



CITY OF HAYWARD

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

Agenda City Council

Tuesday, December 14, 2021

7:00 PM

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

SPECIAL CITY COUNCIL MEETING

NOTICE: The City Council will hold a hybrid meeting (in Council Chamber and Virtual Platform via Zoom). All in-person participants will be required to provide proof of vaccination and wear a face covering.

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:

Complete the online speaker card at the Council Chamber entrance or click the link below:
<https://hayward.zoom.us/j/85167418194?pwd=NGR5WGhZQ285ZHg5c0RSeDRkZFFsQT09>

Meeting ID: 851 6741 8194
Passcode: Cc121421@7

or

Dial: +1 669 900 6833 or +1 253 215 8782

Meeting ID: 851 6741 8194
Password: 7244397931

A Guide to attend virtual meetings is provided at this link: <https://bit.ly/3jmaUxa>

CALL TO ORDER: Mayor Halliday**Pledge of Allegiance: Council Member Wahab****ROLL CALL****CLOSED SESSION ANNOUNCEMENT****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. [CONS 21-628](#) Adopt a Resolution Authorizing the City Manager to Approve a \$50,000 Small Business Loan to Casa Del Toro, LLC to Assist in Infrastructure Improvement Work at 1034-1036 B Street

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

2. [CONS 21-639](#) Adopt a Resolution Advising the East Bay Community Foundation to Grant the Remaining COVID-19 Relief Funds to South Hayward Parish for Food and Shelter Relief and to Close the Fund

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

3. [CONS 21-643](#) Adopt a Resolution Authorizing the City Manager to Execute an Agreement with the Alameda County Probation Department for Delinquency Prevention Network (Local Service Center) Services and to Appropriate \$475,000 for the Services

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

4. [CONS 21-646](#) Adopt a Resolution Accepting the Resignation of Ms. Arzo Mehdavi from the Community Services Commission, Effective December 16, 2021

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

5. [CONS 21-647](#) Adopt a Resolution Appointing Mr. George Syrop to the Community Services Commission to Fulfill the Unexpired Term of Ms. Arzo Mehdavi

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

6. [CONS 21-648](#) Adopt a Resolution Allowing the City Council and Appointed Commissions/Task Forces and Council Committees to Hold Continued Teleconferenced Public Meetings Pursuant to AB 361

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Exhibit A to Resolution](#)

7. [CONS 21-649](#) Adopt a Resolution Authorizing the City Manager to: (1) Negotiate and Enter into an Easement Agreement with California State University East Bay for a Roadway and Utility Connection to Carlos Bee Boulevard from Former Caltrans Property Parcel Group 5; and (2) Appropriate \$295,668 from Fund 411 for the Parcel Group 5 Project in the Route 238 Settlement Administration Project 05014

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

8. [CONS 21-650](#) Adopt a Resolution Approving Participation in the National Opioid Settlement, Accepting the Terms of the California Allocation Agreement, and Authorizing the City Manager to Execute and Submit all Necessary Settlement Participation Documents on Behalf of the City of Hayward

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

9. [CONS 21-653](#) Adopt a Resolution: (1) Finding a Statutory Conflict between the Local Alternative Transportation Improvement Program Statutes (Government Code 14528.6 and 14528.65) and the Surplus Lands Act; and (2) Declaring City-Owned Properties Associated with the Former 238 Bypass Project, and Subject to the 2016 Purchase and Sale Agreement between the State of California Department of Transportation and the City of Hayward, as Exempt Surplus Lands

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Exhibit A to Resolution](#)

PUBLIC HEARING

10. [PH 21-091](#) Appeal of Planning Commission Denial to Develop a New Approximately 116,844 Square Foot Industrial Building for U-Haul at 4150 Point Eden Way (Assessor Parcel Number 461-0085-020-02) Requiring Approval of Site Plan Review and Historic Resources Demolition Permit Application No. 201901039 Including Certification of an Environmental Impact Report, Adoption of a Statement of Overriding Considerations, and Approval of a Mitigation, Monitoring and Reporting Program. Jerry Owen on Behalf of U-Haul; Amerco Real Estate Co. (Applicant/Property Owner) (Report from Assistant City Manager Ott)

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III Project Plans](#)
[Attachment IV 4150 Point Eden Way Draft EIR](#)
[Attachment V 4150 Point Eden Way Final EIR](#)
[Attachment VI 4150 Point Eden Way MMRP](#)
[Attachment VII July 8 2021 PC Meeting Minutes](#)
[Attachment VIII CEQA Correspondence from Lozeau Drury](#)

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.

11. [RPT 21-140](#) City Council Referral: Guaranteed Basic Income (Report from Council Members Andrews and Wahab)

Attachments: [Attachment I Council Referral Memo](#)
[Attachment II Staff Analysis Memo](#)

ADJOURNMENT

December 21, 28, 2021 - Meetings Canceled

January 4, 2022 - Meeting Canceled

NEXT REGULAR MEETING, January 18, 2022, 7:00 PM

PUBLIC COMMENT RULES

Any member of the public desiring to address the Council shall limit their comment 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 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.

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.

CHILDCARE WILL NOT BE PROVIDED UNTIL FURTHER NOTICE DUE TO COUNTYWIDE SHELTER-IN PLACE ORDER.