

CITY OF HAYWARD

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



CITY OF
HAYWARD
HEART OF THE BAY

Agenda

Tuesday, December 13, 2022

6:00 PM

Council Chamber and Virtual Platform (Zoom)

City Council

SPECIAL CITY COUNCIL MEETING

NOTICE: The City Council will hold a hybrid meeting in Council Chambers and virtually via Zoom.

How to observe the Meeting:

1. Comcast TV Channel 15
2. Live stream <https://hayward.legistar.com/Calendar.aspx>
3. YouTube Live stream: <https://www.youtube.com/user/cityofhayward>

How to submit written Public Comment:

1. Use eComment on the City's Meeting & Agenda Center webpage at: <https://hayward.legistar.com/Calendar.aspx>. eComments are directly sent to the iLegislate application used by City Council and City staff. Comments received before 3:00 p.m. the day of the meeting will be exported into a report, distributed to the City Council and staff, and published on the City's Meeting & Agenda Center under Documents Received After Published Agenda.

2. Send an email to List-Mayor-Council@hayward-ca.gov by 3:00 p.m. the day of the meeting. Please identify the Agenda Item Number in the subject line of your email. Emails will be compiled into one file, distributed to the City Council and staff, and published on the City's Meeting & Agenda Center under Documents Received After Published Agenda. Documents received after 3:00 p.m. through the adjournment of the meeting will be included as part of the meeting record and published the following day.

How to provide live Public Comment during the City Council Meeting:

Participate in the Council Chambers or click link below to join the meeting:
<https://hayward.zoom.us/j/81424867960?pwd=T1dwaHUxSlJpQjJML3Rza0ZwTnNCdz09>

Meeting ID: 814 2486 7960

Password: Dec13/@6pm

or

Dial: +1 669 900 6833 or +1 646 931 3860

Meeting ID: 814 2486 7960

Password: 3662102955

A Guide to attend virtual meetings is provided at this link: <https://bit.ly/3jmaUxa>

SPECIAL CITY COUNCIL MEETING

Hayward Police Department and Hayward Fire Department Honor Guard Escort Mayor-Elect Salinas to the Council Chambers dais and Council Member-Elect Julie Roche and Council Member-Elect George Syrop to their seats in the Council Chambers, pending installation.

CALL TO ORDER: Mayor Halliday

SPECIAL PRESENTATIONS

Color Guard Flag Ceremony

Police Department Honor Guard and Fire Department Honor Guard

Pledge of Allegiance

Liliana Perez - St. Bede Catholic School
Drayke De Guzman - Eldridge Elementary School
Anna Tran - Hayward High School

Star-Spangled Banner

Mt. Eden High School Choir
Director of Choir Christy Rohayem

ROLL CALL

PUBLIC COMMENTS

Limited to Items on the Agenda.

CITY MANAGER'S COMMENTS

An oral report from the City Manager on upcoming activities, events, or other items of general interest to Council and the Public.

ELECTION

1. [LB 22-028](#) General Municipal Election: Adopt a Resolution Acknowledging Receipt of Certificate of Election Results and Official Canvass of the General Municipal Election Held November 8, 2022, and Declaring the Results Thereof (Report from City Clerk Lens)

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III Exhibit A](#)

PRESENTATION

Special Recognition for Mayor Halliday, Council Member Sara Lamnin and Former Council Member (State Senator) Aisha Wahab

INSTALLATION

Oath of Office and Installation of Mayor-Elect Mark Salinas, Council Member-Elect Julie Roche, and Council Member-Elect George Syrop

ELECTION

2. [LB 22-027](#) Mayor Pro Tempore Election: Adopt a Resolution Authorizing the Election of Mayor Pro Tempore of the City of Hayward for 2023 (Report from City Clerk Lens)

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III Mayor Pro Tempore List](#)

3. [LB 22-026](#) Council Vacancy Process: Adopt a Resolution Approving a Process for Filling a Two-Year Term City Council Vacancy (Report from City Manager McAdoo, City Attorney Lawson, and City Clerk Lens)

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III Council Application](#)

COUNCIL REPORTS AND ANNOUNCEMENTS

Council Members can provide oral reports on attendance at intergovernmental agency meetings, conferences, seminars, or other Council events to comply with AB 1234 requirements (reimbursable expenses for official activities).

COUNCIL REFERRALS

Council Members may bring forward a Council Referral Memorandum (Memo) on any topic to be considered by the entire Council. The intent of this Council Referrals section of the agenda is to provide an orderly means through which an individual Council Member can raise an issue for discussion and possible direction by the Council to the appropriate Council Appointed Officers for action by the applicable City staff.

ADJOURNMENT TO RECEPTION IN THE ROTUNDA

All attendees are invited to participate.

December 20 and December 27, 2022 Council Meetings - Canceled -

PUBLIC COMMENT RULES

Any member of the public desiring to address the Council shall limit their address to three (3) minutes unless less or further time has been granted by the Presiding Officer or in accordance with the section under Public Hearings. The Presiding Officer has the discretion to shorten or lengthen the maximum time members may speak. Speakers will be asked for their name before speaking and are expected to honor the allotted time.

PLEASE TAKE NOTICE

That if you file a lawsuit challenging any final decision on any public hearing or legislative business item listed in this agenda, the issues in the lawsuit may be limited to the issues that were raised at the City's public hearing or presented in writing to the City Clerk at or before the public hearing.

PLEASE TAKE FURTHER NOTICE

That the City Council adopted Resolution No. 87-181 C.S., which imposes the 90-day deadline set forth in Code of Civil Procedure section 1094.6 for filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure section 1094.5.

****Materials related to an item on the agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office, City Hall, 777 B Street, 4th Floor, Hayward, during normal business hours. An online version of this agenda and staff reports are available on the City's website. Written comments submitted to the Council in connection with agenda items will be posted on the City's website. All Council Meetings are broadcast simultaneously on the City website, Cable Channel 15 - KHRT, and YouTube.****

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request the accommodation at least 48 hours in advance of the meeting by contacting the City Clerk at (510) 583-4400 or cityclerk@hayward-ca.gov.

Assistance will be provided to those requiring language assistance. To ensure that interpreters are available at the meeting, interested persons must request the accommodation at least 48 hours in advance of the meeting by contacting the City Clerk at (510) 583-4400.



CITY OF HAYWARD

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

File #: LB 22-028

DATE: December 13, 2022

TO: Mayor and City Council

FROM: City Clerk

SUBJECT

General Municipal Election: Adopt a Resolution Acknowledging Receipt of Certificate of Election Results and Official Canvass of the General Municipal Election Held November 8, 2022, and Declaring the Results Thereof

That the Council adopts a resolution (Attachment II) acknowledging receipt of the Certificate of Election Results and Official Canvass of the General Municipal Election held November 8, 2022.

SUMMARY

On November 8, 2022, the City of Hayward conducted a General Municipal Election, which was consolidated with the General Election. This item recommends that the Council adopt a resolution acknowledging receipt of the Certificate of Election Results and Official Canvass of the General Municipal Election held November 8, 2022, for the Mayor and two Members of the City Council for terms of four years each.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution
Attachment III	Exhibit A



DATE: December 13, 2022

TO: Mayor and City Council

FROM: City Clerk

SUBJECT: General Municipal Election: Adopt a Resolution Acknowledging Receipt of Certificate of Election Results and Official Canvass of the General Municipal Election Held November 8, 2022, and Declaring the Results Thereof

RECOMMENDATION

That the Council adopts a resolution (Attachment II) acknowledging receipt of the Certificate of Election Results and Official Canvass of the General Municipal Election held November 8, 2022.

SUMMARY

On November 8, 2022, the City of Hayward conducted a General Municipal Election, which was consolidated with the General Election. This item recommends that the Council adopt a resolution acknowledging receipt of the Certificate of Election Results and Official Canvass of the General Municipal Election held November 8, 2022, for the Mayor and two Members of the City Council for terms of four years each.

BACKGROUND AND DISCUSSION

On November 8, 2022, the City of Hayward conducted a General Municipal Election, which was consolidated with the General Election. The election included selection of the Mayor and two Members of the City Council for terms of four years each.

In accordance with the provisions of California Elections Code Section 10260 and as directed by Resolution No. 22-165 and Resolution No. 22-166 of the City Council, the Alameda County Registrar of Voters, Tim Dupuis, has completed the official canvass of returns of the General Municipal Election, which was consolidated with the General Election. The Certificate of Election Results and a copy of the Official Canvass are included as Exhibit A of the Resolution (Attachment III).

