



SPECIAL CITY COUNCIL MEETING
777 B Street, Hayward, CA 94541

Council Chambers and Zoom

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

Tuesday, May 21, 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 hybrid meeting in the council chambers and virtually via Zoom.

Pledge of Allegiance: Council Member Goldstein

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

Absent: None

CLOSED SESSION ANNOUNCEMENT

The City Council convened in closed session on May 11, 2024, at 2:30 p.m., with all members present, and no public speakers, regarding pending litigation per Government Code section 54956.9(d)(1) concerning Jack Wu, et al. v. City of Hayward, Alameda County Superior Court Case Number 24CV070229. City Attorney Lawson reported that the Council authorized settlement with the following key elements: a) development of six Council district maps under the California Voting Rights Act within 180 days; b) district maps would be in effect for the 2026 election cycle, with seat of Mayor remaining at large; c) public engagement and informational workshops would start May 14, 2024, with the second hearing on May 28, 2024, at which time additional hearings and workshops would be announced; d) a vacancy occurring on the Council between 2024 and 2026 would be the subject of a special mail ballot election under certain conditions; and, e) plaintiff's attorney Scott Rafferty would be paid \$125,000 for fees and costs incurred in connection with this litigation. The settlement agreement is a public document available for inspection and copying in the office of the City Clerk and/or City Attorney. The closed session adjourned at 3:15 p.m.

The City Council convened in closed session on May 21, 2024, at 5:30 p.m., with all members present, and no public speakers, regarding two items: 1) the City Clerk's annual evaluation pursuant to Government Code section 54957; and 2) conference with labor negotiators pursuant to Government Code section 54957.6 regarding negotiations with all labor groups. City Attorney Lawson reported that the Council met regarding the items and took no reportable action. The closed session adjourned at 6:30 p.m.

PRESENTATIONS

Mayor Salinas read a proclamation declaring the week of May 12 through May 18, 2024, as National Police Week and Wednesday, May 15, 2024, as Peace Officers' Memorial Day in the City of Hayward. Captain Heather Linteo thanked the City for the special recognition and accepted the proclamation on behalf of the Hayward Police Department.

PUBLIC COMMENTS

Kenneth Rollins expressed his gratitude to the Hayward Police Department for their service, acknowledging the improvements in Hayward, and announced his candidacy for City Council.

Vivian Mun, Hayward resident, urged the City to seek creative funding solutions and partnerships instead of increasing taxes and emphasized the importance of voter participation in decision-making processes.

CITY MANAGER'S COMMENTS

Interim City Manager Claussen provided three announcements: 1) The Public Works Department held a virtual community meeting on May 9, 2024, to discuss the Orchard Avenue Traffic Calming project; 2) The City's maintenance team installed 12 Simme seats at bus stops, and a user experience survey will soon be released; and 3) The City hosted a "Bike to Wherever Day" event on May 16, 2024, with energizer stations at the Downtown Hayward and South Hayward BART stations, where over 130 cyclists participated.

CONSENT

Consent Items 2 and 11 were removed from the Consent Calendar. Comments and questions were offered for Consent Item 3, 4, and 12.

1. Approve the Minutes of the City Council Meeting on April 23, 2024 **MIN 24-060**
It was moved by Council Member Bonilla Jr., seconded by Council Member Syrop, and carried unanimously, to adopt the City Council meeting minutes of April 23, 2024.

2. Adopt a Resolution Approving the Revised Community Workforce Agreement (CWA) between the City of Hayward and the Building and Construction Trades Council of Alameda County (BTC) and Authorize the City Manager to Execute the Revised CWA
CONS 24-222

Staff report submitted by Public Works Director Ameri, dated May 21, 2024, was filed.

Andreas Culver, Secretary-Treasurer of the Alameda County Building Trades Council, thanked the City Council and staff for their longstanding partnership, emphasizing the success of community workforce agreements in integrating residents into apprenticeship programs; and urged the Council to approve the item.

