



CITY COUNCIL MEETING FOR FEBRUARY 3, 2015  
777 B STREET, HAYWARD, CA 94541  
[WWW.HAYWARD-CA.GOV](http://WWW.HAYWARD-CA.GOV)

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

**1. PUBLIC COMMENTS**

2. Public Employment

Pursuant to Government Code 54957

➤ Performance Evaluation

City Attorney

3. Conference with Real Property Negotiators

Pursuant to Government Code 54956.8

➤ Under Negotiation: State Owned Parcels along Route 238 Bypass Alignment

Lead Negotiators: City Manager David; City Attorney Lawson; Assistant City Manager McAdoo;

Public Works – Engineering & Transportation Director Fakhrai; Development Services Director

Rizk; and Assistant City Attorney Brick

4. Conference with Legal Counsel

Pursuant to Government Code 54956.9

➤ Pending Litigation

• City of Hayward v. Nagra, et al., Alameda County Superior Court No. RG13696610

• City of Hayward v. Feroz, etc., Alameda County Superior Court No. HG13692333

5. 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; Public Works-Engineering & Transportation Director Fakhrai; Human Resources Director Collins; Senior Human Resources Analyst Lopez; Assistant City Attorney Vashi; Community and Media Relations Officer Holland; Jack Hughes, Liebert, Cassidy and Whitmore

Under Negotiation: All Groups

6. Adjourn to City Council meeting

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**CITY COUNCIL MEETING**  
**Council Chambers – 7:00 PM**

**CALL TO ORDER Pledge of Allegiance** Council Member Jones

**ROLL CALL**

## CLOSED SESSION ANNOUNCEMENT

### PUBLIC COMMENTS

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*The Public Comment section provides an opportunity to address the City Council on items not listed on the agenda or Work Session or Information 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.*

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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

1. Approval of Minutes of the City Council Meeting on January 20, 2015  
*Motion*
2. Adoption of Ordinance Amending Chapter 10, Article 1 of the Hayward Municipal Code by Rezoning Certain Property in Connection with Zone Change Application No. PL-2013-0290 Relating to a Residential Development at 123-197 A Street  
*Adoption of Ordinance*
3. New Sidewalks FY15 - Laurel Avenue: Approval of Plans and Specifications and Call for Bids, and Authorization for the City Manager to Execute a Joint Agreement with the County of Alameda  
*Resolution*
4. Resolution Appropriating Funds and Authorizing the City Manager to Execute an Agreement for up to \$85,000 with Francisco & Associates to Provide Engineering and Administration Services Related to FY2016 Assessments for the City's Consolidated Landscape and Lighting District and Two Maintenance Districts, and Work Related to a Proposition 218 Election to Increase Assessments for Maintenance District 1  
*Resolution*
5. Resolution Establishing the City Contribution for Active and Retiree Medical Premiums Set by the California Public Employee Retirement System (CalPERS) for Calendar Year 2015 Pursuant to California Government Code Section 22892 of the Public Employees Medical and Hospital Care Act  
*Resolution*

February 3, 2015



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**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.)*

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**WORK SESSION (60-Minute Limit)**

6. Community Facilities District (CFD) Formation *(Report from Finance Director Vesely)*

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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**

7. Legacy Eden Shores Development Agreement - Request to Amend the Development Agreement by Extending its Term for Five Years. The Project is Generally Located West of Hesperian Boulevard and East of Marina Drive, Between Industrial Boulevard and Eden Park Place. Steve Dunn of Legacy Partners (Applicant), Eden Shores Associates I, LLC (Owner) *(Report from Development Services Director Rizk)*

*Resolution*

*Introduction of Ordinance*

**LEGISLATIVE BUSINESS**

8. Introduction of an Ordinance to Amend the Hayward Plumbing Code to Allow Plastic Pipe as Allowed by the 2013 California Plumbing Code *(Report from Development Services Director Rizk)*  
*(Item continued from 1/20/15)*

*Introduction of Ordinance*

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*Information items are presented as general information for Council and the public. Should Council wish to take action on any of the “information” items, they will direct the City Manager to bring them back on a future Council agenda as an Action Item.*

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**INFORMATION ITEMS**

None

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## 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 SPECIAL MEETING – 7:00 PM, Tuesday, February 10, 2015

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**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.*

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**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.*

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**\*\*\*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, 4<sup>th</sup> 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. \*\*\***

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*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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**Please visit us on:**



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