



CITY OF HAYWARD

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

Agenda City Council

Tuesday, November 15, 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/82183737191?pwd=Vi8yNHkwQklTWnpCN3lPRlRBNG9vdz09>

Meeting ID: 821 8373 7191

Password: CC11/15@7p

or

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

Meeting ID: 821 8373 7191

Password: 5402608430

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

CALL TO ORDER: Mayor Halliday**Pledge of Allegiance: Mayor Halliday****ROLL CALL****CLOSED SESSION ANNOUNCEMENT****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.

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 22-128](#) Approve the City Council Minutes of the Special City Council Meeting on October 25, 2022

Attachments: [Attachment I Draft Minutes of 10/25/2022](#)

2. [CONS 22-623](#) Adopt a Resolution Approving the Appropriation of \$150,000 for the Golden Oaks II - Tract 8058 Improvement Project No. 08058, and Authorizing Staff to Increase the Construction Contract with Golden Bay Construction, Inc., Contract No. 22132, by the Same Amount for a Total Not-To-Exceed Amount of \$1,093,733

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

3. [CONS 22-630](#) Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with ESRI for a Small Municipal and County Government Enterprise Agreement (SGEA) in an Amount not to Exceed \$303,000

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

4. [CONS 22-632](#) Adopt an Ordinance Establishing a Building Code for the City of Hayward; Regulating the Construction, Alteration, Repair, and Maintenance of Structures; Providing for the Issuance of Permits and Collection of Fees; Repealing Chapter 9 Article 1, and All Amendments Thereto

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

5. [CONS 22-633](#) Adopt an Ordinance Establishing a Fire Prevention Code for the City of Hayward, Adopting the California Fire Code, 2022 Edition, Prescribing Regulations Governing Conditions Hazardous to Life and Property from Fire or Explosion, Providing for the Issuance of Permits and Collection of Fees, Providing for Penalties for Violation, and Repealing Ordinance No. 19-20, As Amended, and All Other Ordinances and Parts of Ordinances in Conflict Therewith

Attachments: [Attachment I Staff Report](#)
[Attachment II Summary of Published Notice](#)
[Attachment III Fire Code Amended Ordinance](#)

6. [CONS 22-634](#) Adopt an Ordinance Establishing Reach Codes for the City of Hayward, Repealing Ordinance 20-05, Adopting Chapter 9, Article 8 of the Hayward Municipal Code to Amend Part 11 (California Green Building Standards Code) of the California Building Standards Code (Title 24 of the California Code of Regulations), and Amending the City's Off-Street Parking Regulations (Chapter 10, Article 2) of the Hayward Municipal Code

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

7. [CONS 22-635](#) 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 to Resolution](#)
8. [CONS 22-641](#) Adopt a Resolution Approving a Side Letter of Agreement Amending the Memorandum of Understanding (MOU) Between the City of Hayward and the Hayward Police Officers' Association (HPOA) to Revise Scheduled Salary Increases
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
9. [CONS 22-636](#) Adopt a Resolution Approving the Amended Fiscal Year 2023 Salary Plan That Designates Classifications and Corresponding Salary Ranges
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Revised FY 2023 Salary Plan](#)
10. [CONS 22-637](#) Adopt a Resolution Authorizing the City Manager to Amend an Agreement with Tiburcio Vasquez Health Center for Mobile Integrated Health Unit Services for Fiscal Year 2022-2023
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
11. [CONS 22-638](#) Adopt a Resolution Accepting the Resignation of Ms. Elena Lepe from the Community Services Commission, Effective Immediately
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Resignation Letter](#)

12. [CONS 22-639](#) Adopt a Resolution: (1) Approving the Dissolution of the South Hayward Bay Area Rapid Transit Station Access Authority; and (2) Authorizing the City Manager to Negotiate and Execute an Intergovernmental Agreement Pertaining to Parking and Access Near the South Hayward BART Station

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Map of South Hayward BART Parking](#)

13. [CONS 22-642](#) Adopt a Resolution Authorizing the City Manager to Negotiate and Execute the First Amendment to the Disposition and Development Agreement with Trumark Properties, LLC to Allow Deferral of the Excess Purchase Price Above the Caltrans Base Purchase Price Until Issuance of Certificates of Occupancy for the Transfer of Parcel Group 5, Bunker Hill

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

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.

14. [WS 22-037](#) Dispatch Needs Assessment and Capacity Improvement: Presentation of Consultant Evaluation and Recommendations (Report from City Manager McAdoo, Fire Chief Contreras, and Acting Police Chief Matthews)

Attachments: [Attachment I Staff Report](#)
 [Attachment II Dispatch Needs Assessment](#)
 [Attachment III HEART Program Data Analysis](#)

PUBLIC HEARING

15. [PH 22-062](#) Retiree Hiring Exception: Adopt a Resolution Approving an Exception to the 180-Day Waiting Period Requirement for Up to Six (6) Retired CalPERS Annuitants to Work as City of Hayward Communications Operators

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 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, December 6, 2022. 7:00 PM

November 22, 2022 - Meeting Canceled -

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.