



**MINUTES OF THE CITY COUNCIL MEETING**  
**Council Chambers**  
**777 B Street, Hayward, CA 94541**  
**Tuesday, July 16, 2019, 7:00 p.m.**

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The meeting of the City Council was called to order by Mayor Halliday at 7:00 p.m., followed by the Pledge of Allegiance led by Council Member Márquez.

**ROLL CALL**

Present: COUNCIL MEMBERS Márquez, Mendall, Lamnin, Wahab, Salinas  
MAYOR Halliday  
Absent: COUNCIL MEMBER Zermeño

**CLOSED SESSION ANNOUNCEMENT**

The City Council convened in closed session at 6:00 p.m., regarding two items: 1) conference with real property negotiators pursuant to Government Code 54956.8 regarding Caltrans Parcel Group 6: Carlos Bee Boulevard and Overlook Avenue, APN: 455-0180-001-00; and 2) conference with legal counsel pursuant to Government Code 54956.9(d)(2) regarding one anticipated case. City Attorney Lawson reported there was no reportable action.

**PRESENTATIONS**

Assembly Member Bill Quirk read a resolution memorializing Former City of Hayward Mayor Roberta “Bertie” Grace Cooper and acknowledged the many contributions to the City of Hayward during her tenure as an elected official from 1994 to 2006. Bertie Cooper served as a council member for the Hayward City Council for six years before serving three-terms as mayor. Bertie Cooper’s son, Mr. Jay Cooper and her grandchildren, Joseph and Shanna, accepted the resolution on behalf of the Cooper family.

Mayor Halliday announced the library redesign contest presentation. The contest had the goal to design the new library card; the contest was divided into four age categories, 6 years of age and under, 7 to 12, 13 to 17, and 18 and over; and five designs were selected by age group with two designs from the 17 and over category. Mayor Halliday, President of the Friends of the Library, Judy Harrison, and Library Director Addleman presented awards and gifts to the five winners.

City Manager McAdoo stated that Public Hearing Item 15 was a hearing regarding removal and substitution of the Electrical Subcontractor, Collins Electrical Company, Inc., from the library project. City Manager McAdoo noted there was significant progress made to obtain a certificate of occupancy but there were several pending items and requested that the hearing be continued until the next Council meeting scheduled for July 23, 2019 at 3:00 p.m.

## **PUBLIC COMMENTS**

Mr. Jim Drake, Hayward resident, spoke about the Conditions of Approval for Taqueria El Mezcal and removal of Eucalyptus trees.

Ms. Debra Collins and Mr. Orlando Samosa, Sun Gallery Board Members, announced the art exhibit “Planet Hayward: The Heart of the Bay” which will be displayed from August 16, 2019 through October 5, 2019.

Mr. Kim Huggett, Hayward Chamber of Commerce President, spoke about the State of the City event at the new library, small business workshops at City Hall, and the third Downtown Hayward Street Parties on July 18, 2019.

Mr. Charlie Peters, Clean Air Performance Professionals representative, shared information about various environmental matters and provided related articles.

Ms. Wynn Grcich, Hayward resident, shared information about prostate and breast cancers, chlorine pesticides and liquified dead bodies, and provided related articles.

Mr. Kevin E. Gini submitted a speaker card but did not speak because Public Hearing Item 15 was continued to July 23, 2019.

Consent Item 4 and Consent Item 7 were removed from the Consent Calendar for separate vote.

## **CONSENT**

### **1. Minutes of the City Council Meeting on July 2, 2019 MIN 19-096**

It was moved by Council Member Márquez, seconded by Council Member Mendall, and carried with Council Member Zermeño absent, to approve the minutes of the City Council Meeting on July 1, 2019.

### **2. Minutes of the Special City Council Meeting on April 30, 2019 MIN 19-099**

It was moved by Council Member Márquez, seconded by Council Member Mendall, and carried with Council Member Zermeño absent, to approve the minutes of the City Council Meeting on April 30, 2019.

