



**CITY COUNCIL MEETING**  
**777 B Street, Hayward, CA 94541**  
**Council Chambers and Virtual Platform (Zoom)**  
<https://hayward.zoom.us/j/83639328548?pwd=ZUdDZE5lM2R1dHNFbVJoVXJBckdmQT09>  
**Tuesday, February 20, 2024, 7:00 p.m.**

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The City Council meeting was called to order by Mayor Salinas at 7:00 p.m. The City Council held a hybrid meeting in Council Chambers and virtually via Zoom.

**Pledge of Allegiance:** Council Member Roche

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 February 6, 2024, at 5:30 p.m., with all members present and no public speakers, regarding four items: 1) public employment for City Manager pursuant to Government Code section 54957; 2) public employment for City Clerk pursuant to Government Code section 54957; 3) conference with legal counsel pursuant to Government Code section 54956.9(d)(1) regarding Lopez v. City of Hayward, Alameda County Superior Court, No. RG19015514; and 4) conference with legal counsel pursuant to Government Code section 54956.9(d)(2) regarding one matter based on facts and circumstances regarding exposure to litigation against the local agency. City Attorney Lawson indicated the Council met regarding Items 1 and 2 and took no reportable action; regarding Item 3, the Council unanimously approved settlement of the matter in the amount of \$75,000; and the Council discussed Item 4 but took no reportable action. The meeting was adjourned at 9:35 p.m.

The City Council convened in closed session on February 13, 2024, at 5:30 p.m., with all members present and no public speakers, regarding two items: 1) public employment for City Manager pursuant to Government Code section 54957; and 2) conference with labor negotiators pursuant to Government Code section 54957.6 regarding negotiations with all groups. City Attorney Lawson indicated the Council met regarding Item 1 and the Council was advised of the City Manager's acceptance of a new position, effective May 2024, after which the Council announced its intention to appoint Assistant City Manager Claussen as acting City Manager, pending a national recruitment. The Council did not discuss Item 2 and adjourned the meeting at 7:31 p.m.

**PUBLIC COMMENTS**

Matt Jack expressed dissatisfaction with the Council's action to divest from certain companies, alleging it was served by the BDS movement; and raised concerns of bigotry against Israel.

Lisa Tealer, Hayward resident and Blackstone at the Cannery Homeowners Association president, shared the persistent issue of mail theft affecting the community for over a year, and urged for action to address the ongoing problem.

Eva Rockerll did not speak.

Bill Shaner raised concerns about the relationship and advocacy received by the Council from the Anti-Defamation League (ADL), citing its controversial history tied to Leo Frank case in 1913.

Cynthia Ramirez asked for a solution from the City to concerns regarding parking issues on the street and traffic stripes which cause cars to park too close to each other, and dirt being moved on the street by employees of 7 Star Food Store.

Lisa Lorenz, Bay Philharmonic president, announced the “Celtic Celebration” event at Chabot College Center for the Performing Arts on March 17, 2024, featuring Irish and Scottish fiddlers and dancers.

Billie Pierce provided information regarding the protection of free speech in public meetings, citing the First Amendment and a Ninth Circuit Court of Appeals case, Acosta v. City of Costa Mesa.

Hilary Sargeant expressed her desire to bring awareness to AWG, which helps people get antivirals.

Fatuma expressed his concern regarding public safety.

Tanner Boyle spoke about the handling of speaker time during the meeting.

Suzie expressed her disappointment with the Council’s decision to divest and what the action caused; and urged the Council to make decisions based on thorough research moving forward.

Vicky Lightfoot spoke on the handling of speaker time during the meeting.

Molly Conger spoke profane words.

Calyn Kelley commended the Hayward Aggies Youth Football league for being an asset to the community, for its role in fostering family engagement, and winning the national championship.

## **CITY MANAGER’S COMMENTS**

Assistant City Manager Youngblood reassured the Council and attendees that despite City Manager McAdoo’s announcement of her May departure, she was taking a vacation and will be returning next week.



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## CONSENT

1. Approve the Minutes of the City Council Meeting on January 23, 2024 **MIN 24-017**  
It was moved by Council Member Roche, seconded by Council Member Zermeño, and carried by the following roll call vote, to adopt the City Council meeting minutes of January 23, 2024.
2. Approve the Minutes of the Special City Council Meeting on January 30, 2024 **MIN 24-018**  
It was moved by Council Member Roche, seconded by Council Member Zermeño, and carried by the following roll call vote, to adopt the special City Council meeting minutes of January 30, 2024.
3. Adopt an Ordinance Amending Chapter 10, Article 1 (Zoning Ordinance) of the Hayward Municipal Code Rezoning a Property to the Medium Density Residential District in Connection with Zone Change Application No. MTA-23-0005 **CONS 24-057**

Staff report submitted by City Clerk Lens, dated February 20, 2024, was filed.

