



CITY OF HAYWARD

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

Action Minutes City Council

Tuesday, October 27, 2015

7:00 PM

Council Chambers

SPECIAL JOINT CITY COUNCIL /REDEVELOPMENT SUCCESSOR AGENCY/HAYWARD HOUSING AUTHORITY MEETING

This consent item was approved.

CALL TO ORDER Pledge of Allegiance: Council Member Marquez

Present: 7 - Council Member Francisco Zermeno, Council Member Al Mendall, Council Member Greg Jones, Council Member Marvin Peixoto, Council Member Sara Lamnin, Council Member Elisa Marquez, and Mayor Barbara Halliday

ROLL CALL

Present: 7 - Council Member Francisco Zermeno, Council Member Al Mendall, Council Member Greg Jones, Council Member Marvin Peixoto, Council Member Sara Lamnin, Council Member Elisa Marquez, and Mayor Barbara Halliday

CLOSED SESSION ANNOUNCEMENT

City Attorney Lawson announced that the Council convened in closed session regarding four cases under pending litigation pursuant to Government Code 54956.9: (a) Anthony Radzanowski/City of Hayward; WCAB: ADJ8039473, ADJ8039463; (b) Sipple, et al. v. City of Alameda, et al., Los Angeles County Superior Court No. BC452270; (c) Russell City Energy Company, LLC v. City of Hayward, Court of Appeal of the State of California, First Appellate District (Division Five) Case No. A14474949; and (d) Claim of Westchester Fire Insurance Company, on behalf of the Felson Companies, Inc. Regarding Item (a), the Council unanimously approved with Council Member Zermeno moving and Council Member Márquez seconding to resolve and compromise the claim; regarding Item (b), the Council unanimously approved with Council Member Mendall moving and Council Members Zermeno and Lamnin seconding to compromise the case; regarding Item (d), the Council unanimously approved with Council Member Zermeno moving and Council Member Mendall seconding to approve the settlement of the claim. There was no action taken related to Item (c).

PUBLIC COMMENTS

Mr. Tom Ballard
Ms. Wynn Grcich
Mr. Charlie Peters
Mr. Jim Drake
Mr. Peter Leroe-Muños
Council Member Lamnin

CONSENT

A motion was made by Council Member Peixoto, seconded by Council Member Mendall, to approve the Consent Calendar. The motion was carried by the following vote:

Aye: 7 - Council Member Zermeno, Council Member Mendall, Council Member Jones, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, and Mayor Halliday

1. Approval of Minutes of the Special City Council Meeting on October 13, 2015

This consent item was approved.

2. Adoption of two Resolutions Authorizing the City Manager to Execute Amendments to Agreements with 4Leaf, Inc., to 1) Continue to Provide Building Official Services, with a Revised Compensation Amount Not to Exceed \$115,000 and; 2) to Continue to Provide Building Inspection Services with a Revised Compensation Amount Not to Exceed \$120,000

This consent item was approved.

3. Approval of Final Tract Map 8039 - Christos Mayrakis (Applicant) - East Bay Ventures Inc. (Owner); the Project is a Five-Lot Subdivision to facilitate the proposed Weber Light Industrial Manufacturing Park development on a Parcel Totaling 34.6 Acres located at 3596 Baumberg Avenue, southwest of the Union Pacific Railroad and adjacent to San Francisco Bay. ~~Approval of Final Tract Map 8039 developed by Christos Mayrakis (Applicant) - East Bay Ventures Inc. (Owner); the Project is a Five-Lot Subdivision to facilitate the proposed Weber Light Industrial Manufacturing Park development on a Parcel Totaling 34.6 Acres located at 3596 Baumberg Avenue, southwest of the Union Pacific Railroad and adjacent to San Francisco Bay.~~

This consent item was approved.

4. Adoption of Ordinance Repealing and Replacing Chapter 10 Article 12 of the Hayward Municipal Code Relating to Landscaping and Replacing Chapter 10 Article 12 of the Hayward Municipal Code Relating to Landscape Requirements for New and Rehabilitated Development Projects

This consent item was approved.

5. Adoption of Ordinance Amending Chapter 11, Article 2, Section 11.2.46 of the Hayward Municipal Code Relating to Dedicated Irrigation Service Meters

This consent item was approved.

6. Resolution Approving the Memorandum of Understanding between the City of Hayward and the International Federation of Technical Engineers, Local 21

This consent item was approved.

