



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov

Agenda City Council

Tuesday, April 25, 2023

7:00 PM

**Council Chamber and Virtual
Platform (Zoom)**

CITY COUNCIL MEETING

NOTICE: The City Council will hold a hybrid meeting in Council Chambers and virtually via Zoom.

PUBLIC PARTICIPATION

How to observe the Meeting:

1. Comcast TV Channel 15
2. Live stream <https://hayward.legistar.com/Calendar.aspx>
3. YouTube Live stream: <https://www.youtube.com/user/cityofhayward>

How to submit written Public Comment:

1. Use eComment on the City's Meeting & Agenda Center webpage at: <https://hayward.legistar.com/Calendar.aspx>. eComments are directly sent to the iLegislate application used by City Council and City staff. Comments received before 3:00 p.m. the day of the meeting will be exported into a report, distributed to the City Council and staff, and published on the City's Meeting & Agenda Center under Documents Received After Published Agenda.

2. Send an email to List-Mayor-Council@hayward-ca.gov by 3:00 p.m. the day of the meeting. Please identify the Agenda Item Number in the subject line of your email. Emails will be compiled into one file, distributed to the City Council and staff, and published on the City's Meeting & Agenda Center under Documents Received After Published Agenda. Documents received after 3:00 p.m. through the adjournment of the meeting will be included as part of the meeting record and published the following day.

How to provide live Public Comment during the City Council Meeting:

Participate in the Council Chambers or click link below to join the meeting:

<https://hayward.zoom.us/j/81668094657?pwd=NHFPeWJhWlloNUdWMmUyM1UrWW40UT09>

Meeting ID: 816 6809 4657

Password: CC4/25@7pm

or

Dial: +1 669 900 6833 or +1 646 931 3860

Meeting ID: 816 6809 4657

Password: 7767531615

CALL TO ORDER: Mayor Salinas**Pledge of Allegiance: Council Member Roche****AB 2449 TELECONFERENCE NOTIFICATIONS AND CONSIDERATION****ROLL CALL****CLOSED SESSION ANNOUNCEMENT****PRESENTATIONS**

Arts, Culture and Creativity Month
National Public Safety Telecommunicators Week
Fair Housing Month

PUBLIC COMMENTS

The Public Comment section provides an opportunity to address the City Council on items not listed on the agenda or Information Items. The Council welcomes 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, items will be taken under consideration and may be referred to staff.

CITY MANAGER'S COMMENTS

An oral report from the City Manager on upcoming activities, events, or other items of general interest to Council and the Public.

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 any time before the Consent Calendar is voted on by Council if you wish to speak on a Consent Item.

CONSENT

1. [MIN 23-052](#) Approve the City Council Minutes of the Special City Council Meeting on April 11, 2023

Attachments: [Attachment I Draft Minutes of 4/11/2023](#)

2. [CONS 23-203](#) Adopt a Resolution Rejecting all Bids, Approving Revised Plans and Specifications, and Calling for Bids for the Cesar Chavez Safe Routes to Schools Improvements Project, Project No. 05319

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)

3. [CONS 23-204](#) Adopt a Resolution Authorizing the City Manager to Execute an Agreement With Foster + Freeman to Purchase the DCS®5 Fingerprint Imaging Workstation in an Amount Not-to-Exceed \$199,350

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)

4. [CONS 23-209](#) Adopt a Resolution Awarding a Contract to Bay Cities Paving & Grading, Inc., for the FY23 Pavement Improvement Project, Project No. 05240, in the Amount of \$15,294,950 and Authorizing an Administrative Change Order Budget of \$855,050

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III List of Streets](#)
 [Attachment IV Bike Location Map](#)

5. [CONS 23-210](#) Adopt a Resolution Authorizing the City Manager to Execute Amendment No. 5 Increasing the Professional Services Agreement with Pavement Engineering, Inc., by \$517,540, for a Total Not-to-Exceed \$2,273,035 to Provide Engineering Services for the FY24 Pavement Improvement Project No. 05242

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)

6. [CONS 23-216](#) Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Purchase Agreement with San Leandro Ford to Purchase Two (2) Vehicles for the Hayward Evaluation and Response Team (HEART) Program

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)

7. [CONS 23-225](#) Adopt a Resolution Authorizing the City Manager to Submit an Application to the Metropolitan Transportation Commission for Transportation Development Act Article 3 Funds in Fiscal Year 2023-2024 and Execute a Funding Agreement

