



CITY COUNCIL MEETINGS
November 3, 2009

CLOSED SESSION
City Hall - Room 2B

6:30 p.m.

1. Public Comments

The Public Comments section provides an opportunity to address the City Council on items listed on the agenda, as well as other items of interest. 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.

6:35 p.m.

2. Conference with Legal Counsel

- Anticipated Litigation
Pursuant to Government Code 54956.9 (c):
One Potential Case

3. Conference with Legal Counsel

- Pending Litigation
Pursuant to Government Code 54956.9:
Rental Housing Owners, etc v. City of Hayward
Alameda County Superior Court No. HG09433908

4. Public Employee Performance Evaluation

- Title: City Manager
Pursuant to Government Code 54957

5. Adjournment

HAYWARD CITY COUNCIL, 777 B STREET, HAYWARD, CA 94541
[HTTP://WWW.HAYWARD-CA.GOV](http://www.hayward-ca.gov)

AGENDA
Hayward City Council Meeting
November 3, 2009

CALL TO ORDER **Pledge of Allegiance Council Member Dowling**

ROLL CALL

CLOSED SESSION ANNOUNCEMENT

PRESENTATION **Business Recognition Award**

PUBLIC COMMENTS *(The Public Comments section provides an opportunity to address the City Council on items not listed on the agenda. 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.)*

CONSENT

1. Approval of Minutes of the City Council Meeting on October 20, 2009
Motion
2. Recovery Zone Bonds
Resolution

The following order of business applies to items considered as part of Public Hearings and Legislative Business:

- *Staff Presentation*
 - *City Council Questions*
 - *Public Input*
- Council Discussion and Action*

PUBLIC HEARING

3. Mt. Eden Annexation Phase II – Adoption of a Mitigated Negative Declaration and related Mitigation Monitoring and Reporting Program; Authorization of an Application to the Local Agency Formation Commission (LAFCo); Approval of the Plan for Providing Municipal Services; Authorization of Execution of a Property Tax Exchange Agreement with Alameda County; Approval of Pre-Zoning Designations; Approval of a Municipal Code Amendment Related to Sewer Connections, and Approval of Summary Vacations of Ramona Drive and Eden Avenue Rights-of-Way. The annexation area is located between West Street and Depot Road, generally along Mohr Drive in the Mt. Eden Neighborhood *(Report from Development Services Rizk)*
Resolutions (5)
Introduction Ordinances (2)



4. Ordinance Amending Article 22 of Chapter 10 of the Hayward Municipal Code Relating to Hayward's Green Building Ordinance for Private Development (**Report from Development Services Director Rizk**)
Resolution
Introduction Ordinance
5. Authorization for the City Manager to Negotiate and Execute a Contract to Construct a 1000 Kilowatt Solar Energy System at the Water Pollution Control Facility and to Submit an Application for Financing; and Approval of the Associated Mitigated Negative Declaration for the Project (**Report from Public Works Director Bauman**)
Resolutions (3)

LEGISLATIVE BUSINESS

6. Approval of Fees to be Charged for Costs Incurred for Administering the "Fines-Free" Library Loan Program (**Report from Interim Library Services Director Reinhart**)
Resolution

COUNCIL REPORTS

Oral reports from Council Members on their activities associated with the Agenda

ADJOURNMENT

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 has 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.

TUESDAY, November 10, 2009 * Canceled *****

NEXT REGULAR MEETING – 8:00 PM, TUESDAY, November 17, 2009

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.

An online version of this agenda and staff reports are available on the Internet at www.hayward-ca.gov

