



MINUTES OF THE CITY COUNCIL MEETING OF THE CITY OF HAYWARD
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, May 2, 2017, 7:00 p.m.

The City Council meeting was called to order by Mayor Halliday at 7:00 p.m., followed by the Pledge of Allegiance led by Council Member Peixoto.

ROLL CALL

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

CLOSES SESSION

City Attorney Lawson announced the City Council convened in closed session regarding three items: 1) conference with labor negotiators pursuant to Government Code 54957.6 regarding all groups; 2) conference with legal counsel pursuant to Government Code 54956.9 regarding one anticipated case; and 3) conference with legal counsel pursuant to Government Code 54956.9 regarding Russell City Energy Company v. City of Hayward, California Court of Appeal Case No. A144749. City Attorney Lawson noted there was no reportable action.

PRESENTATIONS

Council Member Mendall read a proclamation presented to Carl Baker-Madsen for his dedication and service to the City of Hayward and the Downtown Hayward business community.

Mayor Halliday read a proclamation recognizing the week of May 7-13, 2017 as Public Service Recognition Week and presented it to City Manager McAdoo and Human Resources Director Collins.

PUBLIC COMMENTS

Mr. Jim Drake, Hayward resident, noted that the pine trees that were removed from Santa Clara and Jackson Streets have not been replaced; and spoke about issues with wheelchair ramps.

Ms. Wynn Grcich, Hayward resident, spoke about the deadly pesticide atrazine; a book entitled Science for Sale by David Lewis; Agenda 21, the Plan to Kill You by David Icke; Public Law 105-83; and an article entitled "New challenge to vaccine law."

The following members of the Youth Advisory Council invited all to a "Reach for a Better Community" event on May 20, 2017, at Weekes Park.
Cesar Velazquez

Nestor Diaz
Berenize Romero
Rhea Grover

CONSENT

Consent Item Nos. 3 and 4 were removed for separate vote and to allow public comments.

1. Minutes of the Special City Council Meeting on April 11, 2017 **MIN 17-069**

It was moved by Council Member Mendall, seconded by Council Member Peixoto, and carried unanimously, to approve the minutes of the Special City Council meeting on April 11, 2017.

2. Minutes of the City Council Meeting on April 18, 2017 **MIN 17-065**

It was moved by Council Member Mendall, seconded by Council Member Peixoto, and carried unanimously, to approve the minutes of the City Council meeting on April 18, 2017.

3. FY 2017 & FY 2018 Pavement Rehabilitation Project – Approval of Plans and Specifications & Call for Bids **CONS 17-183**

Staff report submitted by Public Works Director Fakhrai, dated May 2, 2017, was filed.

Mayor Halliday opened the public comments section at 7:35 p.m.

Mr. Steven Dunbar noted that Bike to Work Day was May 19, 2017. Mr. Dunbar mentioned that there were opportunities in the pavement projects and suggested that protected bike lanes with buffers could be added without needing to change the thoroughfare of traffic.

Mayor Halliday closed the public comments section at 7:38 p.m.

Council Member Mendall moved the staff report and encouraged Mr. Dunbar to attend Council Infrastructure Committee meetings and provide input into the discussion of Complete Streets priority.

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

Resolution 17-050, “Resolution Approving Plans and Specifications for the FY 2017 & FY 2018 Pavement Rehabilitation Project, Project No. 05205, 05207, 05209, 05266, 05212, 05245, & 05215 and Call for Bids”

4. FY 2017 & FY 2018 Pavement Preventive Maintenance & Resurfacing Project - Approval of Plans and Specifications & Call for Bids **CONS 17-184**



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Staff report submitted by Public Works Director Fakhrai, dated May 2, 2017, was filed.

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

Resolution 17-051, “ Resolution Approving Plans and Specifications for the FY 2017 & FY 2018 Pavement Preventative Maintenance & Resurfacing Project, Project Nos. 05209, 05210, & 05214 and Call for Bids”

5. Adoption of an Ordinance Amending Chapter 5, Article 10 of the Hayward Municipal Code Regarding Construction and Demolition Debris Waste Reduction and Recycling Requirements **CONS 17-219**

Staff report submitted by City Clerk Lens, dated May 2, 2017, was filed.

