



CITY COUNCIL MEETING FOR MARCH 18, 2014
777 B STREET, HAYWARD, CA 94541
WWW.HAYWARD-CA.GOV

REVISED CLOSED SESSION
Closed Session Room 2B – 4:30 PM

1. **PUBLIC COMMENTS**

2. Public Employment

Pursuant to Government Code 54957

➤ Performance Evaluation

City Clerk

3. Conference with Real Property Negotiators

Pursuant to Government Code 54956.8

➤ Under Negotiation: South Hayward BART Land Purchase and Requisition

Lead Negotiators: City Manager David, Assistant City Manager McAdoo, City Attorney Lawson, Assistant City Attorney Conneely, Project Consultant DeClercq, Development Services Director Rizk, Finance Director Vesely, and Heather Gould and Rafael Yaquian from Goldfarb Lipman

4. Conference with Legal Counsel

Pursuant to Government Code 54956.9

➤ Pending Litigation

- Net Connection Hayward, LLC v. City of Hayward, U.S. District Court, N.D. of CA No. C 13-1212 SC
- City of Hayward v. Chances Are, Alameda County Superior Court No. RG13681065
- City of Hayward v. Donald T. Henriques, et. al., Alameda County Superior Court Case No. HG14713837

5. Conference with Labor Negotiators

Pursuant to Government Code 54957.6

➤ Lead Negotiators: City Manager David; City Attorney Lawson; Assistant City Manager McAdoo; Finance Director Vesely; Deputy City Attorney Vashi; Director of Maintenance Services McGrath; Acting Human Resources Director Collins; Senior Human Resources Analyst Monnastes; Jack Hughes, Liebert, Cassidy and Whitmore

Under Negotiation: All Groups

6. Adjourn to Special Joint City Council/Hayward Housing Authority Meeting

SPECIAL JOINT CITY COUNCIL/HAYWARD HOUSING AUTHORITY MEETING
Council Chambers – 7:00 PM

CALL TO ORDER Pledge of Allegiance Mayor Sweeney

ROLL CALL

CLOSED SESSION ANNOUNCEMENT

PRESENTATION American Red Cross Month – March 2014

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.

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.)*

WORK SESSION

1. Hayward2040 General Plan Update Draft Environmental Impact Report (*Report from Development Services Director Rizk*)
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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 any time before the Consent Calendar is voted on by Council if you wish to speak on a Consent Item.)*

CONSENT

2. Approval of Minutes of the City Council Meeting on February 25, 2014
Motion

March 18, 2014



3. Resolution Appropriating Funds and Authorizing the City Manager to Execute Amendments to Agreements to Increase Funds by \$200,000 with Consultants for Outside Building Plan Check/Inspection Services and \$25,000 for Development Review Engineer Services in Planning for the Current Fiscal Year

Resolution

4. Russell City Energy Center – Resolution Commenting on RCEC’s Application to Bay Area Air Quality Management District for Variances in Air Quality Permit Conditions

Resolution

5. Authorization to Negotiate and Execute Professional Services Agreements with John DeClercq for Project Management Services Related to the South Hayward BART Transit Oriented Development Project and Appropriation of Funds to Cover Agreement Services

Resolutions(2)

Housing Authority Resolution

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*

LEGISLATIVE BUSINESS

6. Adopt Findings for Denial for Conditional Use Permit (Application No. PL-2012-0069) and Vesting Tentative Tract Map (Application No. PL-2013-0070) associated with 194 townhomes and 16,800 square feet of commercial space on an 11.33 acre site located at 22301 Foothill Boulevard. Integral Communities (Applicant); MDS Realty II & 22301 Foothill Hayward, LLC (Owners) (***Report from Development Services Director Rizk***)

Resolution

7. Approval of Financing Plan for Fire Station 7 and Firehouse Clinic Project (***Report from City Manager David***)

Motion

8. Direction on Potential Hayward BART Station Renaming (***Report from City Manager David***)

Motion



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 REGULAR MEETING – 7:00 PM, TUESDAY, MARCH 25, 2014

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 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 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. 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.

Please visit us on:



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