



**SPECIAL CITY COUNCIL MEETING  
REMOTE PARTICIPATION  
Tuesday, September 15, 2020, 7:00 p.m.**

---

The Special City Council meeting was called to order by Mayor Halliday at 7:00 p.m. The special meeting was conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order No 29-20 dated March 17, 2020, and the Alameda County Health Officer Order No. 20-10 dated April 29, 2020 regarding the COVID-19 pandemic.

Members of the City Council, City Staff, and members of the public participated via Zoom Webinar.

**ROLL CALL**

Present: COUNCIL MEMBERS Lamnin, Márquez, Mendall, Salinas, Wahab, Zermeño  
MAYOR Halliday  
Absent: None

**CLOSED SESSION ANNOUNCEMENTS**

**July 21, 2020:** City Attorney Lawson noted the report out was included on the July 21, 2020 City Council minutes.

**August 3, 2020:** City Attorney Lawson reported the City Council convened in closed session at 5:30 p.m. regarding two items: (1) conference with property negotiators pursuant to Government Code 54956.8 concerning Caltrans Parcel Group 6: Carlos Bee Boulevard and Overlook Avenue; APN: 455-0180-001-00; and (2) conference with property negotiators pursuant to Government Code 54956.8 concerning Caltrans Parcel Group 8: Grove Way APNs: 415-0180-070-00, 415-0180-068-01, 415-0180-076-00, 415-0180-084-01, 415-0180-073-00, 415-0180-074-00, 415-0180-075-00, 415-0180-072-00, 415-0180-071-00, 415-0180-069-01, 415-0190-064-00, 415-0180-083-01, 415-0180-080-00, 415-0180-082-01, 415-0180-081-01. City Attorney Lawson noted there was no reportable action.

**August 18, 2020:** Mayor Halliday reported the City Council convened in closed session at 5:00 p.m., regarding public employment pursuant to Government Code 54957 for the City Attorney; and noted there was no reportable action.

**September 1, 2020:** Mayor Halliday reported the City Council convened in closed session at 5:30 p.m., regarding public employment pursuant to Government Code 54957(b)(1) for the City Attorney and the City Clerk; and noted there was no reportable action.

**September 15, 2020:** City Attorney Lawson reported the City Council convened in closed session at 5:00 p.m., regarding three items: (1) conference with property negotiators pursuant to Government Code 54956.8 regarding Levy Affiliated Holdings; 22695 Foothill Blvd, 22631 Foothill Blvd, 1099 B St, 1093 B St, 1061 B St, 1071 B St, 1075 B St, 1081 B St, 1055 B St, 1057 B St, 1087 B St, 1061 B St, 1099 B St, 1075 B St, 1069 B St, 1057 B St, 1071 B

St, 1063 B St, 1093 B St, 1081 B St, 1087 B St, 1063 B St; APNs: 428-0066-086-00, 428-0066-085-00; (2) conference with legal counsel pursuant to Government Code 54956.9 regarding City of Hayward v. Board of Trustees, California State University, Court of Appeal, 1st District, Case No. A158981; and (3) public employment pursuant to government code 54957(b)(1) regarding the City Manager. City Attorney Lawson added there was no reportable action related to Item 1; and related to Item 2, the City Council, on a motion by Council Member Salinas, seconded by Council Member Wahab, unanimously approved a settlement with CSUEB Board of Trustees regarding litigation dating back to 2008 with no funds paid by the City. Mayor Halliday noted there was no reportable action regarding Item 3.

## **PUBLIC COMMENTS**

Mayor Halliday opened public comment at 7:07 p.m.

Mr. Frank Burton, Hayward resident, shared concerns about the City's letter to the East Bay Community Energy (EBCE) CEO supporting a product that includes nuclear power and noted residents have not had time to explore ramifications of entangling with nuclear power.

Ms. Claire Dugan, Hayward resident, expressed support for the Hayward Police Department and spoke against a decrease in its budget.

Ms. Jessica Guadalupe Tovar, speaking on behalf of East Bay Clean Power Alliance and Local Clean Energy Alliance employee, noted they are opposed to accepting a PG&E nuclear energy option in the EBCE program and added the need to create local clean energy infrastructure.

