



MINUTES OF THE CITY COUNCIL MEETING OF THE CITY OF HAYWARD
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, June 13, 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 Mayor Halliday.

ROLL CALL

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

CITY COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS

There was consensus for the Council to provide the City Manager with direction related to Eden Shores Development and the need to reevaluate the formula for calculating the release of home permits.

CLOSED SESSION ANNOUNCEMENT

Mayor Halliday announced that prior to the Closed Session the Council unanimously voted to add the City Attorney and City Clerk performance evaluations to the closed session pursuant to California Government Code Section 54954.2(b)(2). Mayor Halliday noted the City Council discussed two items: 1) public employment pursuant to Government Code 54957 regarding performance evaluation for City Manager, City Attorney, and City Clerk; and 2) conference with labor negotiators pursuant to Government Code 54957.6, regarding all groups; and took no reportable action.

PRESENTATION

Mayor Halliday read a proclamation declaring June 2017 and every June thereafter as Elder Abuse Awareness Month; and June 15, 2017 and every June 15 thereafter as Elder Abuse Awareness Day. Ms. Dena Aindow, Senior Elder Consultant with the Alameda County District Attorney's Elder Protection Unit, and Ms. Stephanie Marsili, Alameda County Adult Protection Services Supervisor with the Alameda County Social Services Agency, accepted the proclamation on behalf of each agency.

PUBLIC COMMENTS

Council Member Lamnin disclosed she is the president of one of the congregations of the Eden Area Interfaith Council and was not involved with the information that the group presented at the Council meeting on June 6, 2017, regarding the sanctuary city designation.

Mr. Ralph Farias Jr., Hayward resident, emphasized the need to address homelessness issues in Hayward.

Mr. Bud Eckert, Hayward resident, spoke about the ordeal experienced by immigrants who cross the Mexican border and those that cross the United States border.

Mr. Jim Drake, Hayward resident, spoke about the City's budget deficit, and the shrubs that should be planted along the rear wall property in his neighborhood.

Mr. George UBL, Westwood Manor resident, provided a document for the record in opposition to the Planned Development at 24765 Hesperian Boulevard, and spoke about an Access Hayward request to clean debris at La Playa Drive.

Mr. Javier Delgadillo, Hayward resident, spoke about issues related to decontrolled units, rent control protection, and relocation assistance.

Mr. S.J. Samiul (aka Citizen Sam), reported that his property was vandalized and construction companies were working on Saturdays. Mr. Samiul also shared various photographs.

Mr. Jerry Turney, Hayward airport tenant, submitted a document for the record and spoke about the 2007 Market Rent Study and the hangar rent increases.

Ms. Kate Turney, submitted a document for the record and spoke about hangar rents and the profit generated by them.

CONSENT

1. Minutes of the City Council Meeting on May 23, 2017 **MIN 17-092**

It was moved by Council Member Peixoto, seconded by Council Member Márquez, and carried unanimously, to approve the minutes of the City Council meeting on May 23, 2017.

2. Transportation Development Act Article 3 Funds FY 2018: Wheelchair Ramps - Authorization to File Application **CONS 17-327**

Staff report submitted by Public Works Director Fakhrai, dated June 13, 2017, was filed.

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

Resolution 17-075, "Resolution Supporting Submission of Claim to the Metropolitan Transportation Commission (MTC) for the Allocation of Fiscal Year 2018 Transportation Development Act (TDA) Article 3 Pedestrian/Bicycle Project Funding for the Installation of Wheelchair Ramps"



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3. Execution of Cooperation Agreement for FYs 18-20 Between the City of Hayward and the County of Alameda to Participate in the Alameda County HOME Consortium **CONS 17-358**

Staff report submitted by Library and Community Services Director Reinhart, dated June 13, 2017, was filed.

