



CITY COUNCIL MEETING FOR JULY 30, 2013
777 B STREET, HAYWARD, CA 94541
WWW.HAYWARD-CA.GOV

CLOSED SESSION
Closed Session Room 2B – 4:00 PM

1. PUBLIC COMMENTS

2. Conference with Property Negotiators

Pursuant to Government Code 54956.8

➤ Property Transaction

Under Negotiation: 22738 Mission Boulevard (APNS 428-0066-045-00 and 428-0066-049-00)

Property Negotiators: City Manager David, Assistant City Manager McAdoo, City Attorney Lawson, Assistant City Attorney Conneely, Director of Development Services Rizk, Director of Human Resources Robustelli, Legal Intern Kimberly Joy

3. Conference with Real Property Negotiators

Pursuant to Government Code 54956.8

➤ Property Transaction

Under Negotiation: 1525 West Winton Avenue, APN 432-0124-002-00

Property Negotiators: City Manager David, Public Works – Engineering & Transportation Director Fakhrai, City Attorney Lawson, Airport Manager McNeeley, Assistant City Attorney Brick

4. Conference with Labor Negotiators

Pursuant to Government Code 54957.6

➤ Lead Negotiators: City Manager David, City Attorney Lawson, Assistant City Manager McAdoo, Human Resources Director Robustelli, Finance Director Vesely, Deputy City Attorney Vashi, Maintenance Services Director McGrath, Public Works- Engineering and Transportations Director Fakhrai, Human Resources Analyst II Collins, Human Resources Analyst Monnastes

Under Negotiation: All Groups

5. Conference with Legal Counsel

Pursuant to Government Code 54956.9

➤ Pending Litigation

Net Connection Hayward, LLC v. City of Hayward, U.S.D.C. No. C 13-1212 SC

IBiz, LLC v. City of Hayward, U.S.D.C. No. C13-1537 SC

City of Hayward v. Chances Are, LLC, et al., Alameda County Superior Court, Case No. RG13681065

Chances Are, LLC v. City of Hayward, U.S.D.C., Case No. CV 13-2383 SC

6. Adjourn to Special Joint City Council/Housing Authority Meeting

SPECIAL JOINT CITY COUNCIL/HOUSING AUTHORITY MEETING
Council Chambers – 7:00 PM

CALL TO ORDER Pledge of Allegiance Council Member Mendall

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.

NON-ACTION ITEMS: *(Work Session and Informational Staff Presentation items are non-action items. Although the Council may discuss or direct staff to follow up on these items, no formal action will be taken. Any formal action will be placed on the agenda at a subsequent meeting in the action sections of the agenda.)*

JOINT CITY COUNCIL/PLANNING COMMISSION WORK SESSION

1. General Plan Update - Presentation of Draft Goals and Policies for three General Plan Elements: Natural Resources, Community Health and Quality of Life, and Land Use and Community Character
(Report from Development Services Director Rizk)

REGULAR WORK SESSION

2. Presentation and Discussion of High-Speed Hayward Fiber Optic Network (“High-Speed Hayward”)
(Report from Technology Services Director Guenther)
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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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CONSENT

3. Approval of Minutes of the Special City Council Meeting on July 9, 2013

Motion

4. Approval of Minutes of the City Council Meeting on July 16, 2013

Motion

5. Authorization to Negotiate and Execute a Professional Services Agreement with David Paul Rosen and Associates, and Appropriation of Housing Authority Funds to Prepare an Inclusionary Housing Ordinance and Affordable Housing In-Lieu Fee Review and Study

Resolution

Housing Authority Resolution

6. Adoption of Resolution Approving the City of Hayward Salary Plan for Fiscal Year 2014

Resolution

7. Authorization for the City Manager to Amend a Professional Services Agreement for the Fire Station No. 7 Project

Resolution

8. Adoption of Resolutions Approving Designation of the Alameda County Source Reduction and Recycling Board as Local Task Force for the Purpose of Reviewing and Commenting on County Integrated Waste Management Plan Amendments, and Authorizing an Amendment to Alameda County Waste Management Authority Joint Powers Agreement

Resolutions (2)

9. Authorize the City Manager to Execute Agreements with Consultants for Outside Plan Check and Inspection Services

Resolution

10. Park In-Lieu Fee Appropriation to the Hayward Area Recreation and Park District for the Skywest Golf Course Cart Path Improvement and the Sorendale Kitchen Renovation Projects

Resolution

11. Extension of Contract with Chabot College for Continuation of Public Television Broadcast and Services

Resolution

12. South Hayward BART Transit Oriented Development: Approval of Second Amendment to Owner Participation Agreement – Extension of Construction Timelines

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. Adoption of Resolutions of Necessity to Initiate Eminent Domain Proceedings to Acquire a Portion of Real Property for the I-880/SR-92 Reliever Route - Phase 1 Project – APN 432-0060-105-03, owned by OQ Enterprises, Inc.; APN’s 439-0099-051 and 052, owned by Joe Van Dera, Trustee of the Joe Van Dera Living Trust and Denis James Van Dera, Trustee of the Denis James Van Dera Living Trust; APN 439-0070-002-01, owned by Depot Road LLC; APN’s 439-0070-003 and 004, owned by Ruben Paul Dorris, Dorris Auto Wreckers, and Paul R. Dorris; APN 439-0070-005-01, owned by Baryalai Feroz and Masood Feroz; APN 439-0070-005-02, owned by Ghulam and Najeeba N. Rabani and Asad Shir and Zakia Niru; and APN 439-0070-006-00, owned by Jasbir and Tajender Nagra and Jagdev and Sarbjinderpal Nagra (***Report from Director of Public Works – Engineering and Transportation Fakhrai***)
Resolutions (7)

LEGISLATIVE BUSINESS

14. Site Plan Review Application No. PL-2013-0123 and Memorandum of Understanding Associated with a Proposed 9/11 Memorial Along the East Side of Mission Boulevard, North of D Street; the Project is Categorically Exempt from Environmental Review in Accordance with the California Environmental Quality Act (CEQA) Guidelines, Section 15303 (New Construction of Conversion of Small Structures); Applicant: Michael L. Emerson (Hayward 9/11 Memorial); Property Owner: City of Hayward (***Report from Development Services Director Rizk and City Attorney Lawson***)
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

CITY COUNCIL WILL RECESS FOR THE MONTH OF AUGUST

NEXT MEETING, TUESDAY, SEPTEMBER 17, 2013

July 30, 2013



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.*

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. 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. ****

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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