



CITY OF HAYWARD

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

Agenda City Council

Tuesday, December 12, 2023

5:30 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/82633030603?](https://hayward.zoom.us/j/82633030603?pwd=njOH1BXh6HXJ0xoa8Kz7PGJwrGvZ2aAVPU.LBZR1StsGdWiMjVc)
[pwd=njOH1BXh6HXJ0xoa8Kz7PGJwrGvZ2aAVPU.LBZR1StsGdWiMjVc](https://hayward.zoom.us/j/82633030603?pwd=njOH1BXh6HXJ0xoa8Kz7PGJwrGvZ2aAVPU.LBZR1StsGdWiMjVc)

Meeting ID: 826 3303 0603

Password: Cc12/12@73

or

Dial: +1 669 900 6833

Meeting ID: 826 3303 0603

Password: 1556989671

CALL TO ORDER: Mayor Salinas

Pledge of Allegiance: Council Member Goldstein

AB 2449 TELECONFERENCE NOTIFICATIONS AND CONSIDERATION

ROLL CALL

CLOSED SESSION ANNOUNCEMENT

PRESENTATION

2023 Arbor Day Proclamation

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 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. 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 23-651](#) Adopt a Resolution Accepting Transmittal of the Annual Mitigation Fee Act Report (AB1600)

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III Annual Report of Development Fees](#)

2. [CONS 23-652](#) Adopt a Resolution Authorizing the Purchase of Two Plunger Valves from Core & Main LP in an Amount Not-to-Exceed \$155,850 as part of the 250-Foot Zone for Pressure Reducing Strategy at Decoto Pump Station Project No. 07074

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

3. [CONS 23-654](#) Adopt a Resolution Authorizing the City Manager to Apply for a United States Environmental Protection Agency (EPA) Water Infrastructure Finance and Innovation Act (WIFIA) Loan for the Water Pollution Control Facility (WPCF) Improvements - Phase II Project No. 07760

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

4. [CONS 23-657](#) Adopt a Resolution Authorizing the City Manager to Accept and Appropriate \$515,000 in Awarded Transportation Fund for Clean Air Funding from the Alameda County Transportation Commission for the Winton Avenue/D Street and Tennyson Road Corridors Signal Timing Project for Construction of Traffic Signal Infrastructure and Implementation of Adaptive Signal Timing

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

5. [CONS 23-659](#) Adopt a Resolution Approving the Plans and Specifications and Call for Bids for the Hayward Police Department Locker Room Building Project No. 06926

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

6. [CONS 23-670](#) Adopt a Resolution Authorizing the City Manager to Appropriate Additional Funds in the Amount of \$120,000 from Transportation System Improvement - Fund 460 for the Traffic Signal Upgrade at Huntwood Avenue, Project No. 05737

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

7. [CONS 23-672](#) Adopt a Resolution Approving Addendum Nos. 1,2,3 and 4, Rejecting the Bid from CWS Construction Group, Inc. and Awarding a Construction Contract to Rodan Builders, Inc., for The Stack Center - Phase I Project, Project No. 06960, in the Amount of \$8,699,000 and Authorizing an Administrative Change Order Budget of \$871,000

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

8. [CONS 23-660](#) Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with LookingPoint for Implementation of Network Refresh in an Amount Not-to-Exceed \$2,340,126

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

9. [CONS 23-675](#) Adopt a Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Clifford Moss in an Amount Not-to-Exceed \$90,000 Plus Direct Communications Expenses Estimated at \$155,000 and with Fairbank, Maslin, Maullin, Metz & Associates (FM3) in an Amount Not-to-Exceed \$45,750 for Education and Outreach Services Relating to a Potential Early Extension of the ½ cent Local District Sales Tax and Appropriating Funds for these Agreements

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

10. [CONS 23-665](#) Adopt an Ordinance Amending Chapter 4, Article 12 of the Hayward Municipal Code Regarding Spectators at Illegal Speed Contests and Exhibitions of Speed

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

11. [CONS 23-668](#) Adopt a Resolution Accepting the Resignation of Commissioner Artavia Berry from the Community Services Commission, Effective Immediately

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

12. [CONS 23-669](#) Adopt a Resolution Appointing Hoang Dao to the Community Services Commission to Fill the Unexpired Term of Artavia Berry

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

13. [CONS 23-677](#) Adopt a Resolution Accepting the Resignation of Commissioner Arti Garg from the Planning Commission, Effective Immediately

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

14. [CONS 23-676](#) Adopt a Resolution Appointing Ron Meyers to the Planning Commission to Fill the Unexpired Term of Arti Garg

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

PUBLIC HEARING

15. [PH 23-049](#) Hayward Residential Design Study: Consideration of Proposed Text Amendments to Hayward Municipal Code Chapter 10, Article 1 (Zoning Ordinance), Article 2 (Off Street Parking Regulations), Article 24 (Mission Boulevard Code), and Article 28 (Downtown Development Code); Zoning Map Amendments; and Finding that No Further Environmental Review is Required Pursuant to the California Environmental Quality Act (Report from Development Services Director Buizer)

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III Ordinance](#)
[Attachment III Exhibit A HMC Section 10-1.200](#)
[Attachment III Exhibit B HMC Chapter 10, Article 1](#)
[Attachment III Exhibit C HMC Chapter 10, Article 2](#)
[Attachment III Exhibit D HMC Chapter 10, Article 24](#)
[Attachment III Exhibit E HMC Chapter 10, Article 28](#)
[Attachment III Exhibit F Properties Proposed to be Rezoned](#)

LEGISLATIVE BUSINESS

16. [LB 23-046](#) Palace Poker Casino: Transfer of Partial Ownership of the Palace Poker Casino Per the Hayward Card Club Regulations Located at 22821 Mission Boulevard (APN 428-0081-033-00) and Finding that the Project is Statutorily Exempt from the California Environmental Quality Act, Catherine Aganon and Pamela Roberts (Owners and Applicants) (Report from Development Services Director Buizer)

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

17. [LB 23-045](#) Public Safety Committee: Adopt a Resolution Establishing the Council Public Safety Committee, Dissolving the Police Department Community Advisory Panel, and Consolidating the Council Airport Committee with the Council Infrastructure Committee (Report from City Manager McAdoo)

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III Benchmarking Research](#)
[Attachment IV List of Staff Reports](#)

18. [LB 23-047](#) FY 2024 Salary Plan Amendment: Adopt a Resolution Approving an Amendment to the City of Hayward Salary Plan for Fiscal Year 2024 (Report from Director of Human Resources Frye)

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III FY 2024 Salary Plan](#)

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.

19. [RPT 23-117](#) City Council Referral: Recreational Vehicle (RV) Parking in Hayward (Referral from Council Members Goldstein and Roche)

Attachments: [Attachment I Council Referral](#)
[Attachment II Staff Analysis](#)
[Attachment III Safe Parking Memo](#)

20. [RPT 23-126](#) City Council Referral: City of Hayward Funding and Support for St. Rose Hospital (Referral from Mayor Salinas and Council Member Bonilla Jr.)

Attachments: [Attachment I Council Referral](#)

ADJOURNMENT

COUNCIL MEETINGS, December 19 and 26, 2023 and January 2, 2024 - CANCELED

NEXT MEETING, January 16, 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.