



CITY OF HAYWARD

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

Agenda City Council

Tuesday, January 18, 2022

7:00 PM

Virtual: Zoom Platform

CONCURRENT GEOLOGIC HAZARD ABATEMENT DISTRICT BOARD AND CITY COUNCIL MEETING

COVID-19 Notice: Consistent with Assembly Bill 361/Government Code section 54953(e), the City Council meeting includes teleconference participation by all members.

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 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 link below to join the meeting:

<https://hayward.zoom.us/j/82499367832?pwd=ZmdwMHZYb0N0eVJURHB6ZklyNkFtQT09>

Meeting ID: 824 9936 7832

Passcode: C&GHAD1/18

or

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

Meeting ID: 824 9936 7832

Password: 7062507029

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

**HAYWARD GEOLOGIC HAZARD ABATEMENT DISTRICT (GHAD)
BOARD OF DIRECTORS MEETING**

CALL TO ORDER: Mayor/GHAD Chair Halliday

Pledge of Allegiance: Mayor/GHAD Chair Halliday

ROLL CALL

PUBLIC COMMENTS

The Public Comment section provides an opportunity to address the GHAD Board on items not listed on the agenda. As the GHAD Board is prohibited by State law from discussing items not listed on the agenda, items will be taken under consideration and may be referred to GHAD staff.

CONSENT

1. [MIN 22-007](#) Approve the Hayward Geologic Hazard Abatement District Board Minutes of the Meeting on November 16, 2021

 Attachments: [Attachment I Draft Minutes of 11/16/2021](#)

2. [CONS 22-045](#) Adopt a Resolution to Declare the GHAD's Intent to Order an Assessment for the Hayward SoMi Development and Set a Public Hearing 45 Days After Written Notice is Provided to Consider the Proposed Assessment and Any Protests Thereto

 Attachments: [Attachment I Staff Report](#)
 [Attachment II GHAD Resoluition](#)
 [Attachment 1 Engineer's Report](#)
 [Attachment 2 Legal Description and Plat](#)
 [Attachment 3 Notice of Adoption and Assessment](#)
 [Attachment 4 Ballot](#)

GHAD Manager's Report

An oral report from the GHAD Manager on ongoing activities, events, or other items of general interest to the GHAD and the public, if any.

GHAD Boardmembers' Reports, Referral, and Future Agenda Items

Oral reports from GHAD Boardmembers on their activities, referrals to GHAD staff, and suggestions for future agenda items, if any.

Next Meeting: No future meetings are scheduled. All future meetings will be noticed.

The Hayward Geologic Hazard Abatement District Board of Directors Adjourns and Reconvenes into the Meeting of the City Council.

CITY COUNCIL MEETING**CLOSED SESSION ANNOUNCEMENTS****December 20, 2021****January 18, 2022****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 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, items will be taken under consideration and may be referred to staff.

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.

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 22-001](#) Approve the City Council Minutes of the City Council Meeting on December 7, 2021

Attachments: [Attachment I Draft Minutes of 12/7/2021](#)

2. [MIN 22-002](#) Approve the City Council Minutes of the Special City Council Meeting on December 14, 2021

Attachments: [Attachment I Draft Minutes of 12/14/2021](#)

3. [CONS 22-039](#) Adopt a Resolution Accepting the Resignation of Ms. Varsha Chauhan from the Community Services Commission, Effective Immediately

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

4. [CONS 22-040](#) Adopt a Resolution Appointing Ms. Hazel De Leon to the Community Services Commission to Fulfill the Unexpired Term of Ms. Varsha Chauhan

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

5. [CONS 22-044](#) Adopt a Resolution Allowing the City Council and Appointed Commissions/Task Forces and Council Committees to Hold Continued Teleconferenced Public Meetings Pursuant to AB 361

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Exhibit A to Resolution](#)

6. [CONS 22-001](#) Adopt a Resolution Authorizing the City Manager to Accept and Appropriate \$242,865 in Grant Funding from the Federal Emergency Management Agency for the Creation of Defensible Space in the Hayward Hills Project

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Fire Safety Mailer](#)

7. [CONS 22-010](#) Adopt a Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Professional Services Agreement with HydroScience Engineers, Inc., Increasing Project Design and Engineering Services for the Sewer and Water Line Improvements Project by \$175,000 for a Total Not-to-Exceed Contract Amount of \$1,642,865

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

8. [CONS 22-017](#) Adopt a Resolution Authorizing the City Manager to Execute an Amendment to the Professional Services Agreement for Materials Testing and Special Inspection Services with Consolidated Engineering Laboratories for the Fire Station 6 and Fire Training Center Project by \$450,000 for a Not-to-Exceed Amount of \$1,125,000

