



# CITY OF HAYWARD

Hayward City Hall  
777 B Street  
Hayward, CA 94541  
[www.Hayward-CA.gov](http://www.Hayward-CA.gov)

## Agenda City Council

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**Tuesday, April 5, 2022**

**7:00 PM**

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

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### CITY COUNCIL MEETING

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

*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](mailto: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:*

*Click link below to join the meeting:*

<https://hayward.zoom.us/j/88691129303?pwd=MkFVNFNjRmVzNmUrb2pVcmhWTTk1UT09>

Meeting ID: 886 9112 9303

Passcode: HCC4/5@7pm

or

Dial: + 669 900 6833 or +1 346 248 7799 or 833 548 0282 (Toll Free)

Meeting ID: 886 9112 9303

Password: 4265687344

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 Márquez**

**ROLL CALL**

**CLOSED SESSION ANNOUNCEMENT**

**March 29, 2022**

**April 5, 2022**

**PRESENTATIONS**

Hayward Youth Poet Laureate  
Art is Education Month and Art, Culture, and Creativity Month  
National Public Safety Telecommunicators Week  
National Library Week

**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 22-044](#) Approve the City Council Minutes of the City Council Meeting on March 15, 2022

**Attachments:** [Attachment I Draft Minutes of 3/15/2022](#)

2.     [MIN 22-045](#)     Approve the City Council Minutes of the City Council Meeting on March 22, 2022
- Attachments:**     [Attachment I Draft Minutes of 3/22/2022](#)
3.     [CONS 22-190](#)     Adopt an Ordinance of the City of Hayward Amending Chapter 4, Article 15 of the Hayward Municipal Code Relating to Social Nuisance and Specifically Including Fireworks
- Attachments:**     [Attachment I Staff Report](#)  
                              [Attachment II Summary of Published Notice](#)
4.     [CONS 22-191](#)     Adopt an Ordinance of the City of Hayward Amending Chapter 3, Article 3 of the Hayward Municipal Code Relating to Fireworks by Specifically Identifying Property Owners Accountable for Fireworks
- Attachments:**     [Attachment I Staff Report](#)  
                              [Attachment II Summary of Published Notice](#)
5.     [CONS 22-185](#)     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](#)
6.     [CONS 22-164](#)     Adopt a Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Professional Services Agreement with Gray-Bowen-Scott for Transportation Engineering Services in the Amount of \$80,000 for a Total Not-To-Exceed Amount of \$150,000 and Extending the Date of the Agreement to September 30, 2022
- Attachments:**     [Attachment I Staff Report](#)  
                              [Attachment II Resolution](#)

7.        [CONS 22-182](#)     Adopt a Resolution Authorizing the City Manager to Transfer and Appropriate \$147,719.25 in Abandoned Vehicle Abatement Revenue from the General Fund to the Fleet Capital Fund for the Purchase of Two (2) Outfitted Ford Explorers for The Abandoned Vehicle Abatement Program

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

8.        [CONS 22-184](#)     Adopt a Resolution of Intention to Vacate a Public Utilities Easement at 603 A Street and Setting the Date and Time of the Public Hearing

**Attachments:**    [Attachment I Staff Report](#)  
[Attachment II Resolution](#)  
[Attachment III Public Utilities Easement](#)  
[Attachment IV Site Plan](#)

9.        [CONS 22-186](#)     Adopt a Resolution Authorizing the City Manager to Accept and Appropriate up to \$250,000 in Funding from the California State Library for Library Services Programs, and Superseding Resolution No. 19-046

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

10.      [CONS 22-187](#)     Adopt a Resolution Approving the FY 2023 Measure B/BB Annual Paratransit Program Plan and Authorizing the City Manager to Execute FY 2023 Service Agreements for the Continued Provision of Measure B/BB Funded Paratransit Services

**Attachments:**    [Attachment I Staff Report](#)  
[Attachment II Resolution](#)  
[Attachment III Funding Recommendations](#)  
[Attachment IV Paratransit Program Plan Application](#)

**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.*

- 11.**     [WS 22-007](#)     Community Agency Funding: Fiscal Year 2023 Community Agency Funding Recommendations for Services, Arts & Music, and Economic Development and Infrastructure; and Overview of the FY 2023 Annual Action Plan and the City of Hayward CDBG Citizen Participation Plan (Report from Assistant City Manager Ott)

**Attachments:**   [Attachment I Staff Report](#)  
[Attachment II Funding Recommendations](#)  
[Attachment III Funding Recommendations \(Arts and Music\)](#)

- 12.**     [WS 22-008](#)     Solid Waste and Recycling Franchise Agreement: Update on Negotiations (Report from Public Works Director Ameri)

**Attachments:**   [Attachment I Staff Report](#)  
[Attachment II Tentatively Agreed Upon Surcharges](#)

**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, April 19, 2022, 7:00 PM****PUBLIC COMMENT RULES**

*Any member of the public desiring to address the Council shall limit their remarks 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. Speaker Cards are 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 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](mailto: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.*