



CITY OF HAYWARD

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

Agenda City Council

Tuesday, November 14, 2017

7:00 PM

Council Chambers

SPECIAL CITY COUNCIL MEETING

CALL TO ORDER Pledge of Allegiance: Council Member Salinas

ROLL CALL

CLOSED SESSION ANNOUNCEMENT

PRESENTATION

City Council Youth Achievement "Hall of Fame" Awards

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 your 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, your item will be taken under consideration and may be referred to staff.

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 17-151](#) Minutes of the Special Joint City Council and Hayward Area Recreation and Park District Meeting on October 30, 2017

Attachments: [Attachment I Draft Minutes of 10/30/17](#)

2. [MIN 17-152](#) Minutes of the Special City Council Meeting on October 30, 2017

Attachments: [Attachment I Draft Minutes of 10/30/17](#)

3. [MIN 17-153](#) Minutes of the City Council Meeting on November 7, 2017
Attachments: [Attachment I Draft Minutes of 11/7/2017](#)
4. [CONS 17-686](#) Authorization for the City Manager to Execute an Agreement with the Alameda County Sheriff's Office and the U.S. Department of Justice to Accept the FY2017 Byrne Justice Assistance Grant (JAG) fund in the Amount of \$42,491.60 for Hayward Police Department Operations
Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution Authorizing Agreement](#)
5. [CONS 17-687](#) Approval of Resolution Authorizing the City Manager to Execute a Service Agreement with the Fairview Fire Protection District
Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III Proposed FFPD Service Agreement](#)
6. [CONS 17-697](#) Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Design Workshop for the Development of a Route 238 Properties Master Development Plan and Appropriation of Funds
Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III Property Map](#)
[Attachment IV Project Management Plan](#)
7. [CONS 17-701](#) Resolution Authorizing the City Manager to Negotiate and Execute New Land Lease Agreements for Three Parcels of Land at Hayward Executive Airport
Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III Site Map of Parcel Locations](#)

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.

8. [WS 17-053](#) Measure C Sales Tax Initiative - Annual Report (Report from Director of Finance Claussen)

Attachments: [Attachment I Staff Report](#)
[Attachment II Measure C 20-Year Forecast](#)

PUBLIC HEARING

9. [PH 17-100](#) Proposed subdivision and construction of 35 townhomes and a mixed-use building of 39 apartment units with 1,020 square feet of ground floor commercial use on a 2.7-acre project site located at 26601 Mission Boulevard (west side, north of Sorenson Road) Assessor Parcel Number (APN) 452-0036-30-05, requiring: 1) approval of an amendment to South Hayward BART/Mission Boulevard Form-Based zoning code (Article 24) to allow residential density transfer/averaging among like-zoned development sites in the Urban General transect zones T4 (17.5 DU/Acre min; to 35 DU/Acre max) and T5 (35 DU/Acre min; to 55 DU/Acre max); 2) Site Plan Review; 3) Warrants for: (a) roof pitch, (b) excess parking in the T4 zone, (c) glazing less than 30% for the first story along Mission Boulevard, and (d) parking within the Layer 2 setback area; 4) Vesting Tentative Map 8335 associated with the subdivision; and 5) Mitigated Negative Declaration. KB Home (Applicant) and DNS Capital Partners LLC/Robert Telles (Owner/Applicant). Application No. 2016-01022 (Continued from October 3, 2017) (Report from Interim Development Services Director Bristow)

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution of Denial](#)
[Attachment III Resolution of Approval with Exhibit A](#)
[Attachment IV Ordinance](#)
[Attachment V Applicant's Proposal](#)
[Attachment VI City Council Minutes of 10.03.2017](#)

LEGISLATIVE BUSINESS

10. [LB 17-048](#) Re-Introduction of Ordinance of the Council of the City of Hayward Enacting Comprehensive Regulations for Personal Cannabis Cultivation and Commercial Cannabis Land Uses through the Amendment of Hayward Municipal Code, Chapter 10, Article 1(Zoning Ordinance) (Report from City Attorney Lawson and Interim Development Services Director Bristow)

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

11. [LB 17-042](#) Introduction of Ordinance Amending Chapter 6, Article, 2, Section 6-2.15 of the Hayward Municipal Code To Allow The Hayward Police Department To Accept Payment For Cabaret License Application Fees (Report from Police Chief Koller and Director of Finance Claussen)

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

12. [LB 17-047](#) Construction, Repair, Reconstruction, Destruction or Abandonment of Wells: Introduction of Ordinance Updating Section 5-4.10 of the Hayward Municipal Code (Report from Utilities and Environmental Services Director Ameri)

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

CITY MANAGER'S COMMENTS

Oral reports from the City Manager on upcoming activities, events, or other items of general interest to Council and the Public.

COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS

Oral reports from Council Members on their activities, referrals to staff, and suggestions for future agenda items.

ADJOURNMENT

NEXT MEETING, November 28, 2017, 7:00 PM

PUBLIC COMMENT RULES

Any member of the public desiring to address the Council shall limit her/his 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. Speaker Cards are available from the City Clerk at the meeting.

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 website and on Cable Channel 15, KHRT. ****

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 TDD (510) 247-3340.

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.