Mr. Ernie Pacheco, Hayward resident, spoke in opposition of the third option proposed to EBCE which includes nuclear energy and noted that while it was well intentioned, it did not address underlying issues.

Ms. Ida Alvarez, Bridge Court tenant, asked that there be consideration for long-term tenants of former Caltrans properties who want affordable housing without involving a land trust and asked for consistency with information tenants are receiving.

Ms. Suzanne Luther, Hayward resident and Neighborhood Watch block captain, spoke against defunding the Hayward Police Department and inquired on how to address problems caused by Proposition 47.

Ms. Jenna Feeney, Bridge Court resident, expressed concern about development of former Caltrans properties and whether there have been environmental impact studies to address the wildlife in the area as well as traffic studies on Grove Way.

Mayor Halliday closed public comment at 7:34 p.m.



**SPECIAL CITY COUNCIL MEETING  
REMOTE PARTICIPATION  
Tuesday, September 15, 2020, 7:00 p.m.**

---

**CITY COMMISSIONS AND TASK FORCE**

1. City Commissions and Keep Hayward Clean and Green Task Force: Adopt a Resolution Confirming the Appointment and Reappointment of Members of the Community Services Commission, Keep Hayward Clean and Green Task Force, Library Commission, Personnel Commission and Planning Commission **APPT 20-001**

Staff report submitted by City Clerk Lens, dated September 15, 2020, was filed.

City Clerk Lens provided a synopsis of the staff report.

Mayor Halliday opened and closed the public hearing at 7:40 p.m.

Council Member Márquez thanked City Clerk Lens and her team for their work in receiving an increased number of applications and their dedication with challenges due to COVID-19.

Council Member Wahab thanked City Clerk Lens for the recruitment process and strategies to increase diversity. In response to Council Member Wahab's inquiry about clarity regarding the attendance policy and whether removal should be mandatory, Mayor Halliday clarified it was not a mandatory policy but a guideline that gives Council the option to allow for exceptions.

Council Member Wahab noted she did not support an alternate based on lack of attendance in previous years.

Mayor Halliday thanked City Clerk Lens for the recruitment process, thanked all applicants for applying, and acknowledged there were other opportunities to volunteer for those who were not selected.

It was moved by Council Member Márquez, seconded by Council Member Zermeño, and carried by the following roll call vote, to approve the resolution

AYES:	COUNCIL MEMBERS Lamnin, Márquez, Mendall, Salinas, Wahab, Zermeño MAYOR Halliday
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution 20-136, "Resolution Confirming the Appointment and Reappointment of Members of the Community Services Commission, Keep Hayward Clean and Green Task Force, Library Commission, Personnel Commission and Planning Commission"

## CONSENT

Consent items 7, 9, 11 and 13 were removed from the Consent Calendar for separate vote.

2. Approve the City Council Minutes of the Special City Council Meeting on July 14, 2020  
**MIN 20-090**

Staff report submitted by City Clerk Lens, dated September 15, 2020, was filed.

It was moved by Council Member Mendall, seconded by Council Member Márquez, and carried unanimously, to approve the minutes of the Special City Council meeting on July 14, 2020.

3. Approve City Council Minutes of the Special City Council Meeting on July 20, 2020 **CONS 20-091**

Staff report submitted by City Clerk Lens, dated September 15, 2020, was filed.

It was moved by Council Member Mendall, seconded by Council Member Márquez, and carried unanimously, to approve the minutes of the Special City Council meeting on July 20, 2020.

4. Approve City Council Minutes of the Special Joint Meeting of the City Council and Hayward Redevelopment Successor Agency on July 21, 2020 **CONS 20-092**

Staff report submitted by City Clerk Lens, dated September 15, 2020, was filed.

It was moved by Council/HRSA Member Mendall, seconded by Council/HRSA Member Márquez, and carried unanimously, to approve the minutes of the Joint Meeting of the City Council and Hayward Redevelopment Successor Agency on July 21, 2020 with a change to a typographical error.

