



**MINUTES OF THE MEETING OF THE CITY COUNCIL**  
**Council Chambers**  
**777 B Street, Hayward, CA 94541**  
**Tuesday, April 3, 2018, 7:00 p.m.**

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The Meeting of the Hayward City Council was called to order by Mayor Halliday at 7:00 p.m., followed by the Pledge of Allegiance led by Council Member Márquez.

**ROLL CALL**

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

**PRESENTATION**

Mayor Halliday read a certificate of commendation presented to the Gladiatrix Life Chiropractic College West Women's Rugby Team for their athleticism, determination, sportsmanship, team-spirit, and all-around excellence in the sport of rugby.

Council Member Zermeño read a proclamation recognizing the week of April 8-14, 2018, as National Public Safety Telecommunicators Week in the City of Hayward.

Council Member Lamnin read a proclamation recognizing the week of April 8-14, 2018, as National Animal Care and Control Appreciation Week in the City of Hayward.

**PUBLIC COMMENTS**

Ms. Wynn Grich, Hayward resident, expressed concern about the smart water meter installed at her property, and submitted documents related to smart meters.

Mr. Jim Drake, Hayward resident, thanked the Police Department for arresting drivers who were performing doughnuts; and spoke about information he received related to rape statistics.

Mr. Thomas Birt, Hayward resident, expressed concern about the security on Bunker Hill Boulevard and inquired about the demolition of vacant Caltrans properties.

Mr. Anthony Fidel, Hayward resident, expressed concern about the safety of his property and suggested that vacant Caltrans properties be demolished to address issues with homelessness.

Consent Item 7 was removed from the Consent Calendar for separate vote.

## CONSENT

1. Minutes of the City Council Meeting on March 20, 2018 **MIN 18-041**

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 March 20, 2018.

2. Resignation of Ms. V. Toni Adams from the Personnel Commission **CONS 18-215**

Staff report submitted by City Clerk Lens, dated April 3, 2018, was filed.

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

Resolution 18-051, "Resolution Accepting the Resignation of V. Toni Adams from the Personnel Commission"

3. Approval of Plans and Specifications for the Municipal Parking Lot No. 2 Improvement Project Located Between A Street and B Street and Call for Bids **CONS 18-210**

Staff report submitted by Interim Public Works Director Ameri, dated April 3, 2018, was filed.

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

Resolution 18-052, "Resolution Approving Plans and Specification for the Municipal Parking Lot No. 2 Improvement Project, Project No. 05248, and Call for Bids"

4. Adoption of a Resolution Authorizing the City Manager to Execute an Amendment to the Agreement with Dutchover & Associates for Landscape Architect Services **CONS 18-194**

Staff report submitted by Interim Development Services Director Bristow, dated April 3, 2018, was filed.

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

Resolution 18-053, "Resolution Authorizing the City Manager to Negotiate and Execute an Amendment to the Agreement with Dutchover & Associates., for Landscape Architect Services"



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5. Annual Review of City Issued Debt **CONS 18-214**

Staff report submitted by Finance Director Claussen, dated April 3, 2018, was filed.

It was moved by Council Member Peixoto, seconded by Council Member Márquez, and carried unanimously, to accept the staff report.

6. Annual City Benefit Liabilities and Funding Plan Review **CONS 18-216**

Staff report submitted by Finance Director Claussen, dated April 3, 2018, was filed.

It was moved by Council Member Peixoto, seconded by Council Member Márquez, and carried unanimously, to accept the staff report.

7. Approval of a Resolution in Support of Proposition 69, Transportation Funding Protection **CONS 18-185**

Staff report submitted by Management Analyst II Stefanski, dated April 3, 2018, was filed.

Mayor Halliday noted that Proposition 69 on the June 2018 ballot would prevent new transportation funds from being diverted for non-transportation purposes.

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

Resolution 18-056, "Resolution in Support of Proposition 69, Transportation Funding Protection"

8. Approving Issuance of a Request for Proposals for the Sale of Former Route 238 Parcel Group 4; Generally Bounded by Westview Way, Harder Road and Calhoun Street; APN's 078-800-002-2, and 14; 445-240-5-4 and 445-250- 60 **CONS 18-226**

Staff report submitted by City Attorney Lawson and Assistant City Attorney Brick, dated April 3, 2018, was filed.

