



CITY OF HAYWARD

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

Agenda City Council

Tuesday, January 30, 2024

7:00 PM

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

SPECIAL 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/84408685114?
pwd=M-v9vFnH9aie_1ZRcYC3DNLLu-M0MMm9GDQ_XWMf5wQ2H0Xa9Ud](https://hayward.zoom.us/j/84408685114?pwd=M-v9vFnH9aie_1ZRcYC3DNLLu-M0MMm9GDQ_XWMf5wQ2H0Xa9Ud)

Meeting ID: 844 0868 5114

Password: CC1/30@7pm

or

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

Meeting ID: 844 0868 5114

Password: 9564324013

CALL TO ORDER: Mayor Salinas**Pledge of Allegiance: Council Member Bonilla Jr.****ROLL CALL****PRESENTATION**

Police Chief Toney Chaplin Retirement Commendation

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.

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 24-042](#) Adopt an Ordinance Amending Chapter 10, Article 1 (Zoning Ordinance) of the Hayward Municipal Code Rezoning Certain Properties to a Planned Development District in Connection with Zone Change and Vesting Tentative Map Application No. MTA-23-0001 for the Eden Village III Development

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

2. [CONS 24-038](#) Adopt a Resolution Accepting the Resignation of Commissioner Aidan Ali-Sullivan from the Planning Commission, Effective Immediately

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

3. [CONS 24-006](#) Adopt a Resolution Authorizing the City Manager to Accept and Appropriate up to \$200,000 in Donations and Fee Revenue for the Animal Shelter for Fiscal Year 2024

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

4. [CONS 24-036](#) Adopt a Resolution Authorizing the City Manager to (1) Extend and Amend the Agreement with Advocates for Human Potential, Inc. for the California Department of Healthcare Services, Behavioral Health Justice Intervention Services Project; and (2) Accept and Appropriate Additional Funding in the Amount of \$876,546

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

5. [CONS 24-037](#) Adopt a Resolution Authorizing the City Manager to Accept and Appropriate \$709,000 in Grant Funding from the Office of Justice Programs - Byrne Discretionary Community Project Funding Program for the Hayward Evaluation and Response Teams (HEART) Program Operations

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

6. [CONS 24-039](#) Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Professional Services Agreement with NHA Advisors, LLC for Water Infrastructure Finance and Innovation Act (WIFIA) Loan Application and Funding Consulting Services in an Amount Not-to-Exceed \$85,000 for the Water Pollution Control Facility (WPCF) Improvements - Phase II Project

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

7. [CONS 24-040](#) Adopt a Resolution Authorizing the City Manager to Approve and Appropriate \$60,000 to Implement A Bench for Every Bus Stop Pilot Program Project No. 05343

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

8. [CONS 24-041](#) Adopt a Resolution Approving Garbage and Recycling Rate Adjustment for 2024-2025

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III WMAC Rates Survey](#)

9. [CONS 24-043](#) Adopt a Resolution Authorizing the City Manager to Negotiate an Agreement with Stryker Corporation for the Purchase of Lucas Chest Compression Devices for the Hayward Fire Department in an Amount Not-to-Exceed \$384,836

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

10. [CONS 24-049](#) Adopt a Resolution Ratifying Updates to the Council Appointments List

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Council Appointments List - January 25, 2024](#)

PUBLIC HEARING

11. [PH 24-002](#) 1103 Walpert Street Rezoning: Proposed Zone Change of a 4.1-Acre Site Located at 1103 Walpert Street (Assessor's Parcel Number (APN) 445-0040-003-03), from Planned Development (PD) District to Medium Density Residential (RM) District Consistent with the Medium Density Residential Land Use Designation, and Finding that No Further Environmental Review is Required Pursuant to the California Environmental Quality Act; Application No. MTA-23-0005. Applicant: Ronald Luter, Arc of the East Bay. Owners: Arc of the East Bay (Report from Development Services Director Buizer)

Attachments:[Attachment I Staff Report](#)[Attachment II Ordinance](#)[Attachment III Resolution](#)[Attachment IV Proposed Zoning Map](#)

12. [PH 24-003](#) Hayward 2040 General Plan: Adopt Resolutions Amending the Hayward 2040 General Plan to Include the Updated Climate Action Plan, an Amended Hazards Element, and a New Environmental Justice Element; and Approval of Related Environmental Analysis Prepared Pursuant to the California Environmental Quality Act (Report from Public Works Director Ameri)

Attachments:[Attachment I Staff Report](#)[Attachment II Resolution CAP](#)[Attachment III Resolution Hazards and EJE](#)[Attachment IV Public Comments & City Responses](#)[Attachment V Final CEQA GHG Emissions](#)[Attachment VI General Plan Implementation Programs](#)[Attachment VII Final Initial Study and ND for CAP and EJE](#)[Attachment VIII CEQA Addendum to CAP](#)[Attachment IX Draft CAP with Appendices](#)[Attachment X Draft Hazards Element and Tech Reports](#)[Attachment XI Draft EJE & Technical Report](#)

LEGISLATIVE BUSINESS

13. [LB 24-004](#) Housing Emergency: Adopt a Resolution Declaring a State of Emergency on Homelessness, Temporarily Suspending Applicable Local Planning and Zoning Requirements for Publicly Owned Property and Specified Private Property to Enable Flexible Responses to the Homelessness Crisis, and Determining that the Common Sense CEQA Exemption Applies (Report from Assistant City Manager Youngblood)

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

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, February 6, 2024, 7:00 PM

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.