



# 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, June 22, 2021**

**7:00 PM**

**Remote Participation**

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### CITY COUNCIL MEETING

COVID-19 Notice: Consistent with State of California Executive Order No. 29-20 dated March 17, 2020, the City Council will be participating in public meetings via phone/video conferencing.

*How to watch the meeting from home:*

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](mailto: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:*

*Click the link below to join the meeting:*

<https://hayward.zoom.us/j/97417984178?pwd=aXI1YkklOEI0ZVNPWHR3U1JDVlBJZz09>

Meeting ID: 974 1798 4178

Passcode: CC6/22@7pm

or

Dial: +1 669 900 6833 or +1 253 215 8782

Meeting ID: 974 1798 4178

Password: 8118513298

A Guide to attend virtual meetings is provided at this link: <https://bit.ly/3jmaUxa>

**CALL TO ORDER: Mayor Halliday****Pledge of Allegiance: Council Member Wahab****ROLL CALL****CLOSED SESSION ANNOUNCEMENT****PRESENTATION**

Eden Health District Update: Presentation by Mark Friedman, Eden Health District CEO and Mariellen Faria, Eden Health District Board Chair

**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 21-086](#)     Approve City Council Minutes of the City Council Meeting on June 15, 2021  
  
      **Attachments:**   [Attachment I Draft Minutes of 6/15/2021](#)
  
2.     [CONS 21-186](#)     Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with Procure America for Cost Reduction Consulting Services for an Amount Not-to-Exceed \$500,000, Over a Term of 10 Years  
  
      **Attachments:**   [Attachment I Staff Report](#)  
                          [Attachment II Resolution](#)

3. [CONS 21-316](#) Adopt a Resolution Awarding a Construction Contract to Rosas Brothers Construction for the FY21 Sidewalk Rehabilitation and Wheelchair Ramps Project in the Amount of \$661,076 and Authorizing a Construction Contingency Change Order Budget of \$41,924

**Attachments:** [Attachment I Staff Report](#)  
[Attachment II Resolution](#)  
[Attachment III Districts Map](#)  
[Attachment IV Sidewalk Location Map](#)  
[Attachment V Wheelchair Location Map](#)  
[Attachment VI Bid Results](#)

4. [CONS 21-321](#) Adopt a Resolution Authorizing the City Manager to Execute a Pipeline Disposition Agreement with Pacific Gas & Electric Company for the Transfer of Ownership to the City of a Portion of a Decommissioned Gas Line on West Winton Avenue Along the Fire Station 6 and Fire Training Center Project

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

5. [CONS 21-327](#) Adopt Resolutions Authorizing the City Manager to Execute Amendment #2 with MuniServices, LLC to Extend Sales Tax Analysis and Information Services and Execute a Novation Agreement Required by Sales and Use Tax Law

**Attachments:** [Attachment I Staff Report](#)  
[Attachment II Resolution Executing Agreement Extension](#)  
[Attachment III Resolution Executing Novation Agreement](#)

6. [CONS 21-329](#) Adopt a Resolution Authorizing the City Manager to Amend the Agreement with Acclamation Insurance Management Services ("AIMS") as Third Party Administrator ("TPA") of the City of Hayward's Workers' Compensation Claims Services Extending the Term of the Contract for a Period of One Year

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

7.        [CONS 21-331](#)      Adopt a Resolution Authorizing the City Manager to Award a Contract to Root Tamers, Inc., for Sewer Root Control Services in an Amount Not-to-Exceed \$94,498

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

8.        [CONS 21-335](#)      Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a One-Year Renewal of the Master Agreement and Lease with the Hayward Area Recreation and Park District for Operations and Maintenance of City Park Lands

**Attachments:**    [Attachment I Staff Report](#)  
[Attachment II Resolution](#)  
[Attachment III Proposed Master Agreement and Lease](#)

9.        [CONS 21-339](#)      Adopt a Resolution Amending the FY21 Capital improvement Program Budget to Transfer and Appropriate Funds to Project Number 07267, Online Permitting, in the Amount of \$363,469 to Increase the Total Project Budget Amount Not-to-Exceed \$1,726,988 for the Purchase and Implementation of EnerGov Online Permitting Solution and Authorize the City Manager to Amend the Agreement with Tyler Technologies to Reflect the Revised Project Budget

**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.*

10.      [WS 21-032](#)      Tuolumne River Voluntary Agreement: Presentation and Discussion of Tuolumne River Voluntary Agreement (TRVA) as an Alternative to the Bay-Delta Plan (Report from Public Works Director Ameri)

