



CITY COUNCIL MEETING FOR SEPTEMBER 16, 2014  
777 B STREET, HAYWARD, CA 94541  
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**CLOSED SESSION**  
**Closed Session Room 2B – 3:30 PM**

**1. PUBLIC COMMENTS**

2. Official City Council Photograph (Antechamber)

3. Conference with Legal Counsel

Pursuant to Government Code 54956.9

➤ Pending Litigation:

Huynh v. City of Hayward, et al., Alameda County Superior Court No. RG10510409

Russell City Energy Company, LLC v. City of Hayward, U.S. District Court, N.D. CA, No. CV-03102-JSW

Chrysler Group Realty Company, LLC v. City of Hayward, Alameda County Superior Court No. RG 14722275

4. 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; Director of Maintenance Services McGrath; Director of Public Works-Engineering and Transportation Morad Fakhrai, Director of Engineering and Transportation; Acting Human Resources Director Collins; Deputy City Attorney Vashi; Senior Human Resources Analyst Monnastes; Community and Media Relations Officer Holland; Jack Hughes, Liebert, Cassidy and Whitmore

Under Negotiation: All Groups

5. Conference with Real Property Negotiators

Pursuant to Government Code 54956.8

➤ Under Negotiation: 3792 Depot (APN 439-0070-006-00); 3760 Depot (APN 439-0070-005-02); 3774 Depot (APN 439-0070-005-01)

Lead Negotiators: City Manager David, Assistant City Manager McAdoo, City Attorney Lawson, and Public Works – Engineering and Transportation Director Fakhrai

6. Conference with Real Property Negotiators

Pursuant to Government Code 54956.8

➤ Under Negotiation: South Hayward BART Land Purchase and Acquisition

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

7. Conference with Property Negotiators  
Pursuant to Government Code 54956.8
  - Under Negotiation: 22632 Main Street (APN 428-0066-024-00); 22654 Main Street (APN 428-0066-039-00); 22696 Main Street (APN 428-0066-038-02); 1026 C Street (APN 428-0066-037-00); 1026 C Street (APN 428-0066-038-01)Property Negotiators: City Manager David, Assistant City Manager McAdoo, City Attorney Lawson, Assistant City Attorney Brick, Public Works-Engineering and Transportation Director Fakhrai, Finance Director Vesely, and Heather Gould and Rafael Yaquian of Goldfarb Lipman (Outside Legal Counsel)
8. Conference with Real Property Negotiators  
Pursuant to Government Code 54956.8
  - Under Negotiation: City Center Properties  
22292 Foothill Blvd, APN 415-0250-111-02 (former Centennial Hall site)  
22300 Foothill Blvd, APN 415-0250-112-00 (former City Hall site)  
22321 Foothill Blvd, APN 415-0250-113-00 (parking structure site)Lead Negotiators: City Manager David, Assistant City Manager McAdoo, City Attorney Lawson, Development Services Director Rizk, and Public Works – Engineering and Transportation Director Fakhrai
9. Adjourn to City Council meeting

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

**CALL TO ORDER Pledge of Allegiance** Mayor Halliday

**ROLL CALL**

**CLOSED SESSION ANNOUNCEMENT**

**PUBLIC COMMENTS**

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*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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**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.)*

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September 16, 2014



## **BOARDS, COMMISSIONS, COMMITTEES AND TASK FORCE**

1. Appointments and Reappointments to Council's Appointed Bodies and Swearing In (*Report from City Clerk Lens*)  
*Resolution*

## **CONSENT**

2. Approval of Minutes of the Special City Council Meeting on July 8, 2014  
*Motion*
3. Approval of Minutes of the City Council Meeting on July 15, 2014  
*Motion*
4. Approval of Minutes of the Special Joint City Council/Housing Authority Meeting on July 22, 2014  
*Motion*
5. Approval of Minutes of the Special City Council Meeting on July 29, 2014  
*Motion*
6. Resignation of Carolina Abatayo from the Keep Hayward Clean and Green Task Force  
*Resolution*
7. Median Landscape Improvement Project FY14 – Winton Avenue (Southland Drive to Southland Place): Award of Contract and Appropriation of Funds  
*Resolutions (2)*
8. West A Street Safety Improvement Project: Award of Contract and Appropriation of Funds  
*Resolutions (2)*
9. Resolution Authorizing the City Manager to Execute Agreements for Occupational Health Services  
*Resolution*
10. Amend FY 2015 Master Fee Schedule to Add Convenience Fee for Online and Telephone Payments  
*Resolution*
11. Authorizing the City Manager to Execute Agreements with the State Board of Equalization for Implementation of a Local Transactions and Use Tax  
*Resolution*
12. Consideration of Resolution in Support for the Extension and Augmentation of the Existing Transportation Sales Tax Ballot Measure (Measure B)  
*Resolution*
13. Approval of Contract with Godbe Research for Completion of the Biennial Resident Satisfaction Survey  
*Resolution*

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14. Resolution Authorizing the Issuance of Legislative Subpoenas Necessary to Calculate the Utility Users Tax Due Relating to the Russell City Energy Center  
*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**

15. Adoption of a Resolution to Approve a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and Vesting Tentative Tract Map Application (Tract 8151), and Introduction of an Ordinance to Approve a Zone Change from Single Family Residential/B4 Special Lot Standards Combining District (RS/B4) to Planned Development District (PD), associated with Thirteen Detached Single-Family Homes on a 1.45-Acre Parcel Located at 24582 and 24570 Eden Avenue and 24655 Mohr Drive; Che Chen and Shu Fen Liu (Applicant & Owner) (***Report from Development Services Director Rizk***)  
*Resolution*  
*Introduction of Ordinance*

## **LEGISLATIVE BUSINESS**

16. Adoption of the Community Development Block Grant (CDBG) Compliance Policy Manual; and Review of a Proposed Substantial Amendment to the FY 2015 CDBG Annual Action Plan (***Report from Director of Library and Community Services Reinhart***)  
*Resolutions (2)*
17. Approval of Temporary Appointment of Administrative Analyst III (***Report from Director of Public Works - Utilities and Environmental Services Ameri***)  
*Resolution*
18. Conditional Authorization of Issuance of Multi-Family Housing Revenue Bonds (South Hayward BART Family and Senior Affordable Apartments) 2014 Series A and Execution of Related Documents (***Report from Assistant City Manager McAdoo***)  
*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, SEPTEMBER 23, 2014**

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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 before speaking and are expected to honor the allotted time. Speaker Cards are 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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