



**MINUTES OF THE SPECIAL JOINT CITY COUNCIL/HAYWARD HOUSING  
AUTHORITY BOARD MEETING**  
Council Chambers  
777 B Street, Hayward, CA 94541  
Tuesday, November 13, 2018, 7:00 p.m.

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The Meeting of the Special Joint City Council/Hayward Housing Board was called to order by Mayor/Chair Halliday at 7:00 p.m., followed by the Pledge of Allegiance led by Mayor/Chair Halliday.

**ROLL CALL**

Present: COUNCIL/HA MEMBERS Zermeño, Márquez, Mendall, Peixoto,  
Lamnin, Salinas  
MAYOR/CHAIR Halliday  
Absent: None

**CLOSED SESSION ANNOUNCEMENT**

City Attorney Lawson announced the City Council convened in closed session at 4:30 p.m., concerning three items: 1) conference with legal counsel pursuant to Government Code 54956.9, regarding Russell City Energy Company LLC v. City of Hayward, Court of Appeal No. A155117 (First District); 2) conference with legal counsel pursuant to Government Code 54956.9, regarding two anticipated litigation cases; no reportable action. 3) conference with labor negotiators pursuant to Government Code 54957.6, regarding all groups; no reportable action, and 4) public employment pursuant to Government Code 54957 (b) (1) regarding the City Manager's employment agreement; and noted there was no reportable action on Items 1, 2 and 3. As of Item 1, City Attorney Lawson noted the Council moved unanimously to approve a compromise and settlement of the case with a motion made by Council Member Zermeño and seconded by Council Member Salinas. Mayor Halliday noted there was no reportable action related to Item 4.

**PUBLIC COMMENTS**

Ms. Faith Munn, Hayward resident, presented a petition asking for more security at 808 H Street, a senior housing complex. Ms. Munn added that there was a security fence on the property, but that the property manager reported that the City instructed them to remove it. The City Council requested a status report on the matter.

Ms. Claire Dugan, Hayward resident, lodged her protest of the Depot Road project. She feels that the area is being used as a dumping area, with significant crime in the area.

Mr. Jim Drake, Hayward resident. He reported that someone stole his water hose and wheelbarrow, and asked for more police patrol cars in the area. He congratulated Mayor Halliday upon her re-election.

Mr. Kim Huggett, Hayward Chamber of Commerce President, thanked the City Council for attending their recent 33<sup>rd</sup> Annual Business Expo event. He reminded the public about the Light Up the Season event, as well as the Latino Roundtable event.

Consent Item No. 8 was removed from the Consent Calendar for discussion and separate vote.

## CONSENT

1. Minutes of the City Council Meeting on October 16, 2018 **MIN 18-143**

It was moved by Council Member Peixoto, seconded by Council Member Lamnin, and carried unanimously, to approve the minutes of the City Council Meeting on October 16, 2018.

2. Adoption of Ordinance Amending Chapter 10, Article 1 (Zoning Ordinance) of the Hayward Municipal Code by Rezoning Certain Property to Planned Development District in Connection with Zone Change and Vesting Tentative Map Application No. 201705848 to Accommodate 59-townhomes at a Site South of the New Tennyson Road Extension between Mission Boulevard and Vista Grande **CONS 18-732**

Staff report submitted by City Clerk Lens, dated November 13, 2018, was filed.

It was moved by Council Member Peixoto, seconded by Council Member Lamnin, carried unanimously, to adopt the following:

Ordinance 18-12, "An Ordinance Amending Chapter 10, Article 1 (Zoning Ordinance) of the Hayward Municipal Code by Rezoning certain Property to Planned Development District in connection with Zone Change and Vesting Tentative Map Application No. 201705848 to Accommodate 59-Townhomes at a site South of the New Tennyson Road extension between Mission Boulevard and Vista Grande Drive"

3. Authorization for the City Manager to Negotiate and Execute a Professional Services Agreement with G Force Global in an Amount not to Exceed \$84,000 for the Completion of Decommissioning the Legacy Unisys System and Migrating the Data to SQL with a .net Interface **CONS 18-670**

Staff report submitted by CIO/IT Director Kostrzak, dated November 13, 2018, was filed.

