



CITY COUNCIL MEETING
777 B Street, Hayward, CA 94541

Council Chambers

<https://hayward.zoom.us/j/83639328548?pwd=ZUdDZE5lM2R1dHNFbVJoVXJBckdmQT09>

Tuesday, March 19, 2024, 7:00 p.m.

The City Council meeting was called to order by Mayor Salinas at 7:00 p.m. The City Council held a meeting in the Council Chambers.

Pledge of Allegiance: Council Member Andrews

Present: COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche, Syrop, Zermeño
MAYOR Salinas

Absent: None

CLOSED SESSION

The City Council convened in closed session on March 19, 2024, at 5:30 p.m., with all members present and no public speakers, regarding three items: 1) conference with legal counsel pursuant to Government Code section 54957(a) regarding one anticipated litigation case; 2) conference with legal counsel pursuant to Government Code section 54956.9(d)(2) regarding one anticipated litigation case; and 3) conference with labor negotiators pursuant to Government Code section 54957.6 regarding negotiations with all labor groups.

City Attorney Lawson reported the Council discussed Items 1 and 2 and took no reportable action. Related to Item 3, City Attorney Lawson indicated that staff did not discuss the item with staff due to lack of time and anticipates agendizing the matter for March 26, 2024. The closed session adjourned at 6:50 p.m.

PRESENTATIONS

Mayor Salinas read a Proclamation declaring the month of March 2024 as American Red Cross Month in the city of Hayward. Alameda County Volunteer Leadership Council Member Michael Gregory thanked the City for such special recognition and accepted the proclamation on behalf of the American Red Cross.

Council Members Andrews and Roche read a Proclamation declaring March 2024 as Women's History Month in the city of Hayward. Executive Director Vanessa Russell accepted the recognition on behalf of Love Never Fails. Alpha Kappa Alpha and San Francisco Bay Area National Panhellenic Council (NPHC) President Erika Albury accepted the recognition on behalf of NPHC. Hayward Tri-City Chapter of Delta Sigma Theta Sorority President April Lampkin accepted the recognition on behalf of Hayward Tri-City Alumni Chapter of Delta Sigma Theta Sorority Incorporated. Library Director Jayanti Addleman accepted the recognition on behalf of the Hayward Public Library.

PUBLIC COMMENTS

There were none.

CITY MANAGER'S COMMENTS

City Manager McAdoo announced the Job and Resource Fair presented in partnership with Rubicon Programs and Alameda County Workforce Development Board, to be held at the Hayward Public Library on March 23, 2024.

CONSENT

Consent Items 3 and 5 were removed from the Consent Calendar for a separate vote.

1. Approve the Minutes of the City Council Meeting on March 5, 2024 **MIN 24-031**
It was moved by Council Member Andrews, seconded by Council Member Zermeño, and carried by the following roll call vote, to adopt the City Council meeting minutes of March 5, 2024.
2. Adopt a Resolution Authorizing the City Manager to Accept and Appropriate \$2,500,000 in State Funds for Construction of the Stack Center Phase II **CONS 24-112**

Staff report submitted by Assistant City Manager Youngblood, dated March 19, 2024, was filed.

It was moved by Council Member Andrews, seconded by Council Member Zermeño, and carried by the following roll call vote, to adopt the resolution.

AYES: COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche,
Syrop, Zermeño
MAYOR Salinas
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 24-045, "Resolution Authorizing the City Manager to Accept and Appropriate \$2,500,000 in State Funds for Construction of the Stack Center Phase II"

3. Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Ground Lease with Raja Indian Cuisine for Property at 1275 West Winton Avenue **CONS 24-114**

Staff report submitted by Public Works Director Ameri, dated March 19, 2024, was filed.



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Mayor Salinas acknowledged the business owner, Makhan Bains, and consultant, Satish Narayan, emphasizing the importance of the building's design as a gateway into the industrial area; and appreciated the adjustments made to ensure harmony with the nearby Hayward Fire Station 6 and Regional Training Center, including the color scheme and architectural elements.

Satish Narayan emphasized the commitment of Mr. Makhan Bains to bring the building as close as possible to the rendered design, noted an inconsistency in the lease terms regarding the effective date, and suggested the dates align so that the lease begins upon issuance of the certificate of occupancy.

City Manager McAdoo suggested that the motion include direction to staff to clarify the dates for the lease.

