | 2,876.00 | 6,000.00 | 6,000.00 |
| 2 | 1 | LS | TRAFFIC CONTROL | 17,000.00 | 17,000.00 | 13,046.00 | 13,046.00 | 10,000.00 | 10,000.00 |
| 3 | 1 | LS | TRENCH SHORING AND SAFETY | 20,000.00 | 20,000.00 | 19,512.00 | 19,512.00 | 37,000.00 | 37,000.00 |
| 4 | 350 | CY | EXCAVATION AND BACKFILLING | 56.00 | 19,600.00 | 138.00 | 48,300.00 | 47.00 | 16,450.00 |
| 5 | 1 | LS | INSTALL CONTECH CDS UNIT | 70,000.00 | 70,000.00 | 24,511.00 | 24,511.00 | 45,000.00 | 45,000.00 |
| 6 | 1 | LS | ADMINISTRATIVE CHANGE ORDERS | 13,000.00 | 13,000.00 | 13,000.00 | 13,000.00 | 13,000.00 | 13,000.00 |
| TOTAL | | | | | 149,600.00 | | 121,245.00 | | 127,450.00 |

CITY OF HAYWARD
 CONSTRUCTION OF INSTALL STORM WATER TRASH CAPTURE DEVICE
 PROJECT NO. 614-7541
 BIDS OPENED: 3/6/12
 (NUMBER OF BIDS RECEIVED - 12)

| BID SUMMARY | | | | ENGINEER'S ESTIMATE | | Breneman Inc. 2000 Norris Road Walnut Creek, CA 94596 (925) 457-2026 (925) 300-3805 Fax | | MDF Pipelines 7172 Regional Street #307 Dublin, CA 94568 (925)462-1440 (925) 462-1480 Fax | |
|--------------------|------|------|------------------------------|----------------------------|-------------------|--|-------------------|--|-------------------|
| ITEM | QTY. | UNIT | DESCRIPTION | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL |
| 1 | 1 | LS | MOBILIZATION | 10,000.00 | 10,000.00 | 14,000.00 | 14,000.00 | 5,000.00 | 5,000.00 |
| 2 | 1 | LS | TRAFFIC CONTROL | 17,000.00 | 17,000.00 | 4,300.00 | 4,300.00 | 9,000.00 | 9,000.00 |
| 3 | 1 | LS | TRENCH SHORING AND SAFETY | 20,000.00 | 20,000.00 | 19,000.00 | 19,000.00 | 11,600.00 | 11,600.00 |
| 4 | 350 | CY | EXCAVATION AND BACKFILLING | 56.00 | 19,600.00 | 170.00 * | 59,500.00 | 180.00 | 63,000.00 |
| 5 | 1 | LS | INSTALL CONTECH CDS UNIT | 70,000.00 | 70,000.00 | 27,400.00 | 27,400.00 | 40,500.00 | 40,500.00 |
| 6 | 1 | LS | ADMINISTRATIVE CHANGE ORDERS | 13,000.00 | 13,000.00 | 13,000.00 | 13,000.00 | 13,000.00 | 13,000.00 |
| TOTAL | | | | | 149,600.00 | | 137,200.00 | | 142,100.00 |

* Unit Price Correction

CITY OF HAYWARD
 CONSTRUCTION OF INSTALL STORM WATER TRASH CAPTURE DEVICE
 PROJECT NO. 614-7541
 BIDS OPENED: 3/6/12
 (NUMBER OF BIDS RECEIVED - 12)

| BID SUMMARY | | | | ENGINEER'S ESTIMATE | | WR Forde Associates | | Con-Quest Contractors, Inc. | |
|--------------------|------|------|------------------------------|----------------------------|-------------------|--|-------------------|--|-------------------|
| | | | | | | 984 Hensley St Richmond, CA 94801 (510) 215-9338 (510) 215-9867 Fax | | 290 Toland Street San Francisco, CA 94124 (415) 206-0524 (415) 206-0528 FAX | |
| ITEM | QTY. | UNIT | DESCRIPTION | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL |
| 1 | 1 | LS | MOBILIZATION | 10,000.00 | 10,000.00 | 4,000.00 | 4,000.00 | 15,000.00 | 15,000.00 |
| 2 | 1 | LS | TRAFFIC CONTROL | 17,000.00 | 17,000.00 | 14,000.00 | 14,000.00 | 10,000.00 | 10,000.00 |
| 3 | 1 | LS | TRENCH SHORING AND SAFETY | 20,000.00 | 20,000.00 | 40,000.00 | 40,000.00 | 16,000.00 | 16,000.00 |
| 4 | 350 | CY | EXCAVATION AND BACKFILLING | 56.00 | 19,600.00 | 130.00 | 45,500.00 | 242.00 | 84,700.00 |
| 5 | 1 | LS | INSTALL CONTECH CDS UNIT | 70,000.00 | 70,000.00 | 30,000.00 | 30,000.00 | 16,000.00 | 16,000.00 |
| 6 | 1 | LS | ADMINISTRATIVE CHANGE ORDERS | 13,000.00 | 13,000.00 | 13,000.00 | 13,000.00 | 13,000.00 | 13,000.00 |
| TOTAL | | | | | 149,600.00 | | 146,500.00 | | 154,700.00 |

