



CITY OF HAYWARD

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

Agenda City Council

Tuesday, November 19, 2024

7:00 PM

Council Chambers

CONCURRENT MEETING GEOLOGIC HAZARD ABATEMENT DISTRICT BOARD/CITY COUNCIL

NOTICE: The GHAD/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 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/87982701407?pwd=8AfuPvgpgq78YWF1WZSrabShWz403c.1>

Meeting ID: 879 8270 1407

Password: GHAD/CC@7p

or

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

Meeting ID: 879 8270 1407

Password: 4460528610

**HAYWARD GEOLOGIC HAZARD ABATEMENT DISTRICT (GHAD)
BOARD OF DIRECTORS MEETING**

CALL TO ORDER: Mayor/GHAD Chair Salinas

Pledge of Allegiance: Council/GHAD Member Andrews

AB 2449 TELECONFERENCE NOTIFICATIONS AND CONSIDERATION

ROLL CALL

PUBLIC COMMENTS

The Public Comment section provides an opportunity to address the GHAD Board on items not listed on the agenda. As the GHAD Board is prohibited by State law from discussing items not listed on the agenda, items will be taken under consideration and may be referred to GHAD staff.

CONSENT

1. [MIN 24-119](#) Approve the Hayward Geologic Hazard Abatement District (GHAD) Board Minutes of the GHAD Meeting on June 18, 2024

Attachments: [Attachment I Draft Minutes of 6/18/2024](#)

LEGISLATIVE BUSINESS

2. [LB 24-025](#) Approve Transfer of Plan of Control Responsibilities for All Parcels within The Hideaway Development from Hayward Tennyson Land, LLC to the Hayward Geologic Hazard Abatement District (GHAD) and Authorize the GHAD Manager to Accept Title to Assessor's Parcel Number (APN) 78C-806-4 (Parcel L) and APN 78C-807-1 (Parcel M) in Tract 8439 (Report from GHAD Manager Ralston)

Attachments: [Attachment I GHAD Staff Report](#)
[Attachment II \(A\) Plan of Control Transfer Inspection](#)
[Attachment III \(B\) Transfer Acceptance of Tract 8439 Parcels](#)
[Attachment IV \(C\) Resolution 24-02](#)
[Attachment V \(D\) Grant Deed for Parcels L and M Tract 8439](#)

GHAD Manager's Report

An oral report from the GHAD Manager on ongoing activities, events, or other items of general interest to the GHAD and the public, if any.

GHAD Boardmembers' Reports, Referral, and Future Agenda Items

Oral reports from GHAD Boardmembers on their activities, referrals to GHAD staff, and suggestions for future agenda items, if any.

Next Meeting: No future meetings are scheduled. All future meetings will be noticed.

The Hayward Geologic Hazard Abatement District Board of Directors Adjourns and Reconvenes into the Meeting of the City Council.

CITY COUNCIL MEETING**CLOSED SESSION ANNOUNCEMENT****October 21, 2024****October 22, 2024****November 12, 2024****PRESENTATION**

Veterans' Day Proclamation

PUBLIC COMMENTS

The Public Comments section provides an opportunity to address the City Council on items not listed on the agenda or Informational Staff Presentation 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. The City Council welcomes comments, including criticism, about the policies, procedures, programs, or services of the City, or of the acts or omissions of the City Council. Speakers shall not use threatening, profane, or abusive language which disrupts, disturbs, or otherwise impedes the orderly conduct of a City Council. The City is committed to maintaining a workplace free of unlawful harassment and is mindful that City staff regularly attend Council meetings. Discriminatory statements or conduct that is hostile, intimidating, oppressive, or abusive – are per se disruptive to a meeting and will not be tolerated. ration 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.

CONSENT

1. [MIN 24-122](#) Approve the Minutes of the City Council Meeting on October 15, 2024

Attachments: [Attachment I Draft Minutes of 10/15/2024](#)

2. [CONS 24-557](#) Adopt a Resolution to Execute a Side Letter of Agreement Amending the Memoranda of Understanding (MOU), Section 5.13 C - Retiree Medical Trust between the City of Hayward ("City") and the Hayward Fire Chief's Association (HFCA), to Amend Employee Contributions
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Side Letter of Agreement](#)
3. [CONS 24-558](#) Adopt a Resolution to Execute a Side Letter of Agreement Amending the Memoranda of Understanding (MOU), Article 12.03 Longevity Pay between the City of Hayward ("City") and the Hayward Fire Chiefs Association (HFCA), to Amend the Effective Date for All Eligible Members
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Side Letter of Agreement](#)
4. [CONS 24-561](#) Adopt a Resolution Authorizing the City Manager to Execute a Funding Agreement with AC Transit to Help Fund Bus Shelter Maintenance
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
5. [CONS 24-562](#) Adopt a Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Fehr & Peers in a Not-to-Exceed Amount of \$210,000, for the Speed Management Plan, Project No. 06943
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
6. [CONS 24-563](#) Adopt a Resolution Authorizing the City Manager to Increase the Total Construction Contract Not-to-Exceed Amount to \$16,373,134 Due to an Increase in Contingency from \$855,050 to \$1,078,184
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)

7. [CONS 24-569](#) Adopt a Resolution Approving Plans and Specifications, and Calling for Bids for the Hesperian Frontage Road Improvement Project No. 05742

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

8. [CONS 24-573](#) Adopt a Resolution Accepting the Resignation of Commissioner Collin Thormoto from the Community Services Commission, Effective Immediately

