



CITY OF HAYWARD

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

Agenda City Council

Tuesday, January 17, 2023

7:00 PM

**Council Chamber and Virtual
Platform (Zoom)**

CITY COUNCIL MEETING

NOTICE: The City Council will hold a hybrid meeting in Council Chambers and virtually via Zoom.

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:
<https://hayward.zoom.us/j/88129328683?pwd=eDI3dUtROHFBNVNLRnZtUUUpSRFE5UT09>

Meeting ID: 881 2932 8683
Password: CC1/17@7pm

or

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

Meeting ID: 881 2932 8683
Password: 4510411191

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

CALL TO ORDER: Mayor Salinas**Pledge of Allegiance: Council Member Roche****ROLL CALL****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 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, items will be taken under consideration and may be referred to staff.

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 23-007](#) Approve the City Council Minutes of the City Council Meeting on December 6, 2022

Attachments: [Attachment I Draft Minutes of 12/6/2022](#)

2. [MIN 23-008](#) Approve the City Council Minutes of the Special City Council Meeting on December 13, 2022

Attachments: [Attachment I Draft Minutes of 12/13/2022](#)

3. [CONS 23-025](#) Adopt an Ordinance Amending Chapter 10, Article 17 (Affordable Housing Ordinance) and Article 19 (Density Bonus Ordinance) of the Hayward Municipal Code Related to an Update of the Density Bonus Ordinance

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

4. [CONS 23-005](#) Adopt a Resolution Authorizing the City Manager to Execute Five (5) Eighteen-Month Professional Services Agreements with CSG Consultants, EKI Environment & Water, Harris & Associates, Lee and Ro, and V.W. Housen & Associates for On-Call Engineering Support Services, in an Amount Not-To Exceed \$500,000 each, with an Aggregate Amount Not-To-Exceed \$1,500,000

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

5. [CONS 23-002](#) Adopt a Resolution Approving Addendum No. 1, 2 & 2A, and Awarding a Construction Contract to JJ Construction & Design, Inc., for the Municipal Parking Lot No. 7, D-1 & D-2 Improvement Project, Project No. 05296 in the Amount of \$328,070 and Authorizing a Construction Contingency Change Order Budget of \$71,930

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

6. [CONS 23-006](#) Adopt a Resolution Approving Plans and Specifications, and Call for Bids for the FY23 Median Landscape Improvement - Phase 1, Project No. 05281

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

7. [CONS 23-010](#) Adopt a Resolution Authorizing the City Manager to Accept and Appropriate up to \$10,000 in Small Donations (\$999 or less individually) from Library Patrons to Support Library Services and Programs

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

8. [CONS 23-012](#) Adopt a Resolution Authorizing the City Manager to Accept and Appropriate \$200,000 from Edward Martins to Support the Purchase of a Techmobile for the Hayward Public Library

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

9. [CONS 23-013](#) Adopt a Resolution Awarding a Contract to JMB Construction for the Trash Capture Device Installation on Tennyson Road, Project No. 07746, in an Amount of \$737,888 and a Contingency Budget of \$72,112 for a Total Contract Not-to-Exceed Amount of \$810,000
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
10. [CONS 23-015](#) Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Landscape Maintenance Contract for Prominence Lighting and Landscape District #3 with Brightview Landscape Services, in an Annual Amount of \$99,554 and Approving an Additional \$20,000 Annually for Contingencies
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
11. [CONS 23-016](#) Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Landscape Maintenance Contract for the Downtown Hayward Maintenance with New Image Landscape Company, in an Annual Amount of \$156,000, and an Additional \$20,000 Annually for Contingencies, and Approve an Increase in the Budget Appropriation and Transfer of \$116,402 from the General Fund to the Landscape Maintenance Fund
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
12. [CONS 23-024](#) Adopt a Resolution Authorizing the City Manager to Execute an Amendment to the Agreement with OpenGov, Inc. for Financial Reporting, Budgeting and Planning, and Procurement Solution Services for a Period of Three-Years, with Two (2) One-Year Contract Extensions
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)

13. [CONS 23-026](#) Adopt Resolutions Authorizing the City Manager to (1) Amend the Professional Services Agreements with Kitchell CEM for Extended Construction Support Services by \$333,000 for a Not-to-Exceed Amount of \$2,533,000; (2) with RossDrulisCusenbery Architecture, Inc., by \$292,000 for a Not-to Exceed Amount of \$3,254,000; (3) Amend the Inspector of Record Services with ABC Inspections, Inc., by \$80,000 for a Not-to-Exceed Amount of \$945,000; (4) Amend the Agreement with Mobile Modular for an Additional Rental of Modular Structures by \$55,000 for a Not-to-Exceed Amount of \$283,500 for the Temporary Fire Station 6; and (5) Transfer and Appropriate Additional Funds in an Amount Not-to-Exceed \$5,596,800 for the Fire Station 6 and Fire Training Center Project, Project No. 07481 and 07482

Attachments:

[Attachment I Staff Report](#)

[Attachment II Resolution Amendment with Kitchell](#)

[Attachment III Resolution Amendment to RDC](#)

[Attachment IV Resolution Amendment with ABC](#)

[Attachment V Resolution Amendment to Mobile Modular](#)

[Attachment VI Resolution Appropriation of Funds](#)

14. [CONS 23-027](#) Adopt a Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Kimley-Horn & Associates, Inc., for the Planning and Scoping Phase of the SR-92/Whitesell Interchange Project, Project No. 05334, in an Amount Not-to-Exceed \$620,000 and Appropriate an Additional \$360,000 from Fund 212 to the Project

Attachments:

[Attachment I Staff Report](#)

[Attachment II Resolution](#)

[Attachment III Resolution Appropriation of Funds](#)

[Attachment IV Location Map](#)

LEGISLATIVE BUSINESS

15. [LB 23-003](#) Salary Plan: Adopt a Resolution Approving the Amended Fiscal Year 2023 Salary Plan that Designates Classifications and Corresponding Salary Changes

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III FY2023 Salary Plan](#)

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, January 24, 2022, 7:00 PM

PUBLIC COMMENT RULES

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.

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.