It was moved by Mayor Salinas, seconded by Council Member Syrop, and carried by the following roll call vote, to adopt the resolution with direction to staff to clarify the dates for the lease.

AYES: COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche,
Syrop, Zermeño
MAYOR Salinas
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 24-048, "Resolution Authorizing the City Manager to Negotiate and Execute a New Lease Agreement with Raja Indian Cuisine for the Lease of Airport Property"

4. Adopt a Resolution Terminating the Proclamation of Local Emergency Due to Cybersecurity Incident **CONS 24-118**

Staff report submitted by Information Technology Director Kostrzak, dated March 19, 2024, was filed.

It was moved by Council Member Andrews, seconded by Council Member Zermeño, and carried by the following roll call vote, to adopt the resolution.

AYES: COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche,
Syrop, Zermeño
MAYOR Salinas
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 24-046, "Resolution Terminating the Proclamation of Local Emergency Due to Cybersecurity Incident"

5. Adopt a Resolution Authorizing the City Manager to Execute a Two-Year Agreement with Flock Safety for the Purchase of Thirty-Five (35) Additional Flock Safety Automated License Plate Reader Cameras in an Amount Not-to-Exceed \$300,000, and Not-to-Exceed \$500,000 for All Agreements with Flock Safety **CONS 24-126**

Staff report submitted by Police Chief Matthews, dated March 19, 2024, was filed.

In response to Council Member Bonilla's inquiry, Police Chief Matthews explained the usage of the safety automated license plate readers and their value as an investigative tool and enhancing solvability rates.

Council Member Bonilla Jr. informed the public about upcoming Council Public Safety Committee meetings where similar issues would be discussed.

In response to Council Member Syrop's inquiry about the data retention policy for license plate vehicle information, Police Chief Matthews noted the images are retained for 30 days and then purged, unless they are linked to an ongoing investigation, in which case they are held until the legal proceedings are concluded.

It was moved by Council Member Bonilla Jr., seconded by Council Member Goldstein, and carried by the following roll call vote, to adopt the resolution.

AYES:	COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche, Syrop, Zermeño MAYOR Salinas
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution 24-049, "Resolution Authorizing the City Manager to Execute a Two-Year Agreement with Flock Safety for the Purchase of Thirty-Five (35) Additional Flock Safety Automated License Plate Reader Cameras in an Amount Not-To-Exceed \$300,000, and Not-To-Exceed \$500,000 for all Agreements with Flock Safety"

6. Adopt Resolutions Authorizing the City Manager to Amend the Professional Services Agreement with Dewberry Architects, Inc., and Appropriate Additional Funds from Fund 405 for the Hayward Police Department Locker Room Building, Project No.07420 **CONS 24-145**



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Staff report submitted by Public Works Director Ameri, dated March 19, 2024, was filed.

It was moved by Council Member Andrews, seconded by Council Member Zermeño, and carried by the following roll call vote, to adopt the resolution.

AYES: COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche,
Syrop, Zermeño
MAYOR Salinas
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 24-047, "Resolution Authorizing the City Manager to Amend the Professional Services Agreement with Dewberry Architects, Inc., by \$114,000 for the Hayward Police Department Locker Room Building, Project No.07420"

WORK SESSION

7. La Vista Park Project: Review and Discuss Project Revised Scope, Estimate and Budget WS 24-003

Staff report submitted by Public Works Director Ameri, dated March 19, 2024, was filed.

Public Works Director Ameri announced the La Vista Park project and introduced James Lowe, partner at Surface Design, who provided an overview of La Vista Park- project timeline since 2018, project phase one of the park development, and phase two including associated costs for alternates and additional features. City Manager McAdoo highlighted that the Hayward Area Recreation and Park District (HARD) committed a significant amount in Park-in-Lieu fees and Measure F Bond fund allocations toward construction of La Vista Park and staff was seeking Council input about potentially allocating additional funds from Measure C towards phase two and potential alternates.

Mayor Salinas opened the public comment section at 7:58 p.m.

Mimi Bauer stated that funds earmarked for La Vista Park regional project, both from the City and HARD, could also be utilized for parks in the surrounding area, and urged the Council to prioritize funding and construction of the two neighborhood parks planned for the Fairway Park communities, emphasizing their absence for seventy years.