It was moved by Council Member Roche, 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

Ordinance 24-03, "An Ordinance Amending Chapter 10, Article 1 (Zoning Ordinance) of the Hayward Municipal Code Rezoning a Property to the Medium Density Residential District in Connection with Zone Change Application No. MTA23-0005"

4. Adopt Resolutions to Execute Side Letter Agreements Amending the Memoranda of Understanding (MOU) Between the City of Hayward and the Hayward Police Officers Association (HPOA), and the City of Hayward and the International Association of Firefighters, AFL-CIO, Local 1909 (Local 1909), to Change the Existing Cost-Sharing Amount for PEPRA Members **CONS 24-059**

Staff report submitted by Human Resources Director Frye, dated February 20, 2024, was filed.

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

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

Resolution 24-027, “Resolution Authorizing Execution of a Side Letter Agreement Amending the Memorandum of Understanding Between the City of Hayward and the Hayward Police Officers Association (HPOA) to Change the Existing Cost-Sharing Amount for PEPRA Members”

Resolution 24-028, “Resolution Authorizing Execution of the Side Letter Amending the Memorandum of Understanding Between the City of Hayward and the International Association of Firefighters, AFL-CIO, Local 1909 to Change the Cost-Sharing Amount for PEPRA Members”

5. Adopt a Resolution Authorizing the City Manager to Accept and Appropriate \$2,000,000 in Grant Funding from the California Department of Health Care Services for the Construction of a Subacute Facility for Senior and Medically Fragile Persons at St. Rose Hospital in Hayward **CONS 24-060**

Staff report submitted by Fire Chief Contreras, dated February 20, 2024, was filed.

It was moved by Council Member Roche, 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 24-029, “Resolution Authorizing the City Manager to Accept and Appropriate \$2,000,000 in Grant Funding from the California Department of Health Care Services for the Construction of a Subacute Facility for Senior and Medically Fragile Persons at St. Rose Hospital in Hayward”



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6. Adopt a Resolution Authorizing the City Manager to Execute an Agreement with Diamondback Fire and Rescue for the Purchase of Amkus Auto Extrication Tools for the Hayward Fire Department in an Amount Not-to-Exceed \$111,462.57 **CONS 24-061**

Staff report submitted by Fire Chief Contreras, dated February 20, 2024, was filed.

It was moved by Council Member Roche, 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 24-030, "Resolution Authorizing the City Manager to Execute an Agreement with Diamondback Fire and Rescue for the Purchase of Amkus Auto Extrication Tools for the Hayward Fire Department in an Amount Not-To-Exceed \$111,462.57"

7. Adopt a Resolution Authorizing the City Manager to Execute a Professional Services Agreement with BKF Engineers, Inc., for the FY 2024 Sewer and Water Line Replacement Projects, Project Nos. 07789 and 07072, in an Amount Not-to-Exceed \$2,155,000 **CONS 24-066**

Staff report submitted by Public Works Director Ameri, dated February 20, 2024, was filed.

It was moved by Council Member Roche, 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 24-031, “Resolution Authorizing the City Manager to Execute a Professional Services Agreement with BKF Engineers, Inc., in an Amount Not-to-Exceed \$2,155,000 for the FY24 Sewer and Water Line Replacement Projects”

## **PUBLIC HEARING**

8. Sale of Parcel Group 8 for Development of Affordable Housing: Adopt Two Resolutions 1) Approving the Government Code Section 52201 Summary Report for the Project; and Authorizing the City Manager to Execute the First Amendment to the Disposition, Development, and Loan Agreement with RCD GP IV, LLC and Parcel Group 8, L.P. for Transfer of Specified City Owned Properties and for the Development of Housing and Making Specified Findings in Association with Government Code Section 65913.4 Exemption from the California Environmental Quality Act; and 2) Authorizing the City Manager to Execute an Agreement with the Developer Associated with the State of California Affordable Housing and Sustainable Communities (AHSC) Program (Report from Assistant City Manager Claussen) **PH 24-006**

Staff report submitted by Assistant City Manager Claussen, dated February 20, 2024, was filed.

Assistant City Manager Youngblood announced the item and introduced Craig Whittom, consultant from RCD, who provided a presentation of the proposed First Amendment to the Disposition, Development and Loan Agreement (DDLA,) and the agreement with RCD regarding Affordable Housing and Sustainable Communities (AHSC) funds.