5. Adopt a Resolution Authorizing the City Manager to Execute an Agreement with Integrated Archive Systems, Inc. (IAS) to Purchase and Set Up Security Cameras for Various Facilities in an Amount Not-to-Exceed \$300,000 **CONS 20-33**

Staff report submitted by Director of Information Technology Kostrzak, dated September 15, 2020, was filed.

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



**SPECIAL CITY COUNCIL MEETING  
REMOTE PARTICIPATION  
Tuesday, September 15, 2020, 7:00 p.m.**

---

AYES: COUNCIL MEMBERS Lamnin, Márquez, Mendall, Salinas,  
Wahab, Zermeño  
MAYOR Halliday  
NOES: None  
ABSENT: None  
ABSTAIN: None

Resolution 20-137, "Resolution Authorizing the City Manager to Execute an Agreement with Integrated Archive Systems, Inc (IAS) to Purchase, Set Up and Install Security Cameras for Hayward Facilities"

6. Adopt a Resolution Authorizing the City Manager to Execute an Agreement with the Alameda County Sheriff's Office for Receipt of FY 2018 Byrne Justice Assistance Grant (JAG) funds in the Amount of \$42,425.10 **CONS 20-416**

Staff report submitted by Chief of Police Chaplin, dated September 15, 2020, was filed.

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

AYES: COUNCIL MEMBERS Lamnin, Márquez, Mendall, Salinas,  
Wahab, Zermeño  
MAYOR Halliday  
NOES: None  
ABSENT: None  
ABSTAIN: None

Resolution 20-138 "Resolution Authorizing the Acceptance of the FY 2018 Byrne Justice Assistance Grant (JAG) with the Alameda County Sheriff's Office and the U.S. Department of Justice; for the Amount of \$42,425.10 in Grant Funds for Hayward Police Department Operations"

7. Adopt Resolutions Approving Agreements with the Alameda County Health Care Services Agency and the Hayward Unified School District for School Based Mental Health Services in the Amounts of \$220,000 and \$120,000 Respectively and Authorize the City Manager to Execute the Agreements **CONS 20-421**

Staff report submitted by Chief of Police Chaplin, dated September 15, 2020, was filed.

Mayor Halliday allowed for public comment at 8:03 p.m.

Mr. Alexis Villalobos stated he was in support of community services but did not believe they needed to be held under the Police Department and could not understand why the City could not cancel the Student Resource Officer (SRO) program.

Mayor Halliday closed the public comment section at 8:06 p.m.

Council Member Wahab sought clarification from staff regarding the methodology to count the number of people served; the group therapy program; the number of schools in the district receiving outreach; how gaps are being addressed during shelter-in-place and distance learning; transfer of Youth and Family Services away from the Police Department; and plans to expand programs and funding sources.

It was moved by Council Member Wahab, seconded by Council Member Salinas, and carried by the following roll call vote, to approve the resolutions

AYES: COUNCIL MEMBERS Lamnin, Márquez, Mendall, Salinas,  
Wahab, Zermeño  
MAYOR Halliday  
NOES: None  
ABSENT: None  
ABSTAIN: None

Resolution 20-143, "Resolution Approving an Agreement with the Alameda County Health Care Services Agency for the Our Kids Our Families Program in the Amount of \$220,000 and Authorizing the City Manager to Execute the Agreement"

Resolution 20-144, "Resolution Approving Two Agreements with the Hayward Unified School District for School Based Counseling Programs in the Amount of \$120,000 and Authorizing the City Manager to Execute the Agreements"

8. Adopt a Resolution Amending the FY 2020-21 Master Fee Schedule to Postpone the Effective Date of the Increase in Bimonthly Water Service Fees from October 1, 2020 to January 1, 2021 **CONS 20-425**

Staff report submitted by Director of Public Works Ameri, dated September 15, 2020, was filed.

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



**SPECIAL CITY COUNCIL MEETING  
REMOTE PARTICIPATION  
Tuesday, September 15, 2020, 7:00 p.m.**

---

AYES: COUNCIL MEMBERS Lamnin, Márquez, Mendall, Salinas,  
Wahab, Zermeño  
MAYOR Halliday  
NOES: None  
ABSENT: None  
ABSTAIN: None

Resolution 20-139, "Resolution Amending the Master Fee Schedule and Changing the Effective Date of FY 2021 Bimonthly Water Service Fees"

9. Adopt a Resolution: (1) Approving the Government Code Section 52201 Summary Report for the Project; and (2) Authorizing the City Manager to Negotiate and Execute a Disposition and Development Agreement with BMODDRE2, LLC for Transfer of Specified City Owned Properties and for the Development of a New Subaru Automobile Dealership **CONS 20-426**

Staff report submitted by Deputy City Manager Ott, dated September 15, 2020, was filed.

