



CITY OF HAYWARD

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

Agenda City Council

Tuesday, June 25, 2024

7:00 PM

Council Chambers

CITY COUNCIL MEETING

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 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/88911672117?pwd=cli3P5iFdZ9PaARyulIWHJ4bnsOrTC.1>

Meeting ID: 889 1167 2117

Password: CC6/20@7pm

or

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

Meeting ID: 889 1167 2117

Password: 5317029321

CITY COUNCIL MEETING**CALL TO ORDER: Mayor Salinas****Pledge of Allegiance: Council Member Andrews****ROLL CALL****CLOSED SESSION ANNOUNCEMENT****PUBLIC COMMENTS**

The Public Comments section provides an opportunity to address the City Council on items not listed on the agenda or Informational Staff Presentation 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. The City Council welcomes comments, including criticism, about the policies, procedures, programs, or services of the City, or of the acts or omissions of the City Council. Speakers shall not use threatening, profane, or abusive language which disrupts, disturbs, or otherwise impedes the orderly conduct of a City Council. The City is committed to maintaining a workplace free of unlawful harassment and is mindful that City staff regularly attend Council meetings. Discriminatory statements or conduct that is hostile, intimidating, oppressive, or abusive – are per se disruptive to a meeting and will not be tolerated. ration 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 24-073](#) Approve the Minutes of the Special City Council Meeting on May 21, 2024

Attachments: [Attachment I Draft Minutes of 5/21/2024](#)

2. [MIN 24-076](#) Approve the Minutes of the Special City Council Meeting on May 28, 2024

Attachments: [Attachment I Draft Minutes of 5/28/2024](#)

3. [MIN 24-077](#) Approve the Minutes of the Special Joint Hayward City Council/Hayward Redevelopment Successor Agency/Hayward Housing Authority Meeting on June 4, 2024
- Attachments:** [Attachment I Draft Minutes of 6/4/2024](#)
4. [CONS 24-322](#) Adopt a Resolution Approving an Amendment to the City of Hayward Salary Plan for Fiscal Year 2024 and Approving the City of Hayward Salary Plan for Fiscal Year 2025
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III FY 2025 Salary Plan](#)
 [Attachment IV FY 2024 Salary Plan](#)
5. [CONS 24-331](#) Adopt a Resolution Authorizing the City Manager to Amend the Professional Services Agreement with Carollo Engineers, Inc., to Increase the Contract Amount by \$378,774 for a Not-to-Exceed Amount of \$1,764,354 to Provide Additional Construction Support Services for the Water Resource Recovery Facility (WRRF) Switchgear Rehabilitation Project No. 07656, and Appropriating Additional Funds in the Amount of \$135,154
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
6. [CONS 24-345](#) Adopt a Resolution Approving the Memorandum of Understanding between the City of Hayward and the Hayward Police Officers Association (HPOA) and Authorizing Staff to Execute the Agreement
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)

7. [CONS 24-346](#) Adopt Resolutions 1) Authorizing the City Manager to Negotiate and Execute an Agreement with Bay Area Community Services for Fiscal Year 2024-2025 Hayward Navigation Center Operations for a Not-to-Exceed Amount of \$2,500,894; and 2) Authorizing the City Manager to Negotiate and Execute a Professional Services Agreement with First Presbyterian Church of Hayward to Operate the Year-Round Shelter at South Hayward Parish for Fiscal Year 2024-2025 for a Not-to-Exceed Amount of \$405,000

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

8. [CONS 24-352](#) Adopt a Resolution Authorizing the City Manager to Execute Amendment No. 10 to the Professional Services Agreement with CSG Consultants, Inc., for Private Development Review Services in the Amount of \$192,000 for a Total Not-To-Exceed Amount of \$2,604,000 and Extending the Date of the Agreement to June 30, 2025

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

9. [CONS 24-354](#) Adopt a Resolution Authorizing the City Manager to Amend the Professional Services Agreement with Kimley-Horn and Associates, Inc., for On-Call Airport Planning and Environmental Services, Increasing the Total Not-To-Exceed Amount from \$700,000 to \$880,000; and Appropriating Additional funds from the Airport Capital Fund in the Amount of \$180,000

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

10. [CONS 24-359](#) Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Professional Services Agreement (PSA) with NHA Advisors LLC for Municipal Advisory Services in an Amount Not-to-Exceed \$90,000 for the Water Resource Recovery Facility (WRRF) Improvements - Phase II Project

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

11. [CONS 24-362](#) Adopt a Resolution: (1) Declaring a City Council Recess from July 1, 2024 through August 6, 2024; (2) Cancelling the Regular City Council Meetings Scheduled for July 2, 16 and 23, and August 6, 2024; and (3) Authorizing the Interim City Manager, or their Designee, to take Action on Administrative Matters as Necessary During the Recess

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

12. [CONS 24-363](#) Adopt an Ordinance Amending Chapter 6, Article 16 of the Hayward Municipal Code Related to Regulations for Sidewalk Vending by Amending Sections 6-16.70 and 6-16.80 and Adding 6-16.90

Attachments: [Attachment I Staff Report](#)
[Attachment II Summary of Ordinance Published](#)

13. [CONS 24-368](#) Adopt a Resolution Approving the Memorandum of Understanding (“MOU”) between the City of Hayward and the Hayward Fire Chiefs’ Association (“HFCA”) and Authorizing Staff to Execute the Agreement

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

14. [CONS 24-371](#) Adopt a Resolution Authorizing the City Manager to Appropriate Measure C Funds for a Conceptual Facility and Site Design Plan for the Proposed New Public Safety Center (PSC) at the Former California National Guard (CANG) Site Located at West Winton Avenue and Tuskegee Airmen Drive in a Total Not-to-Exceed Amount of \$500,000.

