



CITY OF HAYWARD

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

Action Minutes City Council

Tuesday, September 10, 2019

7:00 PM

Council Chambers

SPECIAL CITY COUNCIL MEETING

CALL TO ORDER Pledge of Allegiance: Mayor Halliday

ROLL CALL

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

CLOSED SESSION ANNOUNCEMENT

The City Council convened in closed session at 5:30 p.m., regarding seven items: 1) conference with legal counsel pursuant to Government Code 54956.9 regarding Michael Goodness v. City of Hayward, Workers' Compensation Appeals Board Case No. ADJ10624093; ADJ11134796 and Robert Martinez v. City of Hayward, Workers' Compensation Appeals Board Case No. ADJ11233223; 2) conference with labor negotiators pursuant to Government Code 54957.6 regarding all groups; 3) conference with labor negotiators pursuant to Government Code 54957.6 regarding the Hayward Police Management Unit; 4) conference with legal counsel pursuant to Government Code 54956.9(d)(1) regarding Olvera v. City of Hayward, et al., Alameda County Superior Court, No. RG19016776 and Nelson v. City of Hayward, et al., U.S. District Court, N.D. CA., No. 3:16-cv-7222-SK; 5) conference with legal counsel pursuant to Government Code 54956.9(d)(1) regarding City of Hayward v. Russell City Energy Company, Alameda County Superior Court, No. RG 14752278; 6) conference with legal counsel pursuant to Government Code 54956.9(d)(1) regarding City of Hayward v. California State University Trustees, Alameda County Superior Court, No. RG 18895213; and 7) conference with real property negotiators pursuant to Government Code 54956.8, regarding APNS: 078C-0803-008-00, 078C-0803-006-00, 078C-0803-005-00, property adjacent to Mission Boulevard and Dixon Street, near Valle Vista Avenue.

City Attorney Lawson noted that the City Council unanimously approved, pursuant to Government Code 54954.2(b)(2) and with Council Member Zermeño moving and Council Member Lamnin seconding, to add one item under anticipated litigation. Mr. Lawson stated the Council unanimously approved the settlement of the Goodness v. City of Hayward case with a motion by Council Member Salinas and seconded by Council Member Marquez; and the Council unanimously approved the settlement of the Robert Martinez v. City of Hayward case with a motion by Council Member Salinas and seconded by Council Member Zermeño. The Council discussed items 2, 3, 5, 6 and took no reportable action. City Attorney Lawson further stated that the Council during its special City Council meeting on July 23, 2019 unanimously approved, with Council Member Zermeño and Council Member Wahab absent, the settlement of the Olvera v. City of Hayward case. There was no reportable action related to the Nelson v. City of Hayward case. It was stated that the Council did not complete the Closed Session and may resume it after the regular meeting to discuss item 7 and the added anticipated case.

PRESENTATIONS

Certificate of Commendation: Downtown Streets Team - Nonprofit of the Year -

Certificate of Commendation: Human Resources Director Nina Collins

PUBLIC COMMENTS

Ms. Davida Scott
Police Chief Toney Chaplin
Mr. Ismail Ayar
Mr. Butch Kille
Mr. Verne Smith
Mr. Kim Huggett
Mr. Jose Arroyo

ACTION ITEM

1. [Appointments and Reappointments to the Community Services Commission, Keep Hayward Clean and Green Task Force, Library Commission, Personnel Commission and Planning Commission \(Report from City Clerk Lens\)](#)

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

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

City Clerk Lens administered the oath of office to newly appointed and reappointed members.

Approval of the Consent Calendar

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

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

CONSENT

Consent Item No. 5 was removed for separate vote.

2. [Minutes of the Special City Council Meeting on July 9, 2019](#)

Consent item approved.

3. [Minutes of the City Council Meeting on July 16, 2019](#)

Consent item approved.

4. [Minutes of the Special City Council Meeting on July 23, 2019](#)

Consent item approved.

5. [Allocation of \\$379,716 in HOME Investment Partnership Program Funds and Renewal of Rental Housing Grant Subsidy Agreement with Abode Services for Project Independence to Provide Tenant Based Rental Assistance to Emancipated and Former Foster Care Youth](#)

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

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

Recused: 1 - Council Member Wahab

6. [Adopt a Resolution Approving Addendum Nos. 1 and 2 and Award a Construction Contract to Con-Quest Contractors, Inc. for the Recycled Water Customer Onsite Conversions Project, Project No. 07507](#)

Consent item approved.

COUNCIL REPORTS AND ANNOUNCEMENTS

7. [East Bay Community Energy Update \(Presentation from Council Member Mendall\)](#)

Presentation by Council Member Mendall.

COUNCIL REFERRALS

8. [Consider an Item for Discussion on a Future City Council Agenda Regarding Corrective Actions with Reliant Regarding Mass Displacement of Leisure Terrace Tenants \(Report from Council Member Wahab\)](#)

A motion was made by Council Member Wahab, seconded by Council Member Márquez, to refer the issues raised to the Homelessness-Housing Task Force for discussion within four to six weeks. The motion carried by the following vote:

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

ADJOURNMENT

Mayor Halliday adjourned the special meeting at 10:00 p.m., in memory of Mr. Richard Evans Albert, Ms. Carol Morgan Severin, and Ms. Isobel Flora Dvorsky. Mayor Halliday indicated the Council would reconvene in Conference Room 2A for continuation of the closed session.

NEXT MEETING, September 24, 2019, 7:00 PM