



# 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, September 12, 2023**

**7:00 PM**

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

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### **SPECIAL JOINT MEETING OF THE CITY COUNCIL AND HAYWARD PUBLIC FINANCE AUTHORITY BOARD**

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/86058256852?pwd=dm5UZUllQ0JrQjJMenJtQnl1M3dsZz09>

Meeting ID: 860 5825 6852

Password: Cc9/12@7pm

or

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

Meeting ID: 860 5825 6852

Password: 5052613139

**SPECIAL JOINT MEETING OF THE CITY COUNCIL AND  
HAYWARD PUBLIC FINANCE AUTHORITY BOARD**

**CALL TO ORDER: Mayor/HPFA Chair Salinas**

**Pledge of Allegiance: Council/HPFA Board Member Andrews**

**AB 2449 TELECONFERENCE NOTIFICATIONS AND CONSIDERATION**

**ROLL CALL**

**CLOSED SESSION ANNOUNCEMENT**

August 15, 2023  
September 12, 2023

**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.*

**HAYWARD COMMISSIONS AND KEEP HAYWARD CLEAN AND GREEN TASK FORCE**

1. [APPT 23-003](#) City Commissions and Keep Hayward Clean and Green Task Force: Adopt a Resolution Confirming the Appointment and Reappointment of Members of the Community Services Commission, Keep Hayward Clean and Green Task Force, Library Commission, Personnel Commission and Planning Commission (Report from City Clerk Lens)

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

**CONSENT**

2. [MIN 23-090](#) Approve the Minutes of the Special City Council Work Session Meeting on August 15, 2023

**Attachments:** [Attachment I Draft Work Session Minutes of 8/15/2023](#)

3. [MIN 23-092](#) Approve the Minutes of the Special City Council Meeting on August 15, 2023

**Attachments:** [Attachment I Draft Minutes of 8/15/2023](#)

4. [MIN 23-093](#) Approve the Minutes of the Special City Council Meeting on August 22, 2023

**Attachments:** [Attachment I Draft Minutes of 8/22/2023](#)

5. [CONS 23-476](#) Adopt a Resolution Reducing the Keep Hayward Clean and Green Task Force Membership Size from Thirty Members to Twenty Members and Creating a Waitlist to Account for Vacancies Throughout the Year

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

6. [CONS 23-461](#) Adopt a Resolution Authorizing the City Manager to Accept and Appropriate \$3,000 in Awarded Grant Funding from the Best Friends Animal Society in Connection with its GoodPup Scholarship Grant for the Hayward Police Department's Animal Services Bureau

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

7.     [CONS 23-467](#)     Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Site License Agreement with East Bay Community Energy for Electric Vehicle Charging at Multiple Locations and Finding the Action is Exempt from CEQA Review

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

8.     [CONS 23-475](#)     Adopt a Resolution Authorizing the City Manager to Execute an Amendment to the Agreement with Schaaf & Wheeler for Engineering Design Services in the Amount of \$120,000 for a Not-to-Exceed Amount of \$320,000, to Complete the Arf Avenue Trash Capture Project No. 07746

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

9.     [CONS 23-483](#)     Adopt a Resolution Authorizing the City Manager to Award a Construction Contract to Spencon Construction, Inc., in the Amount of \$982,564.75 and Approving \$150,000 in Administrative Construction Contingency for the FY23 Sidewalk Rehabilitation and Wheelchair Ramps Project No. 05303

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

10.    [CONS 23-491](#)     Adopt a Resolution Authorizing the City Manager to Execute a 10-Year Agreement with Axon Enterprises, Inc. for the Purchase of the Axon Officer Safety Plan 10 Premium Bundle in an Amount Not-to-Exceed \$11.5 Million, Appropriating \$300,000 into CIP Project 07418 from Fund 405 Fund Balance, and Transferring \$190,927.49 from Fund 730 to Fund 405

**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.*

11.     [WS 23-036](#)     Residential Design Standards: Draft Regulations for the Hayward Residential Design Study (Report from Director of Development Services Buizer)

**Attachments:**     [Attachment I Staff Report](#)  
                          [Attachment II Proposed Section 10-1.200, Residential Districts](#)  
                          [Attachment III Ch 10, Art 1, Zoning Ord. \(redline\)](#)  
                          [Attachment IV Ch 10, Art 2, Off-Street Parking Reg. \(redline\)](#)  
                          [Attachment V List of Properties Proposed to be Rezoned](#)  
                          [Attachment VI Map of Properties to be Rezoned](#)

12.     [WS 23-037](#)     I-880/Whipple Road Industrial Parkway Interchange Improvement Project Work Session: Review and Discuss Aesthetic Features (Report from Director of Public Works Ameri)

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

**LEGISLATIVE BUSINESS**

13.     [LB 23-036](#)     Russell City Energy Center: Adopt a Resolution Approving the Expenditure Plan for the Calpine Clean Energy Fund (Report from Public Works Director Ameri)

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

14. [LB 23-037](#) Lease Obligation Refinancing: Adopt Resolutions of the City Council and the Hayward Public Financing Authority Regarding Amended Savings Requirements Related to the Refinancing of Prior Lease Payment Obligations, Approval of the Preliminary Official Statement and Bond Purchase Contract for Refunding Certificates of Participation (Report by Finance Director Gonzales)

**Attachments:** [Attachment I Staff Report](#)  
[Attachment II Hayward Refunding Council POS Resolution](#)  
[Attachment III Hayward Refunding Authority POS Resolution](#)  
[Attachment IV Draft Agenda POS](#)  
[Attachment V Draft Purchase Agreement](#)

#### INFORMATIONAL ITEM

*Information items are presented as general information for Council and the public, and are not presented for discussion. Should Council wish to discuss or take action on any of the "information" items, they will direct the City Manager to bring them back at the next Council agenda as an Action Item.*

15. [RPT 23-086](#) Informational Report on Cal Cities 2023 Annual Conference Scheduled for September 20-22, 2023

**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.

16. [RPT 23-091](#) City Council Referral: Adopting a Resolution to Enter into a Sister City Agreement with the City of Arandas, Jalisco, México, as Requested by the Hayward-Arandas Sister City Committee (Report from Council Members Zermeño and Syrop)

**Attachments:** [Attachment I Referral Memorandum](#)

#### ADJOURNMENT

**NEXT MEETING, September 19, 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.*