It was moved by Mayor Salinas, seconded by Council Member Zermeño, and carried unanimously, to adopt the resolution.



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

NOES: None

ABSENT: None

ABSTAIN: None

Resolution 24-100, "Resolution Authorizing the Revised Community Workforce Agreement with the Alameda County Building Trades Council"

3. Adopt a Resolution Authorizing the City Manager to Execute an Agreement with Project Sentinel for Fiscal Year 2025 in an Amount Not-to-Exceed \$180,000 to Provide Mediation, Arbitration, and Education Services Related to the Residential Rent Stabilization and Tenant Protection Ordinance and Mobilehome Space Rent Stabilization Ordinance **CONS 24-251**

Staff report submitted by Development Services Director Buizer, dated May 21, 2024, was filed.

Council Member Bonilla Jr., acknowledged the \$180,000, agreement with Project Sentinel for mediation, arbitration, and education support related to the Residential Rent Stabilization and Tenant Protection Ordinance and Mobilehome Space Rent Stabilization Ordinance, emphasizing the City's commitment to supporting vulnerable community members.

It was moved by Council Member Bonilla Jr., seconded by Council Member Syrop, and carried unanimously, to adopt the resolution.

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

NOES: None

ABSENT: None

ABSTAIN: None

Resolution 24-089, "Resolution Authorizing the City Manager to Execute an Agreement with Project Sentinel in an Amount Not-to-Exceed \$180,000 to Provide Mediation, Arbitration, and Education Services Related to the Residential Rent Stabilization and Tenant Protection Ordinance and Mobilehome Space Rent Stabilization Ordinance"

4. Adopt a Resolution Authorizing an Extension to the Term of the Homelessness Housing Task Force (HHTF) through June 2024 **CONS 24-252**

Staff report submitted by Development Services Director Buizer, dated May 21, 2024, was filed.

Council Member Bonilla Jr. highlighted that the extension of the term of the Homelessness Housing Task Force (HHTF) through June 2024 would allow the HHTF to meet and bring back recommendations to Council on how to move forward with homelessness/housing matters; and advocated for converting the HHTF to a Council standing committee.

It was moved by Council Member Bonilla Jr., seconded by Council Member Syrop, and carried unanimously, to adopt the resolution.

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

Resolution 24-090, "Resolution Authorizing the Extension of the Council Homelessness-Housing Task Force through June 2024"

5. Adopt a Resolution Awarding a Construction Contract to QA Constructors, Inc. for the Alves Street and Leighton Street Drainage Improvements, Project No. 07794, in the Amount of \$132,250 and Approving an Administrative Change Order Budget of \$32,750 **CONS 24-253**

Staff report submitted by Public Works Director Ameri, dated May 21, 2024, was filed.

It was moved by Council Member Bonilla Jr., seconded by Council Member Syrop, and carried unanimously, to adopt the resolution.

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

Resolution 24-091, "Resolution Awarding Construction Contract to QA Constructors, Inc., for Alves Street and Leighton Street Drainage Improvement, Project No. 07794 in the Amount of \$132,250 and Approving an Administrative Change Order Budget of \$32,750"



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6. Adopt a Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Professional Services Agreement with Kimley-Horn and Associates, Inc., for On-Call Airport Planning and Environmental Services which will Extend the Termination Date to June 30, 2026 **CONS 24-257**

Staff report submitted by Public Works Director Ameri, dated May 21, 2024, was filed.

It was moved by Council Member Bonilla Jr., seconded by Council Member Syrop, and carried unanimously, to adopt the resolution.

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

Resolution 24-092, "Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Professional Services Agreement with Kimley-Horn and Associates, Inc. for On-Call Airport Planning and Environmental Services at Hayward Executive Airport, Which Will Extend the Termination Date to June 30, 2026"

7. Adopt an Ordinance Adding Article 22, Chapter 8 to the Hayward Municipal Code Regarding Water and Wastewater Enterprise Revenue Bond Law **CONS 24-259**

Staff report submitted by City Clerk Lens, dated May 21, 2024, was filed.

