



CITY OF HAYWARD

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

Agenda City Council

Tuesday, November 17, 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/94657484954?pwd=b1o0RFpKMfJ5NTJsMWc0NVRRbk5NZz09>

Passcode: Df*2rGq^

or

Dial: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 312 626 6799 or +1 929 205 6099
or +1 301 715 8592

Meeting ID: 946 5748 4954

Password: 16198854

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

CALL TO ORDER: Mayor Halliday

Pledge of Allegiance: Mayor Halliday

ROLL CALL

CLOSED SESSION ANNOUNCEMENT

PRESENTATION

Legislative Update by Assemblymember Bill Quirk (20th Assembly District)

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. [CONS 20-548](#) Adopt a Resolution Establishing the City Contribution for Active and Retiree Medical Premiums Set by the California Public Employee Retirement System (CalPERS) for Calendar Year 2021 Pursuant to California Government Code Section 22892 of the Public Employees' Medical and Hospital Care Act

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

2. [CONS 20-578](#) Adopt Resolutions to Execute Side Letter Agreements Amending the Memoranda of Understanding (MOU) between the City of Hayward and the Hayward Police Officers Association (HPOA), and the City of Hayward and the International Association of Firefighters, AFL-CIO, Local 1909 (Local 1909), to Change the Existing Cost-Sharing Amount for PEPRA Members

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution HPOA](#)
[Attachment III Resolution Local 1909](#)
[Attachment IV HPOA PEPRA Side Letter](#)
[Attachment V Local 1909 PEPRA Side Letter](#)

3. [CONS 20-571](#) Adopt a Resolution Authorizing the City Manager to Execute a Grant Deed Conveying an Easement to Pacific Gas and Electric Company for Underground Installation of its Utility Facilities Within Portions of the City Owned Parcels at 962 B Street and Municipal Parking Lot 1 and Alley North of B Street

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

4. [CONS 20-562](#) Adopt a Resolution Confirming Reappointment of Council Member Mendall as the City's Representative to the Boards of Directors of the Bay Area Water Supply and Conservation Agency and the San Francisco Bay Area Regional Water System Financing Authority

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.

5. [WS 20-047](#) Hayward Police Department 2019 and 2020 Year End Review (Report from Chief of Police Chaplin)

Attachments: [Attachment I Staff Report](#)
[Attachment II HPD Org Chart](#)
[Attachment III Violent Crime Hotspot Map](#)
[Attachment IV Property Crime Hotspot Map](#)
[Attachment V HPD Engagement Survey Results](#)
[Attachment VI Themes from HPD Staff Survey](#)

PUBLIC HEARING

6. [PH 20-086](#) Commercial Cannabis Retail Dispensary with Ancillary Retail Delivery: Approve a Conditional Use Permit for a Commercial Cannabis Retail Dispensary with Ancillary Retail Delivery Service within an Existing Commercial Building located at 22701 Foothill Boulevard and 1055 C Street (Assessor Parcel Nos. 428-0066-058-01 and 428-0066-056-00) Application No. 201906312. Rajiv Pottabathni, Jiva Life LLC (Applicant); Ryan Bridge LLC (Property Owner) (Report from Development Services Director Simpson)

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III Architectural Project Plans](#)
[Attachment IV Business and Operations Plan](#)
[Attachment V PC Minutes October 8, 2020](#)

LEGISLATIVE BUSINESS

7. [LB 20-055](#) Adopt an Ordinance Amending Chapter 10, Article 1 (Zoning Ordinance) of the Hayward Municipal Code for a Major Modification to an Existing Planned Development District (Application No. 201706217) in Connection with the Development of a Fuel Facility at the Costco Business Center at 22330 Hathaway Avenue in the City of Hayward (Report from City Clerk Lens)

Attachments: [Attachment I Staff Report](#)
[Attachment II Summary of Published Ordinance](#)
[Attachment III Amended Conditions of Approval](#)

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

**NOVEMBER 24, 2020 Meeting - Cancelled -
NEXT MEETING, December 1, 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.