PUBLIC HEARING

7. Proposed Subdivision and Construction of 24 single-family homes on a 1.9-acre site at 23645 and 23653 Eden Avenue, requiring adoption of a Resolution and Introduction of an Ordinance for a Zone Change from Medium Density Residential to Planned Development District, Vesting Tentative Tract Map 8242, and Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; Tony Dutra, Dutra Enterprises, Inc. (Applicant/Owner), Ruben and Ruby Dorris (Owners) (Report from Development Services Director Rizk)

A motion was made by Council Member Mendall, seconded by Council Member Zermeno, to approve the staff recommendation with an amendment that removes Mitigation Measure 6 and adds it as Condition of Approval. The motion carried by the following vote:

Aye: 7 - Council Member Zermeno, Council Member Mendall, Council Member Jones, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, and Mayor Halliday

8. Proposed Subdivision and Construction of eighteen Detached Single Family Homes on a 1.96 Acre Parcel located at 24178 and 24180 Saklan Road, requiring introduction of an ordinance and approval of a resolution for a zone change from Medium Density Residential (RM) to Planned Development (PD) district and a related Vesting Tentative Tract Map (No. 8226), and adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program - Rick Rosenbaum, Lenox Homes, LLC (Applicant)/Ronald Depina Etal (Owner) (Report from Development Services Director Rizk)

A motion was made by Council Member Peixoto, seconded by Council Member Zermeno, to approve the staff recommendation. The motion carried by the following vote:

Aye: 7 - Council Member Zermeno, Council Member Mendall, Council Member Jones, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, and Mayor Halliday

9. Proposed Subdivision and Construction of Two Single Family Detached Homes on a 0.24 acre site located at the northeast corner of Madsen Street and Martin Luther King Drive, Requiring Adoption of a Resolution Approving a Modification of the Precise Development Plan for the Cannery Area Development and Vesting Tentative Parcel Map 10373; Mark Tiernan for SCS Development (Applicant and Owner) (Report from Development Services Director Rizk)

A motion was made by Council Member Lamnin, seconded by Council Member Mendall, to reject staff's recommendation.. The motion carried by the following vote:

Aye: 7 - Council Member Zermeno, Council Member Mendall, Council Member Jones, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, and Mayor Halliday

10. Public TEFRA Hearing as Required by the Internal Revenue Code of 1986, and Adoption of: a) a Resolution Authorizing the Issuance of Bonds, Declaring the City's Intent to Reimburse Certain Project Expenditures from Proceeds of the Bonds, and Authorizing the Submission of an Application to the California Debt Limit Allocation Committee; b) a Resolution Authorizing the Restructuring of Existing Loans, All in Connection with Financing the Acquisition and Rehabilitation of Glen Berry and Glen Eden Both Housing Developments Owned by affiliates of Eden Housing; c) a Resolution Authorizing the Transfer of Interests in a Regulatory Agreement in Connection with the Glen Berry Development from the Successor Agency to the Housing Authority; d) a Resolution Accepting the Transfer of Interests in a Regulatory Agreement in Connection with the Glen Berry Development from the Successor Agency to the Housing Authority and Authorizing Modification of said Regulatory Agreement; and e) a Resolution Authorizing Modification of a Regulatory Agreement Recorded Against the Glen Eden Development. Exempt from the California Environmental Quality Act pursuant to Section 15301 of the "CEQA" Guidelines (Report from Library and Community Services Director Reinhart)

A motion was made by Council Member Zermeno, seconded by Council Member Marquez, to approved City staff's recommendation with an amendment that local hiring and energy efficiency measures be strongly recommended. The motion carried by the following vote:

Aye: 6 - Council Member Zermeno, Council Member Mendall, Council Member Jones, Council Member Lamnin, Council Member Marquez, and Mayor Halliday

Nay: 1 - Council Member Peixoto

LEGISLATIVE BUSINESS

11. Approval of a Memorandum of Understanding with the County of Alameda and Hayward Area Recreation and Park District for the Purposes of Collaborating on the South Hayward Youth and Family Center Project (Report from Library and Community Services Director Reinhart)

A motion was made by Council Member Zermeno, seconded by Council Member Marquez, to approve the staff recommendation. The motion carried by the following vote:

Aye: 7 - Council Member Zermeno, Council Member Mendall, Council Member Jones, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, and Mayor Halliday

ADJOURNMENT

City Manager David made two comments: 1) the construction of the new library is expected to begin in early November and there is a live "construction cam" on the site; 2) the development of the Neighborhood Traffic Calming Program began and there would be public outreach meetings with the first one scheduled on October 28, 2015 at City Hall.