It was moved by Council Member Bonilla Jr., seconded by Council Member Syrop, and carried unanimously, to adopt the ordinance.

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

Ordinance 24-05, "Ordinance of the City of Hayward, California Adding Article 22, Chapter 8 of the Hayward Municipal Code Regarding Water and Wastewater Enterprise Revenue Bond Law"

8. Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Memorandum of Understanding with the Hayward Area Recreation and Park District for Operations and Maintenance of Certain Landscape and Lighting Assessment District Parks **CONS 24-260**

Staff report submitted by Maintenance Services Director Rullman, dated May 21, 2024, was filed.

It was moved by Council Member Bonilla Jr., seconded by Council Member Syrop, and carried unanimously, to adopt the resolution.

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

Resolution 24-093, "Resolution Authorizing the City Manager to Negotiate and Execute an Amendment to the Memorandum of Understanding with the Hayward Area Recreation and Park District for Operations and Maintenance of Certain Landscape and Lighting Assessment District (LLAD) Parks"

9. Adopt Resolutions Authorizing the City Manager to Amend the Professional Services Agreements with (1) Kitchell CEM for Extended Construction Support Services by \$90,000 for a Not-to-Exceed Amount of \$3,028,000, and (2) with ABC Inspections, Inc., by \$50,000 for a Not-to Exceed Amount of \$1,080,000 for the Fire Station 6 and Fire Training Center Project (FS6/FTC), Project Nos. 07481 and 07482 **CONS 24-262**

Staff report submitted by Public Works Director Ameri, dated May 21, 2024, was filed.

It was moved by Council Member Bonilla Jr., seconded by Council Member Syrop, and carried unanimously, to adopt the resolutions.

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



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Resolution 24-094, "Resolution Authorizing the City Manager to Execute an Amendment to the Professional Services Agreement with Kitchell Cem for Construction Support for the Fire Station 6 and Fire Training Center Improvement Project"

Resolution 24-095, "Resolution Authorizing the City Manager to Execute an Amendment to the Professional Services Agreement with ABC Inspections, Inc., for Inspector of Record Services for the Fire Station 6 and Fire Training Center Improvement Project"

10. Adopt a Resolution Awarding a Construction Contract to GSW Construction, Inc., for the Trash Capture Device Installation on Arf Avenue, Project No. 07746, in the Amount of \$398,000 and a Contingency Budget of \$82,000 for a Total Contract Not-to-Exceed Amount of \$480,000 **CONS 24-263**

Staff report submitted by Public Works Director Ameri, dated May 21, 2024, was filed.

It was moved by Council Member Bonilla Jr., seconded by Council Member Syrop, and carried unanimously, to adopt the resolution.

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

Resolution 24-096, "Resolution Awarding a Construction Contract to GSW Construction, Inc., for the Trash Capture Device Installation on Arf Avenue, Project No. 07746, in an Amount of \$ 398,000 and a Contingency Budget of \$82,000 for a Total Contract Not-To-Exceed Amount of \$480,000"

11. Adopt a Resolution Approving the Plans and Specifications and Call for Bids for the Jackson Street Gateway Monument Sign Project **CONS 24-264**

Staff report submitted by Maintenance Services Director Rullman, dated May 21, 2024, was filed.

TJ, Hayward Concerned Citizens member, requested that the Council consider including in one of the six round plaques on the proposed gateway monument sign alongside other prominent local organizations, the Hill & Valley Club, in recognition of the local non-profit organization's significant contributions since 1910, including fundraising for local scholarships and supporting national causes.

It was moved by Council Member Andrews, seconded by Council Member Roche, and carried unanimously, to adopt the resolution.