It was moved by Council Member Peixoto, seconded by Council Member Lamnin, and carried unanimously, to adopt the following:



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Resolution 18-229, "Resolution Authorizing the City Manager to Execute an Amendment to the Professional Services Agreement with G Force Global Technologies for the Completion of Decommissioning the Legacy Unisys System and Migrating all Data to SQL with a .Net Interface"

4. Authorization for City Manager to Execute an Amendment to the Professional Service Agreement with Advanced Mobility Group, Inc. **CONS 18-724**

Staff report submitted by Interim Director of Public Works Ameri, dated November 13, 2018, was filed.

It was moved by Council Member Peixoto, seconded by Council Member Lamnin, and carried unanimously, to adopt the following:

Resolution 18-230, "Resolution Authorizing the City Manager to Execute an Amendment to the Professional Services Agreement with Advanced Mobility Group, Inc., for Traffic Signal Design Related Services"

5. Amendment of the Disposition, Development, and Loan Agreement with Habitat for Humanity East Bay to Extend the Development Schedule **CONS 18-744**

Staff report submitted by Deputy City Manager Ott, dated November 13, 2018, was filed.

It was moved by Council/HHA Member Peixoto, seconded by Council/HHA Member Lamnin, and carried unanimously, to adopt the following:

Hayward Housing Authority Resolution 18-04, "Resolution of the Housing Authority of the City of Hayward Authorizing Execution of a First Amendment to Disposition, Development, and Loan Agreement for the A & Walnut/ Sequoia Grove Habitat for Humanity Housing Development"

6. Sidewalk Rehabilitation and Wheelchair Ramps FY19, Project No. 05249 and 05213 - Districts 4, 6 and 9: Award of Construction Contract to Spencon Construction, Inc. **CONS 18-742**

Staff report submitted by Interim Director of Public Works Ameri, dated November 13, 2018, was filed.

It was moved by Council Member Peixoto, seconded by Council Member Lamnin, and carried unanimously, to adopt the following:

Resolution 18-231, "Resolution Awarding the Sidewalk Rehabilitation and Wheelchair Ramps FY19, Project No. 05249 and 05213 - Districts 4, 6 and 9 Construction Contract to Spenco Construction, Inc"

7. Abatement and Deconstruction for Route 238 Bypass Property Project: Award of Construction Contract to Asbestos Management Group of CA, Inc. **CONS 18-743**

Staff report submitted by Interim Director of Public Works Ameri, dated November 13, 2018, was filed.

It was moved by Council Member Peixoto, seconded by Council Member Lamnin, and carried unanimously, to adopt the following:

Resolution 18-232, "Resolution Awarding the Construction Contract to Asbestos Management Group of CA, Inc., for the Abatement and Deconstruction for Route 238 Bypass Property Project, Phase I, Authorizing the City Manager to Approve of Plans and Specifications and Call for Bids for Future Phases and Appropriation of Funds"

8. Approval of Final Map of Tract 8233 Parkside Heights, Creating Ninety-seven Lots for Detached Single-Family Residences and 26 Lots for the Lot-owners Common Use on a 10.68-Acre Site Located at the Southwest Corner of 2nd Street and Walpert **CONS 18-717**

Staff report submitted by Interim Director of Public Works Ameri, dated November 13, 2018, was filed.

Mayor Halliday opened the public comments section at 7:16 p.m.

Ms. Ynez Jasper, Hayward resident, expressed that she did not feel that there was neighborhood agreement to proceed with this project.

Ms. Candi Cross, Hayward resident, congratulated the Council on their reelection. She thanked others in the City and Public Works who greatly assisted her. Her property boundary issues have all been resolved.

Mr. Greg Powers, attorney for Puelte Homes, shared that his team was working with the neighbors to find resolutions to the boundaries. He shared that none of the boundaries under consideration tonight touch the Jasper family easements, and that the item is a ministerial act to approve the final map conforms to the tentative map. This item has previously been continued numerous times.



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Council Member Lamnin asked if there was conversation with the Jasper family. Staff and Puelte Home reported that there have been ongoing communications with the family, and that they will continue to work with the neighbors in a collective way.

Mayor Halliday closed the public comments section at 7:30 p.m.

Council Member Salinas noted that he would support the item with some pause as well as hope that there will be a resolution to the issues.

Mayor Halliday noted that she would support the motion since it was a ministerial action. She hopes that negotiations will continue and be successful, and asks for staff to keep the City Council apprised.

Council Member Lamnin offered a motion to approve the action per staff's recommendation.

Council Member Mendall seconded the motion.

