



# CITY OF HAYWARD

Hayward City Hall  
777 B Street  
Hayward, CA 94541  
[www.Hayward-CA.gov](http://www.Hayward-CA.gov)

## Agenda City Council

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**Tuesday, December 3, 2019**

**7:00 PM**

**Council Chambers**

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### CITY COUNCIL MEETING

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

**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.*

#### **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 19-145](#) Minutes of the Special Joint Meeting of the City Council/  
Hayward Housing Authority Board/Hayward Redevelopment  
Successor Agency Board/Hayward Public Financing Authority  
Board on November 19, 2019

**Attachments:** [Attachment I Draft Minutes of 11/19/2019](#)

2.     [CONS 19-779](#)     Adoption of Ordinance Establishing a Fire Prevention Code for the City Of Hayward; Adopting the California Fire Code, 2019 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. 16-23, As Amended, and All Other Ordinances and Parts of Ordinances in Conflict Therewith

**Attachments:**     [Attachment I Staff Report](#)  
                          [Attachment II Summary of Ordinance](#)

3.     [CONS 19-780](#)     Adoption of 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 Ordinance](#)

4.     [CONS 19-762](#)     Adopt Resolutions Authorizing the City Manager to Execute an Agreement with Silverado Contractors, Inc. in an Amount Not-to-Exceed \$3,901,150, for the Deconstruction of the City Center Building and Appropriate Funds

**Attachments:**     [Attachment I Staff Report](#)  
                          [Attachment II Resolution Awarding Contract](#)  
                          [Attachment III Resolution Appropriating Funds](#)  
                          [Attachment IV Bid Results](#)  
                          [Attachment V Demo CEQA Study](#)

5.     [CONS 19-623](#)     Transmittal of the Annual Mitigation Fee Act Report (AB1600)

**Attachments:**     [Attachment I Staff Report](#)  
                          [Attachment II Resolution](#)  
                          [Attachment III FY 19 AB 1600 Connection Fees](#)

6.     [CONS 19-759](#)     Adopt a Resolution Authorizing the City Manager to Execute Three Agreements Related to the Bay Area Water Supply and Conservation Agency Pilot Water Transfer
- Attachments:**     [Attachment I Staff Report](#)  
                          [Attachment II Resolution](#)  
                          [Attachment III BAWSCA Pilot Water Transfer Map](#)
7.     [CONS 19-754](#)     Adopt a Resolution Authorizing the City Manager to Purchase the Tax-Delinquent Real Property Located at 1032 Central Boulevard and Enter Into a Purchase and Sale Agreement with the County of Alameda
- Attachments:**     [Attachment I Staff Report](#)  
                          [Attachment II Resolution](#)  
                          [Attachment III Purchase and Sale Agreement](#)  
                          [Attachment IV Site Map](#)
8.     [CONS 19-761](#)     Adopt Resolutions Authorizing the City Manager to Execute a Professional Services Agreement with Black & Veatch Corporation to Prepare a Water System Risk and Resilience Assessment and Emergency Response Plan and Appropriate \$228,000
- Attachments:**     [Attachment I Staff Report](#)  
                          [Attachment II Resolution Awarding Contract](#)  
                          [Attachment III Appropriation Resolution](#)
9.     [CONS 19-763](#)     Adopt a Resolution Authorizing for the City Manager to Execute a Professional Services Agreement (PSA) with Pavement Engineering Inc., (PEI) for the Preliminary Cost Impact Estimate and the Preparation of the Plans, Specifications, and Final Estimates for the Old Highlands Homeowners Association (OHHA) Pavement Rehabilitation Project in an Amount Not-to-Exceed \$205,000
- Attachments:**     [Attachment I Staff Report](#)  
                          [Attachment II Resolution](#)

10.     [CONS 19-772](#)     Adopt a Resolution Authorizing the City Manager to Enter into an Exclusive Negotiating Rights Agreement with Trumark Properties, LLC, for the Proposed Development of Parcel Group 5: Bunker Hill

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

11.     [CONS 19-789](#)     Adopt a Resolution Approving the Memorandum of Understanding between the City of Hayward and the Hayward Police Management Unit (HPMU) for the period of July 1, 2019 through June 30, 2023

**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.*

12.     [WS 19-062](#)     East Bay Dischargers Authority - Discussion of Amended and Restated Joint Exercise of Powers Agreement (Report from Public Works Director Ameri)

**Attachments:**     [Attachment I Staff Report](#)  
                          [Attachment II Map of Effluent Disposal System](#)  
                          [Attachment III Amended JPA](#)  
                          [Attachment IV Term Extension](#)

## PUBLIC HEARING

13.     [PH 19-096](#)     Adopt an Ordinance Approving an Amendment to the City of Hayward Contract with the California Public Employees Retirement System (CalPERS) for Local Safety - Police Employees and Authorize the City Manager to Execute the Contract (Report from Assistant City Manager Hurtado)

**Attachments:**     [Attachment I Staff Report](#)  
                          [Attachment II Ordinance](#)  
                          [Attachment III Adopted Resolution](#)  
                          [Attachment III-a Sample Amendment](#)  
                          [Attachment IV Summary of Ordinance CalPERS](#)

**LEGISLATIVE BUSINESS**

14. [LB 19-053](#) Election of Mayor Pro Tempore for 2020 (Report from City Clerk Lens)

**Attachments:** [Attachment I Staff Report](#)  
[Attachment II Resolution](#)  
[Attachment III List of Mayor Pro Tempore](#)

**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 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 17, 2019, 7:00 PM**

**PUBLIC COMMENT RULES**

*Any member of the public desiring to address the Council shall limit her/his 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. 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 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.*

*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.*