Al Mendall, former council member and South Hayward resident, provided historical context regarding La Vista Park, emphasizing promises made to residents dating back over 20 years, including commitments made during annexations and rezoning efforts; and urged the Council to prioritize fulfilling these long-standing commitments to residents by swiftly moving forward with the park's construction.

HARD President Peter Rosen expressed support for prioritizing park elements in La Vista Park acknowledging adjustments made by staff to make the project more affordable; and encouraged Council to return the lower neighborhood park into the first phase and asked for consideration of additional overflow parking to accommodate visitors if the park is expected to serve as a regional facility.

HARD Director Sara Lamnin emphasized the need for collaboration and joint decision-making regarding the priorities and vision for La Vista Park, recommended that the Council focus its direction on allocation of Measure C funds, and urged for a joint session of the Council and HARD regarding park elements and maintenance.

Mayor Salinas closed the public comment section at 8:10 p.m.

Members of the City Council thanked City staff and public members for their participation.

Discussion ensued among members of the City Council, City staff, Surface Design staff, and HARD Board of Directors; and the following clarifications were made: a keyway is an underground structure built to stabilize soil slopes; there are two entrances proposed for the park; there is up to \$10 million available in Measure C funds for the project; there are 1,400 trees as part of the plan; different pavement which is permeable and layered into the landscape naturally are planned for the project; the average cost of the park was about \$45 million but due to the increase in construction costs it would now be closer to \$50 million, however, measures have been taken to offset costs; information about Capital Improvement Plan (CIP) projects, including Bidwell Park and El Rancho Verde Park, is available online through HARD's website; a dog park and two basketball courts have been incorporated into the park design to accommodate various community needs; the amphitheater remains part of the La Vista Park design; in the initial phase, there will be a fixed toilet block, while in phase two, there will be two mechanized bathroom blocks—one with four stalls and the other with two stalls—located near the playground and sports field areas; and conversations with HARD about the park's maintenance will have to take place.

Members of the City Council provided the following recommendations: maintain the original plan from 2018; use available funds for the parks promised for South Hayward; the parking design and amenities for the park need to be discussed among HARD and the City; consider the importance of equitable distribution of park resources across neighborhoods, particularly underserved; take into consideration the expert input from HARD regarding park design and amenities, especially for families with children; consider grant opportunities for additional features like the science garden and for play structures from organizations like Kaboom; evaluate return of the lower neighborhood park to the project's design; consider revisiting the



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Capital Improvement Plan (CIP) list to review the status and timelines of various park projects, particularly Bidwell Park and El Rancho Verde Park; there was support for both phases of the La Vista Park project, but hesitation about adding more parking space, preferring to prioritize walkability, biking, and public transit accessibility to align with Climate Action Plan goals; evaluate and consider collaborating with HARD to expedite other park improvement projects using Measure C funds; consider bidding phase one and phase two together and exploring ways to use the funds for alternates for supporting other parks in collaboration with HARD; there was support for the inclusion of both phase one and phase two elements and return of the lower neighborhood park in collaboration with HARD; there was support to use Measure C funds for the additional \$5.2 million and include additional expenses to bring the lower neighborhood park into phases one and two; note the importance of collaboration with HARD, acknowledging their expertise in park development; and there was support for the inclusion of the lower park as promised to the community and for using Measure C funds to fulfill commitments and advance park development in other areas such as El Rancho Verde Park and Bidwell Park.

There was general agreement about using Measure C funds for the proposed project.

Discussion ensued and there was general support of City Manager McAdoo's suggestion that feedback on phase one, phase two, and phase two add-alternates be gathered during a work session with HARD; and any necessary tweaks be incorporated into the bid package in collaboration with HARD to ensure alignment with the overall funding approach and budget.

Council Member Roche cautioned against committing the full \$10 million from Measure C, proposing to allocate \$5 million initially and emphasizing the need to explore cost-saving measures between phase one and phase two based on HARD's input.

Council Member Syrop concurred with Council Member Roche's caution about committing the full \$10 million from Measure C, suggesting a budget cap of around \$6 million to ensure fiscal responsibility.

Mayor Salinas expressed interest in exploring the possibility of collaborating with the Hayward Unified School District to create an outdoor STEM (science, technology, engineering, and math) classroom or science garden as part of the phase two add-alternates, to which City Manager McAdoo stated staff would reach out but acknowledged potential funding restrictions.

