



CITY OF HAYWARD

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

Agenda City Council

Tuesday, September 15, 2020

7:00 PM

Remote Participation

CITY COUNCIL MEETING

COVID-19 Notice: 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, the City Council will be participating in public meetings via phone/video conferencing.

How to watch the meeting from home:

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:

Click the link below to join the meeting:

<https://hayward.zoom.us/j/96650209667?pwd=Q29CK09uQmEyWjFFdXg1T0NjNnMrUT09>

Passcode: 6Qnm@s!K

or

Dial: +1 669 900 6833 or +1 346 248 7799 or +1 253 215 8782 or +1 312 626 6799 or +1 929 205 6099
or +1 301 715 8592 or 833 548 0282 (Toll Free) or 877 853 5247 (Toll Free) or 888 788 0099 (Toll Free)
or 833 548 0276 (Toll Free)

Meeting ID: 966 5020 9667

Password: 65143086

A Guide to attend virtual meetings is provided at this link: <https://bit.ly/3jmaUxa>

CALL TO ORDER Pledge of Allegiance: Mayor Halliday**ROLL CALL****CLOSED SESSION ANNOUNCEMENT****July 21, 2020****August 3, 2020****August 18, 2020****September 1, 2020****September 15, 2020****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.

CITY COMMISSIONS AND TASK FORCE

1. [APPT 20-001](#) City Commissions and Keep Hayward Clean and Green Task Force: Adopt a Resolution Confirming the Appointment and Reappointment of Members of the Community Services Commission, Keep Hayward Clean and Green Task Force, Library Commission, Personnel Commission and Planning Commission (Report from City Clerk Lens)

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

CONSENT

2. [MIN 20-090](#) Approve City Council Minutes of the Special City Council Meeting on July 14, 2020

Attachments: [Attachment I Draft Minutes of 7/14/2020](#)

3. [MIN 20-091](#) Approve City Council Minutes of the Special City Council Meeting on July 20, 2020
Attachments: [Attachment I Draft Minutes of 7/20/2020](#)
4. [MIN 20-092](#) Approve City Council Minutes of the Special Joint Meeting of the City Council and Hayward Redevelopment Successor Agency on July 21, 2020
Attachments: [Attachment I Draft Minutes of 7/21/2020](#)
5. [CONS 20-339](#) Adopt a Resolution Authorizing the City Manager to Execute an Agreement with Integrated Archive Systems, Inc. (IAS) to Purchase and Set Up Security Cameras for Various Facilities in an Amount Not-to-Exceed \$300,000
Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
6. [CONS 20-416](#) Adopt a Resolution Authorizing the City Manager to Execute an Agreement with the Alameda County Sheriff's Office for Receipt of FY 2018 Byrne Justice Assistance Grant (JAG) funds in the Amount of \$42,425.10
Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
7. [CONS 20-421](#) Adopt Resolutions Approving Agreements with the Alameda County Health Care Services Agency and the Hayward Unified School District for School Based Mental Health Services in the Amounts of \$220,000 and \$120,000 Respectively and Authorize the City Manager to Execute the Agreements
Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution Approving Agreement with HCSA](#)
[Attachment III Resolution Approving Agreement with HUSD](#)
[Attachment IV OKOF Program Data](#)
[Attachment V HUSD MH Services Program Data](#)

8. [CONS 20-425](#) Adopt a Resolution Amending the FY 2020-21 Master Fee Schedule to Postpone the Effective Date of the Increase in Bimonthly Water Service Fees from October 1, 2020 to January 1, 2021

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

9. [CONS 20-426](#) Adopt a Resolution: (1) Approving the Government Code Section 52201 Summary Report for the Project; and (2) Authorizing the City Manager to Negotiate and Execute a Disposition and Development Agreement with BMODDRE2, LLC for Transfer of Specified City Owned Properties and for the Development of a New Subaru Automobile Dealership

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III 52201 Summary Report](#)
[Attachment IV Approved Elevation Drawing](#)
[Attachment V Approved Site Plan](#)
[Attachment VI Approved Floor Plan](#)
[Attachment VII Conditions of Approval - Site Plan Review](#)

10. [CONS 20-428](#) Adopt a Resolution Authorizing the City Manager to Enter into the Seventh Amendment to the Purchase and Sale Agreement between the State of California Department of Transportation and City of Hayward for the 238 Excess Properties to Extend the Term of Sale for Five Additional Years to January 2027

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

11. [CONS 20-429](#) Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with Sloan Sakai Yeung & Wong LLP for the Provision of Labor Relations Services

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

12. [CONS 20-431](#) Adopt a Resolution Authorizing the City Manager to Execute a Professional Services Agreement with HydroScience Engineers, Inc., for the Sewer and Water Line Improvement Projects, in an Amount Not-to-Exceed \$1,467,865

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

13. [CONS 20-439](#) Adopt Resolutions to Memorialize that the Provision of Affordable Housing and an Expansion of Carlos Bee Park Will Satisfy the Park and Affordable Housing Dedications for Former Caltrans 238 Parcel Group 8 in order to Secure Caltrans Authorization to Subdivide Parcel Group 8 and Authorize the City Manager to Enter into an Exclusive Negotiating Rights Agreement with Resources for Community Development (RCD), a California Nonprofit Public Benefit Corporation, for the Proposed Development of the Affordable Housing Segment of Parcel Group 8 Generally Situated along Grove Way between Bridge Court and Foothill Boulevard

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution Memorializing Dedications](#)
 [Attachment III Resolution Authorizing ENA](#)
 [Attachment IV Map](#)

14. [CONS 20-443](#) Adopt a Resolution Authorizing the City Manager to Increase the Construction Contract with Spenco Construction, Inc., for Administrative Change Order Authority in the Amount of \$354,733 for the FY19 Sidewalk Rehabilitation and Wheelchair Ramp Project, Project Nos. 05249 and 05213 for a Contract Not-to-Exceed Amount of \$677,363

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

PUBLIC HEARING

15. [PH 20-060](#) Mission Crossing Project: Consider a Resolution Amending Conditions of Approval Associated with the Mission Crossings Project Which Involves Construction of 140 three-story Condominiums, a 93-room Hotel, and 7,225 Square Feet of Community-Serving Retail Located at 25501 Mission Boulevard and Berry Avenue, MLC, Holdings (Applicant) Meritage Homes and Manchester Hotels, Inc. (Property Owners) (Report from Development Services Director Simpson)

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III Applicant's Request](#)
[Attachment IV Hotel Market Articles](#)

16. [PH 20-063](#) California Crosspoint HS TEFRA Hearing: Public TEFRA Hearing as Required by the Internal Revenue Code of 1986, and Adoption of a Resolution Approving the Issuance by the California Public Finance Authority in an Amount Not to Exceed \$29 Million of Education Facility Revenue Bonds to Finance the Acquisition, Construction, Installation, Improvement, Furnishing and Equipping of California Crosspoint High School (Report from Finance Director Claussen)

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

LEGISLATIVE BUSINESS

17. [LB 20-042](#) City of Hayward Fiscal Year 2021 Operating Budget: Amend the Fiscal Year 2021 Operating Budget to Appropriate Funds from the Enterprise Funds to Cover Costs Related to Personnel Changes in the Utilities Division of the Department of Public Works (Report from Public Works Director Ameri)

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

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, September 22, 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.