



CITY COUNCIL MEETING FOR MAY 22, 2012  
777 B STREET, HAYWARD CA 94541  
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**CLOSED SESSION**  
**Closed Session Room 2B – 6:00 PM**

**1. PUBLIC COMMENTS**

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, Finance Director Vesely, Police Chief Urban, and Assistant City Attorney Roufougar

Under Negotiation: Unrepresented Management Employees, Human Resources and City Attorney Employees; and Police Management

3. Adjourn to City Council Meeting

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**CITY COUNCIL MEETING**  
**Council Chambers - 7:00 PM**

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

**ROLL CALL**

**CLOSED SESSION ANNOUNCEMENT**

**PRESENTATION** Hayward Youth Commission Scholarship

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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. FY 2013 & FY 2014 Recommended Biennial Budget Work Session #2 - Department Budget Presentations: Finance; City Manager's Office; Human Resources; City Attorney's Office; City Clerk's Office; Technology Services; and Library and Community Services (***Report from Finance Director Vesely and Department Directors***)
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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/Redevelopment Successor Agency Meeting on May 8, 2012  
*Motion*
  3. New Sidewalks - Franklin Avenue, Harder Road, and Phillips Way: Approval of Plans and Specifications and Call for Bids  
*Resolution*
  4. Summary Vacation of Remnant Right-of-Way and Land Exchange with the State of California for a Portion of Fourth Street Alignment  
*Resolution*
  5. Approving a Fourth Amendment of the Commercial Aviation Site Lease between the City and Hayward FBO LLC, and Authorizing the City Manager to Execute Said Amendment  
*Resolution*
  6. Adoption of Resolutions Approving Agreements Authorizing Participation in the Voluntary Employees Beneficiary Association (VEBA) Program between the City of Hayward and the Hayward Fire Officers IAFF 1909 and the Hayward Fire Chiefs Association  
*Resolutions (2)*
  7. Filing Nuisance Abatement/Municipal Code Violations with the County Recorder's Office for Non-Abatable Code Violations  
*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

8. Appeal of the Planning Commission's Determination that a Proposed Walmart Market Grocery Store at a Building Formerly Occupied by Circuit City is not a Permitted Use Consistent with Conditional Use Permit No. PL-2004-0039 and the Proposed Grocery Store is not Consistent with the Previous Use in Terms of Potential for Generating Significant Environmental Impacts (**Report from Development Services Director Rizk**)  
*Resolution*

## COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS

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

## ADJOURNMENT

**NEXT MEETING – 7:00 PM, TUESDAY, MAY 29, 2012**

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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. 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. \*\*\*

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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.

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**Please visit us on:**



MAY 22, 2012

