



CITY COUNCIL MEETING FOR NOVEMBER 16, 2010

CLOSED SESSION **Closed Session Room 2B – 6:30 PM**

1. **PUBLIC COMMENTS** *(Limited to items agendized for Closed Session)*
 2. Conference with Legal Counsel – Pending Litigation
Pursuant to Government Code 54956.9
 - William Shirley v. City of Hayward, WCAB No. SFO 0448905
 3. Adjournment to Regular Meeting
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CITY COUNCIL MEETING **Council Chambers - 7:00 PM**

CALL TO ORDER Pledge of Allegiance Council Member Zermeño

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.)*

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.)*

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

NOVEMBER 16, 2010

CONSENT

1. Seismic Retrofit of D Street Reservoir Project: Approval of Plans and Specifications and Call for Bids
Resolution
2. Installation of Sudden Loss Valves at Various Locations Project: Approval of Plans and Specifications and Call for Bids
Resolution
3. Authorize the City Manager to Negotiate and Execute Agreements with Plan Check Consultants
Resolution
4. Authorize the City Manager to Negotiate and Execute a Contract Extension with Quantum Energy Services & Technologies, Inc., to Provide Sustainability Coordinator Services for Calendar Years 2011 and 2012
Resolution
5. An Ordinance Establishing a Fire Prevention Code for the City of Hayward; Adopting the California Fire Code, 2010 Edition, Prescribing Regulations Governing Conditions Hazardous to Life and Property from Fire or Explosion; Providing for the Issuance of Permits and Collection of Fees; Providing for Penalties for Violation, and Repealing Ordinance No. 07-19, as Amended, and All Other Ordinances and Parts of Ordinances in Conflict Therewith
Adoption of Ordinance
6. An Ordinance Establishing a Building Code for the City of Hayward; Regulating the Construction, Alteration, Repair, and Maintenance of Structures; Providing for the Issuance of Permits and Collection of Fees; and Repealing Ordinance No. 07-17, and All Amendments Thereto
Adoption of Ordinance
7. An Ordinance Establishing a Mechanical Code for the City of Hayward, Regulating the Alteration, Construction, Installation and Repair of Ventilating, Refrigeration, and Heat Producing Equipment (Mechanical Equipment); Providing for the Issuance of Permits and Collections of Fees and Prescribing Penalties for Violation of Said Mechanical Code; and Repealing Ordinance No. 07-20 and All Amendments Thereto
Adoption of Ordinance
8. An Ordinance to be Known and Designated As The Electrical Code of the City of Hayward, Regulating the Installation, Alteration, Repair, and Maintenance of Electrical Wiring, Electrical Fixtures, and Other Electrical Appliances and Equipment; Providing for the Issuance of Permits and Collection of Fees; and Repealing Ordinance No. 07-21 and All Amendments Thereto
Adoption of Ordinance



9. An Ordinance Repealing Ordinance No. 07-22 and All Amendments Thereto, and Establishing a Plumbing Code for the City of Hayward, Regulating the Construction, Alteration, Repair, and Maintenance of Plumbing; Providing for the Issuance of Permits and Collection of Fees
Adoption of Ordinance
 10. An Ordinance Amending Section 10-22.140(d) Commercial Covered Projects Section of Ordinance 09-15 Green Building Requirements for Private Development
Adoption of Ordinance
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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

11. Zone Change Application No. PL-2010-0120 - Anderson Pugash for Simeon Commercial Properties (Applicant) / Sim First LLC (Owner) - A Request to Modify a Planned Development District to Allow a Neighborhood-Serving Retail Center including a Drive-Thru Coffee Shop and Neighborhood Serving Retail Uses on a 1.5-Acre Parcel at the Mt. Eden Business Park (***Report from Director of Development Services Rizk***)
Resolution
Introduction of Ordinance
12. Tax Equity and Fiscal Responsibility Act (TEFRA) Hearing for Financing of Airport Development Improvement by Airport Property Partners, LLC (***Report from Director of Public Works Bauman***)
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

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. ****

***** NOVEMBER 23, 2010 MEETING CANCELED *****

NEXT SPECIAL MEETING – 7:00 PM, TUESDAY, NOVEMBER 30, 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.