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

Resolution 17-076, "A Resolution Authorizing the Continued Participation of the City of Hayward in the Alameda County Home Consortium for Home Funds and Authorizing Execution of the Necessary Documents to Maintain the Eligibility of the Consortium for Home Program Funds in Accordance with the National Affordable Housing Act of 1990"

PUBLIC HEARING

4. Public TEFRA Hearing as Required by the Internal Revenue Code of 1986, and Adoption of a Resolution Authorizing the Issuance of Bonds by the California Statewide Communities Development Authority for the Maple and Main Apartments (Report from Library and Community Services Director Reinhart) **PH 17-055**

Staff report submitted by Library and Community Services Director Reinhart, dated June 6, 2017, was filed.

Library and Community Services Director Reinhart announced the report and introduced Housing Development Specialist Cortez who provided a synopsis of the report.

There being no public comments, Mayor Halliday opened and closed the public hearing at 7:47 p.m.

Council Member Mendall offered a motion per staff recommendation and Council Member Salinas seconded the motion.

In response to Council Member Lamnin's inquiry, Mr. John Penkower with the California Statewide Communities Development Authority (CSCDA) explained the language in the resolution related to the issuance of any refunding bonds.

Council Member Márquez supported the motion noting that she was pleased that the project integrated affordable housing in the downtown.

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

Resolution 17-077, "Resolution of the City Council of the City of Hayward Approving the Issuance by the California Statewide Communities Development Authority of Multifamily Housing Revenue Bonds for the Maple and Main Apartments"

WORK SESSION

5. Review of Draft Strategic Initiatives Two-Year Action Plans: Complete Streets, Complete Communities, and Tennyson Corridor (Report from City Manager McAdoo) **WS 17-032**

Staff report submitted by Assistant City Manager Hurtado, Public Works Director Fakhrai, Development Services Director Rizk, Deputy Development Services Director Bristow, Fire Chief Contreras, and Library and Community Services Director Reinhart, dated June 13, 2017, was filed.

City Manager McAdoo provided an overview of the Complete Streets, Complete Communities, and Tennyson Corridor strategic initiatives and introduced Education Services Manager Vien and Management Analyst McNamara who provided a synopsis of the Tennyson Corridor action plan.

Mayor Halliday opened the public comments section at 8:16 p.m.

The following individuals expressed support for the Tennyson Corridor action plan.

Ms. Julia Lang, Downtown Streets Team representative, spoke favorably about the collaboration the Team has had in South Hayward.

Ms. Susie Hufstader, Bike East Bay representative, emphasized the need for the Tennyson Corridor Strategic Initiative goals to have metrics for accountability.

Ms. Silvia Brandon-Perez, Hayward resident, spoke about the need to address homelessness, rent control, and tenant protection.

Mayor Halliday closed the public comments section at 8:22 p.m.

The Council thanked staff for the Tennyson Corridor action plan and collaborative efforts.

Discussion ensued among Council Members and City staff regarding the performance measure related to the percent Council Members who vote to approve the Vision Plan.



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Council Members expressed general support of the five goals and related performance measures for the Tennyson Corridor action plan and provided the following recommendations: create a sense of community, pride, and safety for South Hayward; add a performance measure under Goal 2 related to funding received for pedestrian and bicyclist safety; add to the leverage of existing groups Palma Ceia and long/short term healthcare facilities; prioritize Goal 2-Objective 4 (improve safety through increased lighting); ensure that recycling/green waste cans are available in the neighborhood related to Goal 3-Objective 2 (dumping and littering); evaluate directing housing rehabilitation funds for problematic landlords; collaborate with HARD and local stakeholders to achieve Goal 4; evaluate bus stops related to Goal 5 (increase community resiliency); consider holding Council meetings in South Hayward and offering interpretative assistance in predominant languages; focus on catalyst sites; focus on addressing current issues and mitigating them; conduct outreach in predominant languages; continue the work accomplished by HUSD students; engage different religious groups; change the name of Leidig Court to Cesar Chavez Street; create an outdoor Cesar Chavez plaza; include recommendations from the Tennyson Community Committee; consider changing the speed limit for the Corridor to a level that promotes safety; gather data on the racially and ethnically diverse population and use it to create a sense of space; develop a brand that redefines the image with elements unique to the Corridor; consider loans to encourage redevelopment and commercial space; create a Corridor that is cohesive and attractive in appearance; attract businesses that are family and youth friendly such as a bike shop; and be thoughtful in the approach when interacting with community members related to Code enforcement matters.

