



CITY COUNCIL MEETING FOR DECEMBER 17, 2013
777 B STREET, HAYWARD, CA 94541
WWW.HAYWARD-CA.GOV

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

1. PUBLIC COMMENTS

2. Public Employment

Pursuant to Government Code 54957

➤ Performance Evaluation

City Manager

3. Conference with Legal Counsel

Pursuant to Government Code 54956.9

➤ Anticipated Litigation (One Case)

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; Director of Maintenance Services McGrath; Senior Human Resources Analyst Collins; Senior Human Resources Analyst Monnastes; Jack Hughes, Liebert, Cassidy and Whitmore

Under Negotiation: All Groups

5. Adjourn to City Council Meeting

CITY COUNCIL MEETING
Council Chambers – 7:00 PM

CALL TO ORDER Pledge of Allegiance Council Member Salinas

ROLL CALL

CLOSED SESSION ANNOUNCEMENT

PRESENTATIONS

Presentation by Congressman Swalwell

Commendation Recognizing the Outstanding Scholastic Achievements of Reynaldo Muro Hernandez,
3rd Grader at Southgate Elementary

Commendation Recognizing the Outstanding Scholastic Achievements of Anna Fomitchev,
4th Grader at Stonebrae Elementary School

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.)*

WORK SESSION

1. Establishment of Zoning Regulations Related to the Retail Sales of Tobacco and Tobacco-Related Products, Including Electronic Cigarettes, Within the City of Hayward (**Report from Director of Development Services Rizk**)
 2. Financing Mechanisms for the City's Critical Facility Needs and Update on Polling Results (**Report from Assistant City Manager McAdoo and Finance Director Vesely**)
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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.)*

CONSENT

3. Approval of Minutes of the City Council Meeting on December 3, 2013
Motion

December 17, 2013



4. Adoption of an Ordinance Adding Article 16 to Chapter 4 of the Hayward Municipal Code Regarding Prohibition of Simulated Gambling Devices
Adoption of Ordinance
5. Adoption of an Ordinance Amending Hayward Municipal Code Section 10-1.3500, Zoning Ordinance Definitions, Relating to Simulated Gambling Devices
Adoption of Ordinance
6. Adoption of an Ordinance Amending Chapter 11, Article 3, Appendix “A” of the Hayward Municipal Code by Adopting the Revised Wastewater Discharge Regulations
Adoption of Ordinance
7. Adoption of an Ordinance Establishing a Fire Prevention Code for the City of Hayward; Adopting the California Fire Code, 2013 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. 10-14, As Amended, and All Other Ordinances and Parts of Ordinances in Conflict Therewith
Adoption of Ordinance
8. Adoption of 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; Repealing Ordinance No. 10-17, and All Amendments Thereto; and Repealing Article 22 of Chapter 10 of Hayward Municipal Code (Green Building Requirements for Private Development)
Adoption of Ordinance
9. Adoption of 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 Collection of Fees and Prescribing Penalties for Violation of Said Mechanical Code; and Repealing Ordinance No. 10-20 and All Amendments Thereto
Adoption of Ordinance
10. Adoption of 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. 10-21 and All Amendments Thereto
Adoption of Ordinance
11. Adoption of an Ordinance Repealing Ordinance No. 10-22 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
12. Adoption of an Ordinance Amending Chapter 11, Article 2 of the Hayward Municipal Code Relating to Metered Service Charges Outside City
Adoption of Ordinance

December 17, 2013



13. Approval of Final Tract Map 8086 – Camden Place Development by Standard Pacific Homes (Applicant/Owner); the Project is Located on Multiple Parcels Totaling 10.9 Acres Generally Located Between Eden Avenue and Saklan Road, North of Middle Lane in the Mt. Eden Area
Resolution
14. Approval of Final Tract Map 7991 – Apricot Lane Development (Residual Burbank School Site) by the Successor Agency (Owner)/ Urban Dynamic, LLC (Applicant/Developer) - The Project Site is Located at the Southwest Corner of B Street and Myrtle Street, East of Burbank Elementary School
Resolution
15. Approval of Final Map Tract 7893 – Regency Square Development by KB Home South Bay Inc. (Applicant/Owner) - The Project Site is Located Generally at the Intersection of Orchard Avenue and Traynor Street, Westerly of Soto Road
Resolution
16. Authorization for the City Manager to Negotiate and Execute an Agreement with Noll & Tam Architects and Planners for Professional Design Services for the Hayward 21st Century Library & Community Learning Center
Resolutions (2)
17. Authorization for the City Manager to Negotiate and Execute an Agreement with Ross Drulis Cusenbery Architecture for Professional Services for the Facilities Needs Assessment Study and Master Planning for the Police Administration Building, and Fire Stations 1-6 and 9
Resolution
18. Adoption of Resolution Extending the Inclusionary Interim Relief Ordinance for a Six-Month Period
Resolution
19. Resolution Appointing Council Member Halliday to the Alameda County Mosquito Abatement District Board of Trustees
Resolution
20. Final Map Tract 7736, Application No. PL-2006-0069, Stonebrae Country Club Village B – Stonebrae L.P. (Subdivider) – Request to Amend Condition of Approval No. 171 Related to Construction of the Second Water Storage Reservoir in the Highland 1530 Zone, and Authorization for the City Manager to Negotiate and Execute an Agreement for Reimbursement of Costs
Resolution
21. Authorization to Amend a Professional Services Agreement with Townsend Public Affairs, Inc. to Extend the Term of the Agreement Through the End of FY2014 for Assistance in Securing State and Federal Funding and Legislative Advocacy Services
Resolution



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

22. Adoption of a Resolution of Intention to Approve an Amendment to the City of Hayward Contract with the California Public Employees Retirement System (CalPERS) (***Report from Human Resources Director Robustelli***)
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

**DECEMBER 24, DECEMBER 31, 2013 and JANUARY 7, 2014
MEETINGS CANCELED DUE TO BUSINESS/HOLIDAY CLOSURE**

NEXT SPECIAL MEETING – 7:00 PM, TUESDAY, JANUARY 14, 2014

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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