



CITY COUNCIL MEETING FOR SEPTEMBER 14, 2010

CLOSED SESSION **Closed Session Room 2B – 5:00 PM**

1. **PUBLIC COMMENTS** *(Limited to items agendaized for Closed Session)*
 2. Conference with Legal Counsel – Existing Litigation
Pursuant to Government Code 54956.9 (a)
 - Existing Litigation: City of Hayward v. California State University, et al., Superior Court Case No. RG09480852
 3. Conference with Legal Counsel – Existing Litigation
Pursuant to Government Code 54956.9 (a)
 - Existing Litigation: Joya/Ali v. City of Hayward, U.S.D.C., Case Nos. C07-04718 (CRB) and C07-04739 (CRB)
 4. Conference with Legal Counsel – Anticipated Litigation
Pursuant to Government Code 54956.9
 - Anticipated Litigation (One Case)
 5. Conference with Real Property Negotiators
Pursuant to Government Code 54956.8
Lead Negotiators: Fran David, City Manager and John DeClerq, Project Manager
Under Negotiation: To update Council on negotiations with BART, Wittek Development, LLC, Big Sky Holdings and Eden Housing, Inc., concerning outstanding issues with the South Hayward BART Transit-Oriented Development Project
 6. Adjournment to Special Meeting
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SPECIAL JOINT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING **Council Chambers - 7:00 PM**

CALL TO ORDER Pledge of Allegiance Council Member Zermeño

ROLL CALL

CLOSED SESSION ANNOUNCEMENT

PRESENTATION Business Recognition Award

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

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, or Boards and Commissions 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.)*

BOARDS, COMMISSIONS, COMMITTEES AND TASK FORCE

1. Appointments and Reappointments to Various Boards, Commissions, Committees and Task Force and Administration of Oath of Affirmation
Resolution

WORK SESSION

2. South Hayward BART Transit-Oriented Development Mixed-Use Project – Access Study (**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 anytime before the Consent Calendar is voted on by Council if you wish to speak on a Consent Item.)*

CONSENT

3. Approval of Minutes of the Special City Council/Redevelopment Agency Meeting on June 29, 2010
Motion
4. Approval of Minutes of the Special City Council/Redevelopment Agency Meeting on July 20, 2010
Motion
5. Approval of Minutes of the Special City Council Meeting on July 27, 2010
Motion
6. Resignation of Meg Shaw from the Downtown Business Improvement Area Advisory Board and Dulce Andrade from the Hayward Youth Commission
Resolution
7. Local Streets and Roads Arterial Pavement Rehabilitation Federal Funding- Resolution of Local Support
Resolution



8. Resolution of Support for the Cooperative Study of the Impact of Sea Level Rise on the Infrastructure of the Hayward/San Leandro Shoreline
Resolution
 9. Sidewalk Repair - B Street from Grand Street to Martin Luther King Drive: Approval of Addendum and Award of Contract Project
Resolution
 10. Centennial Hall Building Deconstruction: Approval of Plans and Specifications and Call for Bids
Resolution
 11. Resolution in Support of Property Assessed Clean Energy (PACE) Program Financing
Resolution
 12. Utility Service Agreement (USA 10-01) – Hallmark Community Services (Owner) – Authorize the City Manager to Execute a Utility Service Agreement and a Public Street Improvements Agreement Related to a Request for Sewer Service at 27971 Fairview Avenue in the Fairview Area of Unincorporated Alameda County
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

13. Inclusionary Housing Interim Relief Ordinance (***Report from Redevelopment Director Bartlett***)
Resolution
Introduction Ordinance

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



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 and their address before speaking and are expected to honor the allotted time. A Speaker's Card must be completed by each speaker and is 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. All Council Meetings are broadcast simultaneously on the website and on Cable Channel 15, KHRT. ****

NEXT REGULAR MEETING – 7:00 PM, TUESDAY, SEPTEMBER 21, 2010

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.