The City Council took a recess at 8:54 p.m., and Mayor Salinas reconvened the meeting at 9:07 p.m.

PUBLIC HEARING

8. 27865 Manon Avenue Tract Map: Proposed Vesting Tentative Tract Map (Tract 8600) and Modification of an Affordable Housing and Density Bonus Plan from the Previously Approved Zone Change, Site Plan Review, Density Bonus and Environmental Review Application No. 202101491 for a 22 Unit Townhome Development located at 27865 Manon Avenue (APN 453-0090-014-00). Application: TM-23-0009; Applicant: Abraham Halaw, Briscoe Construction; Owner: Sunflower Manon LLC (Report from Development Services Director Buizer) **PH 24-012**

Staff report submitted by Development Services Director Buizer, dated March 19, 2024, was filed.

Senior Planner Blanton provided a synopsis of the staff report.

Discussion ensued among members of the City Council, City staff, and applicant Abraham Halaw and the following clarifications were made: while the project was initially planned for conversion from rental to ownership, concerns arose regarding financing complications if one party controlled the majority of units within the homeowner association (HOA); in a condo project, a certain percentage of ownership units must be maintained for financing viability by the secondary market; affordable units in the property will be restricted in perpetuity and must remain as ownership units; regarding the waiver for security gate setback, the transportation division added the condition of approval for the setback, but feasibility issues led to the need for additional density bonus waivers; the decision regarding the tract map primarily pertains to affordable housing, with minimal material change; requested density bonus waivers are mandated by State law; there is no reduction of number of trees; a maximum of 25% of garage spaces could be turned into accessory dwelling units; and 41 parking spaces are available, with 19 outdoor uncovered spots.

There being no public comment, Mayor Salinas opened and closed the public hearing at 9:23 p.m.

Council Member Syrop made a motion to approve staff's recommendation, and indicated it was his hope that the units would remain homeownership opportunities for everyday people.

Council Member Goldstein seconded the motion.

Council Member Andrews expressed support for the project but raised concerns about parking, suggesting that with 22 units, there could potentially be 66 cars or a minimum of 44, and proposed monitoring the situation post-construction to assess any necessary adjustments.

Council Member Goldstein noted he had reviewed the project while in the Planning Commission and was supportive of staff's recommendation.

In response to Council Member Bonilla Jr.'s inquiry about the point raised by Council Member Syrop, Housing Manager Morales indicated the City does not have any control over the market



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rate units and the HOA would dictate terms and how many units would be allowed to convert to rental.

Council Member Bonilla acknowledged the State Density Bonus law limits setbacks for the security gate and noted that he would be supporting staff's recommendations.

Council Member Roche expressed concern about parking limitations and noted she would be supporting the motion.

In response to Mayor Salinas' inquiry, Housing Manager Morales indicated the place for affordable units was negotiated with the housing team and it is in the Affordable Housing Plan.

It was moved by Council Member Syrop, seconded by Council Member Goldstein, and carried by the following roll call vote, to adopt the resolution.

AYES: COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche,
Syrop, Zermeño
MAYOR Salinas

NOES: None

ABSENT: None

ABSTAIN: None

Resolution 24-050, "Resolution Approving Vesting Tentative Tract Map 8600 and the Modification of the Affordable Housing/Density Bonus Plan Pertaining to the Construction of 22 New Townhomes at a Site Located at 27865 Manon Avenue"

LEGISLATIVE BUSINESS

9. General Plan Annual Progress Report: Accept the Hayward 2040 General Plan Annual Progress Report for Calendar Year 2023 (Report from Development Services Director Buizer) **LB 24-009**

Staff report submitted by Development Services Director Buizer, dated March 19, 2024, was filed.

Senior Planner Thompson provided a synopsis of the staff report.

Council Member Andrews sought clarification on the ombudsman service, to which City Manager McAdoo proposed a follow-up informational report or email with a summary of responses to address unanswered inquiries.

Council Member Andrews sought clarification in understanding how the Town-Gown, Education Partnership and the Education City collaborate with one another; how the Cultural Commission interacts with the International Business Program; and requested access to Shuttle Service Study.

Council Member Syrop suggested the General Plan progress report would be a good document for newly elected individuals to review; highlighted the M-14 Transit Rider Information Study, which is currently listed as not started, and proposed potentially moving it to the AC Transit Inter-Agency Liaison Committee or collaborating with AC Transit staff to address it.