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

9. [CONS 22-018](#) Adopt a Resolution Authorizing the Sole Source Purchase of Specialized Laboratory Equipment for Use at the Water and Wastewater Laboratory at the Water Pollution Control Facility in an Amount Not-to-Exceed \$90,000

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

10. [CONS 22-024](#) Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Cooperative Procurement Contract with Dell Technologies for Microsoft Software, Subscriptions, and Services for a Three-Year Contract in an Amount Not-to-Exceed \$328,114.40 Annually, for a Total Contract Amount of \$984,343.21

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

11. [CONS 22-033](#) Adopt a Resolution Authorizing the City Manager to Accept and Appropriate \$238,130.94 from the Federal Communications Commission Emergency Connectivity Fund to Purchase Eligible Equipment and Services

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

12. [CONS 22-034](#) Adopt a Resolution Authorizing the City Manager to Accept and Appropriate \$15,000 from the Kaiser Foundation Health Plan Inc. to Support the Purchase of a Lactation Pod for the Downtown Library

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

13. [CONS 22-021](#) Adopt Two Resolutions: 1) Authorizing the City Manager to Continue Exclusive Negotiations with Waste Management of Alameda County for a New Solid Waste and Recycling Franchise Agreement until June 30, 2022; and 2) Authorizing the City Manager to Extend the Current Franchise Agreement with Waste Management of Alameda County by One Year to Expire March 1, 2023

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution Extending Current Agreement](#)
 [Attachment III Resolution Extending Negotiation Period](#)

14. [CONS 22-038](#) Adopt a Resolution: 1) Authorizing the City Manager to Accept and Appropriate \$5,236 in Private Community Donations for the Hayward Navigation Center; and 2) Amend the Professional Services Agreement with Bay Area Community Services to Increase the Hayward Navigation Center Contract Amount by \$5,236 for a Not-to-Exceed Amount of \$2,453,356 to Provide Additional Flexible Funds for Hayward Navigation Center Residents

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

15. [CONS 22-022](#) Adopt a Resolution Approving Plans and Specifications and Calling for Bids for the Safe Routes for Seniors Project

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

16. [CONS 22-016](#) Adopt a Resolution Rejecting All Bids, Approving Addendum No. 1 and Revised Plans and Specifications, and Calling for Bids for the Mission Boulevard Linear Park Project, Project No. 05288

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

17. [CONS 22-048](#) Adopt a Resolution Opposing the California Public Utilities Commission's Proposed Decision Threatening Net Energy Metering and Supporting a Net Energy Metering Policy that Continues the Growth of Local and Rooftop Solar

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

18. [CONS 22-049](#) Adopt a Resolution Approving the Memorandum of Understanding between the City of Hayward and the Hayward Association of Management Employees and Authorizing Staff to Execute the Agreement

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

19. [CONS 22-050](#) Adopt a Resolution Approving the Memorandum of Understanding between the City of Hayward and the Service Employees International Union, Local 1021 and Authorizing Staff to Execute the Agreement

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

20. [CONS 22-053](#) Adopt a Resolution Approving Annexation of the Hayward SoMi (Tracts 8502 and 8614) into the Hayward Geologic Hazard Abatement District

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Attachment 1 to Resolution](#)

PUBLIC HEARING

21. [PH 22-001](#) Appeal of Planning Commission Denial to Develop a New Approximately 116,844 Square Foot Industrial Building for U-Haul at 4150 Point Eden Way (Assessor Parcel Number 461-0085-020-02) Requiring Approval of Site Plan Review and Historic Resources Demolition Permit Application No. 201901039 Including Certification of an Environmental Impact Report, Adoption of a Statement of Overriding Considerations, and Approval of a Mitigation, Monitoring and Reporting Program. Jerry Owen on Behalf of U-Haul; Amerco Real Estate Co. (Applicant/Property Owner) *** Item continued to 2/15/2022 at the request of applicant ***

LEGISLATIVE BUSINESS

22. [LB 21-053](#) Legislative Program: Adopt a Resolution Updating the City of Hayward's Legislative Program (Report from City Manager McAdoo)

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Updated City of Hayward Legislative Program](#)

INFORMATIONAL 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.

23. [RPT 22-001](#) Informational Report Regarding Hayward Water Bills

Attachments: [Attachment I Staff Report](#)
 [Attachment II Bill Redesign](#)
 [Attachment III Current Bill](#)

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, January 25, 2022, 7:00 PM****PUBLIC COMMENT RULES**

Any member of the public desiring to address the Council shall limit their remarks 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.