



# CITY OF HAYWARD

Hayward City Hall  
777 B Street  
Hayward, CA 94541  
[www.Hayward-CA.gov](http://www.Hayward-CA.gov)

## Agenda City Council

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**Tuesday, July 6, 2021**

**7:00 PM**

**Remote Participation**

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### 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 observe the Meeting:*

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](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. 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/91570375764?pwd=MUtnMThjK1hNV3BNTG0xb2MweG1TUT09>

Meeting ID: 915 7037 5764

Passcode: CWS@7/2/21

or

Dial: +1 669 900 6833 or +1 253 215 8782

Meeting ID: 915 7037 5764

Password: 4807507338

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

**CALL TO ORDER: Mayor Halliday****Pledge of Allegiance: Council Member Zermeño****ROLL CALL****CLOSED SESSION ANNOUNCEMENT****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 21-294](#)      Adopt a Resolution Confirming Report and Assessment for  
Community Preservation Fees Past Due

**Attachments:**      [Attachment I Staff Report](#)  
[Attachment II Resolution](#)  
[Attachment III 2021 Fee List](#)

2.      [CONS 21-295](#)      Adopt a Resolution Accepting and Confirming Report  
Regarding Past Due Residential Rental Inspection Program  
Fees and Authorizing Collection of Past Due Charges on Tax  
Roll

**Attachments:**      [Attachment I Staff Report](#)  
[Attachment II Resolution](#)  
[Attachment III Rental Assessment List](#)

3.     [CONS 21-349](#)     Adopt a Resolution Authorizing the City Manager to Execute a Service Agreement with the Fairview Fire Protection District
- Attachments:**     [Attachment I Staff Report](#)  
                              [Attachment II Resolution](#)  
                              [Attachment III Service Agreement](#)
4.     [CONS 21-358](#)     Adopt a Resolution Approving Amendment No. 6 to the Professional Services Agreement with CSG Consultants, Inc., for Private Development Review Services in the Amount of \$370,000 for a total Not-To-Exceed amount of \$1,570,000, and Extending the Date of the Agreement to June 30, 2022
- Attachments:**     [Attachment I Staff Report](#)  
                              [Attachment II Resolution](#)
5.     [CONS 21-359](#)     Adopt a Resolution Awarding a Construction Contract to Kerex Engineering, Inc., for the FY22 Median Landscape Improvement Project, Project No. 05315 in the Amount of \$645,235 and Authorizing a Construction Contingency Change Order Budget of \$154,765
- Attachments:**     [Attachment I Staff Report](#)  
                              [Attachment II Resolution](#)  
                              [Attachment III Project Location Map](#)  
                              [Attachment IV Bid Results](#)
6.     [CONS 21-363](#)     Adopt a Resolution Confirming the Report and Assessment for Delinquent Garbage Bills Incurred by Property Owners of Single-Family Residences
- Attachments:**     [Attachment I Staff Report](#)  
                              [Attachment II Resolution](#)  
                              [Attachment III Special Assessment Parcel List](#)

**PUBLIC HEARING**

7. [PH 21-057](#) Commercial Cannabis Program: Introduce Two Ordinances Related to Text Amendments to Chapter 6, Article 14 (Commercial Cannabis Businesses) and Chapter 10 (Planning, Zoning, and Subdivisions) of the Hayward Municipal Code for the Regulation of Personal and Commercial Cannabis (Application No. 202102446) and Adopt Two Resolutions Supporting the Proposed Text Amendments and Approving a Revision to the 2022 Master Fee Schedule for Administration and Enforcement of the Commercial Cannabis Program in the City of Hayward (Report from Assistant City Manager/Development Services Director Ott)

**Attachments:** [Attachment I Staff Report](#)  
[Attachment II Resolution Text Amendments](#)  
[Attachment III Ordinance Zoning Amendments](#)  
[Attachment IV Ordinance Business Amendments](#)  
[Attachment V PC Recommendations](#)  
[Attachment VI Resolution Master Fee Schedule](#)  
[Attachment VII Zoning Land Use](#)  
[Attachment VIII Dec 2020 Work Session Summary](#)

**LEGISLATIVE BUSINESS**

8. [LB 21-031](#) Default Electricity Product Selection: Adopt a Resolution Selecting a Default Electricity Product from East Bay Community Energy (Report from Public Works Director Ameri)

**Attachments:** [Attachment I Staff Report](#)  
[Attachment II Resolution R100 Default](#)  
[Attachment III Resolution R100 for Commercial](#)  
[Attachment IV Resolution for Bright Choice](#)

9. [LB 21-033](#) City Council Handbook Modifications: Adopt a Resolution to Implement Modifications and Edits to the City Council Handbook (Report from City Manager McAdoo, City Attorney Lawson, and City Clerk Lens)

**Attachments:** [Attachment I Staff Report](#)  
[Attachment II Resolution](#)  
[Attachment III Redlined Handbook](#)  
[Attachment IV Handbook Clean Version](#)

### **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 SPECIAL MEETING, JULY 13, 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.*