



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov

Action Minutes City Council

Tuesday, January 21, 2020

7:00 PM

Council Chambers

SPECIAL JOINT MEETING OF THE CITY COUNCIL AND HAYWARD REDEVELOPMENT SUCCESSOR AGENCY BOARD

CALL TO ORDER Pledge of Allegiance: Council/HRSAB Member Lamnin

ROLL CALL

Present: 7 - Council Member Francisco Zermeno, Council Member Elisa Marquez, Council Member Al Mendall, Council Member Sara Lamnin, Council Member Aisha Wahab, Council Member Mark Salinas, and Mayor Barbara Halliday

CLOSED SESSION ANNOUNCEMENT

The City Council convened in closed session at 5:00 p.m., regarding four items: 1) conference with legal counsel pursuant to Government Code 54956.9 regarding one anticipated litigation case; 2) conference with legal counsel pursuant to Government Code 54956.9(d)(1) regarding City of Hayward v. California State University Trustees, Alameda County Superior Court, Case No. RG 18895213; 3) conference with legal counsel pursuant to Government Code 54956.9 regarding City of Hayward v. Bay Area Property Developers, LLC, Century Housing Corporation, Yamkachav Investments, LLC, First American Title Corporation, and DOEs 1-50; Alameda County Superior Court, Case No. HG19046792; and 4) conference with property negotiators pursuant to Government Code 54956.8 regarding former Route 238 Parcel Group 7, 24900 and 25000 Mission Boulevard, APNs 445-0200-009-00 and 445-0200-012-01. City Attorney Lawson noted there was no reportable action related to all items.

PRESENTATION

Certificate of Recognition Presented to
Daisy Bamberger for Achieving Hayward Amateur Boxing Champion

PUBLIC COMMENTS

Mr. Charlie Peters
Mr. Ronald Brey
Mr. Jim Drake

Consent Item 3, 4, 5, 6, 12, and 13 were removed for separate vote and further discussion.

CONSENT

Approval of the Consent Calendar

A motion was made by Council Member Mendall, seconded by Council Member Márquez, to approve the Consent Calendar. The motion carried by the following vote:

Aye: 7 - Council Member Zermeno, Council Member Marquez, Council Member Mendall, Council Member Lamnin, Council Member Wahab, Council Member Salinas, and Mayor Halliday

1. [Approve City Council Minutes of the Special City Council Work Session Meeting on December 17, 2019](#)

Consent item approved.

2. [Approve City Council Minutes of the City Council Meeting on December 17, 2019](#)

Consent item approved.

3. [Adopt an Ordinance Amending Chapter 8, Article 21, Section 8-21.11 of the Hayward Municipal Code Relating to Increasing the Commercial Cannabis Tax Rate to Seven Percent of Gross Sales](#)

A motion was made by Council Member Zermeño, seconded by Council Member Mendall, to approve staff's recommendation. The motion carried by the following vote:

Aye: 6 - Council Member Zermeno, Council Member Marquez, Council Member Mendall, Council Member Lamnin, Council Member Salinas, and Mayor Halliday

Nay: 1 - Council Member Wahab

4. [Adopt an Ordinance Amending Chapter 10, Article 16 of the Hayward Municipal Code Regarding Obligations for Parks and Recreation for Property Developers](#)

A motion was made by Council Member Mendall, seconded by Council Member Lamnin, to approve staff's recommendation. The motion carried by the following vote:

Aye: 6 - Council Member Zermeno, Council Member Marquez, Council Member Mendall, Council Member Lamnin, Council Member Salinas, and Mayor Halliday

Nay: 1 - Council Member Wahab

5. [Adopt a Resolution Accepting the Resignation of Ms. Ginny Delaney from the Keep Hayward Clean and Green Task Force, Effective January 3, 2020](#)

A motion was made by Council Member Márquez, seconded by Council Member Lamnin, to approve staff's recommendation. The motion carried by the following vote:

Aye: 7 - Council Member Zermeno, Council Member Marquez, Council Member Mendall, Council Member Lamnin, Council Member Wahab, Council Member Salinas, and Mayor Halliday

6. [Adopt a Resolution Accepting the Resignation of Mr. Ernesto Sarmiento Jr. from the Community Services Commission, Effective January 1, 2020](#)