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

Resolution 24-101, "Resolution Approving the Plans and Specifications and Calling for Bids for the Jackson Street Gateway Monument Sign Project"

12. Approve the State Department of Housing and Community Development's Requested Action and Adopt a Resolution Authorizing Joint Application to and Participation in the State Homekey Program for the Project Reclamation Scattered Site Program in a Total Not-To-Exceed Amount of \$10 Million **CONS 24-265**

Staff report submitted by Assistant City Manager Youngblood, dated May 21, 2024, was filed.

Council Member Bonilla Jr. expressed support for the State's Homekey Program, suggested that further information be provided about the Project Reclamation Scattered Site Program, and inquired if the City has the right partners engaged for the application to move forward. Interim City Manager Claussen noted improvements in the application process and current partnerships; and expected results on the funding application by fall.

In response to Council Member Andrews' inquiry about advocacy for the inclusion of hotels in the Project Reclamation Scattered Site Program, citing their success during the pandemic in housing many people, Interim City Manager Claussen responded that while it might not qualify under the current grant, staff can look into it, and added that resources like St. Regis will soon offer similar individual spaces.

It was moved by Council Member Bonilla Jr., seconded by Council Member Syrop, and carried unanimously, to adopt the resolution.



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Syrop, Zermeno
MAYOR Salinas

NOES: None

ABSENT: None

ABSTAIN: None

Resolution 24-097, "Resolution of the City Council of the City of Hayward Authorizing Joint Application to and Participation in the State Homekey Program for the Project Reclamation Scattered Site Program in a Total Not-To-Exceed Amount of \$10 Million"

13. Adopt a Resolution Authorizing the City Manager to Execute an Amendment to the Contract with AEI Consultants to Increase the Not-to-Exceed Amount by \$200,000, for a Total Not-to-Exceed Amount of \$400,000 to Provide Environmental Services for the Stack Center Phase I and II Project **CONS 24-267**

Staff report submitted by Assistant City Manager Youngblood, dated May 21, 2024, was filed.

It was moved by Council Member Bonilla Jr., seconded by Council Member Syrop, and carried unanimously, to adopt the resolution.

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

NOES: None

ABSENT: None

ABSTAIN: None

Resolution 24-098, "Resolution Authorizing the City Manager to Execute an Amendment to the Contract with AEI Consultants to Increase the Not-To-Exceed Amount by \$200,000, for a Total Not-To-Exceed Amount of \$400,000 to Provide Environmental Services for the Stack Center Phase I and Phase II Project"

14. Adopt a Resolution Authorizing the City Manager to Approve and Execute an Agreement Between the City of Hayward and Dutra Enterprises, Inc., for the San Lorenzo Creek Bank Emergency Repair and Cost Sharing in an Amount Not-to-Exceed \$400,000; and Determining that the Proposed Project is Categorically Exempt from CEQA **CONS 24-276**

Staff report submitted by Public Works Director Ameri, dated May 21, 2024, was filed.

It was moved by Council Member Bonilla Jr., seconded by Council Member Syrop, and carried unanimously, to adopt the resolution.

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

Resolution 24-99, "Resolution Approving and Authorizing the Interim City Manager to Execute an Agreement Between the City of Hayward and Dutra Enterprises, Inc., for the San Lorenzo Creek Bank Emergency Repair and 50% Cost Share of Up to \$400,000 for the City's General Fund and Determining that the Proposed Project is Categorically Exempt From CEQA"

WORK SESSION

15. Potential Ballot Measure to Extend Without Increasing the City of Hayward Half-Cent Sales Tax (Report from Interim City Manager Claussen) **WS 24-018**

Staff report submitted by Interim City Manager Claussen, dated May 21, 2024, was filed.

Interim City Manager Claussen provided a synopsis of the staff report, highlighting the improvements funded through the Measure C (half-cent sales tax) enacted by voters in June 2014; discussed the possibility of extending the sales tax for 20 or 30 years to continue funding vital services and infrastructure; and sought Council's direction on placing the extension on the November 2024 ballot.

