

CITY OF HAYWARD

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



CITY OF
HAYWARD
HEART OF THE BAY

Agenda - Final

Tuesday, February 21, 2023

7:00 PM

Council Chamber and Virtual Platform (Zoom)

City Council

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/81518963688?pwd=YTJrT2xET3U2N2pPcEk4cW1WY3pwZz09>

Meeting ID: 815 1896 3688

Password: CC2/21@7pm

or

Dial: +1 669 900 6833

Meeting ID: 815 1896 3688

Password: 4927023480

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

CALL TO ORDER: Mayor Salinas

Pledge of Allegiance: Council Member Andrews

ROLL CALL

CLOSED SESSION ANNOUNCEMENT

PRESENTATION

Black History 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 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, items 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 23-020](#) Approve the City Council Minutes of the City Council Meeting on February 7, 2023

Attachments: [Attachment I Draft Minutes of 2/7/2023](#)

2. [CONS 23-080](#) Adopt a Resolution Accepting the Resignation of Ms. Katlin Turner from the Keep Hayward Clean and Green Task Force, Effective Immediately

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

3. [CONS 23-092](#) Adopt a Resolution Accepting the Resignation of Mr. Pekon Gupta from the Keep Hayward Clean and Green Task Force, Effective Immediately

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

4. [CONS 23-087](#) Adopt a Resolution Approving Final Map of Tract 8556, a 10 Lot Subdivision for Condominium Purposes at 27177 and 27283 Mission Boulevard (Assessor Parcel Nos. 452-0056-007 and 452-0056-008), Hayward to Allow the Construction of Nine (9) Live/Work Lofts Fronting Mission Boulevard and 46 Townhome Units Totaling 55 Condominium Units, Open Space Areas, and Related Site Improvements; Applicant/Owner: Moreau JV Owner, LLC., Application No. 202202272; and Authorizing the City Manager to Negotiate and Execute a Subdivision Improvement Agreement and Related Documents

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III Final Map Tract 8556](#)
[Attachment IV Approved Tentative Map](#)

5. [CONS 23-083](#) Adopt a Resolution Authorizing the City Manager to Accept and Appropriate \$35,984.70 in Grant Funding From the Alameda County Sheriff's Office for the Fiscal Year 2020 Byrne Justice Assistance Grant For Hayward Police Department Operations

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

6. [CONS 23-084](#) Adopt a Resolution Authorizing the City Manager to Accept and Appropriate \$40,217.40 in Grant Funding From the Alameda County Sheriff's Office for the Fiscal Year 2021 Byrne Justice Assistance Grant For Hayward Police Department Operations

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

7. [CONS 23-088](#) Adopt a Resolution 1) Appropriating \$15,000 from the Rent Stabilization Fund Balance and 2) Authorizing the City Manager to Execute an Amendment to the Professional Services Agreement with Project Sentinel for Administration of the Rent Increase Dispute Resolution Process in the Amount of \$45,000 for a Total Not-to-Exceed Contract Amount of \$120,000

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

8. [CONS 23-089](#) Adopt a Resolution Authorizing Hayward's Participation in East Bay Community Energy's Community Solar Program

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Map of Disadvantaged Communities](#)

9. [CONS 23-096](#) Adopt a Resolution Amending Resolution 22-225 to Award up to \$627,554 in Community Development Block Grant (CDBG) Funds to Bay Area Community Services (BACS) for the St. Regis Multi-Service Campus Project

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Resolution 22-225](#)

10. [CONS 23-097](#) Adopt a Resolution Approving an Amendment to the City of Hayward Salary Plan for Fiscal Year 2023

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III FY 2023 Salary Plan](#)

11. [CONS 23-105](#) Adopt a Resolution Ending the Local Emergency Due to the Spread of a Severe Acute Respiratory Illness Caused by Novel (New) Coronavirus (COVID-19)

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Proclamation of a Local Emergency](#)
 [Attachment IV AB 2449 Notifications and Considerations](#)
 [Attachment V Food Delivery Ordinance](#)

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.

12. [WS 23-004](#) Affordable Housing Ordinance: Discuss Findings from Affordable Housing Ordinance Feasibility Study and Proposed Modifications of the Affordable Housing Ordinance (Report from Assistant City Manager Claussen)

Attachments: [Attachment I Staff Report](#)
 [Attachment II Feasibility Study](#)
 [Attachment III Administrative Changes to AHO](#)

13. [WS 23-007](#) Police Department Annual Report: Receive and Review the Hayward Police Department's Annual Report for Calendar Year 2022 (Report from Acting Chief of Police Matthews)

Attachments: [Attachment I Staff Report](#)

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, February 28, 2023, 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.