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

Resolution 18-054, “Resolution Authorizing the City Manager to Issue a Request for Proposals for the Sale of Former Route 238 Parcel Group 4;”

9. Approving Issuance of a Request for Proposals for the Sale of Former Route 238 Parcel Group 3; Generally Bounded by East 16th Street, Calhoun Street and Tennyson Road; APNs 78c-626-001-7, 78c-626-3-9, 78c-626-3-16, 78c-635-13-3, 78c-640-7-6, 78c-641-10-1, and 78c-641-1 **CONS 18-228**

Staff report submitted by City Attorney Lawson and Assistant City Attorney Brick, dated April 3, 2018, was filed.

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

Resolution 18-055, “Resolution Authorizing the City Manager to Issue a Request for Proposals for the Sale of Former Route 238 Parcel Group 3”

## **WORK SESSION**

10. FY 2019 Community Agency Funding Recommendations (Report from Assistant City Manager Hurtado) **WS 18-013**

Staff report submitted by Community Services Manager Bailey and Assistant City Manager Hurtado, dated April 3, 2018, was filed.

Assistant City Manager Hurtado announced the report and introduced Community Services Manager Bailey who provided a synopsis of the staff report and acknowledged Community Services Commissioners (CSC) who participated in the three application review committees (ARCs) and served as chairs.

Mayor Halliday opened the public comments section at 7:53 p.m.

Ms. Diane Fagalde, Hayward resident and former Community Services Commissioner, supported the recommendations presented by the Community Services Commission.

Ms. Pamela Glassoff, Eden I&R’s Housing Coordinator, thanked the City for considering continuing to fund the 2-1-1 program and spoke about its housing and human services.

Ms. Stephanie Penrod, Family Violence Law Center attorney, advocated for increasing the funding for the Family Violence Law Center up to the requested level.



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Community Services Commission Chair Isais thanked the Council for considering the Commission's funding recommendations and acknowledged the participating agencies.

Community Services Commission Vice Chair Roche, noted she was the chair of the Services ARC, and spoke of the diligent work done around the funding recommendations.

Community Services Commissioner Glover-Gardin, noted she chaired the Infrastructure & Economic Development and the Arts & Music ARCs, and spoke about the allocation process and the responsibility involved with selecting the agencies recommended to be funded.

Mayor Halliday closed the public comments section at 8:19 p.m.

Discussion ensued among Council Members, City staff and Community Services Commissioners regarding: reduction in funding for the FESCO Family Shelter and Ruby's Place and prioritization for Eden I&R; opportunities for agencies that provided mediation/legal services to tenants; increase in funding for the Family Education Program (literacy services); the Hayward Area Recreation's funding request/recommendation of \$96,000 for Mia's Dream Playground soil grading; allocation and reallocation of funds; resignations in the Community Services Commission; funding recommendations for Community Development Block Grant (CDBG) programs; Alameda County Community Food Bank's fund request and service provided; increase in funds for Spectrum Community Services; decrease in funding for Hayward Municipal Band; and funding for affordable housing.

The City Council expressed appreciation for the service provided by the Community Services Commissioners and especially those involved with the funding recommendations.

Council Members offered the following recommendations: consider separating agencies, such as Eden I&R that have been funded continuously over many years, from the competitive process and funding them through City operated programs; have the Council review unspent funds, at the end of the funding cycle year, to determine reallocation; have the FY 2019 Funding Recommendations Table presented in larger font and with categories more clearly defined; increase potential applications for non-service funding that have the experience and capacity to address the needs of residents impacted by the housing crisis; give Commissioners back some discretion for flexibility and provide them access to the quarterly/annual reports to better inform their decision making; review the Eden Council for Hope and Opportunity (ECHO Housing) contract and outcomes, search best practices, and consider an RFP process for housing services; include City operated programs in the application competitive process; encourage the Hayward Municipal Band to diversify its funding sources; have the City Clerk conduct exit interviews when Commissioners submit resignations to evaluate turnover rates, and present a report to the Council prior to the annual interview/appointment process; and amend the public contact section of the staff

report to indicate the Family Violence Law Center Executive Director, Erin Scott, made a public comment during the CSC meeting on March 21, 2018.