Miranda Everitt, FM3 Research Senior Vice President, presented findings from a dual-mode voter survey conducted to gauge public opinion on extending Measure C.

Mayor Salinas opened the public comment section at 7:54 p.m.

Ro Aguilar expressed support for extending Measure C, emphasizing the urgent needs in public safety and affordable housing; urged the Council to include "providing safety net services for



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those most in need" in the ballot question and include housing solutions in the renewed measure; and supported Council Member Andrews' request to consider using the \$10 million in Homekey funds for a hotel.

TJ, Hayward Concerned Citizens member, expressed concern about the numerous projects proposed to being funded by the measure, some of which were not originally anticipated; and stressed the importance of clarity and accountability in how Measure C funds are allocated and used.

Peggy Guernsey opposed the proposed Measure C sales tax extension; and expressed concerns about insufficient citizen input, recent Council pay raises, inadequate City cleanliness, and poor road maintenance.

Mayor Salinas closed the public comment section at 8:04 p.m.

Members of the City Council thanked City staff and consultants for their work and to community members for their input.

Member of the City Council were generally in support of placing the Measure C extension on the November ballot for 20 years, emphasizing it was not a tax increase and would help with unmet facility and new service needs; agreed with the community in funding priorities in terms of public safety, maintaining local streets and roads, and upgrading public facilities; noted the City kept its Measure C promise with the new library, fire station, and public safety staffing; highlighted the City's successes in leveraging funds for significant projects such as the Stack Center, St. Rose Hospital, and La Vista Park; noted the importance of improving communication about the impact of these projects, particularly in relation to public safety and staff retention; acknowledged residents' financial concerns but stressed the necessity of a measure to maintain and enhance high-quality services for the community; advocated for leading language in the ballot question about the primary focus of modernizing aging facilities; highlighted the need to explicitly include housing and homelessness as part of the measure's commitment; suggested adding disaster preparedness in the ballot language as part of the commitment might be useful; noted the importance of continuing to be transparent in using funds to meet the City's priorities; highlighted the importance of prioritizing the Weekes Library as a project from an equity perspective and including maintenance services for their work in emergency services and quality life services; recommended giving the community updates on the status of short and long term projects should the proposed extension receive voter approval; highlighted the proposed extension would support the Hayward Evaluation and Response Team (HEART) program; encouraged continued community engagement and transparency in project planning and execution; highlighted that the survey results reflect neighborhood-focused services the community wants to continue; stressed the need for investment in supporting institutions and amenities, particularly for the City's large student population, to ensure that graduates choose to live and work in Hayward; and emphasized that the measure is about building a better future for its residents.

COUNCIL REPORTS AND ANNOUNCEMENTS

Council Member Roche announced that the Library's Makerspace was expanding with new technologies and free tours on Saturday mornings.

Council Member Syrop announced the Hayward Arts Council launched a Chinese art show in partnership with the Chinese Arts Association of San Francisco featured at the John O'Lague Galleria, Hayward City Hall.

Council Member Andrews announced the Keep Hayward Clean and Green Task Force (KHCGTF) was taking Senior Front Yard Assistance Program applications; and thanked the KHCGTF for their work related to the Jackson Street Gateway Monument Sign Project.

Council Member Zermeno announced that two Hayward companies, Vesta Foodservices and Spectrum Community Services, have been awarded the 2024 StopWaste Environmental Leadership Awards. Vesta Foodservice was recognized for Excellence in Food Recovery & Donation, and Spectrum Community Services for Excellence in Reusable Foodware Partnership.

Mayor Salinas congratulated students from various educational institutions, including Cal State East Bay, UC Berkeley, UC San Francisco State, and Chabot College, on their recent graduations.

ADJOURNMENT

Mayor Salinas adjourned the City Council meeting at 8:48 p.m.

APPROVED



Mark Salinas
Mayor, City of Hayward

ATTEST:



Miriam Lens
City Clerk, City of Hayward