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Exhibit I Findings](#)
[Exhibit II Application](#)
[Attachment III Resolution TDA Grant](#)

8. [CONS 23-226](#) Adopt Resolutions: (1) Approving Addenda Nos. 1, 2, and 3 and Awarding a Contract to DeSilva Gates Construction for the Mission Boulevard Corridor Improvements Phase 3 Project, Project No. 05287 in the Amount of \$15,742,743, and (2) Authorizing the City Manager to Execute Amendment No. 4 to the Professional Services Agreement with Mark Thomas & Company to Increase their Contract Amount by \$107,000, for a Total Not-to-Exceed Amount of \$1,626,180

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution - Award](#)
[Attachment III Resolution Mark Thomas Amendment](#)
[Attachment IV Location Map](#)

9. [CONS 23-228](#) Adopt a Resolution Authorizing the City Manager to Accept \$30,000 from the Moirao Family Trust - Surviving Spouse's Trust to Be Used by the Hayward Animal Shelter for the Continued Operation of the Community Cats Trap, Neuter, and Return Program and to Purchase Replacement Kennels for Small Animals

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)

WORK SESSION

Work Session items are non-action items. Although the Council may discuss or direct staff to follow up on these items, no formal action will be taken. Any formal action will be placed on the agenda at a subsequent meeting in the action sections of the agenda.

10. [WS 23-014](#) Affordable Housing Bonds: Review and Discuss a Proposed Social Impact Bonds Program and Reallocation of \$2 Million in Housing ARPA Funds (Report from Assistant City Manager Claussen)

Attachments: [Attachment I Staff Report](#)

PUBLIC HEARING

11. [PH 23-020](#) Airport Rental Rate Adjustment: Adopt a Resolution Amending the FY24 Master Fee Schedule and Adjusting Hayward Executive Airport Hangar Rental Rates (Report from Public Works Director Ameri)

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III Airport FY23 Budget Forecast](#)
[Attachment IV Tenant Q&A and Proposal](#)

12. [PH 23-021](#) Community Agency Funding: Approval of FY 2024 Community Agency Funding Recommendations and the FY 2024 Annual Action Plan (Report from Assistant City Manager Youngblood)

Attachments: [Attachment I Staff Report](#)
[Attachment II CAF Recommendations](#)
[Attachment III Resolution Social Services](#)
[Attachment IV Resolution Arts and Music](#)
[Attachment V Resolution Special Events](#)
[Attachment VI Resolution CDBG](#)
[Attachment VII Resolution 2-1-1 Services](#)
[Attachment VIII Public Comment](#)

LEGISLATIVE BUSINESS

13. [LB 23-016](#) Adopt a Resolution Accepting the Resignation of Mr. Ray Bonilla Jr., from the Planning Commission, and Consideration of Options for Filling the Planning Commission Vacancy (Report from City Clerk Lens)

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution Accepting Resignation](#)
[Attachment III Resolution Appointing Alternate](#)

COUNCIL REPORTS AND ANNOUNCEMENTS

Council Members can provide oral reports on attendance at intergovernmental agency meetings, conferences, seminars, or other Council events to comply with AB 1234 requirements (reimbursable expenses for official activities).

COUNCIL REFERRALS

Council Members may bring forward a Council Referral Memorandum (Memo) on any topic to be considered by the entire Council. The intent of this Council Referrals section of the agenda is to provide an orderly means through which an individual Council Member can raise an issue for discussion and possible direction by the Council to the appropriate Council Appointed Officers for action by the applicable City staff.

ADJOURNMENT

NEXT MEETING, Closed Session, May 2, 2023

Regular Meeting Canceled.

PUBLIC COMMENT RULES

Any member of the public desiring to address the Council shall limit their address to three (3) minutes unless less or further time has been granted by the Presiding Officer or in accordance with the section under Public Hearings. The Presiding Officer has the discretion to shorten or lengthen the maximum time members may speak. Speakers will be asked for their name before speaking and are expected to honor the allotted time.

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 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 City website, Cable Channel 15 - KHRT, and YouTube.****

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 cityclerk@hayward-ca.gov.

Assistance will be provided to those requiring language assistance. To ensure that interpreters are available at the meeting, interested persons must request the accommodation at least 48 hours in advance of the meeting by contacting the City Clerk at (510) 583-4400.