



## CITY COUNCIL MEETING FOR MAY 3, 2011

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### **CLOSED SESSION** **Closed Session Room 2B – 4:00 PM**

1. **PUBLIC COMMENTS** *(Limited to items agendized for Closed Session)*
2. Conference with Labor Negotiators  
Pursuant to Government Code 54957.6
  - Lead Negotiators: City Manager David, City Attorney Lawson, Assistant City Manager Morariu, Human Resources Director Robustelli, and Interim Finance Director Stark
  - Under Negotiation: All Bargaining Units
3. Conference with Real Property Negotiators  
Pursuant to Government Code 54956.8
  - Lead Negotiators: City Manager David, City Attorney Lawson, Assistant City Manager Morariu; and Project Manager DeClerq
  - Under Negotiation: South Hayward BART Transit Oriented Development Project  
APN 078C-0441-001-29 and 078C-0441-001-28  
APN 078C-0441-001-16 and 078C-0441-001-17  
APN 078C-0441-001-23
4. Conference with Legal Counsel  
Pursuant to Government Code 54956.9
  - Anticipated Litigation (One Case)
5. Adjournment to Special Meeting

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### **SPECIAL JOINT CITY COUNCIL/REDEVELOPMENT AGENCY/HOUSING AUTHORITY MEETING**

**Council Chambers - 7:00 PM**

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

**ROLL CALL**

**CLOSED SESSION ANNOUNCEMENT**

**PRESENTATION** Business Recognition Award

**PROCLAMATION** Bike to Work Day

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

MAY 3, 2011

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**PUBLIC COMMENTS:** *(The Public Comment section provides an opportunity to address the City Council on items not listed on the agenda or Work Session, or Informational Staff Presentation 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.)*

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**NON-ACTION ITEMS:** *(Work Session and Informational Staff Presentation 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.)*

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**WORK SESSION (60-Minute Limit)**

1. Discussion of Proposed FY 2012 and FY 2013 Water and Sewer Rates and Connection Fees (**Report from Public Works Director Bauman**)
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**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 anytime before the Consent Calendar is voted on by Council if you wish to speak on a Consent Item.)*

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**CONSENT**

2. Approval of Minutes of the Special City Council/Housing Authority Meeting on April 19, 2011  
*Motion*
3. Authorization for the City Manager to Execute a Professional Services Agreement for Programmable Logic Controller (PLC) and Supervisory Control and Data Acquisition (SCADA) Programming for the Installation of Emergency Sudden Loss Valves at Various Locations Project  
*Resolution*
4. Approval of Professional Auditing Services Contract with Maze & Associates  
*Resolution*
5. Assignment of Cinema Place First Amended Ground Lease and Approval of Second Amendment of Lease between Hayward Cinema Place, LLC and Century Theatres, Inc.  
*Redevelopment Agency Resolution*  
*Resolutions (2)*



6. Route 238 Corridor Improvement Project: Approval of a Contract for Adaptive Traffic Management System Software  
*Resolution*
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***The following order of business applies to items considered as part of Public Hearings and Legislative Business:***

- *Disclosures*
  - *Staff Presentation*
  - *City Council Questions*
  - *Public Input*
  - *Council Discussion and Action*
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## **PUBLIC HEARING**

7. Master Fee Schedule/Fine and Bail Update - Continued from April 26, 2011 (***Report from Interim Finance Director Stark***)  
*Resolution*
8. Request to Change the General Plan Designation from Medium Density Residential to High Density Residential and to Change the Zoning from Medium Density Residential to Planned Development to Accommodate Twenty-two Affordable Senior Housing Rental Units Proposed at the Corner of B and Grand Streets - General Plan Amendment Application No. PL-2010-0368 and Zone Change Application No. PL-2010-0369 - Eden Housing (Applicant); Hayward Redevelopment Agency/City of Hayward (Owner) – Continued from April 19, 2011 (***Report from Planning Manager Patenaude***)  
*Resolution*  
*Introduction of Ordinance*

## **LEGISLATIVE BUSINESS**

9. Disposition and Development Agreement Between the City of Hayward and Eden Housing, Inc. ("Eden") for the "B" and Grand Senior Housing Project – Continued from April 19, 2011 (***Report from Assistant City Manager/Interim Redevelopment Director Morariu***)  
*Resolution*
10. Adoption of Interim Moratorium Ordinance Regarding Supermarkets of 20,000 Square Feet or More or Any Retail Store Containing at Least 20,000 Square Feet of Area Devoted to Sale of Grocery or Non-Taxable Items – Continued from April 26, 2011 (***Report from Development Services Director Rizk***)  
*Interim Urgency Ordinance*

## **COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS**

Oral reports from Council Members on their activities, referrals to staff, and suggestions for future agenda items

MAY 3, 2011



## ADJOURNMENT

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*PUBLIC COMMENT RULES: The Mayor may, at the beginning of the hearing, limit testimony to three (3) minutes per individual and five (5) minutes per an individual representing a group of citizens or organization. Speakers will be asked for their name and their address before speaking and are expected to honor the allotted time. A Speaker's Card must be completed by each speaker and is available from the City Clerk at the meeting.*

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*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.*

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*\*\*\*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, 4<sup>th</sup> Floor, Hayward, during normal business hours. An online version of this agenda and staff reports are available on the City's website. All Council Meetings are broadcast simultaneously on the website and on Cable Channel 15, KHRT. \*\*\**

## NEXT REGULAR MEETING – 7:00 PM, TUESDAY, MAY 17, 2011

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*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.*