STRATEGIC ROADMAP

This agenda item does not relate to any of the priorities in the Strategic Roadmap.

FISCAL IMPACT

There is no fiscal impact associated with this report.

PUBLIC CONTACT

The agenda was posted in accordance with the Brown Act.

Prepared and Recommended by: Miriam Lens, City Clerk

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 22-_____

Introduced by Council Member _____

RESOLUTION ACKNOWLEDGING RECEIPT OF CERTIFICATE OF ELECTION RESULTS AND STATEMENT OF RESULTS OF THE GENERAL MUNICIPAL ELECTION HELD NOVEMBER 8, 2022, AND DECLARING THE RESULTS THEREOF

WHEREAS, a General Municipal Election was held in the City of Hayward, California, on Tuesday, November 8, 2022, as required by law; and

WHEREAS, the General Municipal Election was authorized to be made by the Alameda County Registrar of Voters in accordance with Resolution No. 22-165 and Resolution No. 22-166; and

WHEREAS, the Alameda County Registrar of Voters canvassed the returns of the election and has certified the results to the City Council, the results are received, attached and made a part hereof as Exhibit A; and

WHEREAS, the total number of votes by mail ballots cast in the City was 29,434 (36.99 percent turnout), the total number of election day ballots cast in the City was 2,608 (3.28 percent turnout), making a total of 32,042 (40.27 percent turnout) ballots cast of Hayward's eligible voters; and

WHEREAS, the name of person voted for at the election for Mayor of the City Council is as follows:

Mark Salinas

WHEREAS, the names of persons voted for at the election for Member of the City Council are as follows:

Julie Roche
George Syrop
Dan Goldstein
Sherman Lewis

Tom Ferreira
Amal Issa
Sunita Rupan
Michael Lema

WHEREAS, that the number of votes given in the City to each of the persons named for the Office of City Council for which the persons were candidates are as listed in Exhibit A attached.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the City Council does declare and determine that the following have been elected as members of the City Council for full terms of four years each; and shall be deemed adopted and ratified.

Mayor Seat (1)	Total Vote
Mark Salinas	24,914

Council Member Seat (2)	Total Vote
Julie Roche	11,863
George Syrop	8,183

FURTHERMORE, BE IT RESOLVED by the City Council that the City Clerk shall administer to each person elected the Oath of Office prescribed in the Constitution of the State of California and shall have them subscribe to it and file in the office of the City Clerk. Each and all of the persons so elected shall then be inducted into the respective office to which they have been elected. That the City Clerk shall certify the passage and adoption of this resolution; and enter a copy of this resolution with appropriate other entries upon the minutes of this City Council as a statement of the results of the election.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2022

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward



REGISTRAR OF VOTERS

ALAMEDA COUNTY • CALIFORNIA

TIM DUPUIS
REGISTRAR OF VOTERS

CYNTHIA CORNEJO
DEPUTY REGISTRAR OF VOTERS

December 8, 2022

City of Hayward
Miriam Lens, City Clerk
777 B Street - 4th Floor
Hayward, CA 94541

Dear Miriam Lens:

Enclosed is the Certificate of Election Results and a copy of the Official Canvass for the City of Hayward General Election held on November 8, 2022.

If you have any questions, please contact me at (510) 272-6933.

Sincerely,

Tim Dupuis
Registrar of Voters
Alameda County
Enclosures

STATE OF CALIFORNIA }
COUNTY OF ALAMEDA } ss.

I, **TIM DUPUIS**, Registrar of Voters for the County of Alameda, State of California, having canvassed the returns of all votes cast in the **City of Hayward** at the General Election held on Tuesday, **November 8, 2022**, do hereby certify the following to be a full, true and correct Statement of the Results of all the votes cast, to which this certificate is attached, at said election for each candidate in the **City of Hayward**, for the office of **Mayor**.

I hereby set my hand and my official seal this **8th** day of **December 2022**.



A handwritten signature in blue ink, appearing to read 'Tim Dupuis', with a long horizontal stroke extending to the right.

TIM DUPUIS
Registrar of Voters
Alameda County
State of California

STATE OF CALIFORNIA }
COUNTY OF ALAMEDA } ss.

I, **TIM DUPUIS**, Registrar of Voters for the County of Alameda, State of California, having canvassed the returns of all votes cast in the **City of Hayward** at the General Election held on Tuesday, **November 8, 2022**, do hereby certify the following to be a full, true and correct Statement of the Results of all the votes cast, to which this certificate is attached, at said election for each candidate in the **City of Hayward**, for the office of **City Council Member**.

I hereby set my hand and my official seal this **8th** day of **December 2022**.



A handwritten signature in blue ink, appearing to read 'Tim Dupuis', written in a cursive style.

TIM DUPUIS
Registrar of Voters
Alameda County
State of California

1 Mayor - Hayward							
		Registered Voters	Voters Cast	Turnout (%)	MARK SALINAS	Over Votes	Under Votes
420010	Election Day	0	0				
420010	Vote by Mail	0	0				
420010	Total	0	0				
420030	Election Day	137	1	0.73 %	1		
420030	Vote by Mail	137	48	35.04 %	43		5
420030	Total	137	49	35.77 %	44		5
420040	Election Day	163	1	0.61 %	1		
420040	Vote by Mail	163	63	38.65 %	43		20
420040	Total	163	64	39.26 %	44		20
420050	Election Day	265	3	1.13 %	3		
420050	Vote by Mail	265	88	33.21 %	75		13
420050	Total	265	91	34.34 %	78		13
420220	Election Day	18	0	0.00 %			
420220	Vote by Mail	18	10	55.56 %	8		2
420220	Total	18	10	55.56 %	8		2
420230	Election Day	754	6	0.80 %	3		3
420230	Vote by Mail	754	179	23.74 %	135		44
420230	Total	754	185	24.54 %	138		47
420240	Election Day	0	0				
420240	Vote by Mail	0	0				
420240	Total	0	0				
420250	Election Day	816	18	2.21 %	12		6
420250	Vote by Mail	816	259	31.74 %	211		48
420250	Total	816	277	33.95 %	223		54
420260	Election Day	35	0	0.00 %			
420260	Vote by Mail	35	5	14.29 %	5		
420260	Total	35	5	14.29 %	5		
420300	Election Day	214	3	1.40 %	3		
420300	Vote by Mail	214	114	53.27 %	88		26
420300	Total	214	117	54.67 %	91		26
420310	Election Day	44	1	2.27 %	1		
420310	Vote by Mail	44	11	25.00 %	7		4
420310	Total	44	12	27.27 %	8		4
420320	Election Day	1	0	0.00 %			
420320	Vote by Mail	1	1	100.00 %			1
420320	Total	1	1	100.00 %			1
420700	Election Day	1072	24	2.24 %	18		6
420700	Vote by Mail	1072	415	38.71 %	338		77
420700	Total	1072	439	40.95 %	356		83
420710	Election Day	56	1	1.79 %			1
420710	Vote by Mail	56	10	17.86 %	9		1
420710	Total	56	11	19.64 %	9		2
420800	Election Day	374	6	1.60 %	4		2
420800	Vote by Mail	374	130	34.76 %	104		26
420800	Total	374	136	36.36 %	108		28
420900	Election Day	832	33	3.97 %	25		8
420900	Vote by Mail	832	281	33.77 %	226		55
420900	Total	832	314	37.74 %	251		63
421500	Election Day	2898	84	2.90 %	62		22
421500	Vote by Mail	2898	867	29.92 %	722		145

