



CITY OF  
**HAYWARD**  
HEART OF THE BAY  
**CITY COUNCIL MEETINGS**  
**MARCH 17, 2009**

<u>Meeting Place and Time</u>	<u>Agenda</u>	<u>Comment</u>	
<b>WORK SESSION</b> City Hall Room 2A 5:30 p.m.	1. Public Comments	<i>The Public Comments section provides an opportunity to address the City Council on items listed on the agenda, as well as other items of interest. 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.</i>	
	5:35 p.m.	2. Comprehensive Annual Financial Report and Communication of Internal Control Related Matters, and Communication with those Charged with Governance for the Year Ended June 30, 2008	Finance Director Auker
		3. Council Announcements, Referrals, Future Agenda Items	
		4. Adjourn to Closed Session	
<b>CLOSED SESSION</b> Room 2B 6:30 p.m.		Closed to the Public except during "public comment" at the beginning of the meeting.	
	1. Conference with Labor Negotiator	Pursuant to Government Code 54957.6 Negotiator: City Manager Employee Organizations: All Bargaining Units	
	2. Public Employment City Clerk	Pursuant to Government Code 54957	

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

**HAYWARD CITY COUNCIL/REDEVELOPMENT AGENCY  
SPECIAL JOINT MEETING  
8:00 p.m.**

**CALL TO ORDER** Pledge of Allegiance – Council Member Zermeño

**ROLL CALL**

**CLOSED SESSION ANNOUNCEMENT**

**PRESENTATIONS** Business Recognition Award  
Graffiti Hotline Reward

**PUBLIC COMMENT** *(The Public Comments section provides an opportunity to address the City Council on items not listed on the agenda. 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.)*

**CONSENT CALENDAR**

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|---|-----------------|
| 1. Approval of Minutes of the Special Joint City Council/Redevelopment Agency Meeting on March 3, 2009  | Motion          |
| 2. Sidewalk Rehabilitation and Wheelchair Ramps –Approval of Plans and Specifications and Call for Bids   | Resolutions (2) |
| 3. Authorization to Submit an Application for Funding of Projects from the 2009 American Recovery and Reinvestment Act and Authorization for the Public Works Director to Advertise and Award Projects Related to the 2009 American Recovery and Reinvestment Act | Resolutions (3) |

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***The following order of business applies to items considered as part of Public Hearings and Legislative Business:***

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

4. Zone Change Application No. PL-2008-0547 PD – Wittek Development LLC/Redevelopment Agency of the City of Hayward (Applicants), Big Sky Holdings and Bay Area Rapid Transit (Owners) - Request to Develop a Mixed-Use Project Consisting of 788 Multi-Family Residential Units and a Grocery Store, Including 206 Units of Affordable Housing and a 910-Space BART Parking Garage, requiring:
- 1) A Change of Zoning from Station Area Residential (SAR) District to Planned Development (PD) District;
  - 2) Approval of the Preliminary Development Plan subject to the attached Conditions of Approval;
  - 3) An Amendment to the South Hayward BART/Mission Boulevard Concept Design Plan to Address a Revised Circulation System, a Relocated Grocery Store Site and the BART Parking Structure;
  - 4) Conditional Commitment of up to \$19.8 Million From Redevelopment Agency Funds; and
  - 5) Authorization for the City Manager to Submit, on Behalf of the City and Redevelopment Agency, an Application to the State's Housing and Community Development Department to Seek up to \$30 Million in State Proposition 1C Grant Funds for the Project's Infrastructure Components.

The Project Site is Located at the South Hayward BART Station, between the Station and Mission Boulevard, at 28601 & 28850 Dixon Street and 28901 – 28953 Mission Boulevard; APNs 078C-0441-001-16,-17,-28,-29  
(Report from Director of Development Services Department Rizk)

## COUNCIL REPORTS

Oral reports from Council Members on their activities associated with the Agenda

## ADJOURNMENT

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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.\*\*\*

## NEXT REGULAR MEETING – 8:00 p.m., TUESDAY, MARCH 24, 2009

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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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