



# CITY OF HAYWARD

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

## Agenda City Council

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**Tuesday, September 26, 2023**

**7:00 PM**

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

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### **SPECIAL JOINT MEETING OF THE CITY COUNCIL AND HAYWARD REDEVELOPMENT SUCCESSOR AGENCY BOARD**

NOTICE: The City Council will hold a hybrid meeting in the 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](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:*

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

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pwd=txJBVvVL7z5vuTlwJqb_1w48Msj-QY2l5Y0.TUa2OodQX0WvVOzg`

Meeting ID: 850 8162 7160

Password: CC9/26@7pm

or

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

Meeting ID: 850 8162 7160

Password: 6515846737

**CALL TO ORDER: Mayor/Chair Salinas**

**Pledge of Allegiance: Council/HRSA Member Bonilla Jr.**

**AB 2449 TELECONFERENCE NOTIFICATIONS AND CONSIDERATION**

**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. [MIN 23-098](#) Approve the Minutes of the Special Joint Meeting of the City Council and the Hayward Public Finance Authority Board on September 12, 2023

**Attachments:** [Attachment I Draft Minutes of 9/12/2023](#)

2. [CONS 23-502](#) Adopt a Resolution Authorizing the City Manager to Enter into an Agreement Amending the Ground Lease Between the Hayward Redevelopment Successor Agency and 1069 B Street LLC California Limited Liability Company, as Successor in Interest to Cinema Place Hayward, LLC

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

3.        [CONS 23-514](#)     Adopt a Resolution Awarding a Construction Contract to JJ Construction and Design, Inc., for the Municipal Parking Lot No. 11 Improvement, Project No. 05741 in the Amount of \$384,098, and Authorizing a Construction Contingency Change Order Budget of \$120,000

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

4.        [CONS 23-517](#)     Adopt a Resolution Finding the City’s Lease with the East Bay Regional Park District Allows the Hayward Marsh Restoration Project

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

#### **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.*

5.        [WS 23-034](#)        Spectator Ordinance Modifications: Consider Ordinance Changes Amending Chapter 4, Article 12 of the Hayward Municipal Code Relating to Spectators at Illegal Speed Contests and Exhibitions of Speed to Include Sideshows (Report from Acting Police Chief Matthews)

**Attachments:**    [Attachment I Staff Report](#)  
                          [Attachment II Proposed Spectator Ordinance](#)

#### **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 REFERRAL**

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, October 3, 2023, 7:00 PM****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](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.*