1 Mayor - Hayward

		Registered Voters	Voters Cast	Turnout (%)	MARK SALINAS	Over Votes	Under Votes
421500	Total	2898	951	32.82 %	784		167
421800	Election Day	3527	103	2.92 %	78		25
421800	Vote by Mail	3527	1017	28.83 %	793		224
421800	Total	3527	1120	31.76 %	871		249
422000	Election Day	4511	135	2.99 %	100		35
422000	Vote by Mail	4511	1815	40.23 %	1419	3	393
422000	Total	4511	1950	43.23 %	1519	3	428
422300	Election Day	3930	138	3.51 %	99		39
422300	Vote by Mail	3930	1495	38.04 %	1164		331
422300	Total	3930	1633	41.55 %	1263		370
422600	Election Day	5230	131	2.50 %	91		40
422600	Vote by Mail	5230	1854	35.45 %	1489	1	364
422600	Total	5230	1985	37.95 %	1580	1	404
422920	Election Day	4698	129	2.75 %	85		44
422920	Vote by Mail	4698	1727	36.76 %	1361		366
422920	Total	4698	1856	39.51 %	1446		410
422940	Election Day	0	0				
422940	Vote by Mail	0	0				
422940	Total	0	0				
423000	Election Day	4254	150	3.53 %	118		32
423000	Vote by Mail	4254	1458	34.27 %	1208		250
423000	Total	4254	1608	37.80 %	1326		282
423710	Election Day	6269	228	3.64 %	173		55
423710	Vote by Mail	6269	2244	35.80 %	1771		473
423710	Total	6269	2472	39.43 %	1944		528
423800	Election Day	42	0	0.00 %			
423800	Vote by Mail	42	16	38.10 %	10		6
423800	Total	42	16	38.10 %	10		6
424510	Election Day	256	8	3.13 %	5		3
424510	Vote by Mail	256	128	50.00 %	101	1	26
424510	Total	256	136	53.13 %	106	1	29
424600	Election Day	2838	177	6.24 %	140		37
424600	Vote by Mail	2838	1062	37.42 %	887		175
424600	Total	2838	1239	43.66 %	1027		212
430010	Election Day	0	0				
430010	Vote by Mail	0	0				
430010	Total	0	0				
430020	Election Day	0	0				
430020	Vote by Mail	0	0				
430020	Total	0	0				
430100	Election Day	347	10	2.88 %	6		4
430100	Vote by Mail	347	93	26.80 %	72	1	20
430100	Total	347	103	29.68 %	78	1	24
430110	Election Day	0	0				
430110	Vote by Mail	0	0				
430110	Total	0	0				
430120	Election Day	0	0				
430120	Vote by Mail	0	0				
430120	Total	0	0				
430130	Election Day	0	0				

1 Mayor - Hayward

		Registered Voters	Voters Cast	Turnout (%)	MARK SALINAS	Over Votes	Under Votes
430130	Vote by Mail	0	0				
430130	Total	0	0				
430140	Election Day	0	0				
430140	Vote by Mail	0	0				
430140	Total	0	0				
430160	Election Day	9	0	0.00 %			
430160	Vote by Mail	9	2	22.22 %	2		
430160	Total	9	2	22.22 %	2		
430400	Election Day	478	13	2.72 %	10		3
430400	Vote by Mail	478	172	35.98 %	116		56
430400	Total	478	185	38.70 %	126		59
430410	Election Day	5	0	0.00 %			
430410	Vote by Mail	5	1	20.00 %	1		
430410	Total	5	1	20.00 %	1		
430420	Election Day	1	0	0.00 %			
430420	Vote by Mail	1	0	0.00 %			
430420	Total	1	0	0.00 %			
430430	Election Day	118	8	6.78 %	4		4
430430	Vote by Mail	118	47	39.83 %	38		9
430430	Total	118	55	46.61 %	42		13
430450	Election Day	5	1	20.00 %	1		
430450	Vote by Mail	5	4	80.00 %	2		2
430450	Total	5	5	100.00 %	3		2
430460	Election Day	7	0	0.00 %			
430460	Vote by Mail	7	0	0.00 %			
430460	Total	7	0	0.00 %			
430470	Election Day	1	1	100.00 %			1
430470	Vote by Mail	1	1	100.00 %			1
430470	Total	1	2	200.00 %			2
430500	Election Day	2	0	0.00 %			
430500	Vote by Mail	2	1	50.00 %	1		
430500	Total	2	1	50.00 %	1		
430510	Election Day	83	4	4.82 %	3		1
430510	Vote by Mail	83	26	31.33 %	19		7
430510	Total	83	30	36.14 %	22		8
430600	Election Day	5120	174	3.40 %	109		65
430600	Vote by Mail	5120	1950	38.09 %	1469	1	480
430600	Total	5120	2124	41.48 %	1578	1	545
430700	Election Day	822	37	4.50 %	29		8
430700	Vote by Mail	822	335	40.75 %	254		81
430700	Total	822	372	45.26 %	283		89
430720	Election Day	174	7	4.02 %	3		4
430720	Vote by Mail	174	91	52.30 %	70		21
430720	Total	174	98	56.32 %	73		25
430800	Election Day	446	16	3.59 %	10		6
430800	Vote by Mail	446	191	42.83 %	149		42
430800	Total	446	207	46.41 %	159		48
431100	Election Day	1550	59	3.81 %	41		18
431100	Vote by Mail	1550	622	40.13 %	453		169
431100	Total	1550	681	43.94 %	494		187

1 Mayor - Hayward

		Registered Voters	Voters Cast	Turnout (%)	MARK SALINAS	Over Votes	Under Votes
431110	Election Day	14	0	0.00 %			
431110	Vote by Mail	14	7	50.00 %	7		
431110	Total	14	7	50.00 %	7		
431120	Election Day	8	0	0.00 %			
431120	Vote by Mail	8	2	25.00 %	1		1
431120	Total	8	2	25.00 %	1		1
431200	Election Day	10	0	0.00 %			
431200	Vote by Mail	10	6	60.00 %	6		
431200	Total	10	6	60.00 %	6		
431300	Election Day	123	0	0.00 %			
431300	Vote by Mail	123	63	51.22 %	45		18
431300	Total	123	63	51.22 %	45		18
431400	Election Day	387	15	3.88 %	10		5
431400	Vote by Mail	387	199	51.42 %	148		51
431400	Total	387	214	55.30 %	158		56
431500	Election Day	191	6	3.14 %	4		2
431500	Vote by Mail	191	90	47.12 %	71		19
431500	Total	191	96	50.26 %	75		21
431610	Election Day	44	0	0.00 %			
431610	Vote by Mail	44	24	54.55 %	21		3
431610	Total	44	24	54.55 %	21		3
431620	Election Day	15	0	0.00 %			
431620	Vote by Mail	15	12	80.00 %	7		5
431620	Total	15	12	80.00 %	7		5
431700	Election Day	206	1	0.49 %	1		
431700	Vote by Mail	206	96	46.60 %	77		19
431700	Total	206	97	47.09 %	78		19
431710	Election Day	33	3	9.09 %	3		
431710	Vote by Mail	33	14	42.42 %	8		6
431710	Total	33	17	51.52 %	11		6
431730	Election Day	87	1	1.15 %	1		
431730	Vote by Mail	87	37	42.53 %	32		5
431730	Total	87	38	43.68 %	33		5
431900	Election Day	79	0	0.00 %			
431900	Vote by Mail	79	42	53.16 %	25		17
431900	Total	79	42	53.16 %	25		17
432100	Election Day	3716	97	2.61 %	69		28
432100	Vote by Mail	3716	1270	34.18 %	995		275
432100	Total	3716	1367	36.79 %	1064		303
432200	Election Day	5909	191	3.23 %	140		51
432200	Vote by Mail	5909	2059	34.85 %	1644	1	414
432200	Total	5909	2250	38.08 %	1784	1	465
432600	Election Day	4701	135	2.87 %	110		25
432600	Vote by Mail	4701	1581	33.63 %	1238		343
432600	Total	4701	1716	36.50 %	1348		368
432900	Election Day	3443	136	3.95 %	103		33
432900	Vote by Mail	3443	1336	38.80 %	995		341
432900	Total	3443	1472	42.75 %	1098		374
433200	Election Day	3204	146	4.56 %	100		46
433200	Vote by Mail	3204	1260	39.33 %	961		299

