



CITY OF HAYWARD

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

Agenda City Council

Tuesday, December 1, 2015

7:00 PM

Council Chambers

CITY COUNCIL MEETING

CALL TO ORDER Pledge of Allegiance: Council Member Jones

ROLL CALL

CLOSED SESSION ANNOUNCEMENT

PRESENTATION

Beacon Award Presentation and USEPA Green Power Leadership Award

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

CONSENT

1. [MIN 15-034](#) Approval of the Minutes of the Special Joint City Council/Hayward Housing Authority/Redevelopment Successor Agency/Hayward Public Financing Authority Meeting on November 17, 2015

Attachments: [Attachment I Draft Minutes](#)

2. [CONS 15-326](#) Filing Nuisance Abatement/Municipal Code Liens with the County Recorder's Office for Non-Abatable Code Violations
- Attachments:** [Attachment I Properties Summary and Fees](#)
 [Attachment II Resolution Non-Abatable Code Violations](#)
3. [CONS 15-333](#) Summary Vacation and Sale of a Portion of Portland Drive
- Attachments:** [Attachment I Resolution for Vacation](#)
 [Attachment II Vacation Legal Description](#)
 [Attachment III Vicinity Map](#)
4. [CONS 15-340](#) Agreement for the Purchase and Sale of Real Property, located at Second Street and Walpert Street, between the City of Hayward and AMG & Associates, LLC
- Attachments:** [Attachment I Resolution](#)
 [Attachment II Purchase and Sale Agreement](#)
 [Attachment III Property Map](#)
5. [CONS 15-341](#) Approval of Final Map Tract 8172 - Kingston Square at Eden Pointe Development - associated with a previously approved vesting tentative tract map and proposed development of 25 single-family detached homes, 10 single-family attached homes, and common areas on a 2.94-acre site bounded by Eden Avenue, Saklan Road and Montevina Way; Meritage Homes of California (Applicant and Owner)
- Attachments:** [Attachment I Resolution for FM 8172](#)
 [Attachment II Vicinity Map](#)
 [Attachment III Site Plan](#)
6. [CONS 15-346](#) Adopt a Resolution of Intention to Execute Renewal of a Joint Exercise of Powers Agreement (JPA) for Another Five Years through December 31 of 2021 for the Hayward Area Shoreline Planning Agency (HASPA)
- Attachments:** [Attachment I Resolution to Execute JPA](#)
 [Attachment II HASPA Joint Exercise of Powers Agreement](#)

7. [CONS 15-347](#) Adoption of Ordinance Amending Hayward Municipal Code Chapter 10, Section 10-1.2700, General Regulations, of the Zoning Ordinance to Include New Standards Related to Vacant Property Fencing

Attachments: [Attachment I Summary of Ordinance Published on 11/21/15](#)

8. [CONS 15-348](#) Adoption of Ordinance Amending Hayward Municipal Code Chapter 10, Section 10-1.3500, Definitions, of the Zoning Ordinance to Include New Standards Related to Vacant Property Fencing

Attachments: [Attachment I Summary of Ordinance Published on 11/21/15](#)

9. [CONS 15-349](#) Adoption of Ordinance Amending Hayward Municipal Code Section 5-7.20 et seq., Public Nuisances, to Reference New Zoning Regulations Related to Vacant Property Fencing

Attachments: [Attachment I Summary of Ordinance Published on 11/21/15](#)

WORK SESSION

Work Session and Informational Staff Presentation 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 15-034](#) Economic Development Strategic Plan Annual Update (2014-2015) (Report from Economic Development Manager Hinkle)

PUBLIC HEARING

11. [PH 15-101](#) Appeal of the Planning Commission's Denial of a Proposed Zone Change from Agriculture (A) to Single-Family Residential (RS B10) for 890 and 900 Calhoun Street; Adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; Aman Pohyar (Applicant/Owner - 900 Calhoun Street), Mr. Servando B. Zepeda (Owner - 890 Calhoun Street) (Report from Director of Development Services Rizk)

Attachments: [Attachment I Resolution](#)
 [Attachment II Ordinance](#)
 [Attachment III Area and Zoning Map](#)
 [Attachment IV Approved October 15, 2015 Planning Commission Minutes](#)
 [Attachment V Aerials, Physical Constraints & Land Use](#)
 [Attachment VI Petitions, Emails & Letter](#)
 [Attachment VII Proponent's Appeal Statement](#)

12. [PH 15-103](#) Recycled Water Project: Introduction of an Ordinance Regarding Recycled Water Use (Report from Director of Utilities & Environmental Services Ameri)

Attachments: [Attachment I Draft Ordinance Regarding Recycled Water Use](#)

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.

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 REGULAR MEETING, DECEMBER 15, 2015, 7:00 PM****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 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 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.