



SPECIAL CITY COUNCIL MEETING FOR OCTOBER 14, 2014
777 B STREET, HAYWARD, CA 94541
WWW.HAYWARD-CA.GOV

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

1. PUBLIC COMMENTS

2. Conference with Legal Counsel
Pursuant to Government Code 54956.9
 - Pending Litigation
 - Hackney v. City of Hayward, U.S. District Court, N.D. CA, No. C-14-1714
 - Russell City Energy Company, LLC v. City of Hayward, U.S. District Court, N.D. CA, No. C-14-3102
 - Sipple v. City of Alameda, et al., Los Angeles County Superior Court, No. BC462270
 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; Finance Director Vesely; Director of Maintenance Services McGrath; Director of Public Works-Engineering and Transportation Fakhrai; Acting Human Resources Director Collins; Deputy City Attorney Vashi; Senior Human Resources Analyst Monnastes; Community and Media Relations Officer Holland; Jack Hughes, Liebert, Cassidy and Whitmore
 - Under Negotiation: All Groups
 5. Conference with Real Property Negotiators
Pursuant to Government Code 54956.8
 - Under Negotiation: South Hayward BART Land Purchase and Acquisition
 - Lead Negotiators: City Manager David, Assistant City Manager McAdoo, City Attorney Lawson, Project Consultant DeClercq, Development Services Director Rizk, Finance Director Vesely, and Heather Gould and Rafael Yaquian from Goldfarb Lipman (Outside Legal Counsel)
 6. Conference with Property Negotiators
Pursuant to Government Code 54956.8
 - Under Negotiation: 22632 Main Street (APN 428-0066-024-00); 22654 Main Street (APN 428-0066-039-00); 22696 Main Street (APN 428-0066-038-02); 1026 C Street (APN 428-0066-037-00); 1026 C Street (APN 428-0066-038-01)
 - Property Negotiators: City Manager David, Assistant City Manager McAdoo, City Attorney Lawson, Assistant City Attorney Brick, Finance Director Vesely, Economic Development Manager Hinkle and Heather Gould and Rafael Yaquian of Goldfarb Lipman (Outside Legal Counsel)
 7. Adjourn to Special City Council meeting
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SPECIAL CITY COUNCIL MEETING
Council Chambers – 7:00 PM

CALL TO ORDER Pledge of Allegiance Council Member Márquez

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.)*

WORK SESSION (60-Minute Limit)

1. Update on Status of Exclusive Negotiations with Waste Management of Alameda County for New Garbage and Recycling Services (***Report from Utilities and Environmental Services Director Ameri***)
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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

2. Approval of Minutes of the City Council Meeting on September 16, 2014
Motion
3. Approval of Minutes of the Special Joint City Council/Redevelopment Successor Agency Meeting on September 23, 2014
Motion

October 14, 2014



4. Adoption of Ordinance Amending Sections 4-7.09, 4-7.11 and 4-7.13 of Article 7 of Chapter 4 of the Hayward Municipal Code Relating to Alarms
Adoption of Ordinance
 5. Approval of a Letter Agreement with BART to Reimburse the City for all Expenses Related to the Extension and Relocation of Water and Sewer Facilities at the BART Hayward Maintenance Complex (HMC) Project
Resolution
 6. Recycled Water Project: Authorization for City Manager to Submit an Application for State Water Resources Control Board Revolving Fund Loan
Resolution
 7. Consideration of Resolution in Support of Measure L: Hayward Unified School District Prop 39 School Bond Measure
Resolution
 8. Consideration of Resolution in Opposition to Proposition 47: The Safe Neighborhoods and Schools Act
(Continued to October 21, 2014)
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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

9. 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 Acting Human Resources Director Collins***)
Resolution
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Information items are presented as general information for Council and the public, and are not presented for discussion. Should Council wish to discuss or take action on any of the “information” items, they will direct the City Manager to bring them back at the next Council agenda as an Action Item.

INFORMATION ITEMS

10. Public Works Contracts – Administrative Change Order (***Report from Public Works-Engineering and Transportation***)

October 14, 2014



CITY MANAGER'S COMMENTS

An oral report from the City Manager on upcoming activities, events, or other items of general interest to Council and the Public.

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

NEXT MEETING – 7:00 PM, TUESDAY, October 21, 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.

Please visit us on:



October 14, 2014

