



# CITY OF HAYWARD

Hayward City Hall  
777 B Street  
Hayward, CA 94541  
[www.Hayward-CA.gov](http://www.Hayward-CA.gov)

## Agenda City Council

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**Tuesday, March 2, 2021**

**7:00 PM**

**Remote Participation**

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### CITY COUNCIL MEETING

COVID-19 Notice: Consistent with State of California Executive Order No. 29-20 dated March 17, 2020, the City Council will be participating in public meetings via phone/video conferencing.

*How to watch the meeting from home:*

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:*

*Click the link below to join the meeting:*

<https://hayward.zoom.us/j/95049559541?pwd=Ny9IM3h0SlFpa0FnRFhXMGI5Wk54UT09>

Meeting ID: 950 4955 9541

Passcode: CC3/2@7pm!

or

Dial: +1 669 900 6833 or +1 346 248 7799

Meeting ID: 950 4955 9541

Password: 7815537755

A Guide to attend virtual meetings is provided at this link: <https://bit.ly/3jmaUxa>

**CALL TO ORDER: Mayor Halliday**

**Pledge of Allegiance: Council Member Zermeño**

**ROLL CALL**

**CLOSED SESSION ANNOUNCEMENT**

**PRESENTATIONS**

Women's History Month: Presented to American Association of University Women

Art IS Education Month: Presented to East Bay Youth Orchestra

**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 21-030](#) Approve City Council Minutes of the Special City Council Meeting on February 13, 2021

**Attachments:** [Attachment I Draft Minutes 2/13/2021](#)

2. [MIN 21-031](#) Approve City Council Minutes of the City Council Meeting on February 16, 2021

**Attachments:** [Attachment I Draft Minutes 2/16/2021](#)

3.        [CONS 21-082](#)      Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Landscape Maintenance Contract for Route 238 (Phase 1 and 2) with Los Loza Landscaping, in an Annual Amount of \$270,000 and Approving an Additional \$20,000 Annually for Contingencies

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

#### PUBLIC HEARING

4.        [PH 21-011](#)      Switzer Residence: Adopt a Resolution Approving a Proposed Single-Family Residence and Attached Accessory Dwelling Unit on a Vacant 0.21-Acre Hillside Lot with an Average Slope Greater than 20% Located at 2579 Home Avenue, Assessor Parcel No. 081D-1660-040-00, Requiring Approval of Site Plan Review and Grading Permit Application No. 202000579, Categorically Exempt from the California Environmental Quality Act (CEQA) per Section 15303, Class 3. Bich-Khoi Do (Applicant); Bradley Switzer Trust (Owner) (Report from Development Services Director Simpson)

**Attachments:**    [Attachment I Staff Report](#)  
[Attachment II Resolution](#)  
[Attachment III Project Plans](#)  
[Attachment IV Public Correspondence](#)  
[Attachment V PC Minutes 1/28/2021](#)

5.        [PH 21-017](#)      Rainbow Court Single-Family Residence: Adopt a Resolution Approving Site Plan Review and Grading Permit Application for Proposed Single-Family Residence on a Vacant 0.12-Acre Hillside Lot with an Average Slope Greater than 20%, Located at 2382 Rainbow Court, Assessor Parcel No. 425-0410-029-00, Application No. 202002396, Ravi Jonnadula, H & M Ventures (Applicant/Owner) (Report from Development Services Director Simpson)

**Attachments:**    [Attachment I Staff Report](#)  
[Attachment II Resolution](#)  
[Attachment III Draft PC Minutes 2/11/2021](#)  
[Attachment IV Plans](#)

**LEGISLATIVE BUSINESS**

6. [LB 21-008](#) Municipal Facility License Agreement Template: Adopt a Resolution Approving the Municipal Facility Master License Agreement Template for the Attachment of Wireless Facilities to City-Owned Vertical Infrastructure in the Public Right-of-Way, and Authorizing the City Manager to Execute Master Facility License Agreements with Qualified Companies in Substantial Conformance with the Template and Upon Approval by the City Attorney as to Form (Report from Assistant City Manager Ott)

**Attachments:** [Attachment I Staff Report](#)  
[Attachment II Resolution](#)  
[Attachment III Master License Agreement Template](#)

7. [LB 21-009](#) Planning Commission Vacancy: Acceptance of Resignation of Mr. Gary Patton from the Planning Commission Effective April 1, 2021, and Direction on Process for Filling the Vacancy (Report from City Clerk Lens)

**Attachments:** [Attachment I Staff Report](#)  
[Attachment II Resolution](#)  
[Attachment III Resignation Letter](#)  
[Attachment IV Planning Commission List of Applicants](#)

**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 MEETING, March 16, 2021, 7:00 PM****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.**