



CITY OF HAYWARD

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

Action Minutes City Council

Tuesday, June 19, 2018

7:00 PM

Council Chambers

CITY COUNCIL MEETING

CALL TO ORDER Pledge of Allegiance: Council Member Lamnin

ROLL CALL

Present: 7 - Council Member Francisco Zermeno, Council Member Al Mendall, Council Member Marvin Peixoto, Council Member Sara Lamnin, Council Member Elisa Marquez, Mayor Barbara Halliday, and Council Member Mark Salinas

CLOSED SESSION ANNOUNCEMENT

City Attorney Lawson announced the City Council convened in closed session at 4:30 p.m., to discuss four items: (1) conference with legal counsel pursuant to Government Code 54956.9 regarding one anticipated litigation; (2) conference with property negotiators pursuant to Government Code 54956.8 regarding State owned parcels along the Route 238 Bypass Alignment; (3) conference with labor negotiators pursuant to Government Code 54957.6 regarding all groups; and (4) public employment pursuant to Government Code 54957 regarding the City Attorney and City Clerk's annual performance evaluations. City Attorney Lawson noted there was no reportable action related to Items 1, 2, and 3. Mayor Halliday noted there was no reportable action related to Item 4.

PRESENTATIONS

Proclamation: Bicentennial of Frederick Douglass

Certificate of Commendation: Salvation Army Captains John and Kyna Kelley

PUBLIC COMMENTS

Ms. Lisa Tealer
Ms. Theresa Pedrosa
Ms. Wynn Grcich
Ms. Jenna Carlsson
Ms. Peggy Guernsey
Ms. Amanda Guernsey
Mr. Kim Huggett
Mr. Charlie Peters
Mr. Jim Drake
City Attorney Lawson

Council Member Mendall disclosed that his daughter was one of the Hayward Youth Commission nominees and he was going to recuse from participating on Item No. 1.

ACTION ITEMS

1. [Appointment and Reappointment to the Hayward Youth Commission \(Report from City Clerk Lens\)](#)

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

Aye: 6 - Council Member Zermeno, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, Mayor Halliday, and Council Member Salinas

Recused: 1 - Council Member Mendall

City Clerk Lens sworn in the newly appointed and reappointed members of the Hayward Youth commission.

Council Member Mendall returned to the dais.

Consent Items 5 and 6 were removed for separate vote.

CONSENT

Approval of the Consent Calendar

A motion was made by Council Member Mendall, seconded by Council Member Lamnin, to approve the Consent Calendar. The motion carried by the following vote:

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

2. [Minutes of the City Council Meeting on May 15, 2018](#)

Consent item approved.

3. [Minutes of the Special Joint Meeting of the City Council/Hayward Redevelopment Successor Agency/Hayward Housing Authority on May 22, 2018](#)

Consent item approved.

4. [Minutes of the Special City Council Meeting on May 29, 2018](#)

Consent item approved.

Council Member Salinas disclosed he works with the Hayward Promise Neighborhood and California State University East Bay and would be recusing himself from voting on Consent Item No. 5.

5. [Authorize the City Manager to Accept Sub-Recipient Grant Funding in the Total Amount of \\$876,875.29 to be Received in Increments over Five Years from California State University East Bay for Services to be Performed by the City of Hayward in Relation to the South Hayward Promise Neighborhood Grant Award](#)

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

Aye: 6 - Council Member Zermeno, Council Member Mendall, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, and Mayor Halliday

Recused: 1 - Council Member Salinas

6. [Downtown Business Improvement Area Annual Report and Proposed Budget for FY 2019](#)

A motion was made by Council Member Mendall, seconded by Council Member Zermeno, to approved staff's recommendation. The motion carried by the following vote:

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

7. [Resolution Approving the Designation of Subrecipient's Agent for Disaster Assistance](#)

Consent item approved.

8. [Authorization for the City Manager to Negotiate and Execute Two Annual MOUs with the Hayward Unified School District for School Resource Officer and School Based Counseling Services](#)

Consent item approved.

9. [Water Pollution Control Facility Final Clarifier and Gravity Belt Thickener Sludge Blending Tank Rehabilitation Project: Approval of Addendum No. 1 and Award of Construction Contract, and Appropriation of Funds](#)

Consent item approved.