Planning Manager Buizer and Community Services Manager Bailey provided a synopsis of the Complete Communities action plan. Environmental Services Manager Pearson and Senior Transportation Engineer Parikh provided a synopsis of the Complete Streets action plan.

Mayor Halliday opened the public comments section at 9:17 p.m.

Ms. Tina Hand, Bay East Association of Realtors' representative, offered her assistance in helping the City achieve the proposed strategic initiative goals.

Ms. Silvia Brandon-Perez, Hayward resident, suggested that the city encourage the streamlining of permits for Accessory Dwelling Units (ADU) to help with housing needs.

Ms. Susie Hufstader, Bike East Bay representative, recommended that a Central County Complete Streets Design Guidelines checklist be completed for every major corridor and made available on the City website; have specific metrics for proposed goals, and complete the Bicycle Master Plan to qualify for funding opportunities.

Mayor Halliday closed the public comments section at 9:26 p.m.

Council Members were in general agreement with the goals and associated performance measures for Complete Streets and Complete Communities action plans. Council Members offered the following suggestions: evaluate if Accessory Dwelling Units (ADU) will further impact parking issues; have a conversation about housing density in major corridors; focus on catalyst sites; promote ethnicity and historical diversity through signage in multiple languages; provide cost improvements for bike lanes to better prioritize goals; reprioritize the order of the goals under Complete Communities so that Goal 3 (develop a regulatory toolkit for policy makers) comes before Goal 2 (provide a mix of housing stock); reevaluate performance measures for Goal 3 under Complete Communities and consider measures such as park-in-lieu fees; be transparent with the development community about expectations; consider providing child care at community meetings; prioritize low cost traffic calming pedestrian measures; have metrics about operations throughout the corridors; incentivize the diverse mix of housing, jobs and recreation throughout the City; focus on the outcome in terms of participation; leverage community partners; continue to evaluate best use of resources; have metrics related to homelessness for Goal 2 (housing); evaluate all funding related to housing; place emphasis on creating more affordable housing; have concrete goals and performance measures for preventing displacement; list missing amenities/necessities in the neighborhoods and have a vision for achieving them; get a timeline for completion of the Bicycle Pedestrian Master Plan; consider modifying the Loop and institute roundabouts in needed streets; explore tiny homes as housing alternatives; have protections in place for renters; ensure that housing developments have inclusionary housing units; work on fixing past density and land use decisions; and create a mechanism for allowing neighborhoods input related to AUD permit applications.

6. Proposed FY 2018 Operating Budget - Work Session 3 (Report from Finance Director Claussen) **WS 17-031**

Staff report submitted by Finance Director Claussen, dated June 13, 2017, was filed.

Finance Director Claussen provided a synopsis of the report related to the proposed Library and Community Services staffing.

Discussion ensued among Council Members and City staff related to the three options for library staffing in FY 2018; Sunday operating hours at the new library; and the \$32,000 for the maintenance of additional collection of new books and ongoing replacement of materials for the new library. Council Members recommended that staff work with the consultant, Management Partners, to identify possible funding sources for the additional staff positions, and to continue to collaborate with the California State University, East Bay, Friends of the Library, and others to engage volunteers.

There was general agreement to approve the addition of 1.0 FTE Librarian position (Option 2).



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Finance Director Claussen provided a synopsis of the report related to the City's Passport Program.

Discussion ensued among Council Members and City staff related to the four options for continuing the Passport Program, and the fee set by the U.S. Department of State of \$25 per application.

There was general agreement to continue the Passport Program in the City Clerk's office with existing resources (Option 2) and evaluate if the demand for passports continues.

There being no public comments, Mayor Halliday opened and closed the comment section at 10:51 p.m.

7. Capital Improvement Program FY 2018 - FY 2027 (Report from Director of Public Works Fakhrai) (Continued from June 6, 2017) **WS 17-030**

Staff report submitted by Public Works Director Fakhrai, dated June 13, 2017, was filed.

