



CITY COUNCIL MEETINGS
MARCH 24, 2009
*****REVISED AGENDA*****
Closed Session Item 2

<u>Meeting Place and Time</u>	<u>Agenda</u>	<u>Comment</u>
WORK SESSION 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. Route 238 Bypass Land Use Study Draft Environmental Impact Report 3. Council Announcements, Referrals, Future Agenda Items 4. Adjourn to Closed Session	Director of Development Services Department Rizk

**CLOSED
SESSION**

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. ***Conference with Real Property Negotiators***
Pursuant to Government Code 54956.8
Negotiating Parties: Greg Jones, City Manager, Fran David, Assistant City Manager, Michael Lawson, City Attorney, and Randolph Hom, Assistant City Attorney
Under Negotiation: **To update Council on negotiations with the State of California, Department of Transportation, concerning preparation for disposition of approximately 400 parcels within the 238 Corridor.**
- 2.
3. Conference with Legal Counsel Existing Litigation
Pursuant to Government Code Sec. 54956.9(a):
 1. Dufresne v. City of Hayward, et al, Superior Court Case No. 02-067063;
 2. Joya v. City of Hayward, et al, United States District Court Case No. C 07-04739;
 3. Saleh v. City of Hayward, et al, United States District Case No. C 07-04718;
 4. Averiett, et al v. City of Hayward, Alameda County Superior Court Case No. HG 07356121;
 5. Ko v. City of Hayward, United States District Court Case No. C 05-01686;
 6. Rodriguez v. City of Hayward, Alameda County Superior Court Case No. HG 06303596

HAYWARD CITY COUNCIL, 777 B STREET, HAYWARD, CA 94541
<http://www.hayward-ca.gov>



HAYWARD CITY COUNCIL MEETING
8:00 p.m.

CALL TO ORDER Pledge of Allegiance – Council Member Quirk

ROLL CALL

CLOSED SESSION ANNOUNCEMENT

PRESENTATION Proclamation Welcoming Stonebrae Classic TPC Golf Tournament to Hayward

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

- | | |
|---|-----------------|
| 1. Approval of Minutes of the Special Joint City Council/Redevelopment Agency Meeting on March 3, 2009 | Motion |
| 2. Adoption of an Ordinance Amending the Zoning District Map of Chapter 10, Article 1 of the Hayward Municipal Code by Rezoning Certain Property Located within the South Hayward BART Station Concept Design Plan Area from Station Area Residential to Planned Development Pursuant to Zone Change Application No. 2008-0547 <i>(The addresses of the parcels are 28601 Dixon Street, 28850 Dixon Street, and 28901-28953 Mission Boulevard, Assessor Parcel Numbers 078C-0441-001-16, 078C-0441-001-17, 078C-0441-001-23, 078C-0441-001-24, 078C-0441-001-28, and 078C-0441-001-29.)</i> | Adopt Ordinance |
| 3. New Sidewalks Berry Avenue – Soto Road to Whitman Street: Approval of Plans and Specifications and Call for Bids | Resolution |
| 4. Measure B Pavement Rehabilitation FY 09: Award of Contract | Resolution |
| 5. Implementation of a 104 Hour Furlough: Authorizing the City Manager to Schedule Closure of Non-Essential City Operations During Fiscal Year 2010, as Necessary; and Implementing Other Cost Saving Measures Proposed by Employee Bargaining Units | Resolutions (4) |
| 6. Resolution Requesting State Funding for Fairway Park Tree Planting | Resolution |



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

7. Adoption of Hayward Environmentally Friendly Landscape Guidelines for Private Development Projects (*Report from Director of Development Services Department Rizk*) Resolution

COUNCIL REPORTS

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

ADJOURNMENT

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.******

NEXT REGULAR MEETING – 8:00 p.m., TUESDAY, APRIL 7, 2009

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.

An online version of this agenda and staff reports are available on the Internet at www.hayward-ca.gov

