



# CITY OF HAYWARD

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

## Agenda City Council

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**Tuesday, June 4, 2019**

**7:00 PM**

**Council Chambers**

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### CITY COUNCIL MEETING

**CALL TO ORDER Pledge of Allegiance: Council Member Márquez**

**ROLL CALL**

**CLOSED SESSION ANNOUNCEMENT**

**PRESENTATION**

Elder Abuse Awareness Month

**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 19-076](#) Minutes of the Special City Council Meeting on May 14, 2019

**Attachments:** [Attachment I Draft Minutes of 5/14/2019](#)

2.     [CONS 19-377](#)     Adoption of an Ordinance Amending the Zoning Map and Chapter 10, Article 1 (Zoning Ordinance) and Article 2 (Parking Regulations) of the Hayward Municipal Code Related to a Comprehensive Update of Industrial District Regulations

**Attachments:**     [Attachment I Staff Report](#)  
                          [Attachment II Notice of Summary of Ordinance](#)  
                          [Attachment III Revised Industrial Districts Regulations](#)

3.     [CONS 19-415](#)     Adoption of an Ordinance Amending Chapter 10, Article 1 (Zoning Ordinance) of the Hayward Municipal Code by Rezoning Certain Property to Planned Development District in Connection with Zone Change and Vesting Tentative Map Application No. 201603891 to Accommodate 19 Single-Family Homes at 29080 Fairview Avenue

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

4.     [CONS 19-379](#)     Authorization for the City Manager to Execute a Three-year Agreement with the Alameda County Probation Department for Delinquency Prevention Network (Local Service Center) Services Provided by the Hayward Police Department's Youth and Family Services Bureau and Appropriation of \$237,500 Annually, for a Total of \$712,500

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

5.     [CONS 19-422](#)     Authorize the City Manager to Execute a Professional Services Agreement with Kimley-Horn and Associates, Inc. and Appropriate \$150,000 from the Measure BB, Fund 212 for Completion of the Hayward Boulevard Safety Improvements Feasibility Study

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

6.        [CONS 19-424](#)      Adoption of a Resolution Approving an Adjustment to the Bid Process Schedule for the Trash Capture Device Installation on Arf Avenue

**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.*

7.        [WS 19-037](#)        Hayward Police Department 2018 Year-End Report (Report from Police Chief Koller)

**Attachments:**    [Attachment I Staff Report](#)  
[Attachment II Police Department Retention Data](#)

#### LEGISLATIVE BUSINESS

8.        [LB 19-030](#)        Approval of Actions Necessary for the City of Hayward to Enter into a Purchase and Sale Agreement with 37 Hayward, LLC for Purchase of the City Center Tower Property Located at 22300 Foothill Boulevard for a Purchase Price of \$5,200,000 and Up to an Additional \$100,000 in Associated Costs (Report from Deputy City Manager Ott)

**Attachments:**    [Attachment I Staff Report](#)  
[Attachment II Resolution PSA Authorization](#)  
[Attachment III Resolution Budget Appropriation](#)

**PUBLIC HEARING**

9. [PH 19-039](#) Adopt Resolutions to Approve the Engineer's Report, Reconfirm Base Maximum Assessment Amount, Confirm the Assessment Diagram and Fiscal Assessment, Order the Levy and Collection of Fiscal Assessments, and Approve Funding Recommendations and Appropriate Special Revenue Funds for Consolidated Landscaping and Lighting District No. 96-1, Zones 1 through 16, for Fiscal Year 2020 (Report from Maintenance Services Director Rullman)

**Attachments:** [Attachment I Staff Report](#)  
[Attachment II Resolution \(Approving the Engineer's Report\)](#)  
[Attachment III Resolution \(Approving the Budget\)](#)  
[Attachment IV Engineer's Report](#)  
[Attachment V Assessment Roll](#)

10. [PH 19-040](#) Adopt Resolutions to Approve the Engineer's Report, Reconfirm Maximum Base Assessment Rate, Confirm the Assessment Diagram and Fiscal Assessment, Order the Levy and Collection of Fiscal Assessments, and Approve Funding Recommendations and Appropriate Revenue Funds for Maintenance District No. 1 - Storm Drainage Pumping Station and Storm Drain Conduit - Pacheco Way, Stratford Road and Ruus Lane - for Fiscal Year 2020 (Report from Maintenance Services Director Rullman)

**Attachments:** [Attachment I Staff Report](#)  
[Attachment II Resolution \(Approving Engineer's Report\)](#)  
[Attachment III Resolution \(Approving the Budget\)](#)  
[Attachment IV Engineer's Report](#)  
[Attachment V Assessment Roll](#)

11. [PH 19-041](#) Adopt Resolutions to Approve the Engineer's Report, Reconfirm Maximum Base Assessment Rate, Confirm the Assessment Diagram and Fiscal Assessment, Order the Levy and Collection of Fiscal Assessments, and Approve Funding Recommendations and Appropriate Revenue Funds for Maintenance District No. 2 - Eden Shores Storm Water Buffer and Facilities, for Fiscal Year 2020 (Report from Maintenance Services Director Rullman)

**Attachments:** [Attachment I Staff Report](#)  
[Attachment II Resolution \(Approving the Engineer's Report\)](#)  
[Attachment III Resolution \(Approving the Budget\)](#)  
[Attachment IV Engineer's Report](#)  
[Attachment V Assessment Roll](#)

12. [PH 19-052](#) Public Hearing to Consider the Formation of Benefit Zone No. 17 of the Consolidated Landscaping and Lighting Assessment District No. 96-1 for the Parkside Heights Property (Report from Development Services Director Simpson)

**Attachments:** [Attachment I Staff Report](#)  
[Attachment II Resolution](#)  
[Attachment III Engineer's Report](#)  
[Attachment IV Vicinity Map](#)

13. [PH 19-053](#) Public Hearing to Consider the Formation of Benefit Zone No. 18 of the Consolidated Landscaping and Lighting Assessment District No. 96-1 for the SoHay Properties (Report from Development Services Director Simpson)

**Attachments:** [Attachment I Staff Report](#)  
[Attachment II Resolution](#)  
[Attachment III Engineer's Report](#)  
[Attachment IV Vicinity Map](#)

**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.

**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.

14. [RPT 19-303](#) Consider an Item for Discussion on a Future City Council Agenda Regarding Officer Involved Use of Deadly Force Being Subject to an Independent Investigation

**Attachments:** [Attachment I City Council Referral Memo](#)

**ADJOURNMENT**

**NEXT MEETING, June 18, 2019, 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.*