The item was continued to the September 29, 2020 City Council meeting at the request of City staff.

10. Adopt a Resolution Authorizing the City Manager to Enter into the Seventh Amendment to the Purchase and Sale Agreement between the State of California Department of Transportation and City of Hayward for the 238 Excess Properties to Extend the Term of Sale for Five Additional Years to January 2027 **CONS 20-428**

Staff report submitted by Deputy City Manager Ott, dated September 15, 2020, was filed.

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

AYES: COUNCIL MEMBERS Lamnin, Márquez, Mendall, Salinas,  
Wahab, Zermeño  
MAYOR Halliday  
NOES: None  
ABSENT: None  
ABSTAIN: None

Resolution 20-140, "Resolution of the City Council of the City of Hayward Authorizing the City Manager to Enter into the Seventh Amendment to the Purchase and Sale Agreement between the State of California Department of Transportation and City of Hayward for the 238 Excess Properties to Extend the Term of Sale for Five Additional Years to January 2027"

11. Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with Sloan Sakai Yeung & Wong LLP for the Provision of Labor Relations Services **CONS 20-429**

Staff report submitted by Assistant City Manager Hurtado dated September 15, 2020, was filed.

In response to Council Member Wahab's inquiries, City Manager McAdoo responded City staff had met with employee representatives, union representatives, and outside negotiators about the proposed labor relations services; and noted the Human Resources Director vacancy would be frozen an additional six months due to budget considerations.

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

AYES: COUNCIL MEMBERS Lamnin, Márquez, Mendall, Salinas, Zermeño  
MAYOR Halliday  
NOES: COUNCIL MEMBER Wahab  
ABSENT: None  
ABSTAIN: None

Resolution 20-145, "Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with Sloan Sakai Yeung & Wong LLP for the Provision of Labor Relations Services"

12. Adopt a Resolution Authorizing the City Manager to Execute a Professional Services Agreement with HydroScience Engineers, Inc., for the Sewer and Water Line Improvement Projects, in an Amount Not-to-Exceed \$1,467,865 **CONS 20-431**

Staff report submitted by Director of Public Works Ameri dated September 15, 2020, was filed.

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





**SPECIAL CITY COUNCIL MEETING  
REMOTE PARTICIPATION  
Tuesday, September 15, 2020, 7:00 p.m.**

---

AYES: COUNCIL MEMBERS Lamnin, Márquez, Mendall, Salinas,  
Wahab, Zermelo  
MAYOR Halliday  
NOES: None  
ABSENT: None  
ABSTAIN: None

Resolution 20-141, "Resolution Authorizing the City Manager to Execute a Professional Services Agreement with HydroScience Engineers, Inc., in an Amount Not-to-Exceed \$1,467,865 for the Sewer and Water Line Improvement Projects"

13. Adopt Resolutions to Memorialize that the Provision of Affordable Housing and an Expansion of Carlos Bee Park Will Satisfy the Park and Affordable Housing Dedications for Former Caltrans 238 Parcel Group 8 in order to Secure Caltrans Authorization to Subdivide Parcel Group 8 and Authorize the City Manager to Enter into an Exclusive Negotiating Rights Agreement with Resources for Community Development (RCD), a California Nonprofit Public Benefit Corporation, for the Proposed Development of the Affordable Housing Segment of Parcel Group 8 Generally Situated along Grove Way between Bridge Court and Foothill Boulevard **CONS 20-439**

Staff report submitted by Deputy City Manager Ott dated September 15, 2020, was filed.

Mayor Halliday allowed public comment at 7:51 p.m.

