



CITY OF HAYWARD

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

Action Minutes City Council

Tuesday, December 15, 2015

7:00 PM

Council Chambers

CITY COUNCIL MEETING

CALL TO ORDER Pledge of Allegiance: Mayor Halliday

ROLL CALL

Present: 7 - Council Member Francisco Zermeno, Council Member Al Mendall, Council Member Greg Jones, Council Member Marvin Peixoto, Council Member Sara Lamnin, Council Member Elisa Marquez, and Mayor Barbara Halliday

CLOSED SESSION ANNOUNCEMENT

City Attorney Lawson announced that the Council convened in closed session regarding three items: (1) Conference with property negotiators pursuant to Government Code 54596.8 regarding the 9/11 Memorial; (2) Conference with legal counsel pursuant to Government Code 54956.9 regarding three anticipated litigation cases; and (3) Conference with property negotiators pursuant to Government Code 54956.8 regarding approximately 400 Parcels owned by the California Department of Transportation in the Route 238 Corridor; and there was no reportable action. Mr. Lawson added that the City Council did not have time to discuss Item (4) Public employment pursuant to Government Code 54957 regarding the City Manager.

PUBLIC COMMENTS

Mr. Antonio Isais
Mr. Jim Drake
Ms. Wynn Grcich
Mr. Ray Baker
Ms. Nina Marley
Mr. John Super

CONSENT

Approval of the Consent Calendar

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

Aye: 7 - Council Member Zermeno, Council Member Mendall, Council Member Jones, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, and Mayor Halliday

1. Approval of the Minutes of the City Council Meeting on December 1, 2015

Consent Item approved.

2. Adoption of Ordinance Adding Article 6 to Chapter 11 of the Hayward Municipal Code Regarding Recycled Water Use

A motion was made by Council Member Mendall, seconded by Council Member Peixoto, to approve the staff report. The motion carried by the following vote:

Aye: 7 - Council Member Zermeno, Council Member Mendall, Council Member Jones, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, and Mayor Halliday

3. Adoption of Resolution Approving an Amendment to the City of Hayward Salary Plan for Fiscal Year 2016

A motion was made by Council Member Marquez, seconded by Council Member Lamnin, to approve the staff report. The motion carried by the following vote:

Aye: 7 - Council Member Zermeno, Council Member Mendall, Council Member Jones, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, and Mayor Halliday

4. Authorization for the City Manager to Execute Professional Services Agreements with Lordy Rodriguez, Rob Ley, Kana Tanaka, and We Are Matik for Structural Art Installations in the 21st Century Library

A motion was made by Council Member Mendall, seconded by Council Member Jones, to table the item until January. The motion carried by the following vote:

Aye: 7 - Council Member Zermeno, Council Member Mendall, Council Member Jones, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, and Mayor Halliday

5. Resolution Approving a Memorandum of Understanding between the City of Hayward and the Hayward Police Management Unit

Consent Item approved.

6. Amendment to Agreement for Consulting Services with Dutra Cerro Graden

A motion was made by Council Member Marquez, seconded by Council Member Zermeno, to approve the staff report. The motion carried by the following vote:

Aye: 7 - Council Member Zermeno, Council Member Mendall, Council Member Jones, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, and Mayor Halliday

Mayor Halliday asked if Legislative Business Item No. 12 could be heard after the Work Session. There was City Council consensus to move Legislative Business Item No. 12 prior to the Public Hearing Item No. 9

WORK SESSION

7. FY 2015 Preliminary Year-End General Fund Review (Report from Director of Finance Vesely)

Information Only

8. Review of First Quarter Progress for Police Department (Report from Police Chief Urban)

Information Only

PUBLIC HEARING

9. Proposed subdivision and construction of forty-two detached single-family homes on a 3.2-acre site at 81 Fagundes Court, requiring adoption of a Resolution and Introduction of an Ordinance for a Zone Change from Medium Density Residential and Single-Family Residential to Planned Development District, Vesting Tentative Tract Map 8266, and Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; KB Home Bay Area (Applicant)/ Steven Amaral (Owner) (Report from Development Services Director Rizk)

A motion was made by Council Member Mendall, seconded by Council Member Peixoto, to send the item back to the Planning Commission with recommendations. The motion carried by the following vote:

Aye: 7 - Council Member Zermeno, Council Member Mendall, Council Member Jones, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, and Mayor Halliday

10. Adoption of a Resolution of Intention to Introduce an Ordinance Approving an Amendment to the Contract between the City of Hayward and the California Public Employees Retirement System (PERS) for Miscellaneous Members in HAME, Local 21, and the Unpresented Employee Group (Report from Human Resources Director Collins)

A motion was made by Council Member Peixoto, seconded by Council Member Jones, to approve the staff recommendation. The motion carried by the following vote:

Aye: 7 - Council Member Zermeno, Council Member Mendall, Council Member Jones, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, and Mayor Halliday

LEGISLATIVE BUSINESS

11. Introduction of an Ordinance to Amend the Hayward Building Code to Rescind Previously Adopted Amendments to the State Building Code that Restricts Issuance of Permits Only to Licensed Contractors and Resident Owners, and that Limits all Building Permits to a Duration of One Year (Report from Development Services Director Rizk)

A motion was made by Council Member Lamnin, seconded by Council Member Jones, to approve the staff report. The motion carried by the following vote:

Aye: 7 - Council Member Zermeno, Council Member Mendall, Council Member Jones, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, and Mayor Halliday

12. Authorization for the City Manager to Implement Near-Term Strategies to Assist Homeless Individuals in Hayward (Report from Library and Community Services Director Reinhart)

A motion was made by Council Member Lamnin, seconded by Council Member Marquez, to approve the staff report with recommendations. The motion carried by the following vote:

Aye: 7 - Council Member Zermeno, Council Member Mendall, Council Member Jones, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, and Mayor Halliday

ADJOURNMENT

Mayor Halliday adjourned the meeting at 10:51 p.m., in memory of Mr. Edward "Eddie" Muniz and Ms. Vana Chavez.