CITY OF HAYWARD
 CONSTRUCTION OF INSTALL STORM WATER TRASH CAPTURE DEVICE
 PROJECT NO. 614-7541
 BIDS OPENED: 3/6/12
 (NUMBER OF BIDS RECEIVED - 12)

| BID SUMMARY | | | | ENGINEER'S ESTIMATE | | Guerra Construction Group | | Platinum Pipeline, Inc. | |
|--------------------|------|------|------------------------------|----------------------------|-------------------|--|-------------------|---|-------------------|
| | | | | | | 984 Memorex Dr. Santa Clara, CA 95050 (408) 279-2027 (408) 279-2044 FAX | | PO Box 2429 Dublin, CA 94568 (925) 829-6565 (925) 829-7575 FAX | |
| ITEM | QTY. | UNIT | DESCRIPTION | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL |
| 1 | 1 | LS | MOBILIZATION | 10,000.00 | 10,000.00 | 8,174.00 | 8,174.00 | 10,000.00 | 10,000.00 |
| 2 | 1 | LS | TRAFFIC CONTROL | 17,000.00 | 17,000.00 | 19,703.00 | 19,703.00 | 5,000.00 | 5,000.00 |
| 3 | 1 | LS | TRENCH SHORING AND SAFETY | 20,000.00 | 20,000.00 | 11,400.00 | 11,400.00 | 5,000.00 | 5,000.00 |
| 4 | 350 | CY | EXCAVATION AND BACKFILLING | 56.00 | 19,600.00 | 285.00 | 99,750.00 | 200.00 | 70,000.00 |
| 5 | 1 | LS | INSTALL CONTECH CDS UNIT | 70,000.00 | 70,000.00 | 34,977.00 | 34,977.00 | 89,000.00 | 89,000.00 |
| 6 | 1 | LS | ADMINISTRATIVE CHANGE ORDERS | 13,000.00 | 13,000.00 | 13,000.00 | 13,000.00 | 13,000.00 | 13,000.00 |
| TOTAL | | | | | 149,600.00 | | 187,004.00 | | 192,000.00 |

CITY OF HAYWARD
 CONSTRUCTION OF INSTALL STORM WATER TRASH CAPTURE DEVICE
 PROJECT NO. 614-7541
 BIDS OPENED: 3/6/12
 (NUMBER OF BIDS RECEIVED - 12)

| BID SUMMARY | | | | ENGINEER'S ESTIMATE | | Ranger Pipelines 1790 Yosemite Avenue San Francisco, CA 94124 (415) 822-3700 (415) 822-3703 FAX | | J&M, Inc. 6700 National Dr Livermore, CA 94550 (925) 724-0300 (925) 774-0140 FAX | |
|--------------------|------|------|------------------------------|----------------------------|-------------------|--|-------------------|---|-------------------|
| ITEM | QTY. | UNIT | DESCRIPTION | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL |
| 1 | 1 | LS | MOBILIZATION | 10,000.00 | 10,000.00 | 6,000.00 | 6,000.00 | 12,750.00 | 12,750.00 |
| 2 | 1 | LS | TRAFFIC CONTROL | 17,000.00 | 17,000.00 | 3,000.00 | 3,000.00 | 10,900.00 | 10,900.00 |
| 3 | 1 | LS | TRENCH SHORING AND SAFETY | 20,000.00 | 20,000.00 | 81,000.00 | 81,000.00 | 61,200.00 | 61,200.00 |
| 4 | 350 | CY | EXCAVATION AND BACKFILLING | 56.00 | 19,600.00 | 15.00 | 5,250.00 | 220.00 | 77,000.00 |
| 5 | 1 | LS | INSTALL CONTECH CDS UNIT | 70,000.00 | 70,000.00 | 85,000.00 | 85,000.00 | 26,676.00 | 26,676.00 |
| 6 | 1 | LS | ADMINISTRATIVE CHANGE ORDERS | 13,000.00 | 13,000.00 | 13,000.00 | 13,000.00 | 13,000.00 | 13,000.00 |
| TOTAL | | | | | 149,600.00 | | 193,250.00 | | 201,526.00 |