10. [Hazardous Material Testing Reports for Route 238 Bypass Property Project - Authorization to Establish a Professional Services Agreement with EnviroNova, LLC.; and Appropriation of Funds](#)

Consent item approved.

11. [Resolution Approving a Memorandum of Understanding between the City of Hayward and Hayward Association of Management Employees and Authorizing Staff to Execute the Agreement](#)

Consent item approved.

12. [Adoption of a Resolution Authorizing the City Manager to Execute an Amendment to the Professional Services Agreement with Management Partners for Route 238 Property Development and Disposition Project Management Services](#)

Consent item approved.

13. [Amendment to the First Responder Advanced Life Support \(FRALS\) Agreement](#)

Consent item approved.

14. [Adoption of a Resolution to Amend the FY2018 Mural Art Program Budget to Increase the Revenues in the Amount of \\$4,000 and Authorize a Corresponding Expenditure Authority Increase to Appropriate Funds for Two Mural Art Program Projects](#)

Consent item approved.

PUBLIC HEARING**15. [Proposed Development of a 13 Lot Subdivision at 24765 Hesperian Boulevard Applicant/Owner: Three Cedars, LLC Requiring Introduction of an Ordinance and Resolution to Approve Zone Change and Tentative Map \(8359\), and Related Environmental Review \(Application No. 201605551\) \(Report from Interim Development Services Director Bristow\)](#)**

A motion was made by Council Member Mendall, seconded by Council Member Salinas, to approve staff's recommendation with an amendment to Condition of Approval No. 58. The motion carried by the following vote:

Aye: 6 - Council Member Mendall, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, Mayor Halliday, and Council Member Salinas

Nay: 1 - Council Member Zermeno

16. [Adopt Resolutions to Approve the Engineer's Report, Reconfirm the Assessment Diagrams and Assessments, and Order the Levy and Collection of Assessments, Approve Funding Recommendations, and Appropriate Special Revenue Funds for Fiscal Year 2019 for Consolidated Landscaping and Lighting District No. 96-1, Zones 1 through 16 \(Report from Maintenance Services Director Rullman\) \(Continued to June 26, 2018\)](#)

Item continued to June 26, 2018.

17. [Adopt Resolutions to Approve the Engineer's Report, Reconfirm Base Maximum Assessment Amount, Confirm the Assessment Diagram and Fiscal Assessment, Order the Levy and Collection of Fiscal Assessments, and Approve Funding Recommendations and Appropriate Special Revenue Funds for Maintenance District No. 1 - Storm Drainage Pumping Station and Storm Drain Conduit - Pacheco Way, Stratford Road and Ruus Lane - for Fiscal Year 2019 \(Report from Maintenance Services Director Rullman\) \(Continued to June 26, 2018\)](#)

Item continued to June 26, 2018.

18. [Adopt Resolutions to Approve the Engineer's Report, Reconfirm the Assessment Diagrams and Assessments, Order the Levy and Collection of Assessments, Approve Funding Recommendations, and Appropriate Special Revenue Funds for Fiscal Year 2019 for Maintenance District No. 2 - Eden Shores Storm Water Facilities and Water Buffer \(Report from Maintenance Services Director Rullman\) \(Continued to June 26, 2018\)](#)

Item continued to June 26, 2018.

LEGISLATIVE BUSINESS

19. [Introduction of an Ordinance for a Previously Approved Zone Change to Planned Development District Associated with Vesting Tentative Tract Map No. 8432 and Site Plan Review No. 201706285 Located at 25941 Gading Road; Tony Dutra \(Applicant\) on behalf of Dutra Enterprises \(Owner\) \(Report from Interim Development Services Director Bristow\)](#)

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

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

20. [Approval to Issue a Commercial Cannabis Permit to Harrens Lab, Inc. for a Cannabis Testing Laboratory \(Report from City Manager McAdoo\)](#)

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

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

21. [Adoption of a Resolution Approving an Extension and Modification to Employment Agreement with the City Manager and Authorizing the Mayor to Execute the Agreement \(Report from Mayor Halliday and Director of Human Resources Collins\)](#)

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

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

ADJOURNMENT

Mayor Halliday adjourned the meeting at 9:59 p.m., in memory of Mr. Don Murphy.

NEXT MEETING, June 26, 2018, 7:00 PM