### **3. Adopt a Resolution Approving the Green Infrastructure Plan CONS 19-546**

Staff report submitted by Public Works Director Ameri, dated July 16, 2019, was filed.

It was moved by Council Member Márquez, seconded by Council Member Mendall, and carried with Council Member Zermeño absent, to approve the following:

Resolution 19-165, “Resolution Adopting the Green Infrastructure Plan”



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4. Adopt a Resolution Approving an Amendment to the Fiscal Year 2020 Operating Budget for the Development Services Department for Contracted Security Services at the Property Located at Maple Avenue and Main Street **CONS 19-479**

Staff report submitted by Development Services Director Simpson, dated July 16, 2019, was filed.

In response to Council Member Wahab's inquiry regarding language to ensure security of the site, City Manager McAdoo noted staff could investigate adding a requirement for the maintenance and security of buildings that remain onsite.

Council Member Mendall asked staff to include the new requirement in the Conditional Use Permit (CUP) as well as the reimbursement to the City for the security service expense when the developer modifies its application.

It was moved by Council Member Márquez, seconded by Council Member Lamnin, and carried by the following vote, to approve the resolution:

AYES: COUNCIL MEMBERS Márquez, Mendall, Lamnin, Salinas  
MAYOR Halliday  
NOES: COUNCIL MEMBER Wahab  
ABSENT: COUNCIL MEMBER Zermeño

Resolution 19-175, "Resolution Amending the FY 2020 Operating Budget for the Development Service Department, Code Enforcement Division for Contracted Security Services at the Property Located at Maple Avenue and Main Street"

5. Approve a Resolution Authorizing the City Manager to Negotiate and Execute Two Annual MOUs with the Hayward Unified School District for School Resource Officers and School-Based Counseling Services and Accept and Appropriate Related Funds **CONS 19-507**

Staff report submitted by Interim Police Chief Matthews, dated July 16, 2019, was filed.

It was moved by Council Member Márquez, seconded by Council Member Mendall, and carried with Council Member Zermeño absent, to approve the following:

Resolution 19-166, "Resolution Authorizing the City Manager to Negotiate and Execute Two Annual MOUs with the Hayward Unified

School District for School Resource Officer and School-Based Counseling Services and Accept and Appropriate Related Funds”

6. Adopt a Resolution Authorizing the City Manager to Execute a Utility Service Agreement for Water Service for Twenty-five Single-family Residential Lots Along Five Canyons Parkway within Unincorporated Alameda County and File an Application with Alameda County Local Agency Formation Commission for Approval of an Out-of-Service Area Agreement **CONS 19-526**

Staff report submitted by Public Works Director Ameri and Development Services Director Simpson, dated July 16, 2019, was filed.

It was moved by Council Member Márquez, seconded by Council Member Mendall, and carried with Council Member Zermeño absent, to approve the following:

Resolution 19-167, “Resolution Authorizing the City Manager to Execute a Utility Service Agreement to Provide Water Service for Twenty-Five Single-Family Residential Lots within Tract 6869, Located Along Five Canyons Parkway within Unincorporated Alameda County”

7. Adopt a Resolution to Appropriate \$108,881 and Authorize the City Manager to Execute Professional Services Agreement with CivicMakers to Provide Strategic Planning Services and Create a Three to Five-Year Strategic Plan **CONS 19-533**

Staff report submitted by Deputy City Manager Ott, dated July 16, 2019, was filed.

In response to Council Member Wahab’s concern and inquiry about the process for selecting the consultant, Deputy City Manager Ott explained the process noting the proposal was phase two of the strategic planning process.

It was moved by Council Member Mendall, seconded by Council Member Márquez, and carried by the following vote, to approve the resolution:

AYES: COUNCIL MEMBERS Márquez, Mendall, Lamnin, Salinas  
MAYOR Halliday  
NOES: COUNCIL MEMBER Wahab  
ABSENT: COUNCIL MEMBER Zermeño

Resolution 19-176, “Resolution to Appropriate \$108,881 from the General Fund and to Authorize City Manager to Execute Professional Services Agreement with Civic makers to Provide Strategic Planning Services and Create a Three to Five Year Strategic Plan”



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Council Member Marquez asked staff to commend the consultant for the work done with phase one of the strategic planning process.