Dr. Ann E. Maris, Hayward resident, referred to a letter sent to Council and expressed support for the agreement with Resources for Community Development (RCD) for the proposed development; asked for Council to expect more transparent communication between RCD and the community, and encourage them to work with Eden Community Land Trust (ECLT); noted Grove Way/Foothill Boulevard is a busy and dangerous intersection; and asked the Council to require community amenities.

Mr. Nestor Castillo noted ECLT has been working with Bridge Court residents since 2018 to ensure they are incorporated in the process, mentioned the City has been doing well to include them in the process and strive for zero displacement and looked forward to maintaining a relationship and strengthening the partnership with RCD.

Mr. Jesse Gunn, Hayward resident, reiterated comments made by previous speakers, encouraged the partnership with ECLT, and thanked the City for ensuring there will be affordable housing and purchase options for current tenants.

Mr. Michael Freed, Cherryland resident, shared concerns about transparency and engagement from RCD, appreciated the work of the City with properties along the 238 Corridor, and asked for a regional approach.

Mr. Alexis Villalobos, reiterated Mr. Castillo's comments, supported using the stewardship model of the land and keep it under control of Hayward residents.

Mayor Halliday closed the public comment section at 8:03 p.m.

Members of the City Council appreciated public comments and the work done by City staff.

Council Member Wahab noted concerns had been heard and this was the beginning of the process and outreach would follow.

Council Member Lamnin had concerns about segregating affordable housing from market rate; would like to see the savings in in-lieu fees passed to owners once the market rate developer is selected; would like to see transition to co-ownership or direct ownership; and asked for community conversation around commercial property or opening opportunity for local entrepreneurship.

Council Member Zermeño stressed the importance of having a developer who will sit down with community and stakeholder members.

Council Member Márquez suggested that an email and website be designated to simplify the process and keep lines of communication open and was hopeful to reach RHNA numbers.

Deputy City Manager Ott noted staff would set up a website with clear information.

It was moved by Mayor Halliday, seconded by Council Member Mendall, and carried by the following roll call vote, to approve the resolutions:

AYES:	COUNCIL MEMBERS Lamnin, Márquez, Mendall, Salinas, Wahab, Zermeño MAYOR Halliday
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution 20-146, "Resolution of the City Council of the City of Hayward Memorializing that the Provision of Affordable Housing and an Expansion of Carlos Bee Park will Satisfy the Park and Affordable Housing Dedications for Parcel Group 8 in Order to Secure Caltrans Authorization of Subdivision of Parcel Group 8 Generally at Grove Way and Foothill Boulevard (Assessor Parcel Nos. 415-0180-070-00, 415-0180-068-01, 415-0180-076-00, 415- 0180-084-01, 415-0180-073-00, 415-0180-074-00, 415-



**SPECIAL CITY COUNCIL MEETING  
REMOTE PARTICIPATION  
Tuesday, September 15, 2020, 7:00 p.m.**

---

0180-075-00, 415- 0180-072-00, 415-0180-071-00, 415-0180-069-01, 415-0190-064-00, 415- 0180-083-01, 415-0180-080-00, 415-0180-082-01, 415-0180-081-01)”

Resolution 20-147, “Resolution of the City Council of the City of Hayward Authorizing the City Manager to Enter an Exclusive Negotiating Rights Agreement with Resources for Community Development, a California Nonprofit Public Benefit Corporation, for the Proposed Development of the Affordable Housing Segment of Parcel Group 8 Generally Situated Along Grove Way between Bridge Court and Foothill Boulevard”

14. Adopt a Resolution Authorizing the City Manager to Increase the Construction Contract with Spencon Construction, Inc., for Administrative Change Order Authority in the Amount of \$354,733 for the FY19 Sidewalk Rehabilitation and Wheelchair Ramp Project, Project Nos. 05249 and 05213 for a Contract Not-to-Exceed Amount of \$677,363 **CONS 20-443**

Staff report submitted by Director of Public Works Ameri dated September 15, 2020, was filed.

