



CITY OF HAYWARD

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

Agenda City Council

Tuesday, July 21, 2020

7:00 PM

Remote Participation

SPECIAL JOINT MEETING OF CITY COUNCIL AND HAYWARD REDEVELOPMENT SUCCESSOR AGENCY

This meeting is being conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order No. 29-20 dated March 17, 2020, and Alameda County Health Officer Order No. 20-10 dated April 29, 2020, regarding the COVID-19 pandemic.

How to observe the Meeting:

1. Comcast Channel 15
2. Live stream <https://hayward.legistar.com/Calendar.aspx>

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. eComments received after 3:00 p.m. through the adjournment of the meeting will be included as a part of the meeting record and published the following day.

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.

How to provide spoken Public Comment during the City Council Meeting:

Call the City Clerk at (510) 583-4400 prior to the close of public comment on an item as indicated by the Mayor.

CALL TO ORDER Pledge of Allegiance: Mayor/Chair Halliday

ROLL CALL

CLOSED SESSION ANNOUNCEMENT

PRESENTATION

Muslim Awareness and Appreciation Month Proclamation

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 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 20-079](#) Approve City Council Minutes of the City Council Meeting on July 7, 2020

 Attachments: [Attachment I Draft Minutes of 7/7/2020](#)

2. [CONS 20-397](#) Adopt an Ordinance Adding Article 2 to Chapter 12 of the Hayward Municipal Code Relating to Tenant Relocation Assistance

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

3. [CONS 20-398](#) Adopt an Ordinance Amending Article 1 of Chapter 12 of the Hayward Municipal Code Relating to Residential Rent Stabilization and Tenant Protection

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

4. [CONS 20-385](#) Adopt a Resolution Authorizing the City Manager to Negotiate and Execute Agreements with Five Consulting Firms, for an Amount Not to Exceed the Total FY21 Budget Appropriation of \$330,000 (Development Services) and \$50,000 (Fire Department), to Provide Plan Check, Inspection and Permit Technician Services

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

5. [CONS 20-386](#) Adopt Resolutions Approving Plans and Specifications and Call for Bids and Authorizing the City Manager to execute an Amendment to the Professional Services Agreement with Mark Thomas & Company, in an amount not-to-exceed amount of \$150,000, for the Mission Boulevard Corridor Improvements Phase 3 Project

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Resolution Amending MT Contract](#)

6. [CONS 20-392](#) Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Letter Agreement with 1069 B Street, LLC to Defer Rent and Parking Maintenance Payments for Cinema Place

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

7. [CONS 20-393](#) Adopt Resolutions Authorizing the City Manager to Execute a Memorandum of Understanding (MOU) with the Alameda County Public Works Agency for the Hesperian Boulevard and West A Street Protected Intersection Project and Appropriate \$1,250,056 for this Project from Measure BB (Local Transportation), Fund 212; Measure B (Local Transportation), Fund 215; and the Transportation System Improvement, Fund 460

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Appropriation Resolution](#)
 [Attachment IV Hesperian and A Street - Final Plans](#)

8. [CONS 20-402](#) Adopt a Resolution Authorizing and Appropriating Additional Emergency Funding in Response to Novel (New) Coronavirus (COVID-19)

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Summary of COVID-19 Expenses and Revenue](#)

PUBLIC HEARING

9. [PH 20-058](#) Costco Business Center Fuel Facility: Proposed Development of a Fuel Facility with Related Site Improvements at the Costco Business Center Located at 22330 Hathaway Avenue (Assessor Parcel No. 429-0082-003-00) Requiring Approval of a Major Modification to an Existing Planned Development Zoning District (Application No. 201706217) and Adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program. Barghausen Engineering on Behalf of Costco Wholesale Corporation (Applicant/Owner) (Report from Development Services Director Simpson)

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III Ordinance](#)
[Attachment IV Project Plans](#)
[Attachment V Initial Study and Mitigated Negative Declaration](#)
[Attachment VI Response to Comments \(CEQA\)](#)
[Attachment VII Applicant Response](#)
[Attachment VIII PC Minutes 11/14/19](#)

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.

10. [WS 20-035](#) Public Safety Community Engagement Plan: Review and Provide Feedback on the Proposed Public Safety Community Engagement Plan (Report from City Manager McAdoo and Chief of Police Chaplin)

Attachments: [Attachment I Staff Report](#)

LEGISLATIVE BUSINESS

11. [LB 20-040](#) League of California Cities 2020 Annual Conference: Adopt a Resolution Designating Voting Delegates and Alternates for the Annual Conference Scheduled for October 7-9, 2020 (Report from City Clerk Lens)

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III Designation of Voting Delegates](#)

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 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 SPECIAL MEETING, COMMISSIONS INTERVIEWS, July 28, 2020****PUBLIC COMMENT RULES**

Any member of the public desiring to address the Council shall limit her/his 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. 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 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.

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.

CHILDCARE WILL NOT BE PROVIDED UNTIL FURTHER NOTICE DUE TO COUNTYWIDE SHELTER-IN-PLACE ORDER.