



# CITY OF HAYWARD

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

## Agenda City Council

---

**Tuesday, May 19, 2020**

**7:00 PM**

**Remote Participation**

---

### **SPECIAL CITY COUNCIL MEETING**

This meeting is being conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order No. 29-20 dated March 17, 2020, and Alameda County Health Officer Order No. 20-10 dated April 29, 2020, regarding the COVID-19 pandemic.

*How to observe the Meeting:*

1. Comcast Channel 15
2. Live stream <https://hayward.legistar.com/Calendar.aspx>

*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. eComments received after 3:00 p.m. through the adjournment of the meeting will be included as a part of the meeting record and published the following day.

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.

*How to provide spoken Public Comment during the City Council Meeting:*

Call the City Clerk at (510) 583-4400 prior to the close of public comment on an item as indicated by the Mayor.

### **CALL TO ORDER**

### **ROLL CALL**

### **CLOSED SESSION ANNOUNCEMENT**

**May 11, 2020**

**May 18, 2020**

**May 19, 2020**

**PUBLIC COMMENTS**

Public comments are limited only to items on the Agenda as items are called.

**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 20-047](#)     Approve City Council Minutes of the Special City Council Meeting on April 7, 2020  
  
      **Attachments:**   [Attachment I Draft City Council Minutes of 4/7/2020](#)
  
2.     [MIN 20-048](#)     Approve City Council Minutes of the Special City Council Meeting on April 14, 2020  
  
      **Attachments:**   [Attachment I Draft City Council Minutes of 4/14/2020](#)
  
3.     [MIN 20-051](#)     Approve City Council Minutes of the Special City Council Meeting on April 28, 2020  
  
      **Attachments:**   [Attachment I Draft City Council Minutes of 4/28/2020](#)
  
4.     [CONS 20-232](#)     Adopt a Resolution Accepting the Resignations of Mr. Christopher Lopez and Mr. Kenny Wong Many from the Keep Hayward Clean and Green Task Force, Effective Immediately  
  
      **Attachments:**   [Attachment I Staff Report](#)  
                          [Attachment II Resolution](#)  
                          [Attachment III Resignation Letter](#)
  
5.     [CONS 20-213](#)     Adopt a Resolution Extending the Appointment of Bruce Roberts as the Hayward Poet Laureate Through June 30, 2021  
  
      **Attachments:**   [Attachment I Staff Report](#)  
                          [Attachment II Resolution](#)

6.     [CONS 20-227](#)     Adopt a Resolution Awarding a Contract to DeSilva Gates Construction LP for the FY20 Pavement Improvement Project, Project No. 05222, 05224, 05226, 05232, 05289, in an Amount of \$9,406,497, and authorizing the Public Works Director to spend up to \$11,000,000 for Total Construction Costs

**Attachments:**     [Attachment I Staff Report](#)  
                          [Attachment II Resolution](#)  
                          [Attachment III List of Streets](#)  
                          [Attachment IV Map](#)

7.     [CONS 20-237](#)     Adopt a Resolution Approving Addendum No. 1 and Awarding a Contract to Westland Contractors, Inc. for the Sewer Line Replacement Project, Project No. 07694, in an Amount Not-to-Exceed \$1,874,500.

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

8.     [CONS 20-233](#)     Adopt a Resolution Rejecting All Bids, Approving Revised Specifications, and Calling for Bids for the Sidewalk Rehabilitation FY 20 Project, Project No. 05285

**Attachments:**     [Attachment I Staff Report](#)  
                          [Attachment II Resolution](#)  
                          [Attachment III Districts Map](#)  
                          [Attachment IV Project Location Map](#)

9.     [CONS 20-228](#)     Adopt a Resolution Authorizing the City Manager to Submit an Application to the Metropolitan Transportation Commission (MTC) for Transportation Development Act (TDA) Article 3 Funds in Fiscal Year (FY) 2021 and Execute a Funding Agreement