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

9. [CONS 24-574](#) Adopt a Resolution Accepting the Resignation of Task Force Member Margaret Barton from the Keep Hayward Clean and Green Task Force, Effective Immediately

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

10. [CONS 24-575](#) Adopt a Resolution Releasing Jessica Stanley from the Keep Hayward Clean and Green Task Force, Effective Immediately

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

11. [CONS 24-556](#) Adopt a Resolution to Approve Final Map of Tract 8429, a One Lot Subdivision for Condominium Purposes at 420 Smalley Avenue (Assessor Parcel No. 431-0008-020-00) to Allow the Construction of Eight (8) Attached Townhouse Condominium Units and Related Site Improvements; Applicant/Owner: MF Smalley Hayward, LLC., Application No. FM-23-0003

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Final Map](#)
 [Attachment IV Vesting Tentative Tract Map](#)

12. [CONS 24-578](#) Adopt a Resolution to Approve Final Map of Tract 8670, a 12-Lot Residential Subdivision at 24764 and 24656 Mohr Drive (Assessor's Parcel Numbers 441-0074-009-00 and 441-0074-009-00; Eden Village III), to Allow the Construction of Twelve (12) Single-Family Small Lot Detached Residential Units and Related Site Improvements; Applicant/Owner: Jason Creek Ventures, LLC, Application No. MTA-23-0001

Attachments: [Attachment I Staff Report Tract 8670](#)
 [Attachment II Resolution Tract 8670](#)
 [Attachment III Final Map](#)
 [Attachment IV Approved Vesting Tentative Map](#)

13. [CONS 24-580](#) Adopt a Resolution Authorizing the City Manager to Execute Amendment No. 2 to the Professional Services Agreement with Schaaf & Wheeler, and Increase the Contract Amount by \$60,000, for a Total Not-to-Exceed Amount of \$260,000 for Engineering Design Services for the Arf Avenue Trash Capture Project

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

14. [CONS 24-584](#) Adopt a Resolution Authorizing the City Manager to Appropriate \$45,000 from the Asset Forfeiture Fund (265) to the General Fund (100) to Purchase New Equipment for the Hayward Police Department's Wellness Center

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

15. [CONS 24-585](#) Adopt a Resolution Approving an Exception to the 180-Day Wait Period Requirement for Two Retired CalPERS Annuitants to Work Within the Hayward Communications Center

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

16. [CONS 24-591](#) Adopt a Resolution to Execute a Side Letter of Agreement Amending the Memorandum of Understanding, Section 10.01- Defined Benefit Retirement Program between the City of Hayward and the Service Employees International Union, Local 1021 - Maintenance and Operations Union to Clarify Employee Pension Cost-Share Requirements for all Eligible Classic and PEPRA Members

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III Side Letter of Agreement](#)

17. [CONS 24-593](#) Adopt a Resolution Authorizing the City Manager to Amend the Contract with EBA Engineering by \$60,000 for the Removal of Underground Fuel Storage Tanks for a Not-to Exceed Amount of \$222,343 for the Mission Boulevard Corridor Improvements Phase 3 Project, Project No. 05287

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

18. [CONS 24-598](#) Adopt a Resolution Authorizing the City Manager to Award a Construction Contract to Bhogal Brother Construction Inc., for the Weekes Branch Library Improvement Project, Project No. BD051 in the Amount of \$379,600, Approve an Administrative Change Order Budget of \$75,920, and Close the Weekes Branch Library During Renovations

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III Weekes Branch Renovation Bid Document](#)

19. [CONS 24-605](#) Adopt a Resolution Authorizing the City Manager to Execute a Lease Agreement with Montecito Development LLC, for Property Located at the Hayward Executive Airport

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III Exclusive Negotiating Agreement](#)
[Attachment IV Project Terms Sheet](#)

20. [CONS 24-607](#) Adopt a Resolution Authorizing the Interim City Manager to Amend the Professional Services Agreement with Dewberry Architects, Inc., by \$338,000 for a Not-to-Exceed Amount of \$868,000; and Appropriate Additional Funds in the Amount of \$338,000 from Capital Projects (Governmental) - Fund 405 for the Hayward Police Department Locker Room and Communications Center Building, Project No. 07420

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.

21. [WS 24-036](#) American Rescue Plan Act (ARPA) Analysis and Review (Report from Finance Director Gonzales)

Attachments: [Attachment I Staff Report](#)
 [Attachment II ARPA Status Update](#)

LEGISLATIVE BUSINESS

22. [LB 24-024](#) FY 2025 Salary Plan Amendment: Adopt a Resolution Approving an Amendment to the City of Hayward Salary Plan for Fiscal Year 2025 (Report from Human Resources Director Frye)

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Revised FY25 Salary Plan Effective July 1, 2024](#)
 [Attachment IV Revised FY25 Salary Plan Effective July 29, 2024](#)
 [Attachment V Revised FY25 Salary Plan September 23, 2024](#)

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.

- 23. [RPT 24-089](#) City Council Referral: StackPass Education Discount Program
(Referral from Council Members Syrop and Andrews)

Attachments: [Attachment I Council Referral](#)
[Attachment II Staff Analysis](#)

ADJOURNMENT

**November 26, 2024 - CANCELED -
NEXT MEETING, December 3, 2024, 7:00 PM**

PUBLIC COMMENT RULES

Any member of the public desiring to address the Council shall limit their comments 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.