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

AYES: COUNCIL MEMBERS Lamnin, Márquez, Mendall, Salinas,  
Wahab, Zermeño  
MAYOR Halliday  
NOES: None  
ABSENT: None  
ABSTAIN: None

Resolution 20-142, “Resolution Authorizing the City Manager to Amend the Construction Contract with Spencon Construction, Inc., (Contract No. 19147) to Increase the Amount by \$354,733 to a Not-to-Exceed Amount of \$677,363 for the Sidewalk Rehabilitation and Wheelchair Ramps FY19 Project, Project No. 05249 and 05213”

## **PUBLIC HEARING**

15. Mission Crossing Project: Consider a Resolution Amending Conditions of Approval Associated with the Mission Crossings Project Which Involves Construction of 140 three-story Condominiums, a 93-room Hotel, and 7,225 Square Feet of Community-Serving Retail Located at 25501 Mission Boulevard and Berry Avenue, MLC, Holdings (Applicant) Meritage Homes and Manchester Hotels, Inc. (Property Owners) **PH 20-060**

Staff report submitted by Development Services Director Simpson, dated September 15, 2020, was filed.

Planning Manager Buizer provided a synopsis of the staff report and noted MLC Holdings and Manchester Hotels representatives were available for questions.

Discussion ensued among members of the City Council and City staff regarding: conditions of approval as to when construction could begin and when certificates of occupancy could be issued; the number of units per building; options for in-lieu fees; affordable housing units; feasibility of pop-up retail; ownership of the frontage property and what brand of hotel was planned; financing needed for construction; current/pending tenant outreach; how the vacant lot is currently being used; construction status of other approved hotels; legal guarantees to ensure the hotel is built if residences are allowed to be completed first; the developer's commitment to building the hotel; and unintended consequences of pausing the project while waiting for the economy to improve.

Mayor Halliday opened the public hearing at 9:03 p.m.

Mr. Michael Freed asked where money from in-lieu fees goes and how the criteria is applied for how it can be spent. City Manager McAdoo clarified fees are put into a trust based on how they are collected, and they can only be used for what they are collected for.

Mr. Charles McKeag, with MLC Holdings, shared that they had worked with the City to develop the Mission Crossings project and changes to the hotel industry in the wake of COVID-19 had made parts of the project impossible in the short-term; and asked for flexibility to avoid a devastating situation and stated performance bonds keep them tied to the project outcome.

Mayor Halliday closed the public hearing at 9:17 p.m.

Council Member Mendall commented about the history of the site and the project; the compromises the City made to ensure the hotel and frontage retail was included; the promise that the hotel would be built first which was not fulfilled; and noted he would not be supportive if the commercial component was not done.

Council Member Mendall offered a motion to deny the request to amend the conditions of approval associated with the Mission Crossings project.



**SPECIAL CITY COUNCIL MEETING  
REMOTE PARTICIPATION  
Tuesday, September 15, 2020, 7:00 p.m.**

---

Council Member Zermeño referenced the Eden Shores project where houses were built before commercial; noted he did not want to see more housing on the property; wanted consideration for different retail options so Mission Boulevard was not full of housing; and expressed concerns about the lot being vacant for three years.

Council Member Márquez noted she understood the challenges but also wanted to see community benefits; expressed disappointment at unfulfilled promises for projects; added it was the Council's responsibility to hold applicants/developers to their commitments; and suggested a work session to discuss how space can be activated in the interim.

Council Member Lamnin wanted to hold the applicant to the commitment made; supported an extended stay hotel; suggested the applicant partner with the county or California State University East Bay for a job training program; acknowledged the impact on financing; agreed that holding a CEDC work session was a good idea; was open to flexibility with fees and bond financing; did not want the property to become blighted; and added the project needs to have a plan to finish the commercial component.

Council Member Wahab appreciated that Council Member Mendall provided historical background; wanted to see a union grocery store with fresh and organic food options; wanted additional parking; desired amenities that improve the quality of life for residents in the area; and recommended Economic Development staff to be part of the discussion.

Council Member Salinas spoke about Council's struggles with what to do along the corridor; wanted option considerations in the interim; believed the site was a catalyst site; and wanted staff to consider impacts on the community.

Mayor Halliday noted the extent of COVID-19 on the economy was unknown and acknowledged the hospitality industry had been affected; hoped the discussion would lead to strong collaboration; noted the need for housing but not along Mission Boulevard; added that if the hotel industry was not an option, the site would need resident serving commercial; thanked Council Member Mendall for reminding all about the promises made and what the approval was based on; and was open to discussion about temporary uses including recreational use.

