



# 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 6, 2023**

**7:00 PM**

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

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### **SPECIAL JOINT HAYWARD CITY COUNCIL/HAYWARD REDEVELOPMENT SUCCESSOR AGENCY/HAYWARD HOUSING AUTHORITY 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/89000792464?pwd=Q1Z4OUtQK0tKa3BsSGpBZmN5V3VMZz09>

Meeting ID: 890 0079 2464

Password: CCm6/6@7pm

or

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

Meeting ID: 890 0079 2464

Password: 6665711239

**CALL TO ORDER: Mayor Salinas**

**Pledge of Allegiance: Council Member Bonilla Jr.**

**AB 2449 TELECONFERENCE NOTIFICATIONS AND CONSIDERATION**

**ROLL CALL**

**CLOSED SESSION ANNOUNCEMENT**

**PRESENTATIONS**

Pride Month Proclamation

**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 23-068](#) Approve the City Council Minutes of the Special City Council Meeting on May 13, 2023

**Attachments:** [Attachment I Draft Minutes of 5/13/2023](#)

2. [MIN 23-069](#) Approve the City Council Minutes of the City Council Meeting on May 16, 2023

**Attachments:** [Attachment I Draft Minutes of 5/16/2023](#)

3.     [MIN 23-070](#)     Approve the City Council Minutes of the Special City Council Meeting on May 23, 2023
- Attachments:**     [Attachment I Draft Minutes of 5/23/2023](#)
4.     [CONS 23-313](#)     Adopt a Resolution Rescinding Implementation of Level 2 of the City of Hayward’s Water Shortage Contingency Plan
- Attachments:**     [Attachment I Staff Report](#)  
                              [Attachment II Resolution](#)
5.     [CONS 23-319](#)     Adopt a Resolution Authorizing the City Manager to Execute a One-Year Extension of a Joint Exercise of Powers Agreement for the Hayward Area Shoreline Planning Agency
- Attachments:**     [Attachment I Staff Report](#)  
                              [Attachment II Resolution](#)
6.     [CONS 23-344](#)     Adopt a Resolution Authorizing the City Manager to Execute a Contract Amendment With JP Morgan Chase, N.A. for Banking and Cash Management Services for an Additional Three-Year Term
- Attachments:**     [Attachment I Staff Report](#)  
                              [Attachment II Resolution](#)
7.     [CONS 23-322](#)     Adopt a Resolution: (1) Authorizing the Reallocation of \$2 Million in American Rescue Plan Act of 2021 (ARPA) Funds for a Down Payment Assistance (DPA) Program; and (2) Authorizing the City Manager to Execute Loan Documents and Administer the Loans Including Subordinating, Extending, or Modifying Repayment Terms to Provide Down Payment Assistance Loans in an Amount Not-to-Exceed \$300,000 per Loan
- Attachments:**     [Attachment I Staff Report](#)  
                              [Attachment II Resolution](#)

8.      [CONS 23-323](#)      Adopt a Resolution of Intention to Preliminarily Approve the Engineer's Report and Assessments for Fiscal Year 2024; and Set June 27, 2023, as the Public Hearing Date for Such Actions for Consolidated Landscaping and Lighting District No. 96-1, Zones 1 through 18
- Attachments:**      [Attachment I Staff Report](#)  
                              [Attachment II Resolution](#)  
                              [Attachment III Preliminary Engineer's Report](#)
9.      [CONS 23-325](#)      Adopt a Resolution of Intention to Preliminarily Approve the Engineer's Report and Levy Assessments for Fiscal Year 2024 for Maintenance District No. 1 – Storm Drainage Pumping Station and Storm Drain Conduit Located at Pacheco Way, Stratford Road and Ruus Lane, and Set June 27, 2023, as the Public Hearing Date
- Attachments:**      [Attachment I Staff Report](#)  
                              [Attachment II Resolution](#)  
                              [Attachment III Preliminary Engineer's Report](#)
10.     [CONS 23-324](#)      Adopt a Resolution of Intention to Preliminarily Approve the Engineer's Report and Levy Assessments for Fiscal Year 2024 for Maintenance District No. 2 - Eden Shores Storm Water Facilities and Water Buffer, and Set June 27, 2023, as the Public Hearing Date
- Attachments:**      [Attachment I Staff Report](#)  
                              [Attachment II Resolution](#)  
                              [Attachment III Preliminary Engineer's Report](#)
11.     [CONS 23-326](#)      Adopt a Resolution Authorizing the City Manager to Execute Amendment No. 1 Increasing the Contract Amount for Newton Construction & Management for the Tenant Improvements and Workspace Reconfiguration for Fire Administration by \$36,850, for a Total Not-to Exceed Contract Amount of \$348,612
- Attachments:**      [Attachment I Staff Report](#)  
                              [Attachment II Resolution](#)