8. Adopt a Resolution Authorizing the City Manager to Accept and Appropriate up to \$100,000 Annually for the Next Five Years from the Fairview Fire Protection District for Special Projects **CONS 19-534**

Staff report submitted by Fire Chief Contreras, dated July 16, 2019, was filed.

It was moved by Council Member Márquez, seconded by Council Member Mendall, and carried with Council Member Zermeño absent, to approve the following:

Resolution 19-168, "Resolution Authorizing the City Manager to Accept and Appropriate up to \$100,000 from the Fairview Fire Protection District Annually for the Next Five Years for Special Projects"

9. Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Contract Amendment with 3Di Systems for Wildfire Fuel Management Inspection Software **CONS 19-535**

Staff report submitted by Fire Chief Contreras, dated July 16, 2019, was filed.

It was moved by Council Member Márquez, seconded by Council Member Mendall, and carried with Council Member Zermeño absent, to approve the following:

Resolution 19-169, "Resolution Authorizing the City Manager to Negotiate and Execute a Contract Amendment with 3DI Systems for Wildfire Fuel Management Inspection Software to Extend the Agreement through April 30, 2023"

10. Adopt a Resolution to Reject all Bids for the Installation of Trash Capture Infrastructure on Arf Avenue **CONS 19-540**

Staff report submitted by Public Works Director Ameri, dated July 16, 2019, was filed.

It was moved by Council Member Márquez, seconded by Council Member Mendall, and carried with Council Member Zermeño absent, to approve the following:

Resolution 19-170, "Resolution Rejecting all Bids for Installation of a Trash Capture Device at Arf Avenue, Project 07675"

11. Adopt a Resolution Authorizing the City Manager to Amend the Professional Services Agreement with HydroScience Engineers, Inc., to Increase the Contract Amount to a not-to-Exceed Amount of \$1,028,000 to Provide Additional Recycled Water Support Services **CONS 19-541**

Staff report submitted by Public Works Director Ameri, dated July 16, 2019, was filed.

It was moved by Council Member Márquez, seconded by Council Member Mendall, and carried with Council Member Zermeño absent, to approve the following:

Resolution 19-171, “Resolution Authorizing the City Manager to Amend the Agreement with Hydrosience Engineers, Inc., to Increase the Contract Amount for Professional Services Related to Recycled Water by \$50,000 to a Not-to-Exceed amount of \$1,028,000”

12. Adopt a Resolution Approving Plans and Specifications and Call for Bids for the Recycled Water Customer Onsite Conversions **CONS 19-542**

Staff report submitted by Public Works Director Ameri, dated July 16, 2019, was filed.

It was moved by Council Member Márquez, seconded by Council Member Mendall, and carried with Council Member Zermeño absent, to approve the following:

Resolution 19-172, “Resolution Approving Plans and Specifications for the Recycled Water Customer Onsite Conversions Project, Project No. 07507 and Call for Bids”

13. Adopt a Resolution Authorizing the City Manager to Execute a Professional Services Agreement with St. Francis, Inc., for On-Call Streetlight and Traffic Signal Maintenance Services **CONS 19-543**

Staff report submitted by Public Works Director Ameri, dated July 16, 2019, was filed.

It was moved by Council Member Márquez, seconded by Council Member Mendall, and carried with Council Member Zermeño absent, to approve the following:

Resolution 19-173, “Resolution Authorizing the City Manager to Execute a professional Services Agreement with St. Francis Electric, Inc., for On-Call Streetlight and Traffic Signal Maintenance Services”

14. Adopt a Resolution Approving Plans and Specifications and Call for Bids for the Sewer Line Replacement Project **CONS 19-544**



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Staff report submitted by Public Works Director Ameri, dated July 16, 2019, was filed.