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

Ordinance 17-03, “An Ordinance of the City of Hayward Amending Chapter 5, Article 10, of the Hayward Municipal Code Regarding Construction and Demolition Debris Waste Reduction and Recycling Requirements”

6. Adoption of Green Infrastructure Framework **CONS 17-233**

Staff report submitted by Utilities and Environmental Services Director Ameri, dated May 2, 2017, was filed.

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

Resolution 17-049, “Resolution to Adopt the City of Hayward’s Framework for Green Infrastructure Plan Development”

WORK SESSION

7. Review of 21st Century Library and Community Learning Center Staffing Considerations (Report from Library and Community Services Director Reinhart) **WS 17-016**

Staff report submitted by Library and Community Services
Director Reinhart, dated April 25, 2017, was filed.

City Manager McAdoo announced the report and introduced Library and Community Services Director Reinhart who provided a synopsis of the report.

Mayor Halliday opened the public comments section at 7:57 p.m.

Ms. Iris Murillo, Library Commission member, urged the Council to consider the recommended moderate increase in library staffing and any revenue that might offset the cost of additional staffing.

Mayor Halliday closed the public comments section at 8:00 p.m.

Discussion ensued among Council Members and City staff regarding staffing increases to operate the new library; the anticipated revenue related to fees, fines, Café, and bookstore; vacancies within the Library and Community Services Department; partnerships with local agencies to operate programs and leverage outside resources; cross-training City employees for maximum productivity; six-month staffing plan and budgeting at fifty percent of the proposed cost; the Information Technology Analyst I/II proposed position; federal grants as sources of revenue; and the Heritage Plaza and underground rainwater storage system.

Council Members noted there would be additional discussion about the staffing considerations during the budget work session and offered the following recommendation: prioritize staffing increases to have the new library open for additional hours and Sunday hours; staff appropriately for the first months when the new library is open to address increase in service demand; after the initial spike tapers off, consider staffing up or maintaining staffing levels; consider expanding partnerships, internships, and volunteers for new programs; consider return on investment for the tax payers; align the library schedule with the California State University East Bay schedule and other educational institutions; and explore using rooms at the new library to hold classes.

PUBLIC HEARING

8. Approval of Fiscal Year 2017-18 Community Agency Funding Recommendations (Report from Library and Community Services Director Reinhart) PH 17-020

Staff report submitted by Library and Community Services
Director Reinhart, dated May 2, 2017, was filed.

Library and Community Services Director Reinhart and Community Services Manager Bailey provided a synopsis of the report.

Mayor Halliday opened the public hearing at 8:45 p.m.



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Ms. Diane Fagalde, Community Services Commission (CSC) member, urged the Council to approve the CSC recommendations.

Ms. Sharan Aminy, 2-11 Program Manager representing Eden I&R, Inc., thanked the Council for supporting the CSC recommendations.

Ms. Kate Hart, Safe Alternatives to Violent Environments (SAVE) Program Director, asked the City to reconsider the CSC recommendation and restore the funding for a Community Oriented Prevention Services (COPS) advocate to operate out of the Hayward Police Department.

Mayor Halliday closed the public hearing at 8:51 p.m.

In response to Council Member Zermeño' s inquiry about SAVE's request, staff noted that the 4/18/2017 Council staff report outlined justifications for programs that were not recommended for funding.

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

Resolution 17-052, "Resolution Authorizing an Application for Federal Assistance Under the Community Development Block Grant Program for Federal Fiscal Year 2017-2018"

9. FY 2018 Master Fee Schedule/Fine and Bail Schedule (Report from Director of Finance Claussen) **PH 17-023**

Staff report submitted by Finance Director Claussen, dated May 2, 2017, was filed.

Finance Director Claussen provided a synopsis of the staff report and Public Works Director Fakhrai provided information about the proposed increase in hangar fees.

Discussion ensued among Council Members and City staff regarding: fees in the proposed FY 2018 Master Fee Schedule; proposed increase in hangar fees at a rate of ten percent annually and deferred regular maintenance due to lack of sufficient funds; needed taxiway and ramp maintenance; fees for new and existing airport tenants; rent stabilization administration fees; cabarets and dance licenses and permits; animal services fees; Target Store purchase; water heater permit fees; and Comprehensive User Fee Study.

Mayor Halliday opened the public hearing at 9:26 p.m.

