



CITY COUNCIL MEETING FOR JUNE 17, 2014
777 B STREET, HAYWARD, CA 94541
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CLOSED SESSION
Closed Session Room 2B – 5:00 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 McAdoo; Finance Director Vesely; Deputy City Attorney Vashi; Director of Maintenance Services McGrath; Acting Human Resources Director Collins; Senior Human Resources Analyst Monnastes; Community and Media Relations Officer Holland; Jack Hughes, Liebert, Cassidy and Whitmore
- Under Negotiation: All Groups

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. Adjourn to Special Joint City Council/Housing Authority Meeting

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

CALL TO ORDER Pledge of Allegiance Council Member Mendall

ROLL CALL

CLOSED SESSION ANNOUNCEMENT

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.)*

BOARDS AND COMMISSIONS

1. Appointments and Reappointments to the Hayward Youth Commission and Swearing-In Ceremony
(Report from City Clerk Lens)
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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 May 27, 2014
Motion
3. Resignation of Peggy Guernsey from the Community Services Commission
Resolution
4. Downtown Business Improvement Area Annual Report and Proposed Budget for FY 2014-2015 and Setting Public Hearing for July 1, 2014
Resolution
5. Adoption of a Resolution Approving Extensions and Modifications to Employment Agreements with the City Manager, City Attorney and City Clerk and Authorizing the Mayor to Execute Those Agreements on Behalf of the Council
Resolutions (3)

June 17, 2014



6. Adopt a Resolution of Intention to Preliminarily Approve the Engineer's Report and Assessments for Fiscal Year 2015, and set July 15, 2014, as the Public Hearing Date for Such Actions for Consolidated Landscaping and Lighting District No. 96-1, Zones 1 through 13
Resolution
7. Adopt a Resolution of Intention to Preliminarily Approve the Engineer's Report and Levy Assessments for Fiscal Year 2015 for Maintenance District No. 1 – Storm Drainage Pumping Station and Storm Drain Conduit Located at Pacheco Way, Stratford Road and Ruus Lane, and Set July 15, 2014, as the Public Hearing Date for Such Actions
Resolution
8. Adopt a Resolution of Intention to Preliminarily Approve the Engineer's Report and Levy Assessments for Fiscal Year 2015 for Maintenance District No. 2 – Eden Shores Storm Water Facilities and Water Buffer, and Set July 15, 2014, as the Public Hearing for Such Actions
Resolution
9. Pavement Rehabilitation Gas Tax FY15: Award of Contract
Resolution
10. Fire Station No. 7 and Firehouse Clinic Construction Project: Approval of Addenda and Award of Contract
Resolutions (2)

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*

PUBLIC HEARING

11. Public Hearing for the Proposed FY 2015 Annual Operating Budget for the City of Hayward, Hayward Redevelopment Successor Agency, and Hayward Housing Authority; and the FY 2015 Capital Improvement Program Budget (***Report from Finance Director Vesely***)
****** Report will be available no later than June 16, 2014 ******
12. Adopt Resolutions Relating to (1) the Assignment of JMJ Development, LLC's Rights and Obligations Under the South Hayward BART Owner Participation Agreement to AMCAL Equities, LLC; and (2) Modifications and Clarifications to the Conditions of Approval Related to the First Phase of the South Hayward BART Transit-Oriented Development; and (3) a \$1,000,000 Housing Authority Conditional Loan to Eden Housing, Inc., for the Affordable Housing Component of the South Hayward BART Transit-Oriented Development (***Continued from June 10, 2014***) (***Report from Assistant City Manager McAdoo***)
Resolution
Housing Authority Resolution

June 17, 2014



13. Adopt Resolutions and Introduce Ordinances Regarding Establishment of Zoning Regulations Related to the Retail Sales of Tobacco and Tobacco-Related Products, Including Electronic Cigarettes, as well as Proposed New Fees and Amendments to the City's Smoking Pollution Control Ordinance (Text Amendment Application No. PL-2013-0389); the City has Prepared a Negative Declaration, which Concludes That the Project Will Not Have a Significant Negative Impact on the Environment; Applicant: City of Hayward (**Report from Development Services Director Rizk**)
*** Continued to June 24, 2014 ***

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, JUNE 24, 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:



June 17, 2014

