



# CITY OF HAYWARD

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

## Agenda

### City Council

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**Tuesday, May 28, 2019**

**7:00 PM**

**Council Chambers**

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### CITY COUNCIL MEETING

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

### ROLL CALL

### CLOSED SESSION ANNOUNCEMENT

### PRESENTATION

Lesbian, Gay, Bisexual, Transgender, Questioning, Queer, Intersex, 2-Spirit and Gender Non-Conforming Pride Month

### 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 19-075](#) Minutes of the Special City Council Meeting on May 11, 2019

**Attachments:** [Attachment I Draft Minutes of 5/11/2019](#)

2. [CONS 19-387](#) Approval of FY 2019-2020 Proposed Downtown Business Improvement Area Budget  
**Attachments:** [Attachment I Staff Report](#)  
[Attachment II Resolution](#)  
[Attachment III DBIA Budget Update](#)

3. [CONS 19-388](#) Adoption of a Resolution to Dissolve the Downtown Business Improvement Area Advisory Board  
**Attachments:** [Attachment I Staff Report](#)  
[Attachment II Resolution](#)

4. [CONS 19-390](#) Adoption of a Resolution Authorizing the City Manager to Execute Professional Services Agreements with Koff & Associates to Provide Human Resources and Compensation Review Services in an Amount Not to Exceed One Hundred Thousand Dollars (\$100,000)  
**Attachments:** [Attachment I Staff Report](#)  
[Attachment II Resolution](#)

5. [CONS 19-391](#) Adoption of a Resolution Authorizing the City Manager to Execute a Lease Agreement with the Federal Aviation Administration for Operational and Administrative Space at Hayward Executive Airport  
**Attachments:** [Attachment I Staff Report](#)  
[Attachment II Resolution](#)  
[Attachment III Draft Lease Agreement](#)

6. [CONS 19-389](#) Professional Services Agreement with St. Francis Electric, Inc.: Approval of Amendment No. 2 to Increase the Agreement by \$200,000 for a Total Not-to-Exceed Amount of \$475,000  
**Attachments:** [Attachment I Staff Report](#)  
[Attachment II Resolution Execute Amendment No. 2](#)  
[Attachment III Resolution Appropriation of Funds](#)

7. [CONS 19-399](#) Adoption of a Resolution Authorizing the City Manager to Execute an Amendment to the Professional Services Agreement with Black & Veatch Corporation to Increase the Contract Amount by \$98,600 for Additional Engineering Services

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

[Attachment II Resolution](#)

8. [CONS 19-384](#) Adoption of a Resolution Authorizing the City Manager to Execute a New First Responder Advanced Life Support (FRALS) Agreement with Alameda County

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

[Attachment II Resolution](#)

## PUBLIC HEARING

9. [PH 19-054](#) Application to Amend Chapter 10, Article 1 (Zoning Ordinance) and Article 2 (Off-Street Parking Regulations) related to the creation of new Industrial District Regulations within the Hayward Municipal Code and the Adoption of Industrial District Design Guidelines (Report from Development Services Director Simpson)

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

[Attachment II Council Staff Report 5/14/2019](#)

[Attachment III Ordinance](#)

[Attachment III Exhibit A Zoning Map](#)

[Attachment III Exhibit B HMC 10\\_1.1600 Industrial Districts](#)

[Attachment III Exhibit C Section 10-1.3500 Definitions](#)

[Attachment III Exhibit D Section 10-1.2735j Small Recycling](#)

[Attachment III Exhibit E Section 10-1.1900 Air Terminal](#)

[Attachment III Exhibit F Chapter 10 Article 2 Off Street Parking](#)

[Attachment III Exhibit G Section 10-1.3075 Major Site Plan](#)

[Attachment III Exhibit H Section 10-1.2735m Food Vendor](#)

[Attachment IV Resolution](#)

[Attachment V Industrial Design Guidelines](#)

[Attachment VI PC Minutes 4/25/2019](#)

10. [PH 19-050](#)

Proposal to Subdivide an Existing 8.88 Acre Parcel into 22 Parcels to Allow the Construction of 19 Single-Family Residences with Common Open Space Areas and Related Site Improvements at 29080 Fairview Avenue (APN 085A-6428-002-00) by Erik Hayden of Hayden Land Company, LLC (Applicant) on Behalf of Carrie Aitken (Owner) Requiring a Tentative Tract Map, Planned Development (PD) Rezone, and Mitigated Negative Declaration with Mitigation Monitoring and Reporting Program (MMRP) Application No. 201603891 (Report from Development Services Director Simpson)

**Attachments:**

[Attachment I Staff Report](#)  
[Attachment II Ordinance](#)  
[Attachment III Resolution](#)  
[Attachment IV Project Plans](#)  
[Attachment V Conceptual Architecture](#)  
[Attachment VI Initial Study & Mitigated Negative Declaration](#)  
[Attachment VII Mitigation Monitoring & Reporting Program](#)  
[Attachment VIII Responses to Comments](#)  
[Attachment IX Applicant's Statement of Justification](#)  
[Attachment X Draft PC Minutes 5/09/2019](#)

11. [PH 19-051](#)

Proposed Cannabis Retail Dispensary at 1004 B Street (Assessor Parcel No. 428-0061-056-00) by Siavash Afshar on Behalf of Hayward Station (Applicant); Alfred J Antonini (Property Owner), Requiring Approval of Conditional Use Permit - Application No. 201806005 (Report from Development Services Director Simpson)

**Attachments:**

[Attachment I Staff Report](#)  
[Attachment II Resolution](#)  
[Attachment III Hayward Station Project Plans](#)  
[Attachment IV Community Outreach Overview](#)  
[Attachment V Correspondence Related to Project](#)  
[Attachment VI Draft PC Minutes 5/09/2019](#)

**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.

12. [RPT 19-299](#) Request to Fly the Rainbow Pride Flag on One of the Flagpoles in City Hall Plaza from June 1 to June 30, 2019

**Attachments:** [Attachment I Council Referral Memo](#)

**ADJOURNMENT**

**NEXT MEETING, June 4, 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, 777B 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.*