It was moved by Council Member Márquez, seconded by Council Member Mendall, and carried with Council Member Zermeño absent, to approve the following:

Resolution 19-174, "Resolution Approving Plans and Specifications for the Sewer Line Replacement Project, Project No. 07694, and Call for Bids"

**PUBLIC HEARING**

15. 21st Century Library and Community Learning Center and Heritage Plaza: Public Contract Code § 4107 Hearing Regarding Removal and Substitution of the Electrical Subcontractor, Collins Electrical Company, Inc (Report from Public Works Director Ameri and City Attorney Lawson) (Continued from July 9, 2019) **PH 19-070**

Mayor Halliday reiterated the item was continued to July 23, 2019.

**LEGISLATIVE BUSINESS**

16. Adopt a Resolution Accepting Revisions and Additions to the Council Member Handbook (Report from Assistant City Manager Hurtado, City Attorney Lawson, and City Clerk Lens) **LB 19-032**

Staff report submitted by Assistant City Manager Hurtado, City Attorney Lawson and City Clerk Lens, dated July 16, 2019, was filed.

Assistant City Manager Hurtado provided a synopsis of the staff report. Mayor Halliday and Council Member Mendall and Council Member Márquez were acknowledged for their role serving on the Council Ad Hoc Committee for revisions to the Council Member Handbook.

Council Member Mendall clarified that the Council's salary and compensation had not increased for about the last fifteen years and the Council was not proposing increasing it at this time.

Discussion ensued among Council Members and City staff regarding public comments and how speaker cards are handled; notification of special meetings and social media platforms; and the Council Referral section.

There being no public comments, Mayor Halliday opened and closed the public hearing at 8:10 p.m.

Council Member Márquez offered a motion per staff's recommendation including three additional amendments to the Council Member Handbook: 1) ensure consistency when using "Mayor" and "Presiding Officer" in the Addressing the Council section on page 36; 2) add language to the Addressing the Council section to indicate that public speakers will be called in the order received by the City Clerk; and 3) add "digital communications" to the form of notice for special meetings in the Special Meetings/Calling/Notice section.

Council Member Mendall seconded the motion including the three additional amendments.

It was moved by Council Member Márquez, seconded by Council Member Mendall, and carried with Council Member Zermeño absent, to approve the following:

Resolution 19-177, "Resolution Accepting the Revisions and Additions to the Council Member Handbook"

### **CITY MANAGER'S COMMENTS**

City Manager McAdoo wished everyone a happy August recess.

### **COUNCIL REPORTS AND ANNOUNCEMENTS**

Council Member Márquez, serving also as the City's representative to the Alameda County Mosquito Abatement District, reported there were no incidents reported of West Nile virus in 2019.

Council Member Lamnin, serving also as the City's representative to the Housing Authority of the County of Alameda, announced a community meeting with the AC Transit Interagency Liaison Committee on August 1, 2019 at City Hall, regarding service change for bus line 60.

Council Member Mendall, serving also as the City's representative to the Hayward Area Shoreline Planning Agency, announced the Shoreline Master Plan Development was moving forward with the grant received and there would be a request to prefund the Environmental Impact Report in the fall.

Council Member Wahab announced the City was hosting seminars with the first Tenants Educational Seminar on the Residential Rent Stabilization Ordinance at Hayward City Hall on July 24, 2019.

Mayor Halliday announced the City Council would be conducting interviews for service on the City's Commissions on July 23, 2019, starting at 3:00 p.m., and might also convene a special meeting to hear an item regarding the 21st Century Library.





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**COUNCIL REFERRALS**

None submitted.

**ADJOURNMENT**

Mayor Halliday adjourned the meeting at 8:23 p.m.

**APPROVED**

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Barbara Halliday  
Mayor, City of Hayward

**ATTEST:**

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Miriam Lens  
City Clerk, City of Hayward