



CITY OF HAYWARD

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

Action Minutes City Council

Tuesday, November 19, 2024

7:00 PM

Council Chambers

CONCURRENT MEETING GEOLOGIC HAZARD ABATEMENT DISTRICT BOARD/CITY COUNCIL

HAYWARD GEOLOGIC HAZARD ABATEMENT DISTRICT (GHAD) BOARD OF DIRECTORS MEETING

CALL TO ORDER: Mayor/GHAD Chair Salinas

Pledge of Allegiance: Council/GHAD Member Andrews

ROLL CALL

Present: 7 - Council Member Angela Andrews, Council Member Ray Bonilla Jr., Council Member Daniel Goldstein, Council Member Julie Roche, Council Member George Syrop, Council Member Francisco Zermeno, and Mayor Mark Salinas

PUBLIC COMMENTS

There were none.

CONSENT

1. [Approve the Hayward Geologic Hazard Abatement District \(GHAD\) Board Minutes of the GHAD Meeting on June 18, 2024](#)

A motion was made by GHAD Member Syrop, seconded by GHAD Member Andrews, to approve staff's recommendation. The motion carried by the following vote:

Aye: 7 - Council Member Andrews, Council Member Bonilla Jr., Council Member Goldstein, Council Member Roche, Council Member Syrop, Council Member Zermeno, and Mayor Salinas

LEGISLATIVE BUSINESS

2. [Approve Transfer of Plan of Control Responsibilities for All Parcels within The Hideaway Development from Hayward Tennyson Land, LLC to the Hayward Geologic Hazard Abatement District \(GHAD\) and Authorize the GHAD Manager to Accept Title to Assessor's Parcel Number \(APN\) 78C-806-4 \(Parcel L\) and APN 78C-807-1 \(Parcel M\) in Tract 8439 \(Report from GHAD Manager Ralston\)](#)

A motion was made by GHAD Member Zermeno, seconded by GHAD Member Roche, to approve staff's recommendation. The motion carried by the following vote:

Aye: 7 - Council Member Andrews, Council Member Bonilla Jr., Council Member Goldstein, Council Member Roche, Council Member Syrop, Council Member Zermeno, and Mayor Salinas

The Hayward Geological Hazard Abatement District (GHAD) Board adjourned its meeting and reconvened into the City Council meeting.

CITY COUNCIL MEETING**CLOSED SESSION ANNOUNCEMENT****October 21, 2024****October 22, 2024****November 12, 2024**

The City Council convened in closed session on October 21, 2024, at 11:45 a.m., with all members present and no public speakers, regarding public employment pursuant to Government Code Section 54957 to consider the appointment or employment of the City Manager. City Attorney Lawson indicated that the Council met but took no reportable action.

The City Council convened in closed session on October 22, 2024, at 12:00 p.m., with all members present and no public speakers, regarding two items: 1) conference with legal counsel pursuant to Government Code section 54956.9(d)(1) concerning Alina Shinwary v. City of Hayward, et al. Alameda County Superior Court Case No. 23CV037683; and 2) public employment pursuant to Government Code Section 54957 to consider the appointment or employment of the City Manager. City Attorney Lawson indicated that the Council met regarding both items and took no reportable action regarding Item 1; and concerning Item 2, the Council authorized a settlement in the amount of \$125,000.

The City Council convened in closed session on November 12, 2024, at 5:30 p.m., with all members present and no public speakers, regarding two items: 1) public employment pursuant to Government Code Section 54957 to consider the appointment or employment of the City Manager; and 2) conference with legal counsel pursuant to Government Code Section 54956.9(d) (2) to consider anticipated litigation (one case). City Attorney Lawson indicated that the Council met but took no reportable action.

PRESENTATION

Veterans' Day Proclamation

PUBLIC COMMENTS

Evelyn Olivera
Andrea Nayaran
Trinity Sines
Shaivya Griddalur
Julia Patel
Iceia Velazquez
Gurpreet Bhella

CITY MANAGER'S COMMENTS

Interim City Manager Claussen

CONSENT

Mayor Salinas announced that staff had requested to remove Item 16 from the Consent Calendar and bring it back in December. There were comments on Items 4, 8, 9, and 10.

Approval of the Consent Calendar

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

Aye: 7 - Council Member Andrews, Council Member Bonilla Jr., Council Member Goldstein, Council Member Roche, Council Member Syrop, Council Member Zermeno, and Mayor Salinas

1. [Approve the Minutes of the City Council Meeting on October 15, 2024](#)

Consent item approved.

2. [Adopt a Resolution to Execute a Side Letter of Agreement Amending the Memoranda of Understanding \(MOU\), Section 5.13 C - Retiree Medical Trust between the City of Hayward \("City"\) and the Hayward Fire Chief's Association \(HFCA\), to Amend Employee Contributions](#)

Consent item approved.

3. [Adopt a Resolution to Execute a Side Letter of Agreement Amending the Memoranda of Understanding \(MOU\), Article 12.03 Longevity Pay between the City of Hayward \("City"\) and the Hayward Fire Chiefs Association \(HFCA\), to Amend the Effective Date for All Eligible Members](#)

Consent item approved.

4. [Adopt a Resolution Authorizing the City Manager to Execute a Funding Agreement with AC Transit to Help Fund Bus Shelter Maintenance](#)

Consent item approved.