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

**PUBLIC HEARING**

11. [PH 21-045](#) Stratford Village Prop. 218 Hearing: Proposition 218 Public Hearing to Receive and Tabulate Property Owner Ballots Regarding Formation and Levying of Assessments for the Stratford Village Flood Control Facilities Improvement Assessment District (MD1-2021), Adopt a Resolution Establishing the Stratford Village Flood Control Facilities Improvement Assessment District (MD1-2021), Approving the Final Engineer's Report, Ordering the Levy and Collection of Assessments for Fiscal Year 2022, and Appropriating the Budget (Report from Maintenance Services Director Rullman)

**Attachments:**

[Attachment I Staff Report](#)

[Attachment II Resolution Establishing Assessment District](#)

[Attachment III Resolution Funding Recommendations](#)

[Attachment IV Engineer's Report](#)

12. [PH 21-051](#) LLAD 96-1 Assessment Hearing: Adopt a Resolution to Approve the Final Engineer's Report, Reconfirm Maximum Base Assessment Amounts, Confirm the Assessment Diagrams and Fiscal Assessments, Order the Levy and Collection of Fiscal Assessments; and Adopt a Resolution to Approve Funding Recommendations and Appropriate Special Revenue Funds for Consolidated Landscaping and Lighting Assessment District (LLAD) No. 96-1, Zones 1 through 18, for Fiscal Year 2022 (Report from Maintenance Services Director Rullman)

**Attachments:**

[Attachment I Staff Report](#)

[Attachment II Resolution Approving Engineer's Report](#)

[Attachment III Resolution Funding Recommendations](#)

[Attachment IV Engineer's Report](#)

[Attachment V Assessment Roll](#)

13.     [PH 21-030](#)     Eden Shores Maintenance District: Adopt a Resolution to Approve the Final Engineer's Report, Confirm the Maximum Base Assessment Rate, Confirm the Fiscal Assessment Rate, Confirm the Assessment Diagram, Order the Levy and Collection of Fiscal Assessment; and Adopt a Resolution to Approve Funding Recommendations and Appropriate Revenue and Expenditure Budgets for Maintenance District No. 2 - Eden Shores Storm Water Buffer and Facilities, for Fiscal Year 2022 (Report from Maintenance Services Director Rullman)

**Attachments:**

[Attachment I Staff Report](#)

[Attachment II Resolution Approving Engineer's Report](#)

[Attachment III Resolution Funding Recommendations](#)

[Attachment IV Engineer's Report](#)

[Attachment V Assessment Roll](#)

**LEGISLATIVE BUSINESS**

14.     [LB 21-024](#)     Temporary Eviction Moratorium: Adoption of an Emergency Ordinance Enacting a Moratorium on Residential Evictions (Report from Assistant City Manager Ott)

**Attachments:**

[Attachment I Staff Report](#)

[Attachment II Emergency Ordinance](#)

[Attachment III Eviction Moratorium Summary](#)

15.     [LB 21-025](#)     FY 2022 Salary Plan: Adopt Resolutions Approving an Amendment to the City of Hayward Salary Plan for Fiscal Year 2022 and the Restoration of Furlough Time and Foregone Salary Adjustments for Fiscal Year 2021 for the International Association of Firefighters, Local 1909 and Unrepresented Executives, Management, City Manager's Office, Human Resources and City Attorney's Office Employees (Report from Director of Finance Claussen)

**Attachments:**

[Attachment I Staff Report](#)

[Attachment II Resolution](#)

[Attachment III FY 2022 Salary Plan](#)

[Attachment IV - Salary and Benefits Resolution](#)

[Attachment V Local 1909 Side Letter](#)

16. [LB 21-026](#) City Manager Employment Agreement: Adopt a Resolution Approving an Amendment to the Employment Agreement Between the City of Hayward and the City Manager and Authorizing the Mayor to Execute the Amended Agreement (Report from Finance Director Claussen)

**Attachments:** [Attachment I Staff Report](#)  
[Attachment II Resolution](#)  
[Attachment III City Manager Contract Amendment](#)

17. [LB 21-027](#) City Attorney Concessions Repayment: Adopt a Resolution Approving A Foregone Cost-Of-Living Adjustment and a One-Time Lump Sum Payment to the City Attorney (Report from Finance Director Claussen)

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

18. [LB 21-028](#) City Clerk Concessions Repayment: Adopt a Resolution Approving A Foregone Cost-Of-Living Adjustment and a One-Time Lump Sum Payment to the City Clerk (Report from Finance Director Claussen)

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

### **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, July 6, 2021, 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.*