



CITY OF HAYWARD

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

Agenda City Council

Tuesday, June 21, 2022

7:00 PM

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

CITY COUNCIL MEETING

NOTICE: The City Council will hold a hybrid meeting in Council Chambers and virtually via Zoom.

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/82697325767?pwd=MEhBV3IxM29VWXhhNTEaFZwYUlydz09>

Meeting ID: 826 9732 5767

Password: CC6/21@7pm

or

Dial: +1 669 900 6833 or +1 346 248 7799 or 833 548 0282 (Toll Free)

Meeting ID: 826 9732 5767

Password: 4425238971

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 Wahab

ROLL CALL

CLOSED SESSION ANNOUNCEMENT

PRESENTATION

Certificate of Commendation Presented to Hayward Chamber of Commerce
President and CEO Kim Huggett

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.

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.

CITY COMMISSIONS

1. [APPT 22-001](#) Hayward Youth Commission: Adopt a Resolution Confirming the Appointment of Hayward Youth Commission Members (Report from City Clerk Lens)

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

2. [ACT 22-068](#) Adopt a Resolution Affirming the City's Support for the Library Bill of Rights, the Freedom to Read Statement, and the Freedom to View Statement (Report from Library Director Addleman)

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III LC Letter of Support](#)
 [Attachment IV ALA Library Bill of Rights](#)
 [Attachment V ALA Freedom to Read Statement](#)
 [Attachment VI ALA Freedom to View Statement](#)

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

3. [MIN 22-084](#) Approve the City Council Meeting Minutes of the City Council Meeting on June 7, 2022

Attachments: [Attachment I Draft Minutes 6/7/2022](#)

4. [CONS 22-352](#) Adopt a Resolution (1) Authorizing the City Manager to Amend the Agreement with Tyler Technologies to Extend the Term of the Contract for Six Months and Reflect Revised Tasks, and (2) Authorize the Transfer of \$150,000 to Cover Previously Authorized and Appropriated Project Budget

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

5. [CONS 22-355](#) Adopt a Resolution Authorizing the City Manager to Amend the FY2022 Operating Budget for the Development Services Department Building Division for Outside Plan Check, Building Inspection, and Permit Technician Services

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

6. [CONS 22-358](#) Adopt a Resolution Awarding a Contract to GSW Construction, Inc., for the Trash Capture Device Installation on Cotter Way Project No. 07675 in the Amount of \$188,600, Approving \$18,900 Construction Contingency Budget, and Appropriating an Additional \$70,000 to the Project

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

7. [CONS 22-360](#) Adopt a Resolution Awarding the Construction Contract to Rosas Brothers Construction, Inc., for the FY22 Sidewalk Rehabilitation and Wheelchair Ramps Project No. 05318 in an Amount Not-to-Exceed \$752,392

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III Districts Map](#)
[Attachment IV District 2 & 3 Site Map](#)

8. [CONS 22-364](#) Adopt a Resolution Authorizing the City Manager to Accept and Appropriate Funds from the California Water and Wastewater Arrearage Payment Program (CWWAPP) for Wastewater Arrearages in an Amount Not-to-Exceed \$744,389

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

9. [CONS 22-366](#) Adopt a Resolution of Intention to Preliminarily Approve the Engineer's Report and Assessments for Fiscal Year 2023 for Consolidated Landscaping and Lighting District No. 96-1, Zones 1 through 18, and Set July 5, 2022, as the Public Hearing Date

