



CITY OF HAYWARD

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

Agenda City Council

Monday, October 30, 2017

7:00 PM

Council Chambers

SPECIAL CITY COUNCIL MEETING

CALL TO ORDER Pledge of Allegiance: Council Member Peixoto

ROLL CALL

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 17-142](#) Minutes of the Special City Council Work Session Meeting on October 14, 2017

Attachments: [Attachment I Draft Minutes of 10/14/17](#)

2. [MIN 17-143](#) Minutes of the City Council Meeting on October 17, 2017

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

3. [CONS 17-650](#) Adoption 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); Article 2 (Off-Street Parking Requirements); Article 24 (South Hayward BART/Mission Boulevard Form-Based Code); and Article 25 (Hayward Mission Boulevard Corridor Form-Based Code)

Attachments: [Attachment I Staff Report](#)
 [Attachment II Summary of Ordinance](#)
 [Attachment III Revised Ordinance](#)
 [Attachment IV Map of Retail Dispensaries](#)

4. [CONS 17-651](#) Adoption of Ordinance of the City of Hayward, California Adding Article 14 to Chapter 6 of the Hayward Municipal Code Regarding Commercial Cannabis Businesses

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

5. [CONS 17-652](#) Adoption of Ordinance of the City of Hayward, California Amending Article 6 of Chapter 5 of the Hayward Municipal Code Regarding Smoking Pollution Control

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

6. [CONS 17-676](#) Resolution of the City Council of the City of Hayward Imposing a Limit on Cannabis Retail Dispensary Permits

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

7. [CONS 17-674](#) West Winton Landfill Leachate Conveyance System Replacement Project: Approval of Plans and Specifications, and Call for Bids

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

8. [CONS 17-644](#) Approval of Resolution Accepting the Transfer of Parking Facilities from the Hayward Successor Agency

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

PUBLIC HEARING

9. [PH 17-096](#) Zoning Text Amendment to Update Regulations Related to Accessory Dwelling Units and Establish a New Fee Associated with Amendment to Chapter 10, Planning, Zoning, and Subdivisions of the Hayward Municipal Code (Zoning Text Amendment Application No. 201701087); City of Hayward (Applicant) (Report from Interim Development Services Director Bristow) (Continued from 10/17/17)

Attachments: [Attachment I Staff Report](#)
 [Attachment II Land Use Ordinance](#)
 [Attachment III Resolution \(Findings & Env. Review\)](#)
 [Attachment IV Resolution \(Establish New Fees\)](#)
 [Attachment V Government Code 65852.2](#)
 [Attachment VI Assembly Bill 494 and Senate Bill 229](#)

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.

10. [WS 17-051](#) Review of Cannabis Business Operator Selection Process (Report from City Manager McAdoo)

Attachments: [Attachment I Staff Report](#)

11. [WS 17-050](#) Discussion Regarding Measure EE Cannabis Tax Rate (Report from Finance Director Claussen and City Attorney Lawson)

Attachments: [Attachment I Staff Report](#)

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, Tuesday, November 7, 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.