12.     [CONS 23-327](#)     Adopt A Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Samsara Inc. in an Amount Not-to-Exceed \$105,465 and an Effective Term Length Through FY2026

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

13.     [CONS 23-329](#)     Adopt a Resolution Approving Plans and Specifications, and Calling for Bids for the FY23 Median Landscape Improvement - Phase 2, Project No. 05281 and Appropriate an Additional \$497,700 from the Street System Improvements (Fund 450) to Project 05281

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

14.     [CONS 23-333](#)     Adopt a Resolution Authorizing the City Manager to Execute a Contract with HdL Coren & Cone for Property Tax, Information and Audit Services

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

15.     [CONS 23-334](#)     Adopt a Resolution Authorizing the City Manager to Execute a Contract with MuniServices for Municipal Sales Use Tax Management and Auditing Services

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

16.     [CONS 23-335](#)     Adopt a Resolution Approving an Amendment to the City of Hayward Salary Plan for Fiscal Year 2023

**Attachments:**     [Attachment I Staff Report](#)  
                          [Attachment II Resolution](#)  
                          [Attachment III FY 2023 Salary Plan](#)

17.     [CONS 23-338](#)     Adopt a Resolution Authorizing the City Manager to Execute a Professional Agreement for Auditing Services with Maze & Associates

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

18.     [CONS 23-339](#)     Adopt a Resolution Approving Updates to the City's Strategic Roadmap

**Attachments:**     [Attachment I Staff Report](#)  
                          [Attachment II Resolution](#)  
                          [Attachment III Strategic Roadmap for Adoption](#)  
                          [Attachment IV Retreat Summary](#)  
                          [Attachment V Backup on Vacant Properties & Safe Parking](#)

#### **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.*

19.     [WS 23-023](#)     Sidewalk Vending Ordinance: Review and Discuss Draft Program Policies for an Amendment to the Hayward Municipal Code to Comply with Senate Bill (SB) 946, the "Safe Sidewalk Vending Act" (Report from Development Services Director Buizer)

**Attachments:**     [Attachment I Staff Report](#)  
                          [Attachment II Draft Policy Language](#)  
                          [Attachment III Sidewalk Survey Analysis](#)  
                          [Attachment IV Enforcement Comparison Table](#)

**PUBLIC HEARING**

20. [PH 23-022](#) FY 2024 Budget/CIP Public Hearing and Adoption: Hold Public Hearing and Adopt Resolution for Adoption of the Proposed FY 2024 Operating Budgets for the City of Hayward, Hayward Redevelopment Successor Agency, and Hayward Housing Authority; FY 2024 Capital Improvement Program Budget; Adoption of the FY 2024 Operating Budgets and Appropriations for FY 2024; Adoption of the FY 2024 Capital Improvement Program Budget and Appropriations for FY 2024; Adoption of the Hayward Redevelopment Successor Agency Budget; and Adoption of the Hayward Housing Authority Budget (Report from Finance Director Gonzales)

**Attachments:** [Attachment I Staff Report](#)  
[Attachment II FY24 Budget Resolution](#)  
[Attachment III FY24 Budget Exhibits A & B](#)  
[Attachment IV FY24 Budget RAS Resolution](#)  
[Attachment V FY24 Budget Housing Authority Resolution](#)  
[Attachment VI FY24 CIP Budget Resolution](#)  
[Attachment VII FY24 Budget CAF Resolution](#)  
[Attachment VIII Exhibit A to CAF Recommendation](#)

21. [PH 23-027](#) Gann Limit Adoption: Adopt a Resolution Establishing a Gann Appropriations Limit for Fiscal Year 2024 (Report from Finance Director Gonzales)

**Attachments:** [Attachment I Staff Report](#)  
[Attachment II Resolution](#)  
[Attachment III Gann Appropriation Limit](#)

**LEGISLATIVE BUSINESS**

22. [LB 23-022](#) Reach Code Amendments: Introduction of Revised Electrification Reach Code Ordinance with Minor Modifications Required by California Building Standards Commission (Report from Public Works Director Ameri and Development Services Director Buizer)

**Attachments:** [Attachment I Staff Report](#)  
[Attachment II Resolution](#)  
[Attachment III Hayward Reach Code Ordinance](#)

**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, June 20, 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.*