CITY OF HAYWARD
 CONSTRUCTION OF INSTALL STORM WATER TRASH CAPTURE DEVICE
 PROJECT NO. 614-7541
 BIDS OPENED: 3/6/12
 (NUMBER OF BIDS RECEIVED - 12)

| BID SUMMARY | | | | ENGINEER'S ESTIMATE | | Gradetech Inc PO Box 1728 SAN RAMON, CA 94583 (510) 733-0390 (510) 733-0389 FAX | | Sposeto Engineering Inc 4558 contractors place livermore, CA 94551 (925) 443-4200 (925) 443-5800 FAX | |
|--------------------|------|------|------------------------------|----------------------------|-------------------|--|-------------------|---|-------------------|
| ITEM | QTY. | UNIT | DESCRIPTION | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL |
| 1 | 1 | LS | MOBILIZATION | 10,000.00 | 10,000.00 | 7,397.00 | 7,397.00 | 24,000.00 | 24,000.00 |
| 2 | 1 | LS | TRAFFIC CONTROL | 17,000.00 | 17,000.00 | 16,252.00 | 16,252.00 | 16,000.00 | 16,000.00 |
| 3 | 1 | LS | TRENCH SHORING AND SAFETY | 20,000.00 | 20,000.00 | 76,000.00 | 76,000.00 | 26,000.00 | 26,000.00 |
| 4 | 350 | CY | EXCAVATION AND BACKFILLING | 56.00 | 19,600.00 | 80.00 | 28,000.00 | 168.00 | 58,800.00 |
| 5 | 1 | LS | INSTALL CONTECH CDS UNIT | 70,000.00 | 70,000.00 | 84,500.00 | 84,500.00 | 118,000.00 | 118,000.00 |
| 6 | 1 | LS | ADMINISTRATIVE CHANGE ORDERS | 13,000.00 | 13,000.00 | 13,000.00 | 13,000.00 | 13,000.00 | 13,000.00 |
| TOTAL | | | | | 149,600.00 | | 225,149.00 | | 255,800.00 |

DATE: March 27, 2012
TO: Mayor and City Council
FROM: City Clerk
SUBJECT: Resignation of Sarabjit Singh Toor from the Community Services Commission

RECOMMENDATION

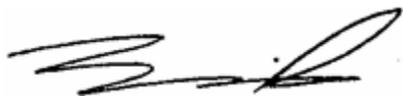
That the City Council accepts the resignation of Sarabjit Singh Toor from the Community Services Commission.

BACKGROUND

Mr. Sarabjit Singh Toor was appointed to the Human Services Commission on June 19, 2007. On October 20, 2011, the Citizens Advisory Commission and the Human Services Commission merged to form the Community Services Commission. Mr. Sarabjit Singh Toor's resignation is effective March 9, 2012; and his position will be filled as part of the annual appointment process for the City's Appointed Officials to Boards and Commissions in September.

Prepared and Recommended by: Miriam Lens, City Clerk

Approved by:



Fran David, City Manager

Attachments:

- Attachment I Resolution
- Attachment II Resignation Letter

HAYWARD CITY COUNCIL

RESOLUTION NO. 12-

Introduced by Council Member _____

RESOLUTION ACCEPTING THE WRITTEN RESIGNATION OF SARABJIT SINGH TOOR FROM THE COMMUNITY SERVICES COMMISSION;

WHEREAS, Mr. Sarabjit Singh Toor was appointed to the Human Services Commission on June 19, 2007; and on October 20, 2011, the Citizens Advisory Commission and the Human Services Commission merged to form the Community Services Commission.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the Council hereby accepts the resignation of Sarabjit Singh Toor from the Community Services Commission; and commends him for his civic service to the City.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2012.

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Quirk

ATTEST: _____
City Clerk of the City of Hayward

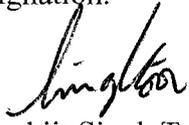
APPROVED AS TO FORM:

City Attorney of the City of Hayward

To

The City of Hayward,

I would like to resign as human services commissioner due to my job schedule. I will not be able to attend meeting. As my job schedule may alter in the future, I may be able to apply for human services commissioner once again and serve the community. I hope you accept my resignation.



-Sarabjit Singh Toor

03/09/12