



CITY OF HAYWARD

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

Agenda City Council

Tuesday, January 26, 2021

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, 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/92145157523?pwd=RjAvQVRpUnY0Nk1WR3JmRHp0NVJxUT09>

Meeting ID: 921 4515 7523

Passcode: CCmtg@7ZSq

or

Dial: +1 669 900 6833 or +1 346 248 7799

Meeting ID: 921 4515 7523

Password: 9393729197

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

January 19, 2021

January 26, 2021

PRESENTATION

Certificate of Commendation Presented to Dr. Leroy M. Morishita for His Service
to California State University East Bay

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 21-008](#) Approve City Council Minutes of the Special City Council Meeting on December 8, 2020

Attachments: [Attachment I Draft Minutes 12/8/2020](#)

2. [MIN 21-009](#) Approve City Council Minutes of the City Council Meeting on December 15, 2020

Attachments: [Attachment I Draft Minutes 12/15/2020](#)

3. [CONS 21-021](#) Adopt a Resolution Accepting the Resignation of Ms. Summer Jackson from the Keep Hayward Clean and Green Task Force Effective Immediately

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

4. [CONS 21-022](#) Adopt a Resolution Accepting the Resignation of Mr. Jose Lara from the Community Services Commission Effective Immediately

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

5. [CONS 21-007](#) Adopt a Resolution Accepting Transmittal of Comprehensive Annual Financial Report for Fiscal Year Ended June 30, 2020; and of the Memorandum on Internal Control and Required Communications

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Comprehensive Annual Financial Report](#)
 [Attachment IV Memorandum](#)

6. [CONS 21-008](#) Adopt a Resolution Accepting the Fiscal Year 2021 Statement of Investment Policy and Delegation of Authority

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Summary of Proposed Changes](#)
 [Attachment IV FY 2021 Statement of Investment Policy](#)

7. [CONS 21-002](#) Adopt a Resolution Accepting Transmittal of the Annual Mitigation Fee Act Report (AB1600)

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Summary of Applicable Fees](#)

8. [CONS 21-014](#) Adopt a Resolution Regarding New Service Stations Selling Fossil Fuels
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
9. [CONS 21-016](#) Adopt a Resolution Approving an Amendment to the Professional Services Agreement with Mark Thomas & Company for the Mission Boulevard Corridor Improvements Phase 3 Project, in the Amount of \$194,180, thereby Increasing the Total Contract Amount Not-to-Exceed \$1,519,180
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
10. [CONS 21-035](#) Adopt Resolutions Authorizing the Appropriation of Funds in the Amount of \$354,083 for the FY 2020 Median Landscape Improvement Project 05255 and Awarding a Contract to Marina Landscape, Inc., in an Amount Not to Exceed \$399,083
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Award Resolution](#)
 [Attachment III Appropriation Resolution](#)
 [Attachment IV Bid Summary](#)
11. [CONS 21-037](#) Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Amendment to the Agreement with Contra Costa Electric for Fiber Optic Installation Services in an Amount of \$76,827, Increasing the Total Contract to an Amount Not to Exceed \$331,669
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
12. [CONS 21-044](#) Adopt a Resolution Authorizing the City Manager to Accept a \$75,000 Grant for Patrick Avenue Improvements Phase 2 and Execute a Funding Agreement with the Alameda County Transportation Commission from the COVID-19 Rapid Response Bicycle/Pedestrian Grant Program
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)

13. [CONS 21-045](#) Adopt a Resolution Approving a One-Year Extension of Citywide Community Workforce Agreement with the Building and Construction Trades Council of Alameda County
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
14. [CONS 21-055](#) Adopt a Resolution Approving an Amendment to the Professional Services Agreement with Kittelson & Associates, Inc. for Additional Design Services Related to the Bicycle and Pedestrian Master Plan in an Amount of \$89,000 for a Total Not to Exceed Contract Amount of \$388,416
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Scope of Work](#)
15. [CONS 21-065](#) Adopt a Resolution in Support of California Assembly Bill 15: Tenant Stabilization Act of 2021, and Assembly Bill 16: COVID-19 Tenant, Small Landlord, and Affordable Housing Provider Stabilization Act of 2021
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
16. [CONS 21-060](#) Adopt a Resolution Appointing Mr. Zachariah Oquenda to the Planning Commission to Fulfill the Unexpired Term of Ms. Angela Andrews
- 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.

17. [WS 21-001](#) Measure C Annual Report: Review Annual Report of Measure C, Approved by Voters on June 3, 2014, Revenues and Expenditures (Report from Finance Director Claussen)
- Attachments:** [Attachment I Staff Report](#)
 [Attachment II 20-Year Forecast 2021](#)

18. [WS 21-003](#) Review of Fiscal Year 2021 General Fund Revenue (Report from Finance Director Claussen)

Attachments: [Attachment I Staff Report](#)

LEGISLATIVE BUSINESS

19. [LB 21-002](#) Temporary Evictions Moratoria: Adoption of Emergency Ordinance Amending the Temporary Moratorium on Commercial Evictions to Extend the Moratorium and Enacting a Moratorium on Residential Evictions (Report from Assistant City Manager Ott)

Attachments: [Attachment I Staff Report](#)
[Attachment II Ordinance Commercial Moratorium Extension](#)
[Attachment III Ordinance Residential Moratorium](#)
[Attachment IV Summary of Eviction Moratoria](#)

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, February 2, 2021, 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.