A motion was made by Council Member Lamnin, seconded by Council Member Márquez, to approve staff's recommendation with direction to staff to contact Ms. Isabel Pimentel for consideration of appointment to the Community Services Commission to fill the current vacancy. The motion carried by the following vote:

- Aye:** 6 - Council Member Zermeno, Council Member Marquez, Council Member Mendall, Council Member Lamnin, Council Member Wahab, and Mayor Halliday
- Nay:** 1 - Council Member Salinas

7. [Adopt a Resolution Authorizing Amendment of the Legal Services Agreement with Downey Brand LLP to Increase the Contract Amount for Specialized Legal Support on Water Resources-Related Matters to a Not-To-Exceed Amount of \\$225,000](#)

Consent item approved.

8. [Adopt a Resolution Authorizing the City Manager to Amend the Professional Services Agreement with Luhdorff & Scalmanini Consulting Engineers to Increase the Contract Amount for Technical Groundwater Support Services by \\$35,000, to a Not-to-Exceed Amount of \\$110,000](#)

Consent item approved.

9. [Adopt a Resolution Supporting a Priority Production Area Designation in the Plan Bay Area 2050 for the Industrially Zoned Areas in the City of Hayward](#)

Consent item approved.

10. [Adopt Resolutions Authorizing the City Manager to Amend the Professional Services Agreement with HydroScience Engineers, Inc., to Increase the Contract Amount by \\$80,000 to a Not-to-Exceed Amount of \\$376,000, for Additional Support Services and Appropriate Additional Funds from Sewer Improvement Fund](#)

Consent item approved.

11. [Adopt Resolutions Authorizing the City Manager to Negotiate and Execute Amendment to Professional Services Agreements with RossDrulisCusenbery and Kitchell CEM and to Negotiate and Execute New Professional Services Agreements with ABC Inspections, Inc., and Consolidated Engineering Laboratories for the Fire Station 6 and Fire Training Center Project](#)

Consent item approved.

12. [Adopt a Resolution Authorizing the Purchase of a StarChase Pursuit Management System](#)

A motion was made by Council Member Mendall, seconded by Council Member Zermeño, to approve staff's recommendation. The motion carried by the following vote:

- Aye:** 6 - Council Member Zermeno, Council Member Marquez, Council Member Mendall, Council Member Lamnin, Council Member Salinas, and Mayor Halliday
- Nay:** 1 - Council Member Wahab

13. [Adopt a Resolution Approving the Annual Recognized Obligation Payment Schedule for the Period July 1, 2020 to June 30, 2021 and the Hayward Redevelopment Successor Agency Administrative Budget for the Period July 1, 2020 to June 30, 2021](#)

A motion was made by Council Member Márquez, seconded by Council Member Lamnin, to approve staff's recommendation. The motion carried by the following vote:

Aye: 7 - Council Member Zermeno, Council Member Marquez, Council Member Mendall, Council Member Lamnin, Council Member Wahab, Council Member Salinas, and Mayor Halliday

PUBLIC HEARING

14. [Huntwood Townhomes: City Council Call Up of the Planning Commission’s Denial on October 24, 2019 and the Approval of a Resolution to Subdivide a 1.21-Acre Site into 18 Parcels to Allow the Construction of 14 Townhomes with Common Open Space Areas and Related Site Improvements at 28538 Huntwood Avenue \(APN 465-0025-005-03\) Requiring Approval of a Vesting Tentative Tract Map and Site Plan Review. Application No. 201705535 by James Chao \(Applicant\) on behalf of Zhong Yin Liu \(Owner\) \(Report from Development Services Director Simpson\)](#)

A motion was made by Council Member Mendall, seconded by Council Member Márquez, to approve staff’s recommendation. The motion carried by the following vote:

Aye: 6 - Council Member Zermeno, Council Member Marquez, Council Member Mendall, Council Member Wahab, Council Member Salinas, and Mayor Halliday

Nay: 1 - Council Member Lamnin

COUNCIL REFERRALS

There were none.

ADJOURNMENT

Mayor Halliday adjourned the meeting at 8:56 p.m. in memory of Ms. Pamela Apostolos.

NEXT MEETING, January 28, 2020, 7:00 PM