Public Works Director Fakhrai announced the report and introduced Senior Civil Engineer Briggs who provided a synopsis of the report.

Discussion ensued among Council Members and City staff about the cost for the construction of the 21st Century Library and Community Learning Center.

Council Members offered the following recommendations: build out the Fire Training Center; one member recommended placing a limit of \$40 million for the Training Center and \$80 million for the Police Department while another member suggested having them undertaken by the Council Infrastructure Committee; be mindful of safety and lighting throughout the community; engage partners that will help close budget gaps; provide the Council Infrastructure Committee summarized and comprehensive information related to the Capital Improvement Program; consider the acoustics in the Rotunda and shades for the windows as unfunded need; and review having hydrogen powered vehicles.

There being no public comments, Mayor Halliday opened and closed the public comments section at 11:16 p.m.

LEGISLATIVE BUSINESS

8. Introduction of Ordinance Updating Various Sections of the Hayward Municipal Code (Report from City Attorney Lawson and City Clerk Lens) **LB 17-022**

Staff report submitted by City Attorney Lawson and City Clerk Lens, dated June 13, 2017, was filed.

City Attorney Lawson provided a synopsis of the staff report and addressed the two inquiries related to the elimination of procedures for keeping paper records related to pawnbrokers. City Attorney Lawson noted there were two changes to Exhibit A of the proposed ordinance: 1) retain the current language in Section 2-1.10(a) and (b) related to the compensation for members of the City Council on page 7; and 2) change the word in Section 4-1.58 from “proscribed” to “prescribed” on page 17.

In response to Council Member Salinas’ inquiry about bingo and regulations around 50/50 drawings, City Attorney Lawson noted that game of chance is regulated by State laws.

There being no public comments, Mayor Halliday opened and closed the public hearing at 11:23 p.m.

It was moved by Council Member Mendall, seconded by Council Member Lamnin, and carried unanimously, with the two amendments to Exhibit A: 1) retain the current language in Section 2-1.10(a) and (b) related to the compensation for members of the City Council; and 2) change the word in Section 4-1.58 from “proscribed” to “prescribed,” and adopt the following:

Introduction of Ordinance 17-_, “An Ordinance Amending Certain Hayward Municipal Code Sections of Chapter 1, Chapter 2, Chapter 3, Chapter 4, Chapter 5, Chapter 6, Chapter 7, Chapter 8, Chapter 9, Chapter 10 and Chapter 11”

CITY MANAGER’S COMMENTS

City Manager McAdoo commented on three items: 1) an investigation about the inappropriate taco pun posted in an official tweet on June 6, 2017, a social media policy, and an implicit bias training; 2) the first 2017 Downtown Street Party on June 15, 2017; and 3) a youth trash capture and watershed education project funded with an EPA grant.

COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS

Mayor Halliday reported on her attendance at various events: 1) school production at Russ Elementary School where students performed “Taming of the Shrew” by Shakespeare and a performance by the Mt. Eden High School Choir on June 10, 2017; Bishop Macklin’s 65th Birthday and Episcopal Elevation Celebration at the San Francisco Marriott on June 9, 2017; and the commencement ceremony at California State University, East Bay, for the College of



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Business and Economics and the College of Education and Allied Studies on June 11, 2017, where the 43rd treasurer of the United States, Rosie Rios, was the honorary recipient of a Doctor of Laws degree.

ADJOURNMENT

Mayor Halliday adjourned the meeting at 11:35 p.m., in memory of Ms. Pearl Arhontes.

Ms. Pearl Arhontes was born and lived in Hayward; was active in organizations such as the Native Daughters of the Golden West and the Hayward Area Historical Society; and operated Craft Peddlers in the Bay Area. Mayor Halliday asked staff to work with the Hayward Area Historical Society and find a suitable place to plant a tree in memory of Pearl Arhontes.

APPROVED:

Barbara Halliday
Mayor, City of Hayward

ATTEST:

Miriam Lens
City Clerk, City of Hayward