Council Member Roche also requested access to the Shuttle Service Study and suggested it be coordinated in partnership with AC Transit; and inquired about the Transportation Demand Management (TDM) Plan and its implementation, as well as the status and evolution of the Micromobility Plan, emphasizing the importance of learning from other cities' experiences.

Council Member Zermeño noted the General Plan was a comprehensive document.

Council Member Goldstein commended staff for the completion of tasks, highlighting the transition of the General Plan from physical documents to an accessible online resource, making information easily available to the public.

Council Member Syrop requested to incorporate M-20 (Off-Street Parking Regulations) and M-22 (Truck Routes Study) in the next Climate Action Plan update; and requested a timeline for review of some of the topics.

There being no public comment, Mayor Salinas opened and closed the public hearing at 9:50 p.m.

Council Member Bonilla Jr. made a motion per staff's recommendation.

Council Member Andrews seconded the motion.

It was moved by Council Member Bonilla Jr., seconded by Council Member Andrews, and carried by the following roll call vote, to accept the City of Hayward 2040 General Plan Progress Report for the 2023 Calendar Year.

AYES:	COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche, Syrop, Zermeño MAYOR Salinas
NOES:	None
ABSENT:	None
ABSTAIN:	None



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COUNCIL REPORTS AND ANNOUNCEMENTS

Council Member Roche, liaison to the Library Commission, announced the availability of free in person and online citizenship classes at the library, and encouraged individuals to check the library's events calendar for upcoming classes.

Council Member Syrop expressed gratitude for the women contributing to the city's operation, acknowledged International Women's Day, and emphasized the importance of advancing gender equality and addressing inequities in society.

Mayor Salinas urged the City Clerk and IT Department to refine the process at the dais to avoid technology disruptions during meetings; commended the Bay Philharmonic Group for organizing an outstanding Gaelic Celtic event at Chabot College on March 17, 2024; and announced a City of Hayward College Night event on March 20, 2024 at City Hall.

COUNCIL REFERRAL

10. City Council Referral: Juneteenth Marquee Event RPT 24-023

Council referral memorandum submitted by Council Members Andrews and Roche dated March 19, 2024, was filed.

Council Member Andrews provided a synopsis of the referral, advocating for Juneteenth to be recognized as a marquee event similar to the annual Martin Luther King Celebration event, and urged for in-kind support from staff in planning and staffing the event, along with exploring the potential for matching funds of up to \$15,000 to support the logistics for future commemorations.

Council Member Roche indicated she was supporting Council Member Andrews on the referral.

Council Member Syrop expressed support for allocating \$15,000 to ensure the success of the Juneteenth event, citing the positive impact of past celebrations in activating the community; and expressed he could commit some funds from his discretionary funds. While hesitant about immediately forming a task force due to staff capacity concerns, he welcomed further discussion during the work session and emphasized the need for creative solutions to support community events.

Council Member Goldstein expressed support for the Juneteenth event, offered to contribute discretionary funds to its success, and suggested involving more community partners, such as the Hayward Chamber of Commerce, in the planning process, recognizing their potential to contribute to organizing the event.

Council Member Zermeño expressed his support for the Juneteenth event, viewing it as a resident-centered and culturally significant initiative; and expressed he was also willing to contribute funds.

Council Member Bonilla Jr. expressed gratitude to Council Member Andrews for spearheading the referral and expressed support for the initiative; and received clarification that, through the task force initiative, staff would be able to evaluate the amount sought.

There being no public comment, Mayor Salinas opened and closed public comment at 9:56 p.m.

Council Member Andrews made a motion to approve the recommendation to: 1) provide in-kind support for planning and staffing for the event; 2) include Juneteenth Hayward as a marquee event for the city, similar to the annual Martin Luther King Celebration event; and 3) provide a matching grant up to \$15,000 to support logistics for the event.

Council Member Roche seconded the motion.

It was moved by Council Member Andrews, seconded by Council Member Roche, and carried by the following roll call vote, to accept the referral.

AYES:	COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche, Syrop, Zermeño MAYOR Salinas
NOES:	None
ABSENT:	None
ABSTAIN:	None

ADJOURNMENT

Mayor Salinas adjourned the City Council meeting at 10:08 p.m.

APPROVED

Mark Salinas
Mayor, City of Hayward

ATTEST:

Miriam Lens
City Clerk, City of Hayward