1 Mayor - Hayward							
		Registered Voters	Voters Cast	Turnout (%)	MARK SALINAS	Over Votes	Under Votes
433200	Total	3204	1406	43.88 %	1061		345
433400	Election Day	3338	124	3.71 %	90		34
433400	Vote by Mail	3338	1686	50.51 %	1249		437
433400	Total	3338	1810	54.22 %	1339		471
433630	Election Day	1258	27	2.15 %	25		2
433630	Vote by Mail	1258	571	45.39 %	419	1	151
433630	Total	1258	598	47.54 %	444	1	153
433650	Election Day	0	0				
433650	Vote by Mail	0	0				
433650	Total	0	0				
433900	Election Day	377	16	4.24 %	16		
433900	Vote by Mail	377	231	61.27 %	185		46
433900	Total	377	247	65.52 %	201		46
438120	Election Day	0	0				
438120	Vote by Mail	0	0				
438120	Total	0	0				
438130	Election Day	0	0				
438130	Vote by Mail	0	0				
438130	Total	0	0				
438140	Election Day	0	0				
438140	Vote by Mail	0	0				
438140	Total	0	0				
438200	Election Day	10	0	0.00 %			
438200	Vote by Mail	10	10	100.00 %	4		6
438200	Total	10	10	100.00 %	4		6
438300	Election Day	2	0	0.00 %			
438300	Vote by Mail	2	2	100.00 %			2
438300	Total	2	2	100.00 %			2
438500	Election Day	10	0	0.00 %			
438500	Vote by Mail	10	3	30.00 %	3		
438500	Total	10	3	30.00 %	3		
Total - Election Day		79567	2608	3.28 %	1910		698
Total - Vote by Mail		79567	29434	36.99 %	23004	9	6421
Contest Total		79567	32042	40.27 %	24914	9	7119

1 Members, City Council - Hayward

		Registered Voters	Voters Cast	Turnout (%)	AMAL ISSA	JULIE ROCHE	SUNITA RUPAN	GEORGE SYROP	FERREIRA TOM	MICHAEL LEMA	SHERMAN LEWIS	DAN GOLDSTEIN	Over Votes	Under Votes
420010	Election Day	0	0											
420010	Vote by Mail	0	0											
420010	Total	0	0											
420030	Election Day	137	1	0.73 %				1		1				
420030	Vote by Mail	137	48	35.04 %	5	19	9	8	13	9	8	14	6	5
420030	Total	137	49	35.77 %	5	19	9	9	13	10	8	14	6	5
420040	Election Day	163	1	0.61 %	1						1			
420040	Vote by Mail	163	63	38.65 %	12	23	7	15	7	2	12	14		34
420040	Total	163	64	39.26 %	13	23	7	15	7	2	13	14		34
420050	Election Day	265	3	1.13 %			2					1		3
420050	Vote by Mail	265	88	33.21 %	18	30	11	25	8	10	13	30		31
420050	Total	265	91	34.34 %	18	30	13	25	8	10	13	31		34
420220	Election Day	18	0	0.00 %										
420220	Vote by Mail	18	10	55.56 %	3	3	2	1	1	1	3	2		4
420220	Total	18	10	55.56 %	3	3	2	1	1	1	3	2		4
420230	Election Day	754	6	0.80 %	2	1		1			3			5
420230	Vote by Mail	754	179	23.74 %	32	64	12	56	28	20	34	37	2	73
420230	Total	754	185	24.54 %	34	65	12	57	28	20	37	37	2	78
420240	Election Day	0	0											
420240	Vote by Mail	0	0											
420240	Total	0	0											
420250	Election Day	816	18	2.21 %	4	5	2	2	5	1	4	2		11
420250	Vote by Mail	816	259	31.74 %	42	85	21	65	51	32	61	36	14	111
420250	Total	816	277	33.95 %	46	90	23	67	56	33	65	38	14	122
420260	Election Day	35	0	0.00 %										
420260	Vote by Mail	35	5	14.29 %		4			2	1	2			1
420260	Total	35	5	14.29 %		4			2	1	2			1
420300	Election Day	214	3	1.40 %		2				1				2
420300	Vote by Mail	214	114	53.27 %	15	47	14	22	17	13	16	39	4	41
420300	Total	214	117	54.67 %	15	49	14	23	17	14	16	39	4	43
420310	Election Day	44	1	2.27 %			1					1		
420310	Vote by Mail	44	11	25.00 %		1	1	1	4		3	2	2	8
420310	Total	44	12	27.27 %		1	2	1	4		3	3	2	8
420320	Election Day	1	0	0.00 %										
420320	Vote by Mail	1	1	100.00 %					1	1				
420320	Total	1	1	100.00 %					1	1				
420700	Election Day	1072	24	2.24 %	2	7	3	5	8	3	5	2		13
420700	Vote by Mail	1072	415	38.71 %	60	152	45	120	74	36	93	76	2	172
420700	Total	1072	439	40.95 %	62	159	48	125	82	39	98	78	2	185
420710	Election Day	56	1	1.79 %										2
420710	Vote by Mail	56	10	17.86 %	1	5		2	3		2	1		6
420710	Total	56	11	19.64 %	1	5		2	3		2	1		8
420800	Election Day	374	6	1.60 %	1		1		2	3				5
420800	Vote by Mail	374	130	34.76 %	28	51	10	37	30	19	28	18	4	35
420800	Total	374	136	36.36 %	29	51	11	37	32	22	28	18	4	40
420900	Election Day	832	33	3.97 %	7	10	6	7	4	7	5	8		12
420900	Vote by Mail	832	281	33.77 %	36	103	17	79	35	28	54	59	2	149
420900	Total	832	314	37.74 %	43	113	23	86	39	35	59	67	2	161
421500	Election Day	2898	84	2.90 %	19	25	12	14	19	10	14	11	2	42
421500	Vote by Mail	2898	867	29.92 %	154	305	95	248	148	98	165	193	18	310

1 Members, City Council - Hayward

		Registered Voters	Voters Cast	Turnout (%)	AMAL ISSA	JULIE ROCHE	SUNITA RUPAN	GEORGE SYROP	TOM FERRERA	MICHAEL LEMA	SHERMAN LEWIS	DAN GOLDSTEIN	Over Votes	Under Votes
421500	Total	2898	951	32.82 %	173	330	107	262	167	108	179	204	20	352
421800	Election Day	3527	103	2.92 %	27	35	16	21	17	7	13	18	2	50
421800	Vote by Mail	3527	1017	28.83 %	166	388	105	254	167	101	202	200	20	431
421800	Total	3527	1120	31.76 %	193	423	121	275	184	108	215	218	22	481
422000	Election Day	4511	135	2.99 %	21	45	16	22	30	14	19	27		76
422000	Vote by Mail	4511	1815	40.23 %	276	698	192	395	312	153	371	456	24	753
422000	Total	4511	1950	43.23 %	297	743	208	417	342	167	390	483	24	829
422300	Election Day	3930	138	3.51 %	20	32	22	29	36	17	30	27		63
422300	Vote by Mail	3930	1495	38.04 %	233	587	169	380	254	125	283	362	20	577
422300	Total	3930	1633	41.55 %	253	619	191	409	290	142	313	389	20	640
422600	Election Day	5230	131	2.50 %	21	32	21	27	24	17	21	19	2	78
422600	Vote by Mail	5230	1854	35.45 %	337	682	221	437	296	161	392	404	14	764
422600	Total	5230	1985	37.95 %	358	714	242	464	320	178	413	423	16	842
422920	Election Day	4698	129	2.75 %	16	34	17	27	26	18	25	15	4	76
422920	Vote by Mail	4698	1727	36.76 %	327	668	177	388	224	130	361	423	22	734
422920	Total	4698	1856	39.51 %	343	702	194	415	250	148	386	438	26	810
422940	Election Day	0	0											
422940	Vote by Mail	0	0											
422940	Total	0	0											
423000	Election Day	4254	150	3.53 %	32	38	28	29	22	20	32	35		64
423000	Vote by Mail	4254	1458	34.27 %	231	543	125	362	273	135	303	356	38	550
423000	Total	4254	1608	37.80 %	263	581	153	391	295	155	335	391	38	614
423710	Election Day	6269	228	3.64 %	45	57	47	45	46	31	41	37	4	103
423710	Vote by Mail	6269	2244	35.80 %	372	856	243	544	264	194	451	536	22	1006
423710	Total	6269	2472	39.43 %	417	913	290	589	310	225	492	573	26	1109
423800	Election Day	42	0	0.00 %										
423800	Vote by Mail	42	16	38.10 %	1	8	1	6		2	3	3		8
423800	Total	42	16	38.10 %	1	8	1	6		2	3	3		8
424510	Election Day	256	8	3.13 %	1	2	1		2	2	2	2		4
424510	Vote by Mail	256	128	50.00 %	15	60	10	35	21	8	14	44	4	45
424510	Total	256	136	53.13 %	16	62	11	35	23	10	16	46	4	49
424600	Election Day	2838	177	6.24 %	26	65	25	35	38	31	27	32	4	71
424600	Vote by Mail	2838	1062	37.42 %	142	517	83	241	169	107	205	284	12	364
424600	Total	2838	1239	43.66 %	168	582	108	276	207	138	232	316	16	435
430010	Election Day	0	0											
430010	Vote by Mail	0	0											
430010	Total	0	0											
430020	Election Day	0	0											
430020	Vote by Mail	0	0											
430020	Total	0	0											
430100	Election Day	347	10	2.88 %		3	1	3	2	2	1	3		5
430100	Vote by Mail	347	93	26.80 %	15	37	3	24	28	5	18	14	2	40
430100	Total	347	103	29.68 %	15	40	4	27	30	7	19	17	2	45
430110	Election Day	0	0											
430110	Vote by Mail	0	0											
430110	Total	0	0											
430120	Election Day	0	0											
430120	Vote by Mail	0	0											
430120	Total	0	0											
430130	Election Day	0	0											

