



# 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, May 16, 2023**

**7:00 PM**

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

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### CITY COUNCIL MEETING

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

#### *PUBLIC PARTICIPATION*

*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](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:*

Participate in the Council Chambers or click link below to join the meeting:  
<https://hayward.zoom.us/j/89325796361?pwd=UmxZcWVLS09KV3NqNElBmlscGxwUT09>

Meeting ID: 893 2579 6361

Password: CC5/16@7pm

or

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

Meeting ID: 893 2579 6361

Password: 2067335359

**CALL TO ORDER: Mayor Salinas**

**Pledge of Allegiance: Council Member Zermeño**

**AB 2449 TELECONFERENCE NOTIFICATIONS AND CONSIDERATION**

**ROLL CALL**

**CLOSED SESSION ANNOUNCEMENT**

**April 24, 2023**

**May 2, 2023**

**May 16, 2023**

**PRESENTATIONS**

National Police Week/Peace Officers' Memorial Day

Affordable Housing Month Proclamation

First African American Teacher in Hayward - Meedie Monegan

**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 23-061](#) Approve the City Council Minutes of the City Council Meeting on April 18, 2023

**Attachments:** [Attachment I Draft Minutes of 4/18/2023](#)

2.     [MIN 23-062](#)     Approve the City Council Minutes of the City Council Meeting on April 25, 2023
- Attachments:**     [Attachment I Draft Minutes of 4/25/2023](#)
3.     [CONS 23-214](#)     Adopt a Resolution Approving an Amended Agreement between the City of Hayward and the Hayward Fire Chiefs' Association ("HFCA") and Authorizing Staff to Execute the Side Letter of Agreement to Revise Vacation Leave Payout Contributions Upon Service or Disability Retirement from the City to the Voluntary Employee Beneficiary Association (VEBA) Plan
- Attachments:**     [Attachment I Staff Report](#)  
                              [Attachment II Resolution](#)
4.     [CONS 23-251](#)     Adopt a Resolution Approving Policies and Procedures for Granting Priority Water and Sewer Service to Housing Development Projects that Include Units Affordable to Lower-Income Households
- Attachments:**     [Attachment I Staff Report](#)  
                              [Attachment II Resolution](#)
5.     [CONS 23-252](#)     Adopt a Resolution Approving the Project List for FY2024 Road Repair and Accountability Act (RRAA) Funding for the FY2024 Pavement Improvement Project
- Attachments:**     [Attachment I Staff Report](#)  
                              [Attachment II Resolution](#)  
                              [Attachment III Location Map](#)
6.     [CONS 23-254](#)     Adopt a Resolution Authorizing the City Manager to Execute an Agreement with Dudek in an Amount Not-to-Exceed \$94,022 for the Tree Preservation Ordinance Update and Hayward Executive Airport Landscape Guidelines for the City of Hayward
- Attachments:**     [Attachment I Staff Report](#)  
                              [Attachment II Resolution](#)  
                              [Attachment III Scope of Service and Budget](#)

7.        [CONS 23-257](#)     Adopt a Resolution Authorizing the City Manager to Execute the Downtown Hayward Promise Neighborhood (DHPN) Five (5) Year Contract, and Accept and Appropriate Up to \$1,698,782 in Funding from Downtown Hayward Promise Neighborhood (DHP) Over Calendar Years (CY) 2023-2027 (Fiscal Years 2023-2028)

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

8.        [CONS 23-259](#)     Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Amendment to the Contract with 3Di Systems to Extend the Contract for Wildfire Vegetation Management Inspection Software Through April 30, 2024

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

9.        [CONS 23-261](#)     Adopt a Resolution Approving Plans and Specifications and Calling for Bids for the FY23 Sidewalk Rehabilitation and Wheelchair Ramp Project, Project No. 05303

**Attachments:**    [Attachment I Staff Report](#)  
[Attachment II Resolution](#)  
[Attachment III District 6 & 9 Location Map](#)  
[Attachment IV Wheelchair Location Map](#)  
[Attachment V Map of Districts](#)

10.      [CONS 23-263](#)     Adopt a Resolution Authorizing the City Manager to Execute Amendment No. 2 to the Professional Services Agreement with HydroScience Engineers, Inc., Increasing the Contract Amount for Project Design and Engineering Services for the Sewer and Water Line Improvements Projects by \$99,083 for a Total Not-to-Exceed Contract Amount of \$1,741,948

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

11. [CONS 23-267](#) Adopt a Resolution Authorizing the City Manager to (1) Extend and Amend the Agreement with Advocates for Human Potential, Inc. for the California Department of Healthcare Services, Behavioral Health Justice Intervention Services Project; and (2) Accept and Appropriate Additional Funding in the Amount of \$130,000

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

12. [CONS 23-268](#) Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with Motorola for the Purchase of 105 Portable Radios in an Amount Not-to-Exceed \$1,160,917

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

13. [CONS 23-269](#) Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with First Responder Wellness for the Provision of the First Responder Wellness Mental Health Program for the Hayward Fire Department in an Amount Not-to-Exceed \$89,407

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

14. [CONS 23-271](#) Adopt a Resolution Authorizing the City Manager to Accept and Appropriate up to \$20,000 in Funding from First 5 of Alameda County to Support Library Services and Programs for Fiscal Year 2023, and Annually for the Next Three Fiscal Years (FY 2024 - FY 2026)

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

15. [CONS 23-272](#) Adopt a Resolution Appointing Council Member Syrop to the Alameda County Mosquito Abatement District Board of Trustees to Fill the Remainder Term Left by Former Council Member Márquez Which Would End December 31, 2024

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

16. [CONS 23-299](#) Adopt a Resolution Authorizing the City Manager to Execute an Amended Coordination, Resiliency, and Action Agreement with Russell City Energy Company, LLC and Accepting and Appropriating a Contribution of \$1,250,000 in Funds to Support Clean Energy Efficiency Projects in the City Following the Explosion that Occurred at the Russell City Energy Center on May 27, 2021

**Attachments:** [Attachment I Staff Report](#)  
[Attachment II Resolution](#)  
[Attachment III Redline Amended Cooperation Agreement](#)

### 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.*

17. [WS 23-022](#) FY 2024 City Budget: Proposed Fiscal Year 2024 Operating Budget Work Session #2 (Report from Finance Director Gonzales)

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

18. [WS 23-017](#) Capital Improvement Program Work Session: Review of Recommended Capital Improvement Program for FY 2024 - FY 2033 (Report from Public Works Director Ameri)

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

19. [WS 23-018](#) Climate Action Plan: Considerations for New General Plan Policies and Programs Related to the City's Climate Action Plan (Report from Public Works Director Ameri)

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

### 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 REFERRAL**

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, May 23, 2023, 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](mailto: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.*