



CITY OF HAYWARD

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

Agenda City Council

Tuesday, October 10, 2023

7:00 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:

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pwd=wG16jZCs7zKx1Ke6InI3mRFZmzMQE_T1Wzc.LXSPHvZeW8jGUMKZ*

Meeting ID: 846 5340 4817

Password: CC1010@7pm

or

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

Meeting ID: 846 5340 4817

Password: 3017396761

CALL TO ORDER: Mayor Salinas

Pledge of Allegiance: Council Member Goldstein

AB 2449 TELECONFERENCE NOTIFICATIONS AND CONSIDERATION

ROLL CALL

CLOSED SESSION ANNOUNCEMENT

PRESENTATION

Indigenous Peoples' Day Proclamation

PUBLIC COMMENTS

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. 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 – is 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. [MIN 23-101](#) Approve the Minutes of the Special Joint Meeting of the City Council and the Hayward Redevelopment Successor Agency Board on September 26, 2023

Attachments: [Attachment I Draft Minutes of 9/26/2023](#)

2. [CONS 23-503](#) Adopt a Resolution Accepting Modifications to the City of Hayward Records Retention Program (Policy and Schedule)

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III Exhibit A](#)
[Attachment III Exhibit B](#)
[Attachment IV Admin Rule 9.1](#)

3. [CONS 23-523](#) Adopt a Resolution Authorizing the Formation of the Hayward Economic Development Corporation as a Nonprofit Public Benefit Corporation; and Finding the Action is Exempt from CEQA Review

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

PUBLIC HEARING

4. [PH 23-038](#) Sidewalk Vendor Program: Introduce an Ordinance Related to Text Amendments to the Hayward Municipal Code and the Traffic Code and Adopt a Resolution Supporting the Proposed Text Amendments to Establish Regulations and Guidelines for Sidewalk Vendors in the City of Hayward, Consistent with SB 946, the “Safe Sidewalk Vending Act” of the State of California; and Finding that the Action is Exempt from CEQA Review (Report from Director of Development Services Buizer)

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III Draft Ordinance](#)
[Attachment IV Online Survey Analysis](#)

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.

5. [RPT 23-100](#) City Council Referral: A Bench for Every Bus Stop (Referral from Council Members Syrop and Zermeño)

Attachments: [Attachment I Council Referral](#)
[Attachment II Staff Analysis](#)

ADJOURNMENT

NEXT MEETING, October 17, 2023, 7:00 PM

PUBLIC COMMENT RULES

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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.