1 Members, City Council - Hayward

		Registered Voters	Voters Cast	Turnout (%)	AMAL ISSA	JULIE ROCHE	SUNITA RUPAN	GEORGE SYROP	TOM FERREIRA	MICHAEL LEMA	SHERMAN LEWIS	DAN GOLDSTEIN	Over Votes	Under Votes
430130	Vote by Mail	0	0											
430130	Total	0	0											
430140	Election Day	0	0											
430140	Vote by Mail	0	0											
430140	Total	0	0											
430160	Election Day	9	0	0.00 %										
430160	Vote by Mail	9	2	22.22 %		1		1			1			1
430160	Total	9	2	22.22 %		1		1			1			1
430400	Election Day	478	13	2.72 %	4	2	3	3	4	2	2			6
430400	Vote by Mail	478	172	35.98 %	36	60	14	63	25	17	28	27		74
430400	Total	478	185	38.70 %	40	62	17	66	29	19	30	27		80
430410	Election Day	5	0	0.00 %										
430410	Vote by Mail	5	1	20.00 %				1						1
430410	Total	5	1	20.00 %				1						1
430420	Election Day	1	0	0.00 %										
430420	Vote by Mail	1	0	0.00 %										
430420	Total	1	0	0.00 %										
430430	Election Day	118	8	6.78 %			2	4	3	4				3
430430	Vote by Mail	118	47	39.83 %	9	14	10	15	8	6	9	4		19
430430	Total	118	55	46.61 %	9	14	12	19	11	10	9	4		22
430450	Election Day	5	1	20.00 %	1			1						
430450	Vote by Mail	5	4	80.00 %		3					3	2		
430450	Total	5	5	100.00 %	1	3		1			3	2		
430460	Election Day	7	0	0.00 %										
430460	Vote by Mail	7	0	0.00 %										
430460	Total	7	0	0.00 %										
430470	Election Day	1	1	100.00 %		1						1		
430470	Vote by Mail	1	1	100.00 %		1			1					
430470	Total	1	2	200.00 %		2			1			1		
430500	Election Day	2	0	0.00 %										
430500	Vote by Mail	2	1	50.00 %			1					1		
430500	Total	2	1	50.00 %			1					1		
430510	Election Day	83	4	4.82 %	1		1			1	2			3
430510	Vote by Mail	83	26	31.33 %	6	10	2	8	5	2	6	2	2	9
430510	Total	83	30	36.14 %	7	10	3	8	5	3	8	2	2	12
430600	Election Day	5120	174	3.40 %	26	42	29	32	34	26	29	25	2	103
430600	Vote by Mail	5120	1950	38.09 %	304	713	182	630	279	149	373	385	28	857
430600	Total	5120	2124	41.48 %	330	755	211	662	313	175	402	410	30	960
430700	Election Day	822	37	4.50 %	7	9	8	6	11	6	5	4		18
430700	Vote by Mail	822	335	40.75 %	32	130	20	83	41	25	63	92	8	176
430700	Total	822	372	45.26 %	39	139	28	89	52	31	68	96	8	194
430720	Election Day	174	7	4.02 %		1	3	1	3		1	1		4
430720	Vote by Mail	174	91	52.30 %	16	34	13	15	14	5	18	26		41
430720	Total	174	98	56.32 %	16	35	16	16	17	5	19	27		45
430800	Election Day	446	16	3.59 %	2	3	1	3	1	2	4	2		14
430800	Vote by Mail	446	191	42.83 %	25	76	18	39	28	8	47	39	4	98
430800	Total	446	207	46.41 %	27	79	19	42	29	10	51	41	4	112
431100	Election Day	1550	59	3.81 %	11	17	5	15	10	11	13	6		30
431100	Vote by Mail	1550	622	40.13 %	93	223	60	175	93	57	137	136	8	262
431100	Total	1550	681	43.94 %	104	240	65	190	103	68	150	142	8	292

1 Members, City Council - Hayward

		Registered Voters	Voters Cast	Turnout (%)	AMAL ISSA	JULIE ROCHE	SUNITA RUPAN	GEORGE SYROP	TOM FERREIRA	MICHAEL LEMA	SHERMAN LEWIS	DAN GOLDSTEIN	Over Votes	Under Votes
431110	Election Day	14	0	0.00 %										
431110	Vote by Mail	14	7	50.00 %	2	3		1		2	2	2		2
431110	Total	14	7	50.00 %	2	3		1		2	2	2		2
431120	Election Day	8	0	0.00 %										
431120	Vote by Mail	8	2	25.00 %	1					1				2
431120	Total	8	2	25.00 %	1					1				2
431200	Election Day	10	0	0.00 %										
431200	Vote by Mail	10	6	60.00 %	2			3		3	3			1
431200	Total	10	6	60.00 %	2			3		3	3			1
431300	Election Day	123	0	0.00 %										
431300	Vote by Mail	123	63	51.22 %	9	24	6	20	8	4	11	11		33
431300	Total	123	63	51.22 %	9	24	6	20	8	4	11	11		33
431400	Election Day	387	15	3.88 %	4	1	3	7	3	1	4	3		4
431400	Vote by Mail	387	199	51.42 %	30	54	15	73	47	13	44	45	6	71
431400	Total	387	214	55.30 %	34	55	18	80	50	14	48	48	6	75
431500	Election Day	191	6	3.14 %		2	2	4		1	1			2
431500	Vote by Mail	191	90	47.12 %	9	39	10	21	9	5	18	28		41
431500	Total	191	96	50.26 %	9	41	12	25	9	6	19	28		43
431610	Election Day	44	0	0.00 %										
431610	Vote by Mail	44	24	54.55 %	3	15	1	7	5	1	5	6		5
431610	Total	44	24	54.55 %	3	15	1	7	5	1	5	6		5
431620	Election Day	15	0	0.00 %										
431620	Vote by Mail	15	12	80.00 %	1			3	4	2	1			13
431620	Total	15	12	80.00 %	1			3	4	2	1			13
431700	Election Day	206	1	0.49 %								1		1
431700	Vote by Mail	206	96	46.60 %	14	39	11	25	19	7	16	29		32
431700	Total	206	97	47.09 %	14	39	11	25	19	7	16	30		33
431710	Election Day	33	3	9.09 %					3	2				1
431710	Vote by Mail	33	14	42.42 %	1	3	3	3	3	1	1	2		11
431710	Total	33	17	51.52 %	1	3	3	3	6	3	1	2		12
431730	Election Day	87	1	1.15 %	1		1							
431730	Vote by Mail	87	37	42.53 %	5	11	4	14	12	5	8	7		8
431730	Total	87	38	43.68 %	6	11	5	14	12	5	8	7		8
431900	Election Day	79	0	0.00 %										
431900	Vote by Mail	79	42	53.16 %	6	10	9	11	4	5	9	5		25
431900	Total	79	42	53.16 %	6	10	9	11	4	5	9	5		25
432100	Election Day	3716	97	2.61 %	15	18	21	16	17	19	15	13		60
432100	Vote by Mail	3716	1270	34.18 %	184	442	132	375	175	92	262	270	26	582
432100	Total	3716	1367	36.79 %	199	460	153	391	192	111	277	283	26	642
432200	Election Day	5909	191	3.23 %	38	39	22	43	46	37	50	27	2	78
432200	Vote by Mail	5909	2059	34.85 %	276	842	198	538	421	160	403	492	32	756
432200	Total	5909	2250	38.08 %	314	881	220	581	467	197	453	519	34	834
432600	Election Day	4701	135	2.87 %	25	45	25	32	30	21	23	14		55
432600	Vote by Mail	4701	1581	33.63 %	239	572	140	423	259	175	351	340	12	651
432600	Total	4701	1716	36.50 %	264	617	165	455	289	196	374	354	12	706
432900	Election Day	3443	136	3.95 %	26	38	31	22	24	19	20	20	2	70
432900	Vote by Mail	3443	1336	38.80 %	182	535	136	323	171	100	277	341	16	591
432900	Total	3443	1472	42.75 %	208	573	167	345	195	119	297	361	18	661
433200	Election Day	3204	146	4.56 %	26	31	24	25	27	20	24	20		95
433200	Vote by Mail	3204	1260	39.33 %	153	464	132	349	194	99	298	291	6	534