In response to Council Member Wahab's inquiry about next steps, Planning Manager Buizer noted the original conditions of approval would hold; meaning no additional certificates of occupancy would be processed until the hotel undergoes vertical construction; staff would continue to work with the developer for a temporary or permanent plan that includes viable commercial and provides a service to the community; and would aim at convening a work session with the Council and Economic Development Committee (CEDC) before the end of the year.

Council Member Mendall indicated he was open to other commercial options and thought the CEDC was the right forum for that conversation.

Council Member Salinas recommended adding the item to the CEDC agenda as soon as possible.

It was moved by Council Member Mendall, seconded by Council Member Lamnin, and carried by the following roll call vote, to deny staff recommendation.

AYES:	COUNCIL MEMBERS Lamnin, Márquez, Mendall, Salinas, Wahab, Zermeño MAYOR Halliday
NOES:	None
ABSENT:	None
ABSTAIN:	None

16. California Crosspoint HS TEFRA Hearing: Public TEFRA Hearing as Required by the Internal Revenue Code of 1986, and Adoption of a Resolution Approving the Issuance by the California Public Finance Authority in an Amount Not to Exceed \$29 Million of Education Facility Revenue Bonds to Finance the Acquisition, Construction, Installation, Improvement, Furnishing and Equipping of California Crosspoint High School **PH 20-063**

Staff report submitted by Director of Finance Claussen, dated September 15, 2020, was filed.

Finance Director Claussen provided a synopsis of the staff report acknowledging a memorandum was issued after the publication of the agenda which clarified the sole bond borrower financing the project was California Public Finance Authority (CalPFA) and no other mentioned bond issuer was associated with the financing.

Discussion ensued among members of the City Council and City staff about approving TEFRA bonds; status of the school site; issuance of tax-exempt bonds for non-public educational institutions; exemptions for places of worship; and current plans for the school.

Mayor Halliday opened the public hearing at 10:00 p.m.

Mr. Robin Hom, Superintendent of California Crosspoint Academy, provided background of the purchase of the school site; noted the school had expanded an average of 20% per year; noted the school used bonds for the initial purchase and was now looking to add two buildings to accommodate additional grades, international students, and include an event center and gymnasium; spoke about plans to increase enrollment by 200 students with approval to up to 600 at current conditions; noted the school invests over half a million dollars a year in tuition assistance; and thanked the City Council for the ongoing support.

Mayor Halliday closed the public hearing at 10:05 p.m.



**SPECIAL CITY COUNCIL MEETING  
REMOTE PARTICIPATION  
Tuesday, September 15, 2020, 7:00 p.m.**

---

Council Member Salinas thanked Mr. Hom for the information and expressed he was proud to see them build on their success as he had heard great things about the school.

Council Member Zermeño noted one of the California Crosspoint High School students currently serves on the Hayward Youth Commission.

It was moved by Council Member Salinas, seconded by Council Member Zermeño, and carried by the following roll call vote, to approve the resolution

AYES: COUNCIL MEMBERS Lamnin, Márquez, Mendall, Salinas,  
Wahab, Zermeño  
MAYOR Halliday  
NOES: None  
ABSENT: None  
ABSTAIN: None

Resolution 20-148, "Resolution of the City Council of the City of Hayward Approving the Issuance by the California Public Finance Authority of Education Facility Revenue Bonds in Amount Not to Exceed \$29 Million for the Financing and/or Refinancing of the Acquisition, Construction, Installation, Improvement, Furnishing and Equipping of Certain Educational Facilities for the Benefit of California Crosspoint High School"

**LEGISLATIVE BUSINESS**

17. City of Hayward Fiscal Year 2021 Operating Budget: Amend the Fiscal Year 2021 Operating Budget to Appropriate Funds from the Enterprise Funds to Cover Costs Related to Personnel Changes in the Utilities Division of the Department of Public Works  
**LB 20-042**

Staff report submitted by Director of Public Works Ameri, dated September 15, 2020, was filed.

Public Works Director Ameri provided a synopsis of the staff report.

