



# CITY OF HAYWARD

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

## Agenda City Council

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**Tuesday, June 14, 2016**

**7:00 PM**

**Council Chambers**

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### **SPECIAL JOINT CITY COUNCIL/HAYWARD PUBLIC FINANCING AUTHORITY MEETING**

**CALL TO ORDER Pledge of Allegiance: Council Member Márquez**

**ROLL CALL**

**CLOSED SESSION ANNOUNCEMENT**

**PRESENTATION**

Elder Abuse Awareness Month

**PUBLIC COMMENTS**

*The Public Comment section provides an opportunity to address the City Council on items not listed on the agenda or Work Session 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.*

**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 16-045](#) Minutes of the Special Joint City Council/Hayward Geologic Hazard Abatement District Board Meeting on May 17, 2016

**Attachments:** [Attachment I Draft Minutes of 5/17/2016](#)

2.     [MIN 16-046](#)     Minutes of the Special City Council Work Session Meeting on May 21, 2016  
**Attachments:**     [Attachment I Draft Minutes of 05/21/2016](#)
3.     [MIN 16-047](#)     Minutes of the City Council Meeting on May 24, 2016  
**Attachments:**     [Attachment I Draft Minutes of 05/24/2016](#)
4.     [CONS 16-259](#)     Approval of an Amendment to an Exclusive Right to Negotiate Agreement with William Lyon Homes, Inc. for a Proposed Development Located in South Hayward Near Dixon and Valle Vista Avenues  
**Attachments:**     [Attachment I Resolution](#)  
                              [Attachment II Properties Subject to ERNA](#)
5.     [CONS 16-261](#)     Adoption of an Ordinance Amending Chapter 10, Article 1 of the Hayward Municipal Code by Rezoning Certain Property in Connection with Zone Change Application No. 201502586 Relating to a Residential Development at 81 Fagundes Court  
**Attachments:**     [Attachment I Summary of Ordinance Published on 6/10/2016](#)
6.     [CONS 16-294](#)     Resolution Accepting the Written Resignation of Sai Manapragada from the Community Services Commission  
**Attachments:**     [Attachment I Resolution](#)  
                              [Attachment II Resignation Letter](#)
7.     [CONS 16-298](#)     Authorization to Execute an Agreement with CDWG to purchase Commvault Backup Software  
**Attachments:**     [Attachment I Resolution](#)
8.     [CONS 16-310](#)     Water Pollution Control Facility (WPCF) Headworks Rehabilitation Project: Approval of Addendum No. 1 and Award of Construction Contract  
**Attachments:**     [Attachment I Resolution](#)  
                              [Attachment II Resolution Appropriation of Funds](#)  
                              [Attachment III Bid Summary](#)

9.        [CONS 16-325](#)      Adoption of Resolution Approving an Amendment to the City of Hayward Salary Plan for Fiscal Year 2016

**Attachments:**    [Attachment I Resolution Amending FY 2016 Salary Plan](#)  
[Attachment II FY 2016 Salary Plan](#)

10.      [CONS 16-326](#)      Approval to Participate in the 2016 National Civic League - All-America City Award Competition

**Attachments:**    [Attachment I Hayward Application](#)  
[Attachment II Press Release](#)  
[Attachment III All-America City Youth Award Nominees](#)  
[Attachment IV Conference Delegation Roster](#)

#### 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.*

11.      [WS 16-039](#)        Proposed FY 2017 Operating Budget and Capital Improvement Program - Worksession (Report from City Manager David)

**Attachments:**    [Attachment I Updated Council Priorities Page](#)

12.      [WS 16-040](#)        Discussion of Possible Options Regarding Recreational Marijuana and Medical Marijuana (Report from City Attorney Lawson and City Manager David)

**Attachments:**    [Attachment I](#)

**PUBLIC HEARING**

13.     [PH 16-050](#)     Recommended approval and necessary actions of proposed project at 645 Olympic Avenue for twenty-three detached single-family homes on a 2.5 acre site; Fortbay Woods, LLC (Applicant); including a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (Report from Development Services Director Rizk)
- Attachments:**     [Attachment I & Ia Draft Resolution and Conditions of Approval](#)  
                          [Attachment II Draft Ordinance](#)  
                          [Attachment III Area and Zoning Map](#)  
                          [Attachment IV Initial Study and MND](#)  
                          [Attachment V Planning Commission Minutes 05/12/2016](#)  
                          [Attachment VI Project Plans](#)
14.     [PH 16-057](#)     Public Hearing for the formation of Benefit Zone No. 14 of the City of Hayward Landscaping and Lighting Assessment District No. 96-1 for the La Vista property; and order the Levy of Assessments for Fiscal Year 2017 (Report from Development Services Director Rizk)
- Attachments:**     [Attachment I Resolution](#)  
                          [Attachment II Engineer's Report for La Vista property](#)
15.     [PH 16-054](#)     Adoption of the City's 2015 Urban Water Management Plan (Report from Director of Utilities & Environmental Services Ameri)
- Attachments:**     [Attachment I Resolution](#)
16.     [PH 16-060](#)     Public Hearing to Consider Annexing Spindrift at Eden Shores into Benefit Zone No. 12 of the City of Hayward Landscaping and Lighting Assessment District 96-1 and Order Levy of Assessments for Fiscal Year 2017 (Report from Development Services Director Rizk)
- Attachments:**     [Attachment I Spindrift Resolution](#)  
                          [Attachment II Engineers Report for Spindrift at Eden Shores](#)

**LEGISLATIVE BUSINESS**

17. [LB 16-066](#) Authorization for the City Council and the Hayward Public Financing Authority to Approve Resolutions and Financing Documents in an Amount Not to Exceed \$23.5 million to Refinance the Outstanding 2007 Refunding Certificates of Participation (Report from Acting Finance Director Claussen)

**Attachments:** [Attachment I Resolution City of Hayward](#)  
[Attachment II Resolution HPFA](#)  
[Attachment III Draft Placement Agent Agreement](#)  
[Attachment IV Draft Lease Agreement](#)  
[Attachment V Draft Site Lease](#)  
[Attachment VI Draft Assignment Agreement](#)  
[Attachment VII Draft Escrow Agreement](#)  
[Attachment VIII Draft COI Custodian Agreement](#)  
[Attachment IX Draft 2007 Termination Agreement](#)

18. [LB 16-070](#) Resolution of Application Requesting the Local Agency Formation Commission to Begin Proceedings for the Dissolution of Eden Township Healthcare District (Report from City Manager David)

**Attachments:** [Attachment I ETHD Map](#)  
[Attachment II ETHDM Service Review.pdf](#)

**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.

**COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS**

Oral reports from Council Members on their activities, referrals to staff, and suggestions for future agenda items.

**ADJOURNMENT**

**NEXT MEETING – June 21, 2016, 7:00 PM**

**PUBLIC COMMENT RULES**

*The Mayor may, at the beginning of the hearing, limit testimony to three (3) minutes per individual and five (5) minutes per an individual representing a group of citizens or organization. Speakers will be asked for their name before speaking and are expected to honor the allotted time. Speaker Cards are available from the City Clerk at the meeting.*

**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 has 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 website and on Cable Channel 15, KHRT. \*\*\**

*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 TDD (510) 247-3340.*