1 Members, City Council - Hayward

		Registered Voters	Voters Cast	Turnout (%)	AMAL ISSA	JULIE ROCHE	SUNITA RUPAN	GEORGE SYROP	TOM FERRERA	MICHAEL LEMA	SHERMAN LEWIS	DAN GOLDSTEIN	Over Votes	Under Votes
433200	Total	3204	1406	43.88 %	179	495	156	374	221	119	322	311	6	629
433400	Election Day	3338	124	3.71 %	20	32	24	39	18	13	26	18	2	56
433400	Vote by Mail	3338	1686	50.51 %	202	619	142	535	227	125	419	423	18	662
433400	Total	3338	1810	54.22 %	222	651	166	574	245	138	445	441	20	718
433630	Election Day	1258	27	2.15 %	5	12	8	1	4	4	8	4		8
433630	Vote by Mail	1258	571	45.39 %	68	207	93	102	51	35	130	156	2	298
433630	Total	1258	598	47.54 %	73	219	101	103	55	39	138	160	2	306
433650	Election Day	0	0											
433650	Vote by Mail	0	0											
433650	Total	0	0											
433900	Election Day	377	16	4.24 %	4	4	1	2	2	6	5	1		7
433900	Vote by Mail	377	231	61.27 %	16	93	20	57	36	17	54	78		91
433900	Total	377	247	65.52 %	20	97	21	59	38	23	59	79		98
438120	Election Day	0	0											
438120	Vote by Mail	0	0											
438120	Total	0	0											
438130	Election Day	0	0											
438130	Vote by Mail	0	0											
438130	Total	0	0											
438140	Election Day	0	0											
438140	Vote by Mail	0	0											
438140	Total	0	0											
438200	Election Day	10	0	0.00 %										
438200	Vote by Mail	10	10	100.00 %	2		3		1	4		4		6
438200	Total	10	10	100.00 %	2		3		1	4		4		6
438300	Election Day	2	0	0.00 %										
438300	Vote by Mail	2	2	100.00 %										4
438300	Total	2	2	100.00 %										4
438500	Election Day	10	0	0.00 %										
438500	Vote by Mail	10	3	30.00 %										6
438500	Total	10	3	30.00 %										6
Total - Election Day		79567	2608	3.28 %	461	690	435	525	521	380	475	400	26	1303
Total - Vote by Mail		79567	29434	36.99 %	4447	11173	2948	7658	4570	2516	6094	6847	400	12215
Contest Total		79567	32042	40.27 %	4908	11863	3383	8183	5091	2896	6569	7247	426	13518



CITY OF HAYWARD

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

File #: LB 22-027

DATE: December 13, 2022

TO: Mayor and City Council

FROM: City Clerk

SUBJECT

Mayor Pro Tempore Election: Adopt a Resolution Authorizing the Election of Mayor Pro Tempore of the City of Hayward for 2023

RECOMMENDATION

That Council adopts a resolution (Attachment II) electing the Mayor Pro Tempore.

SUMMARY

It is the Hayward City Council's policy to elect the Mayor Pro Tempore to perform the duties of the Mayor during the Mayor's absence or disability. The current term is based on the calendar year.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution
Attachment III	List of Past Mayor Pro Tempore



DATE: December 13, 2022
TO: Mayor and City Council
FROM: City Clerk
SUBJECT: Mayor Pro Tempore Election: Adopt a Resolution Authorizing the Election of Mayor Pro Tempore of the City of Hayward for 2023

RECOMMENDATION

That Council adopts a resolution (Attachment II) electing the Mayor Pro Tempore.

SUMMARY

It is the Hayward City Council's policy to elect the Mayor Pro Tempore to perform the duties of the Mayor during the Mayor's absence or disability. The current term is based on the calendar year.

BACKGROUND AND DISCUSSION

Below is the pertinent excerpt from the 2021 Council Member Handbook¹ regarding the Mayor Pro Tempore. Attachment III is the list of members who have previously served as Mayor Pro Tempore. Based on the guidelines listed below, Council Member Andrews would be the next eligible Council Member to serve as Mayor Pro Tempore should the Council choose to continue the traditional selection process.

MAYOR PRO TEMPORE

In even number years, the Council shall elect the Mayor Pro Tempore following the installation of those newly elected Council Members. In odd years, the Council shall elect the Mayor Pro Tempore at the end of the calendar year.

The Mayor Pro Tempore shall serve at the pleasure of the Council for the term of one year and shall be elected and removed by the affirmative votes of at least five (5) members of Council.

¹ Council Members Handbook <https://www.hayward-ca.gov/sites/default/files/documents/Council-Member-Handbook-2021.pdf>

The Council shall elect a Council Member with the most seniority as a Council Member and who has not previously served as Mayor Pro Tempore. In the event two Council Members begin service in the same year, the Council Member with the highest number of votes will serve as Mayor Pro Tempore. (See City Council Minutes, 4/28/92)

Prior to being elected as Mayor Pro Tempore, a Council Member shall have served at least two years on the Council. The term of the Mayor Pro Tempore shall be based on the calendar year January 1st to December 31st. (Resolution 98-120 and Council Minutes, 6/26/01)

The Mayor Pro Tempore shall perform the duties of the Mayor during the Mayor's absence or disability. (Sec. 605, City Charter)

STRATEGIC ROADMAP

This agenda item is a routine operational item and does not relate to any of the priority projects outlined in the Council's Strategic Roadmap.

FISCAL IMPACT

There is no fiscal impact associated with this report.

NEXT STEPS

All related documents will be updated accordingly.

Prepared and Recommended by: Miriam Lens, City Clerk

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 22-____

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE ELECTION OF MAYOR PRO TEMPORE OF THE CITY OF HAYWARD FOR 2023

WHEREAS, the City Council conducted an election to select the Mayor Pro Tempore on December 7, 2021; and

WHEREAS, the City Council elected Council Member Lamnin to serve as Mayor Pro Tempore of the City of Hayward from January 1, 2022 through December 31, 2022; and

WHEREAS, the City Council conducted an election to select the Mayor Pro Tempore for 2023 on December 13, 2022.

NOW, BE IT RESOLVED by the City Council of the City of Hayward that it hereby elects Council Member _____ as Mayor Pro Tempore of the City of Hayward for a term from January 1, 2023 through December 31, 2023.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2022.