Council Member Márquez noted the item had been vetted by the Council Budget and Finance Committee, wanted to make sure there were no plans for layoffs, and asked why the funding was not entirely supported by the Enterprise Fund.

Council Member Wahab asked how the City was working to streamline positions.

Council Member Lamnin wanted to discuss the fiscal impact of a city employee versus an outside contractor, positions that are needed permanently versus temporarily, and the urgency of the administrative supervisor reclassification.

Council Member Zermeño thanked Public Works Director Ameri for providing opportunities for employees.

Public Works Director Ameri confirmed no positions were being proposed for elimination and the restructuring provided promotional opportunities; noted the funding was split because the position supports more than one department; there were opportunities for advancement; there was need for internal staff to oversee outside consultants; noted there were new responsibilities that had developed in recent years requiring staff oversight; and spoke about the scope of anticipated projects over the next few years.

There being no public members wishing to speak, Mayor Halliday opened and closed the public hearing at 10:23 p.m.

It was moved by Council Member Márquez, seconded by Council Member Zermeño, and carried by the following roll call vote, to approve the resolution

AYES:	COUNCIL MEMBERS Márquez, Mendall, Salinas, Wahab, Zermeño MAYOR Halliday
NOES:	COUNCIL MEMBER Lamnin
ABSENT:	None
ABSTAIN:	None

Resolution 20-149, "Resolution Authorizing the Amendment to Resolution 20-101, the Budget Resolution for the City of Hayward Operating Budget for Fiscal Year 2021, Appropriating Five Hundred and Twelve Thousand Two Hundred and Fourteen Dollars (\$512,214) from Enterprise Funds and Eight Thousand Two Hundred and Forty-Six Dollars (\$8,246) from the General Fund to Cover Costs Related to Personnel Changes within the Public Works Department"

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

City Manager McAdoo announced the 2020 Census response rate and reminded residents to complete the survey.





**SPECIAL CITY COUNCIL MEETING  
REMOTE PARTICIPATION  
Tuesday, September 15, 2020, 7:00 p.m.**

---

**COUNCIL REPORTS AND ANNOUNCEMENTS**

Council Member Wahab requested the Council contemplate reconsideration of the Land Use Application for the Costco Fueling Center on A Street noting the City Attorney had advised that support of four members of the City Council would allow placement of an item on the September 22, 2020 agenda to vote on whether Council would like to reconsider the proposed project at a public hearing in October. Council Members Márquez, Wahab, Zermeño and Mayor Halliday were in support.

Council Member Márquez noted there was pending discussion to place a moratorium on additional gas stations, and this should be part of the conversation when considering the Costco Fueling Center.

Council Member Lamnin spoke about the impact of the 2020 Census on the Alameda County Supervisorial redistricting and noted the Coalition for Fair Redistricting started a petition to the Alameda County Board of Supervisors.

Council Member Mendall announced the League of Women Voters was holding candidate forums for various Alameda County seats and the Hayward City Council candidate forum was scheduled for September 24, 2020.

Council Member Zermeño recognized September 15 to October 15 was National Hispanic Heritage Awareness Month.

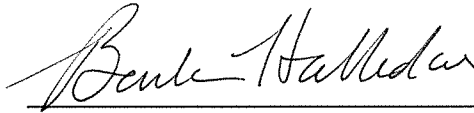
Council Member Salinas encouraged all to complete the 2020 Census and noted the 94544-zip code was the lowest counted.

Mayor Halliday spoke about census caravan efforts and ongoing food bank offerings

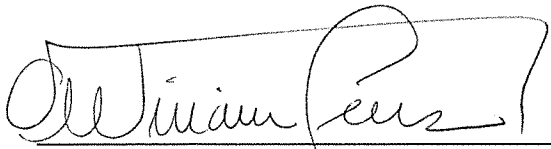
**ADJOURNMENT**

Mayor Halliday adjourned the special meeting at 10:46 p.m., in memory of individuals who lost their lives during the wildfires in California and hoped for better weather.

**APPROVED**

  
\_\_\_\_\_  
Barbara Halliday  
Mayor, City of Hayward

**ATTEST:**

  
\_\_\_\_\_  
Miriam Lens  
City Clerk, City of Hayward