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

10. [CONS 22-369](#) Adopt a Resolution of Intention to Preliminarily Approve the Engineer's Report and Levy Assessments for Fiscal Year 2023 for Maintenance District No. 1 - Storm Drainage Pumping Station and Storm Drain Conduit Located at Pacheco Way, Stratford Road and Ruus Lane, and Set July 5, 2022, as the Public Hearing Date
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Engineer's Report MD1](#)
11. [CONS 22-371](#) Adopt a Resolution of Intention to Preliminarily Approve the Engineer's Report and Levy and Assessments for Fiscal Year 2023 for Maintenance District No. 2 - Eden Shores Storm Water Facilities and Water Buffer, and Set July 5, 2022, as the Public Hearing Date
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Engineer's Report MD2](#)
12. [CONS 22-370](#) Adopt Resolutions Authorizing the City Manager to Establish a Communications Operator Lateral & Entry Level (COLE) Hiring Bonus Program in the Amount of \$10,000 per Qualified Candidate and Authorizing the Establishment of a Hiring Incentive Referral Program (HIRP) in the Amount of \$2,000 to Be Paid to Qualifying City of Hayward Employees Who Successfully Refer Communications Operator Candidates
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II COLE Bonus Program Resolution](#)
 [Attachment III COLE HIRP Resolution](#)
 [Attachment IV COLE Hiring Bonus Agreement](#)
 [Attachment V HIRP Referral Application](#)
13. [CONS 22-390](#) Adopt a Resolution Authorizing an Amendment to the FY 2022 Operating Budget for Fleet Management Fund (Fund 735) to Increase the Annual Appropriation in the Maintenance Services Department Budget by \$195,000 Through Use of Existing Funds
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)

14. [CONS 22-395](#) Adopt a Resolution Allowing the City Council and Appointed Commissions/Task Forces and Council Committees to Hold Continued Teleconferenced Public Meetings Pursuant to AB 361

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

15. [CONS 22-399](#) Adopt a Resolution Calling for the City of Hayward General Municipal Election to be Consolidated with the General Election to Be Held on November 8, 2022, for the Purpose of Electing Two Council Members and One Mayor for Full Terms of Four Years; and Adopt a Resolution Setting Regulations for Candidates Pertaining to Candidate Statements

Attachments: [Attachment I Staff Report](#)
 [Attachment II Election Resolution](#)
 [Attachment III Candidate Statement Resolution](#)
 [Attachment IV General Municipal Election Calendar](#)

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 22-024](#) Police Department Dash Cameras: Work Session to Review a Proposed Hayward Police Department Capital Improvement Project Regarding the Purchase of Axon Fleet Vehicle Dash Cameras with Automated License Plate Reading (ALPR) Technology (Report from Police Chief Chaplin)

Attachments: [Attachment I Staff Report](#)
 [Attachment II Policy 429](#)

LEGISLATIVE BUSINESS

17. [LB 22-016](#) Military Equipment Use Policy: Introduction of an Ordinance Approving Military Equipment Use Policy No. 706 Regarding the Hayward Police Department's Funding, Acquisition, and Use of "Military Equipment," as Defined by Assembly Bill 481 (Report from Police Chief Chaplin)
- Attachments:** [Attachment I Staff Report](#)
[Attachment II Military Equipment Use Policy 706](#)
[Attachment III Ordinance](#)
[Attachment IV Equipment List](#)
18. [LB 22-014](#) Unrepresented Salary and Benefits: Adopt a Resolution Amending the Salary and Benefits Resolution for Unrepresented Executives, Management, City Manager, Human Resources, and City Attorney Employees (Report from Assistant City Manager/Interim HR Director Youngblood)
- Attachments:** [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III Unrepresented Salary and Benefits Resolution](#)
19. [LB 22-015](#) Council-Appointed Officers' Employment Agreements: Adopt Resolutions Approving Amendments to the Employment Agreements Between the City of Hayward and the City Attorney, City Clerk, and City Manager and Authorizing the Mayor to Execute the Agreements (Report from Assistant City Manager/Interim HR Director Youngblood)
- Attachments:** [Attachment I Staff Report](#)
[Attachment II Resolution - City Attorney](#)
[Attachment III Resolution - City Clerk](#)
[Attachment IV Resolution - City Manager](#)
[Attachment V Contract Amendment - City Attorney](#)
[Attachment VI Contract Amendment - City Clerk](#)
[Attachment VII Contract Amendment - City Manager](#)

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, June 28, 2022, 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.

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.