It was moved by Council Member Lamnin, seconded by Council Member Mendall, and carried unanimously, to adopt the resolution:

Resolution 18-235, "Resolution Approving Final Map for Tract 8233 and Authorizing the City Manager to Execute a Subdivision Agreement"

9. Approval of Final Map Tract 8335 (Telles/Mission), Associated with the Previously Approved Vesting Tentative Tract Map and Proposed Development of 35 Townhomes on a 2.7-Acre Site Located at 26601 Mission Blvd; KB Home (Applicant/Owner) **CONS 18-749**

Staff report submitted by Development Services Director Simpson, dated November 13, 2018, was filed.

It was moved by Council Member Peixoto, seconded by Council Member Lamnin, and carried unanimously, to adopt the following:

Resolution 18-233, "Resolution Approving Final Map for Tract 8335 and Authorizing the City Manager to Execute a Subdivision Agreement"

10. Approval of Final Maps for Tracts 8428 and 8444 (SoHay), Associated with the Previously Approved Tentative Map for Tract 8428 and Proposed Development of 20,000 square feet of Commercial Space, Public Park and Trail, 198 Residential Condominium Units and Apartment Units on a 12.14-acre Site Located at the Southern corner of Mission Blvd and Valle Vista Ave; William Lyon Homes, Inc. (Applicant/Owner) **CONS 18-752**

Staff report submitted by Development Services Director Simpson, dated November 13, 2018, was filed.

It was moved by Council Member Peixoto, seconded by Council Member Lamnin, and carried unanimously, to adopt the following:

Resolution 18-234, "Resolution Approving the Final Map for Tract 8428, the Final Map for Tract 8444 (SOHAY) and Authorizing the City Manager to Execute Subdivision Agreements"

## **PUBLIC HEARING**

11. Proposal to Construct Eight (8) Attached Townhouse Condominium Units and Related Site Improvements at 420 Smalley Avenue (APN 431-0008-020-00) by GKW Architects (Applicant) on behalf of Tommy Tam (Owner), Requiring Introduction of an Ordinance and Adoption of a Resolution to Approve a Vesting Tentative Tract Map, Planned Development (PD) Rezone, and Site Plan Review, and Adopt a California Environmental Quality Act (CEQA) Infill Checklist. Application No. 201704262 **PH 18-084**

Staff report submitted by Development Services Director Simpson, dated November 13, 2018, was filed.

Development Services Director Simpson announced the item and introduced Planner Lee who gave a PowerPoint presentation.

Council Member Peixoto asked about the property street entrance locations and parking spaces. There are three uncovered guest parking spaces in the rear, and he asked if the CC&Rs will prohibit parking there. He asked if there's a traditional driveway going up to each unit. There is not, but there is room for back-up space for residents to drive in directly to their parking spots, and there is also parking on Smalley Ave.

Council Member Márquez asked if there were any other concerns from the public since the planning commission meeting, and staff reported that there were none. In response to Council Member Márquez's question of how the City ensures conditional approval for housing affordability, staff responded that the City has nothing to do with the financing process. She visited the site, but not at night. In response to Council Member Márquez's question if the lights are currently installed that are shown on page 1, project representatives replied that there are no existing street lights on the street, and that the photo indicated what would be



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newly installed. She wants affordable housing on the site. She's conflicted with the size of the units and wants adequate street lights on the site.

Council Member Zermeño asked if residents will be able to park opposite the townhomes on the wall, and staff responded that residents can only park in the driveways. The curbs will be painted red to indicate where people can't park. He is concerned about parking in the area.

Council Member Salinas asked what the alternative use of the property could be if not for this project. Staff replied that there are some single-family developments in the area, and there are several eight development units in that area, with the same density. Council Member Salinas asked about the parking plan for this area. Planning Manager Buizer shared that parking will be addressed in the downtown specific area plan. City Manager McAdoo shared that these are priority development areas close to public transportation, and that residential parking permits could be an option in the future for neighborhoods to reduce parking.

Council Member Mendall thinks it's a problem when the driveways don't connect. He suggests shared driveways that allow for more parking options, and that this be a standard for future projects.

Council Member Lamnin asked about bedrooms in the other eight-unit complexes, and staff didn't have that information.

Mayor Halliday opened the public hearing at 8:04 p.m.