Discussion ensued among members of the City Council, Housing Manager Morales, Craig Whittom and Norma Guzman with RCD regarding: the feedback from the community zoom meeting held on February 15, 2024, which included transit related issues and requests for more lighting and a place to host after-school activities; the City continues to be in negotiations with Caltrans for the deadline of sale or transfer of all the properties; there will be two water-related improvements planned on Foothill Boulevard and Grove Way and staff was requested to send out notifications to mitigate the impact on local businesses, especially on Foothill Boulevard; the reallocation of the \$500,000 to pre-development costs does not change the overall \$2 million loan from the City Inclusionary Housing Fund; the plan to provide relocation assistance to tenants involves two options: a stipend for permanent relocation or temporary relocation with the opportunity to move back once the project is completed; the units are expected to be built close to 2029; and recycled water has not been discussed as part of the plan but RCD will be applying for State funding in March and could explore more detailed design if granted funds.

There being no public comments, Mayor Salinas opened and closed the public hearing at 7:58 p.m.

Council Member Bonilla Jr. made a motion to approve the staff’s recommendation noting RCD has been a great partner and the proposal will bring needed affordable housing to the



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community and agreed with shifting \$500,000 to pre-development costs to make the project more competitive.

Council Member Roche seconded the motion; agreed the proposed project was great for Hayward, noting it would be accessible to Foothill Boulevard and add to housing stock; and noted that extending the deadline was understandable given the opportunity for further funding.

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

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

NOES: None

ABSENT: None

ABSTAIN: None

Resolution 24-032, “Resolution Approving an Updated Government Code Section 52201 Summary Report for the Project; Authorizing the City Manager to Negotiate and Execute the First Amendment to the Disposition Development and Loan Agreement with RCD GP Iv, LLC and Parcel Group 8, L.P. for Transfer of Specified City Owned Properties and for the Development of Housing and Making Specified Findings in Association with a Government Code Section 65913.4 Exemption from the California Environmental Quality Act”

Resolution 24-033, “Resolution Authorizing the City Manager to Negotiate and Execute a Non-Applicant Agreement with Resources for Community Development or its Affiliates in Connection with the California Affordable Housing Sustainable Communities Notice of Funding Availability and that Certain Disposition Development and Loan Agreement, as Amended, between RCD GP Iv LLC and Parcel Group 8, L.P. and Making Specified Findings in Association with a Government Code Section 65913.4 Exemption from the California Environmental Quality Act”

## **INFORMATIONAL ITEM**

### **9. Informational Report on FY24 Quarter 2 Capital Improvement Program (CIP) Progress Report RPT 24-008**

Staff report submitted by Public Works Director Ameri, dated February 20, 2024, was filed.

Discussion ensued among members of the City Council and Public Works Director Ameri and the following clarifications were made: the Neighborhood Improvement Grant Program is a grant program and the Neighborhood Partnership Program project is a program for implementation; staff would clarify the 50% complete status of the Mural Art for Underpasses project; an upcoming work session will present different options for Council's consideration regarding La Vista Park; the Library and Community Learning Center construction will be completed once the garage elevator punchlist and plaza cistern start-up items are addressed and completed; the airport fleet replacement project is to upgrade to electric when possible; the Hayward Boulevard Safety Improvements project was postponed for further review and Orchard Avenue Traffic Calming project is planned to be implemented while seeking long-term traffic solutions; Mission Boulevard Southend Frontage Island Improvement project involved sidewalk extensions requiring coordination with Caltrans; there are incentives to incorporate recycled water in projects; staff would look into the status of the Disaster Service Worker's Response Coordination & Communication: Plum Cases project; and the Innovative Deployments to Enhance Arterials (IDEA) - Tennyson Corridor and Second Street project involved making traffic signals on arterial roads adaptive.

Council Member Bonilla noted that links within the staff report referring to Attachment 5 and Attachment 6 were switched; and suggested adding two additional columns to future Capital Improvement Program (CIP) Progress Reports documents: one indicating the project status and one with the target completion date.

Council Member Syrop requested the inclusion of a map showing all the locations of capital improvements.

Council Member Andrews acknowledged the request for a map but cautioned that it might be a significant undertaking.

Council Member Zermeño suggested creating a separate sheet for completed projects.

## **COUNCIL REPORTS AND ANNOUNCEMENTS**

Council Member Andrews made two announcements: 1) acknowledged her colleagues who participated in the Black History Month program organized by Senator Wahab at City Hall; and 2) announced the Keep Hayward Clean and Green clean up event at Longwood Elementary on February 24, 2024.





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Council Member Roche reiterated the “Celtic Celebration” event at Chabot College Center for the Performing Arts on March 17, 2024, and encouraged everyone to attend the Saint Patrick’s Day event hosted by the Bay Philharmonic.

**COUNCIL REFERRAL**

There were none.

**ADJOURNMENT**

Mayor Salinas adjourned the City Council meeting at 8:22 p.m.

**APPROVED**

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Mark Salinas  
Mayor, City of Hayward

**ATTEST:**

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Miriam Lens  
City Clerk, City of Hayward