ADOPTED BY THE FOLLOWING VOTE:

AYES:	COUNCIL MEMBERS:
	MAYOR:
NOES:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

MAYOR PRO TEMPORE

COUNCIL MEMBER	RESOLUTION	DATE
William Ward	92-100	04/28/92
Nicholas Randall	93-084	04/20/93
Doris Rodriquez	94-069	04/19/94
Joseph Hilson	95-71	04/18/95
Ron Hulteen	96-067	04/02/96
Olden Henson	97-063	05/13/97
Matt Jimenez	98-122	06/30/98
William Ward	99-112	06/22/99
Joseph Hilson	00-043	Term 4/04/00 thru 6/30/01
Kevin Dowling	01-101, adopted 6/26/01	Term 7/1/01 thru 6/30/02
Doris Rodriquez	02-093, adopted 6/25/02	Term 7/1/02 thru 6/30/03
Olden Henson	03-117, adopted 7-15-03	Term 7/1/03 thru 6/30/04
Matt Jimenez	04-106, adopted 6-22-04	Term 7/1/04 thru 6/30/05
Matt Jimenez	05-089, adopted 6-28-05	Term 7/1/05 thru 6/30/06
Barbara Halliday	06-091, adopted 7-11-06	Term 7/1/06 thru 6/30/07
Bill Quirk	07-105, adopted 7/10/07	Term 7/1/07 thru 06/30/08
Kevin Dowling	08-109, adopted 7/8/08	Term 7/1/08 thru 06/30/09

MAYOR PRO TEMPORE

COUNCIL MEMBER	RESOLUTION	DATE
Olden Henson	09-104, adopted 6/30/09	Term 7/1/09 thru 6/30/10
Francisco Zermeño	10-119, adopted 7/13/10	Term 7/1/10 thru 6/30/11
Barbara Halliday	11-106, adopted 6/28/11	Term 7/1/11 thru 6/30/12
Marvin Peixoto	12-124, adopted 7/10/12	Term 7/1/12 thru 6/30/13
Mark Salinas	13-108, adopted 6/25/13	Term 7/1/13 thru 6/30/14
Greg Jones	14-113, adopted 7/8/14	Term 7/1/14 thru 6/30/15
Al Mendall	15-140, adopted 7/14/15	Term 7/1/16 thru 6/30/16
Sara Lamnin	16-135, adopted 7/12/16	Term 7/1/16 thru 6/30/17
Elisa Márquez	17-105, adopted 6/27/17	Term 7/1/17 thru 12/30/18
Francisco Zermeño	18-249, adopted 12/11/18	Term 1/1/19 thru 12/31/19
Mark Salinas	19-232, adopted 12/3/19	Term 1/1/20 thru 12/31/20
Aisha Wahab	20-225, adopted 12/15/20	Term 1/1/21 thru 12/31/21
Sara Lamnin	21-239, adopted 12/7/21	Term 1/1/22 thru 12/31/22



CITY OF HAYWARD

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

File #: LB 22-026

DATE: December 13, 2022

TO: Mayor and City Council

FROM: City Clerk, City Attorney, and City Manager

SUBJECT

Council Vacancy Process: Adopt a Resolution Approving a Process for Filling a Two-Year Term City Council Vacancy

That the Council adopts a resolution (Attachment II) affirming a process for filling the unexpired term of Council Member Mark Salinas; and calls for a Special Election if appointment process is unsuccessful.

SUMMARY

The recent November General Municipal Election encompassed two races for vacancies for three positions on the Hayward City Council: Mayor and two (2) Council Members. Council Member Salinas will take his seat as Mayor effective December 13, 2022, which will create a two-year vacancy on the Council. Section 501 of the City's Charter requires that the Council either fill the vacancy or proceed with a special election within 30 days following the occurrence of the vacancy. This report outlines the suggested process for appointing a Council Member to fill the anticipated vacancy resulting from Council Member Salinas becoming Mayor. The new Council needs to make a decision this evening regarding conducting an appointment process or calling for a special election.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution
Attachment III	Sample Application Form



DATE: December 13, 2022

TO: Mayor and City Council

FROM: City Manager
City Clerk
City Attorney

SUBJECT: Council Vacancy Process: Adopt a Resolution Approving a Process for Filling a Two-Year Term City Council Vacancy

RECOMMENDATION

That the Council adopts a resolution (Attachment II) affirming a process for filling the unexpired term of Council Member Mark Salinas; and calls for a Special Election if appointment process is unsuccessful.

SUMMARY

The recent November General Municipal Election encompassed two races for vacancies for three positions on the Hayward City Council: Mayor and two (2) Council Members. Council Member Salinas will take his seat as Mayor effective December 13, 2022, which will create a two-year vacancy on the Council. Section 501 of the City's Charter requires that the Council either fill the vacancy or proceed with a special election within 30 days following the occurrence of the vacancy. This report outlines the suggested process for appointing a Council Member to fill the anticipated vacancy resulting from Council Member Salinas becoming Mayor. The new Council needs to make a decision this evening regarding conducting an appointment process or calling for a special election.

BACKGROUND

The recent November General Municipal Election encompassed two races for vacancies for three positions on the Hayward City Council: Mayor and two (2) Council Members. Council Member Mark Salinas ran unopposed for Mayor. Council Member Salinas will take his seat as Mayor effective December 13, 2022, which will create a two-year vacancy on the Council, as Mr. Salinas' term as Council Member runs from November 2020 through the date the next Council is seated in early December 2024.

Section 501 of the Charter of the City of Hayward ("Vacancy in Elective Office") provides guidance when an elective office becomes vacant:

"A vacancy in an elective office shall be filled by appointment by the City Council, such appointee to hold office until the first Tuesday following the next General Municipal Election and until the officer's successor is elected and qualified. At the next General Municipal Election following any such appointment, the person so elected shall serve for the remainder of any unexpired term.

No appointment to fill a vacancy in an elective office shall be made during such time prior to a General Municipal Election that nomination papers may be filed for candidates seeking office at said election. In the event that Council shall fail to fill a vacancy by appointment within thirty days after such office shall have become vacant, it shall forthwith cause an election to be held to fill such vacancy (AMENDED: STATS. 1964 CH. 41; Amended on [November 3, 2020](#))"

Council last experienced the need to engage in a similar process in July 2014 upon the election of Council Member Barbara Halliday to the position of Mayor. Links to two reports from that process are below¹. Following the swearing in of the new Council on December 13, 2022, the new Council will need to act to either initiate an appointment process and/or consider a special election.

DISCUSSION

There are two possible sequential steps to filling the current vacancy on Council as directed by Section 501 of the Charter: first, for Council to go through an appointment process; and second, to call for a special election if the appointment process is unsuccessful or does not occur within 30 days following the vacancy. To protect the second possible step for Council, the appointment process must either be concluded or declared unsuccessful and a formal call by Council for a "Special Municipal Election" well ahead of February 3, 2023, which would be the deadline to file a resolution for a May 2, 2023 Mail Ballot Election (Election Code 1500(a) – first Tuesday after the first Monday in May of each year).

The timeline is very tight given the upcoming December holidays and City business closure.

Appointment Process and Timeline: The 2014 process included an application period for those interested in serving on Council; a process whereby Council determined who and how many applicants they wanted to consider; a public interview process; and a public action to appoint the selected candidate. The selected candidate was seated that same night. With this in mind, a calendar of the appointment process would follow the schedule outlined in Table 1, starting with tonight's meeting installing the new Mayor and Council. The schedule is a mixture of regular and special meetings. A sample application form for those interested in being considered for appointment to Council is included as Attachment III for Council's

¹ July 8, 2014 meeting: [CITY OF HAYWARD - Meeting of City Council on 7/8/2014 \(legistar.com\)](#) and July 22, 2014 meeting: [CITY OF HAYWARD - Meeting of City Council on 7/22/2014 \(legistar.com\)](#)

reference. Possible steps in the appointment process based on the 2014 process are defined in Table 1 along with suggested timelines.

Table 1: Council Member Appointment Timeline (if special election option is not selected) DRAFT		
Nov 8	Tue	Municipal Election
Dec 13	Tue	Special Council Meeting: Certification of Election; seating of new Mayor and two Council Members; election of Mayor Pro Tem; approval of Council Member appointment process.
Dec 14	Wed	City Clerk issues a Notice of Vacancy and PIO prepares a press release. Council Member Application available online and PDF format.
Dec 16	Fri	Notice of Vacancy is published in the newspaper.
Dec 23 – Jan 2		Business/Holiday Closure
Jan 3	Tue	Council Member applications due to the City Clerk by 9am.
Jan 3	Tue	Special Council Meeting: Council accepts Council Member applications and confirms interview process.
Jan 5	Thurs	Members of the City Council individually select up to five applicants and notify the City Clerk of their selections by noon.
Jan 5	Thurs	Individuals who receive three or more points are invited to interview with the City Council. City Clerk notifies selected applicants and creates interview schedule for January 9, 2023.
Jan 9	Mon	Special Council Meeting: Council holds public interviews and appoints new Council Member to a two-year term; newly appointed Council Member takes the oath of office; OR Council directs City Clerk to prepare documents to call a Special Municipal Election (Mail Ballot Election) and issue nomination papers. Nomination papers would be available from January 9, 2023 to February 3, 2023.