Mr. Gordon Wong, project representative, discussed how the parking solutions were determined. The Covenants, Conditions & Restrictions (CC&Rs) will adopt a regulation that owners will be towed if they park in the guest parking spots. They will put in downward facing lighting in all areas of the site, but not necessarily the light pictured in the rendering.

Mayor Halliday closed the public hearing at 8:21 p.m.

Council Member Mendall offered a motion to approve the action with an amendment: 1) add a condition of approval to include easements for potential, future connectivity of the 'driveway' to connect with the three neighboring properties if-and-when they are developed in the future.

Council Member Salinas seconded the motion.

Council Member Lamnin appreciates many of the project components, and that the developer followed the rules. She noted that she cannot support the project, because she doesn't think there's enough parking provided.

Council Member Peixoto visited the property twice. He disagrees with the project and feels that it will have adverse impact on the surrounding community. He doesn't think that affordable housing should be a narrow issue, but that high-density projects come at a very high price for the area. He wants to respect the existing neighborhoods and consider those who already live here.

Mayor Halliday is concerned about the Homeowner's Association enforcing parking. She asked staff to bring this item back to the City Council, with an update on the issues of concern, including parking and speeding. The developer has followed the necessary guidelines. The housing is very close to BART and AC Transit which will help to ease some of the parking issues.

It was moved by Council Member Mendall, seconded by Council Member Salinas, and carried with the following vote, to adopt the following with one amendment: 1) add a condition of approval to include easements for potential, future connectivity of the 'driveway' to connect with the three neighboring properties if-and-when they are developed in the future.

AYES:	COUNCIL MEMBERS Zermeño, Márquez, Mendall, and Salinas MAYOR Halliday
NOES:	COUNCIL MEMBERS Peixoto and Lamnin
ABSENT:	NONE
ABSTAIN:	NONE

Resolution 18-236, "Resolution Adopting the CEQA Infill Checklist and Approving the Planned Development Rezone with Tentative Tract Map and Site Plan Review Pertaining to Construction of 8 New Townhomes at 420 Smalley Avenue"

## INFORMATION ITEMS

12. La Vista Park - Informational Report Regarding the DeSilva Group Conducting Partial Grading at the Future La Vista Park **RPT 18-185**

Staff report submitted by Interim Director of Public Works Ameri, dated November 13, 2018, was filed.

City Manager McAdoo shared that preliminary grading will continue.

## CITY MANAGER'S COMMENTS

City Manager McAdoo made one announcement: 1) California State Route 238 Corridor Lands Neighborhood Meeting will occur on Thursday, November 15, 2018, at the Matt Jimenez Community Center.





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**COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS**

Council Member Márquez thanked everyone who participated in the elections and supported Measure T. She invited the public to the Keep Hayward Clean & Green Beautification Event on November 17, 2018, at Palma Ceia Park.

Council Member Salinas expressed his sympathy upon the passing of City employee Anthony "Tony" Guerra and noted he attended his memorial service and celebration. Tony was the original "Graffiti Buster", and he embodied the spirit of South Hayward. He retired after 40 years of service in October 2014. He was a painter in the Maintenance Services Department. A memorial tree was planted in his honor.

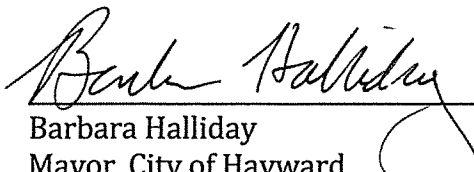
Council Member Zermeño asked staff to hold a future workshop on parking. City Manager McAdoo shared that the City Council would review its priorities in the new year.

Mayor Halliday's thoughts were with those suffering from recent tragic events from the fires in Los Angeles and Paradise, California, to Pittsburg, Pennsylvania. She announced that City Hall would be closed from November 19-23, 2018, and that the next City Council meeting would be held on November 27, 2018.

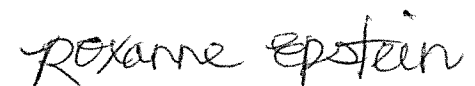
**ADJOURNMENT**

Mayor/Chair Halliday adjourned the meeting in memory of Anthony "Tony" Guerra at 8:51 p.m.

**APPROVED**

  
\_\_\_\_\_  
Barbara Halliday  
Mayor, City of Hayward  
Chair, Hayward Housing Authority

**ATTEST:**

  
\_\_\_\_\_  
Roxanne Epstein  
Deputy City Clerk, City of Hayward  
Acting Secretary, Hayward Housing Authority