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

15. [CONS 24-372](#) Adopt a Resolution to Execute a Side Letter of Agreement Amending the Memoranda of Understanding (MOU), Article 13.01 Fire Education Incentive Program between the City of Hayward (“City”) and the Hayward International Association of Firefighters (“IAFF”), Local 1909 and Hayward Fire Officers Association (“HFOA”), to Clarify the Eligibility Requirements for All Eligible Members with Respect to the Fire Education Incentive Program

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Side Letter of Agreement](#)

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.

16. [WS 24-019](#) Supportive Housing Programs: Work Session on Proposed Zoning Text Amendments to the Hayward Municipal Code Related to Supportive Housing Programs Associated with Implementation of the Hayward 2023-2031 Housing Element (Report from Development Services Director Buizer)

Attachments: [Attachment I Staff Report](#)
 [Attachment II Housing Types by Zoning District](#)

PUBLIC HEARING

17. [PH 24-031](#) LLAD 96-1 Assessment Hearing: Adopt a Resolution to Approve the Final Engineer's Report, Reconfirm Maximum Base Assessment Amounts, Confirm the Assessment Diagrams and Fiscal Assessments, Order the Levy and Collection of Fiscal Assessments; and Adopt a Resolution to Approve Funding Recommendations and Appropriate Special Revenue Funds for Consolidated Landscaping and Lighting Assessment District (LLAD) No. 96-1, Zones 1 through 18, for Fiscal Year 2025 (Report from Maintenance Services Director Rullman)

Attachments: [Attachment I Staff Report](#)
[Attachment II Final Report Resolution](#)
[Attachment III Appropriating Funds Resolution](#)
[Attachment IV Engineer's Report](#)
[Attachment V Assessment Roll](#)

18. [PH 24-032](#) Engineer's Report MD-1: Adopt a Resolution to Approve the Final Engineer's Report, Confirm the Maximum Base Assessment Rate, Confirm the Fiscal Assessment Rate, Confirm the Assessment Diagram, Order the Levy and Collection of Fiscal Assessment; and Adopt a Resolution to Approve Funding Recommendations and Appropriate Revenue and Expenditure Budgets for Maintenance District No. 1 - Storm Drainage Pumping Station and Storm Drain Conduit - Pacheco Way, Stratford Road and Ruus Lane, for Fiscal Year 2025 (Report from Maintenance Services Director Rullman)

Attachments: [Attachment I Staff Report](#)
[Attachment II Engineer's Report Resolution](#)
[Attachment III Appropriating Funds Resolution](#)
[Attachment IV Engineer Report](#)
[Attachment V Assessment Roll](#)

19. [PH 24-033](#) Engineer's Report MD-2: Adopt a Resolution to Approve the Final Engineer's Report, Confirm the Maximum Base Assessment Rate, Confirm the Fiscal Assessment Rate, Confirm the Assessment Diagram, Order the Levy and Collection of Fiscal Assessment; and Adopt a Resolution to Approve Funding Recommendations and Appropriate Revenue and Expenditure Budgets for Maintenance District No. 2 - Eden Shores Storm Water Buffer and Facilities, for Fiscal Year 2025 (Report from Maintenance Services Director Rullman)

Attachments:

[Attachment I Staff Report](#)

[Attachment II Engineer's Report Resolution](#)

[Attachment III Appropriating Funds Resolution](#)

[Attachment IV Engineer Report](#)

[Attachment V Assessment Roll](#)

20. [PH 24-030](#) Master Fee Schedule: Adopt a Resolution Approving the FY 2025 Master Fee Schedule, and Finding the Action is Exempt from CEQA Review (Report from Finance Director Gonzales)

Attachments:

[Attachment I Staff Report](#)

[Attachment II Resolution](#)

[Attachment III City Clerk Schedule Changes](#)

[Attachment IV Development Services Planning Changes](#)

[Attachment IVa Exhibit A](#)

[Attachment V Development Services Housing Changes](#)

[Attachment VI Development Services Planning Changes](#)

[Attachment VII Public Works Changes](#)

[Attachment VIII Proposed FY 2025 Master Fee Schedule](#)

LEGISLATIVE BUSINESS

21. [LB 24-018](#) Military Equipment Use: Adopt a Resolution Approving the Hayward Police Department's Annual Military Equipment Use Report for April 2023 Through March 2024 and Renewing Ordinance 22-06 Adopting Military Equipment Use Policy No. 706 in Compliance with Assembly Bill No. 481 (Report from Police Chief Matthews)

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III Annual Military Equipment Use Report](#)
[Attachment IV Ordinance 22-06](#)
[Attachment V Military Equipment Use Policy](#)
[Attachment VI Inventory List](#)

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

COUNCIL RECESS: July 2, 2024 - August 13, 2024

NEXT MEETING, August 20, 2024

PUBLIC COMMENT RULES

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