



CITY OF HAYWARD

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

Action Minutes City Council

Tuesday, September 22, 2020

7:00 PM

Remote Participation

CITY COUNCIL MEETING

COVID-19 Notice: Consistent with State of California Executive Order No. 29-20 dated March 17, 2020, and Alameda County Health Officer Order No. 20-10 dated April 29, 2020, the City Council will be participating in public meetings via phone/video conferencing.

CALL TO ORDER Pledge of Allegiance: Council 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 on September 22, 2020, at 5:00 p.m., regarding three items: 1) conference with legal counsel pursuant to Government Code 54956.9 regarding one anticipated litigation; 2) conference with legal counsel pursuant to Government Code 54956.9 regarding Stoddard-Nunez v. City of Hayward; and 3) public employment pursuant to government code 54957(b)(1) regarding performance evaluation for the City Attorney. Mayor Halliday reported there was no reportable action on any items.

PUBLIC COMMENTS

Ms. Serena DeCorra

CONSENT

A motion was made by Council Member Mendall, seconded by Council Member Wahab, 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

Consent Item 6 was pulled from the Consent Calendar for separate vote.

1. [Adopt a Resolution Approving Amendment No. 5 increasing the Professional Services Agreement with CSG Consultants Inc., for Development Review Services, Extending the Date of the Agreement and Authorizing an Increase in the Amount of \\$320,000 for a Total Not-To-Exceed \\$1,200,000](#)

Consent item approved.

2. [Adopt a Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Homebase to Prepare a Five-Year City of Hayward Homelessness Reduction Strategic Plan](#)

Consent item approved.

3. [Adopt a Resolution Accepting the Resignation of Ms. Isabel Pimentel from the Community Services Commission, Effective Immediately](#)

Consent item approved.

4. [Adopt a Resolution Appointing Ms. Lenora Taylor to the Community Services Commission to Fulfill the Unexpired Term of Ms. Isabel Pimentel](#)

Consent item approved.

5. [Adopt a Resolution Authorizing the Forgiveness of the Promissory Note for the City Manager After the City Received Full Repayment of the City-Issued Home Loan](#)

Consent item approved.

6. [Motion to Renew Debate on Proposed Development of a Fuel Facility with Related Site Improvements at the Costco Business Center Located at 22330 Hathaway Avenue, Application No. 201706217 \(Assessor Parcel No. 429-0082-003-00\)](#)

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

Aye: 5 - Council Member Zermeno, Council Member Marquez, Council Member Mendall, Council Member Wahab, and Mayor Halliday

Nay: 2 - Council Member Lamnin, and Council Member Salinas

LEGISLATIVE BUSINESS

7. [Temporary Limit on Third-Party Food Delivery Fees: Adoption of Emergency Ordinance Establishing a Temporary Limit of 15 Percent Limit on Fees of Food Delivery Service Providers to Support Restaurants in Hayward During the COVID-19 Pandemic \(Report from Deputy City Manager Ott\)](#)

A motion was made by Council Member Wahab, seconded by Council Member Zermeno, 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

8. [Extend Commercial Evictions Moratorium: Adopt an Emergency Ordinance Amending Temporary Moratorium on Evictions to Extend the Moratorium for Commercial Evictions until January 31, 2021 \(Report from Deputy City Manager Ott\)](#)

A motion was made by Council Member Wahab, seconded by Council Member Zermeño, 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

9. [League of California Cities Annual Policy Resolutions: Adopt a Resolution Supporting the Singular League of California Cities Policy Resolution Being Considered at the 2020 League of California Cities Annual Business Meeting \(Report from City Manager McAdoo\)](#)

A motion was made by Council Member Wahab, seconded by Council Member Lamnin, to approve resolution opposing the League of California Cities Policy Resolution. 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

10. [City Attorney Employment Agreement Extension: Adopt a Resolution Approving a One-Month Extension to the Employment Agreement Between the City of Hayward and the City Attorney and Authorizing the Mayor to Execute the Agreement \(Report from Assistant City Manager Hurtado\)](#)

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

11. [City Clerk Employment Agreement Extension: Adopt a Resolution Approving the Extension and Modification to the Employment Agreement Between the City of Hayward and the City Clerk and Authorizing the Mayor to Execute the Agreement \(Report from Assistant City Manager Hurtado\)](#)

A motion was made by Council Member Márquez, seconded by Council Member Salinas, 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

ADJOURNMENT

Mayor Halliday adjourned the meeting at 9:42 p.m. in memory of Mr. Rich Essi, long time organizer of the Hayward Zucchini Festival.

NEXT SPECIAL MEETING, September 29, 2020, 7:00 PM