5. [Adopt a Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Fehr & Peers in a Not-to-Exceed Amount of \\$210,000, for the Speed Management Plan, Project No. 06943](#)

Consent item approved.

6. [Adopt a Resolution Authorizing the City Manager to Increase the Total Construction Contract Not-to-Exceed Amount to \\$16,373,134 Due to an Increase in Contingency from \\$855,050 to \\$1,078,184](#)

Consent item approved.

7. [Adopt a Resolution Approving Plans and Specifications, and Calling for Bids for the Hesperian Frontage Road Improvement Project No. 05742](#)

Consent item approved.

8. [Adopt a Resolution Accepting the Resignation of Commissioner Collin Thormoto from the Community Services Commission, Effective Immediately](#)

Consent item approved.

9. [Adopt a Resolution Accepting the Resignation of Task Force Member Margaret Barton from the Keep Hayward Clean and Green Task Force, Effective Immediately](#)

Consent item approved.

10. [Adopt a Resolution Releasing Jessica Stanley from the Keep Hayward Clean and Green Task Force, Effective Immediately](#)

Consent item approved.

11. [Adopt a Resolution to Approve Final Map of Tract 8429, a One Lot Subdivision for Condominium Purposes at 420 Smalley Avenue \(Assessor Parcel No. 431-0008-020-00\) to Allow the Construction of Eight \(8\) Attached Townhouse Condominium Units and Related Site Improvements; Applicant/Owner: MF Smalley Hayward, LLC., Application No. FM-23-0003](#)

Consent item approved.

12. [Adopt a Resolution to Approve Final Map of Tract 8670, a 12-Lot Residential Subdivision at 24764 and 24656 Mohr Drive \(Assessor's Parcel Numbers 441-0074-009-00 and 441-0074-009-00; Eden Village III\), to Allow the Construction of Twelve \(12\) Single-Family Small Lot Detached Residential Units and Related Site Improvements; Applicant/Owner: Jason Creek Ventures, LLC, Application No. MTA-23-0001](#)

Consent item approved.

13. [Adopt a Resolution Authorizing the City Manager to Execute Amendment No. 2 to the Professional Services Agreement with Schaaf & Wheeler, and Increase the Contract Amount by \\$60,000, for a Total Not-to-Exceed Amount of \\$260,000 for Engineering Design Services for the Arf Avenue Trash Capture Project](#)

Consent item approved.

14. [Adopt a Resolution Authorizing the City Manager to Appropriate \\$45,000 from the Asset Forfeiture Fund \(265\) to the General Fund \(100\) to Purchase New Equipment for the Hayward Police Department's Wellness Center](#)

Consent item approved.

15. [Adopt a Resolution Approving an Exception to the 180-Day Wait Period Requirement for Two Retired CalPERS Annuitants to Work Within the Hayward Communications Center](#)

Consent item approved.

16. [Adopt a Resolution to Execute a Side Letter of Agreement Amending the Memorandum of Understanding, Section 10.01- Defined Benefit Retirement Program between the City of Hayward and the Service Employees International Union, Local 1021 - Maintenance and Operations Union to Clarify Employee Pension Cost-Share Requirements for all Eligible Classic and PEPRA Members](#)

Removed from the agenda.

17. [Adopt a Resolution Authorizing the City Manager to Amend the Contract with EBA Engineering by \\$60,000 for the Removal of Underground Fuel Storage Tanks for a Not-to-Exceed Amount of \\$222,343 for the Mission Boulevard Corridor Improvements Phase 3 Project, Project No. 05287](#)

Consent item approved.

18. [Adopt a Resolution Authorizing the City Manager to Award a Construction Contract to Bhogal Brother Construction Inc., for the Weekes Branch Library Improvement Project, Project No. BD051 in the Amount of \\$379,600, Approve an Administrative Change Order Budget of \\$75,920, and Close the Weekes Branch Library During Renovations](#)

Consent item approved.

19. [Adopt a Resolution Authorizing the City Manager to Execute a Lease Agreement with Montecito Development LLC, for Property Located at the Hayward Executive Airport](#)

Consent item approved.

20. [Adopt a Resolution Authorizing the Interim City Manager to Amend the Professional Services Agreement with Dewberry Architects, Inc., by \\$338,000 for a Not-to-Exceed Amount of \\$868,000; and Appropriate Additional Funds in the Amount of \\$338,000 from Capital Projects \(Governmental\) - Fund 405 for the Hayward Police Department Locker Room and Communications Center Building, Project No. 07420](#)

Consent item approved.

WORK SESSION

21. [American Rescue Plan Act \(ARPA\) Analysis and Review \(Report from Finance Director Gonzales\)](#)

Information only; no action taken.

LEGISLATIVE BUSINESS

22. [FY 2025 Salary Plan Amendment: Adopt a Resolution Approving an Amendment to the City of Hayward Salary Plan for Fiscal Year 2025 \(Report from Human Resources Director Frye\)](#)

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

Aye: 7 - Council Member Andrews, Council Member Bonilla Jr., Council Member Goldstein, Council Member Roche, Council Member Syrop, Council Member Zermeno, and Mayor Salinas

COUNCIL REFERRALS

23. [City Council Referral: StackPass Education Discount Program \(Referral from Council Members Syrop and Andrews\)](#)

No action taken.

ADJOURNMENT

Mayor Salinas adjourned the City Council meeting at 8:02 p.m.

November 26, 2024 - CANCELED -

NEXT MEETING, December 3, 2024, 7:00 PM