The following speakers spoke against staff's recommendation for increase in hangar fees for the following reasons: it was not reasonable to increase hangar rents by fifty percent (phasing in series of ten percent increases for the next five years); hangar rent increases have been historically controlled by a CPI formula; the Council Airport Committee does not have tenant representatives; the airport tenants represents the culture of the airport; the City receives federal funds for airport maintenance; and the vacancy hangar rate will increase due to the fee increase. Speakers urged the Council to postpone approval of the airport fees until staff and airport tenants can come to a mutually agreeable solution.

Mr. Jerry Turney, longtime airport tenant, provided a document for the record

Ms. Kate Turney, longtime airport tenant

Mr. Harry Shin, pilot and airport tenant

Mr. Andrew Detsoh, airport tenant

Mr. Scott Drnek, submitted a card but did not speak

Mr. Bill Mulgrew, submitted a card but did not speak

Mr. Steven Couthes, executive hangar renter and waitlisted for a standard hangar

Mr. Stephen Scott, pilot and executive hangar renter

Mr. Steve Macica, hangar renter

Mr. Steven Imberger, flight instructor

Ms. Margaret Cook, Vice Chair of Bay Cities 99s, International Organization of Women Pilots

Mr. Ben Henderson, Hayward resident, asked the Council to agendaize changing a street name at the Hayward airport from Tuskegee Drive to Tuskegee Airmen Drive, and spoke about a letter that was submitted to the City by Mr. Cunningham. Staff noted that staff had contacted Mr. Cunningham regarding the street name change.

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

In response to Mr. Ben Henderson, Council Members were in general agreement that the name change from Tuskegee Drive to Tuskegee Airmen Drive needed to be fixed.

Council Member Salinas offered a motion per staff's recommendation with a modification that the proposed fee increase for the airport be delayed for one year and during that year reintroduce a robust discussion about fee increases.

There being no second to the motion, it died for lack of a second.

Council Member Mendall noted that the funds coming to the airport had, for decades, been below what is needed for its maintenance, and the increased fees would go to the airport for its maintenance.

Council Member Mendall moved the staff's recommendation including the up to ten percent airport fee increase for the first year with a robust conversation to follow for subsequent year increases.



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Council Member Zermeño seconded the motion noting the airport needed improvements and added that during the first year there will be an opportunity for discussion among all stakeholders.

Council Member Lamnin supported the motion and noted that she did not support a ten percent increase every year and suggested that other appropriate options be explored and included into the robust conversation such as market rate rent for new tenants. Ms. Lamnin added that water heater fees needed to be reviewed.

Council Member Márquez supported the motion, noted that the Council Infrastructure Committee could assist with the analysis of airport fees, supported having more community input in Council Airport Committee meetings, and suggested to prioritize holding a meeting with long-term airport tenants.

Council Member Salinas noted he would be voting against the motion regretting that the airport fees were included in the entire proposed FY 2018 Master Fee Schedule.

Council Member Peixoto supported the motion and noted that he trusted the consultant's professional recommendations related to the airport fees.

Mayor Halliday supported the motion and recommended that staff continue the conversation with airport tenants. Mayor Halliday was disappointed at the increase in alcohol fees for special events and expressed appreciation for the reduction in fees for animal impoundment fees.

It was moved by Council Member Mendall, seconded by Council Member Zermeño, and carried with the following vote, to adopt the resolution:

AYES: Council Members Zermeño, Márquez, Mendall,
Peixoto, Lamnin
MAYOR Halliday
NOES: Council Member Salinas
ABSENT: None
ABSTAINED: None

Resolution 17-053, "Resolution Adopting the FY 2018 Master Fee Schedule that Reflects Updated Fees and Charges for the Departments in the City of Hayward and the Fine and Bail Schedule and Rescinding Resolution No. 16-195 and All Amendments Thereto"

CITY MANAGER'S COMMENTS

City Manager McAdoo commented on three items: 1) the Hayward Unified School District Parcel Tax Measure A passed with a 70% voter approval; 2) the online e-newsletter called The Stack will feature news about Hayward; and 3) the drone video of the Hayward Shoreline March for Science on April 15, 2017.

COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS

Council Member Zermeño announced the Cinco de Mayo celebration at City Hall Plaza on May 6, 2017, and invited all to participate.

Mayor Halliday spoke about her participation in the “Bring Your Child to Work Day” event at City Hall on April 27, 2017.

ADJOURNMENT

Mayor Halliday adjourned the meeting at 10:35 p.m.

APPROVED:

Barbara Halliday
Mayor, City of Hayward

ATTEST:

Miriam Lens
City Clerk, City of Hayward