**Attachments:**     [Attachment I Staff Report](#)  
                          [Attachment II Resolution](#)  
                          [Attachment II-a Resolution Abstract](#)  
                          [Attachment III Bicycle Facility Map](#)  
                          [Attachment IV Pedestrian Priority Map](#)

10.     [CONS 20-221](#)     Adopt a Resolution Approving an Agreement Between the Alameda County Health Care Services Agency and the Police Department Youth and Family Services Bureau for Medical Administrative Activities and Authorize the City Manager to Execute the Agreement
- Attachments:**     [Attachment I Staff Report](#)  
                          [Attachment II Resolution](#)
11.     [CONS 20-240](#)     Authorize the City Manager to Submit a Local Early Action Planning (LEAP) Grant Application to Fund Preparation of a Housing Element Update to Implement the Sixth Cycle of the Regional Housing Needs Allocation
- Attachments:**     [Attachment I Staff Report](#)  
                          [Attachment II Resolution](#)  
                          [Attachment III Policies to Incentivize Housing Production](#)
12.     [CONS 20-243](#)     Adopt a Resolution Approving an Amendment to the Professional Services Agreement with Langan Engineering and Environmental Services for the La Vista Park Project, Project No. 06914
- Attachments:**     [Attachment I Staff Report](#)  
                          [Attachment II Resolution](#)
13.     [CONS 20-248](#)     Adopt a Resolution Approving the Side Letter of Agreement Amending the Current Memoranda of Understanding between the City of Hayward and Both the International Association of Firefighters, Local 1909 and the Hayward Fire Officers Association and Authorizing Staff to Execute the Agreement
- Attachments:**     [Attachment I Staff Report](#)  
                          [Attachment II Resolution](#)  
                          [Attachment III Draft 1909 Side Letter](#)

## 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.*

14. [WS 20-019](#) Community Agency Funding: Fiscal Year 2021 Community Agency Funding Recommendations for Social Services; Arts & Music; and Infrastructure, Economic Development, and Public Services; and Overview of the FY 2021-2025 Consolidated Plan and FY 2021 Annual Action Plan (Report from Deputy City Manager Ott)

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

#### PUBLIC HEARING

15. [PH 20-032](#) Master Fee Schedule: Adopt a Resolution Amending the FY 2021 Master Fee Schedule (Report from Finance Director Claussen)

**Attachments:** [Attachment I Staff Report](#)  
[Attachment II Resolution](#)  
[Attachment III Police Tow Operations Fee](#)  
[Attachment IV Resolution 19-008](#)  
[Attachment V Resolution 19-152](#)  
[Attachment VI Proposed FY 2021 Master Fee Schedule](#)

#### LEGISLATIVE BUSINESS

16. [LB 20-022](#) Adopt Resolutions Amending the Employment Agreement Between the City Manager and the City of Hayward to Eliminate the City Manager's July 2020 Scheduled 2% Cost of Living Adjustment and Authorizing the Mayor to Execute the Agreement and Reducing the Mayor and City Council's Salary by 2% and the Mayor and Council's Travel and Miscellaneous Budget by 50% for Fiscal Year 2021 (Report from Assistant City Manager/Interim Human Resources Director Hurtado)

**Attachments:** [Attachment I Staff Report](#)  
[Attachment II City Manager Resolution](#)  
[Attachment III Council Resolution](#)

#### INFORMATION 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.*

17. [RPT 20-052](#) Receive Informational Report Addressing Extended Timeframes to Reestablish Nonconforming Uses Due to COVID-19 Crisis

**Attachments:** [Attachment I Staff Report](#)  
[Attachment II PS Business Parks Letter](#)  
[Attachment III Resolution No. 20-036 Local Emergency](#)

### **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.

### **ADJOURNMENT**

**NEXT MEETING, May 26, 2020, 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.*

*CHILDCARE WILL NOT BE PROVIDED UNTIL FURTHER NOTICE DUE TO COUNTYWIDE SHELTER-IN-PLACE ORDER.*