Special Election: Should Council be unable to achieve a majority vote² to appoint someone, the Charter requires that the matter go to election. In order for Council to accomplish that in a timely and fiscally responsible manner, Council would have to call for a Special Municipal Election and order a Mail Ballot Election. The City would need to call for the Special Municipal Election well before February 3, 2023 in order to meet the deadline for a May 2, 2023 Mail Ballot Election. The nomination filing would start January 9, 2023 and end February 3, 2023. These deadlines and the requirement that Council make a solid attempt to appoint a new member per the Charter before going to election puts pressure on the appointment timeline as captured in Table 1 above.

The City Clerk would not formally file the resolution calling for a Special Election with the Alameda County Registrar of Voters and Alameda County Board of Supervisors unless and until the appointment process fails within the 30-day period called for in the Charter or the Council chooses to proceed with the Special Election option.

Should Council not be successful in the appointment process and miss the deadline to call for a Special Election (Mail Ballot Election), the option would remain to call for a Standalone Special Election, which would be at a time specified by Council after the May 2, 2023 Mail Ballot Election. This would be very expensive (\$19 - \$21 per registered voter) and should be considered only as a last and remote possibility.

FISCAL AND ECONOMIC IMPACT

There is no economic impact of the appointment process. There is a potentially significant fiscal impact to the General Fund if Council defaults to the Special Municipal Election. Generally, a Standalone Vote by Mail Election would cost between \$9 - \$11 per registered voter and estimating 80,000 registered voters the cost would be \$720,000-\$880,000.

STRATEGIC ROADMAP

This agenda item does not relate to any of the priorities in the Strategic Roadmap.

NEXT STEPS

If Council adopts the attached resolution, staff will implement and publicize the appointment process and timeline and/or take the steps necessary to proceed with the Special Municipal Election option.

Recommended by: Miriam Lens, City Clerk
Michael Lawson, City Attorney
Kelly McAdoo, City Manager

² A "majority vote" is four votes regardless of how many Council Members are in attendance at the meeting.

Approved by:

A handwritten signature in black ink, appearing to read 'McAadoo', with a long horizontal flourish extending to the right.

Kelly McAadoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 22-_____

Introduced by Council Member _____

RESOLUTION AFFIRMING THE APPOINTMENT PROCESS AND TIMELINE FOR FILLING THE UNEXPIRED TWO-YEAR TERM OF COUNCIL MEMBER MARK SALINAS; AND IF NEEDED, CALLING FOR A MAIL BALLOT SPECIAL MUNICIPAL ELECTION ON MAY 2, 2023, TO FILL THE VACANCY AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA

WHEREAS, on November 8, 2022, a General Municipal Election was held in the City of Hayward; and

WHEREAS, as a result of that election, Council Member Mark Salinas was elected Mayor; and

WHEREAS, Mayor-elect Salinas took his seat as Mayor on December 13, 2022 and in doing so formally vacated his seat as Council Member midterm; and

WHEREAS, Section 501 of the Charter of the City of Hayward provides guidance when an elective office becomes vacant; and

WHEREAS, the State Elections Code requires publication of the intent to have a Special Municipal Election.

NOW, THEREFORE, BE IT RESOLVED that, in accord with Section 501 of the City Charter, the City Council does hereby provide an appointment process to fill the two-year term vacancy created by the election of Council Member Salinas to Mayor, effective December 13, 2022; and that the appointment process is as outlined in the staff report of December 13, 2022 entitled Approval of Process for Filling a Two-Year City Council Vacancy as such process may be amended through Council action taken on December 13, 2022; and

BE IT FURTHER RESOLVED that the Council does hereby approve the City Clerk taking the necessary steps to protect the option of holding a Special Mail Ballot Municipal Election; however, should the City Council successfully fill the vacancy by appointment pursuant to Section 501 of the City Charter, the City Clerk is directed to cease to take the actions noted below or to formally transmit a copy of this Resolution to the County Clerk of the County of Alameda and to so notify that:

SECTION 1. That pursuant to the requirements of the laws of the State of California, there is called and ordered to be held in the City of Hayward, California, on Tuesday, May 2, 2023, a Special Mail Ballot Municipal Election for the purpose of electing one (1) Member of the City Council for a term of two years.

SECTION 2. That the City Clerk is hereby authorized, instructed, and directed to coordinate with the Alameda County Registrar of Voters to procure and furnish any and all official ballots, sample ballot, voter information pamphlet, and all other supplies and equipment that may be necessary to conduct the election properly and lawfully.

SECTION 3. That the Alameda County Board of Supervisors is further requested to order the Alameda Registrar of Voters to render services at the request of the City Clerk. These services include all necessary services related to:

- a. Verify signatures on nomination papers; and
- b. Prepare and supply indices to precinct information; and
- c. Provide voter registration information; and
- d. Assist in election services as ordered by State of California; and
- e. Provide services to complete the canvass of returns.

SECTION 4. That in the particulars not recited in this resolution, the election shall be held and conducted as provided by State law for holding municipal elections.

SECTION 5. The City Clerk is hereby directed to cause the posting, publication, and printing of all notices or other election materials pursuant to the requirements of Elections and Government Codes of the State of California.

SECTION 6. That in the event of a tie vote (if any two or more persons receive an equal number of votes for an office) as certified by the Alameda County Registrar, the City Council, in accordance with Election Code Section 15651(b), shall conduct a special runoff election to resolve the tie vote and such special runoff election is to be held on a Tuesday no less than 40 nor more than 125 days after the administrative or judicial certification of the election which resulted in a tie vote.

SECTION 7. That the City Council authorizes the City Clerk to administer said election and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted bill.

SECTION 8. That the Alameda County Board of Supervisors is hereby authorized to canvass, or cause to be canvassed, as provided by law, the returns of the Special Municipal Election with respect to the votes cast for one Council Member and to certify such canvass of the votes cast.

SECTION 9. That the City Clerk is hereby authorized and directed to certify to the duly adoption of this resolution and to transmit a copy thereof so certified to the Alameda County Clerk and the Alameda County Registrar by February 3, 2023. That the official nomination period would start on January 9, 2023 and end on February 3, 2023.

SECTION 10. That the City Council shall meet at a regular meeting to review the canvass of the returns of the Special Mail Ballot Municipal Election and declare the results thereof.

IN COUNCIL, HAYWARD, CALIFORNIA _____ 2022

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST:

City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

Hayward City Council Vacancy

Application to fill a two-year term vacancy on the Hayward City Council. This application will be forwarded to the City Council for consideration to fill the vacancy for the term ending December 2024.

Submit a physical copy by 9 a.m. on Tuesday, Jan. 3, 2023 to:

Miriam Lens, City Clerk
City of Hayward
777 B St. 4th Floor
Hayward, CA 94541
(510)583-4401

No application (print or digital) will be accepted after the deadline.

* Required

1. First Name *

2. Last Name *

3. Gender *

Mark only one

Mark only one oval.

Female

Male

Nonbinary or third gender

Prefer to self-describe

Prefer not to say

Other: _____

4. Home Address (Street Address, City, State, Zip Code) *

ex: 777 B St. Hayward, CA, 94541

5. Phone Number *

ex: 510-583-4400

6. Are you a resident of incorporated Hayward? *

Mark only one oval.

Yes

No

7. Are you a registered voter? *

Mark only one oval.

Yes

No

8. Please list any languages you speak, read, and/or write besides English and your proficiency in each language.

City Council History

9. Have you ever served on the Hayward City Council? *

Mark only one oval.

Yes

No

10. If yes, when?

Example: January 7, 2019

Current Employment Information

11. Current Employer *

12. Current Employer Address *

13. Position *

14. Dates of Employment *

15. Responsibilities *

Questionnaire

16. Describe your education, training, and/or any special certifications relevant to serving on the City Council: *

One (1) separate sheet may be attached

17. Explain why you want to be appointed to the City Council and what your goals for the two years will be if you are selected: *

One (1) separate sheet may be attached

18. List any previous City of Hayward Commission, Committee, or Task Force on which you have served; and any other relevant Hayward community service in which you have been involved or are currently involved: *

One (1) separate sheet may be attached

19. Briefly, please provide information on any additional relevant experience you believe supports your qualifications for this appointment: *

One (1) separate sheet may be attached

Signature

*

I have sufficient time to devote to this responsibility and will attend the required meetings if I am appointed. I am also aware that this application is a public document. If appointed, I will file the necessary disclosure documents required under the Political Reform Act.

Signature:

I certify under penalty of perjury that the foregoing is true and correct *

Signature:

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