It was noted the funding recommendations would come back to Council on April 17, 2018 for final decision.

## **PUBLIC HEARING**

11. Adoption of a Resolution Associated with a Proposed Single-Family Residence on a Vacant 0.13-Acre Hillside Lot Located at 2398 Rainbow Court, Requiring Site Plan Review with Grading Permit and Variance Application No. PL 201705626; and the Adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program. Siddiq Miakhail (Applicant) (Report from Interim Development Director Bristow) **PH 18-028**

Staff report submitted by Interim Development Services  
Director Bristow, dated April 3, 2018, was filed.

Assistant Planner Langbauer provided a synopsis of the staff report.

Mayor Halliday opened the public hearing at 9:20 p.m.

Mr. Siddiq Miakhail, project applicant, spoke about the proposed project and responded to energy efficiency questions related to his project.

Mayor Halliday closed the public hearing at 9:25 p.m.

Council Member Mendall offered a motion per staff's recommendation and Council Member Zermeño seconded the motion.

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

Resolution 18-057, "Resolution Adopting the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program and Approving the Site Plan Review with Grading Permit and Variance Application NO. 201705626 Pertaining to Construction of a New Single-Family Residence at 2398 Rainbow Court"

12. Public TEFRA Hearing as Required by the Internal Revenue Code of 1986, and Adoption of a Resolution Approving the Issuance of the California Municipal Finance Authority Multifamily Housing Revenue Bonds to Finance or Refinance the Acquisition, Rehabilitation, Improvement and Equipping of Park Manor Apartments (Report from Finance Director Claussen)



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Staff report submitted by Finance Director Claussen, dated April 3, 2018, was filed.

Finance Director Claussen provided a synopsis of the staff report and responded to questions related to the staff report.

In response to questions related to income levels for the property units and any reporting of safety issues at the apartments, Finance Director Claussen noted he would provide the Council with more information.

There being no public comments, Mayor Halliday opened and closed the public hearing at 9:33 p.m.

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

Resolution 18-058, "Resolution of the City Council of the City of Hayward Approving the Issuance of the California Municipal Finance Authority Multifamily Housing Revenue Bonds in an Aggregate Principal Amount Not to Exceed \$14,500,000 for the Purpose of Financing or Refinancing the Acquisition, Rehabilitation, Improvement and Equipping of Park Manor Apartment and Certain Other Matters Relating Thereto"

**CITY MANAGER'S COMMENTS**

There were none.

**COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS**

Council Member Lamnin requested that staff work with the Masonic Hall to ensure that its tenants are notified prior to the commencement of Municipal Parking Lot No. 2 repairs.

Council Member Salinas acknowledged the Kids' Breakfast Club and its volunteers for cooking and serving breakfast at the Burbank Elementary School while school was on Spring break, and noted that the service will continue for another week.

Council Member Mendall provided an update on East Bay Community Energy: starting June 1, 2018 power will be rolled out to all Hayward commercial customers and starting November 1, 2018 to all residential customers. Mr. Mendall shared that he had an opportunity to speak about the two mega-watts solar expansion at the Water Pollution Control Facility and the City was congratulated for its efforts.

Mayor Halliday shared that City Hall participated in the National Autism Awareness Day on April 2, 2018, by lighting up City Hall with blue lights. Mayor Halliday announced that two Hayward businesses, Therm-x and RefleXion, were winners in the Advanced Manufacturing and Life Science categories and were celebrated at the East Bay Economic Development Alliance's annual East Bay Innovation Awards competition on March 29, 2018 at the Fox Theatre in Oakland. It was noted that Therm-x's custom solutions helps manufacturers tackle temperature-control challenges to build smaller, faster products; and RefleXion Medical's technology combines PET scan cancer imaging and radiation therapy. Economic Development Specialist, Paul Nguyen, was recognized for his efforts to move the City forward and for nominating the two businesses.

**ADJOURNMENT**

Mayor Halliday adjourned the meeting at 9:44 p.m.

**APPROVED**

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Barbara Halliday  
Mayor, City of Hayward

**ATTEST:**

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Miriam Lens  
City Clerk, City of Hayward