



CITY COUNCIL MEETING
777 B Street, Hayward, CA 94541
Council Chambers and Zoom
<https://hayward.zoom.us/j/83639328548?pwd=ZUdDZE5lM2R1dHNFbVJoVXJBckdmQT09>
Tuesday, April 16, 2024, 7:00 p.m.

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

Pursuant to Government Code section 54953, the meeting included a teleconference location at Crowne Plaza Times Square Manhattan, 1605 Broadway, New York, New York 10019. Council Member Bonilla Jr. participated via teleconference. The agenda was posted at the teleconference location and the public had an opportunity to address the Council.

Pledge of Allegiance: Council Member Roche

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

Absent: None

CLOSED SESSION ANNOUNCEMENT

The City Council convened in closed session on April 16, 2024, at 5:30 p.m., with all members present, Council Member Bonilla Jr. attending remotely per Government Code section 54953, and no public speakers, regarding five items: 1) conference with legal counsel pursuant to Government Code section 54956.9(d)(2) regarding one matter alleging potential violation of the California Voting Rights Act; 2) conference with legal counsel pursuant to Government Code section 54956.9(d)(1) regarding Jack Wu, et al. v. City of Hayward, Alameda County Superior Court Case Number 24CV070229; 3) conference with property negotiators pursuant to Government Code section 54956.8 regarding Lord Tennyson Apartments, located at 2191 W. Tennyson Road, Hayward, 94545; 4) conference with legal counsel pursuant to Government Code section 54956.9(d)(2) and 54956.9(e)(2) regarding one case; and 5) conference with property negotiators pursuant to Government Code section 54956.8 regarding Caltrans Parcel Group 2: Mission Boulevard and Tennyson Road; APNs: 078C-0461-010-00, 078C-0461-011-00, 078C-0461-012-00, 078C-0461-013-00, and 078C-0461-014-00; Caltrans Parcel Group 3: Adjacent to Tennyson Road, East 16th Street and Calhoun Street; APNs: 078C-0626-003-16, 078C-0626-003-09, 078C-0626-001-07; Caltrans Parcel Group 4: APNs: 078C-648-01-01, 078C-0800-029, 078C-0800-030, 078C-0800-031, 078C-0800-032, 078C-0800-033, 078C-0800-034, 078C-0800-035, 078C-0800-036, 078C-0800-037, 078C-0800-038, 078C-0800-039, 078C-0800-040, 078C-0800-041, 078C-0800-042, 078C-0800-043; Caltrans Parcel Group 5: Maitland Drive, Bunker Hill Court, Bunker Hill Boulevard and Central Boulevard; APNs: 445-0250-041-01, 445-0260-084-03, 445-0260-018-04, 445-0270-054-02, 445-0250-060-00, 445-0250-059-01, 445-0260-109-04, 445-0260-018-03, 445-0260-109-03, 445-0260-002-00; Caltrans Parcel Group 6: Carlos Bee Boulevard and Overlook Avenue; APN: 455-0180-001-00; Caltrans Parcel Group 8: Grove Way; APNs: 415-0180-070-00, 415-0180-068-01, 415-0180-076-00, 415-0180-084-01, 415-0180-073-00, 415-0180-074-00, 415-0180-075-00, 415-0180-072-00, 415-0180-071-00, 415-0180-069-01, 415-0190-064-00, 415-0180-083-01,

415-0180-080-00, 415-0180-082-01, 415-0180-081-01; and Caltrans Parcel Group 9: Apple and Oak Streets; APNs: 415-0160-001-00, 415-0160-002-00, 415-0160-003-00, 415-0160-004-00, 415-0160-005-00, 415-0160-006-00, 415-0160-007-00, 415-0160-008-00, 415-0160-009-00, 415-0160-010-00, 415-0170-002-00, 415-0170-003-00, 415-0170-004-00, 415-0170-005-00, 415-0170-006-00, 415-0170-007-00, 415-0170-008-00, 415-0170-009-00, 415-0170-010-00, 415-0170-011-00, 415-0170-012-00.

City Attorney Lawson reported as follow: Item 1) the Council acknowledged the “cure and correct” posting of its March 19, 2024 closed session agenda; Item 2) the Council discussed the case but took no reportable action and it is noted that the item is related to the regular agenda item which recommends adoption of a resolution of intention to convert to district elections; Item 3) the Council discussed the case and gave direction to staff but took no reportable action; Item 4) the Council discussed facts and circumstances related to a dispute with the owner of property located at 926 B Street, Hayward, also known as the Dirty Bird Lounge, and gave direction to staff but took no reportable action; and Item 5) the Council did not discuss the item which was rescheduled for a later date. The closed session adjourned at 6:50 p.m.

PRESENTATIONS

Mayor Salinas read a proclamation declaring the week of April 21 through 27, 2024, as National Crime Victims’ Rights Week in the City of Hayward. District Attorney of Alameda County, Pamela Price, and Victim-Witness Assistance Division Director, Kristina Molina, thanked the City for the special recognition and accepted the proclamation on behalf of the District Attorney’s Victim- Witness Services.

Mayor Salinas read a proclamation declaring the month of April 2024 as Arab American Heritage Month in the City of Hayward. American Association of Yemeni Students and Professionals (AAYSP) Program Manager Amani Hassan and AAYSP Program Coordinator Aisha Homran, accepted the proclamation on behalf of AAYSP. Library Director Jayanti Addleman also accepted the proclamation on behalf of the Hayward Library and urged everyone to embrace and learn about Arab American culture.

Mayor Salinas announced the City of Hayward’s Annual Earth Day Poster and Writing Contest awards presentation, noting 2024 marked the 41st year of Hayward’s celebration of Earth Day, and added the annual Citywide Clean-Up Day was on April 20, 2024, at Weekes Park. He thanked staff from Environmental Services and the judges from the Hayward Arts Council who evaluated 487 entries and selected the winners. Council Members and members of the Council Sustainability Committee, Roche, Andrews, and Zermeño announced the winners of the Earth Day Poster and Writing Contest for grades kindergarten through high school. Second place winners received a \$150 gift card, and first place winners received a \$200 gift card. Teachers of essay and poster winners were also recognized; each teacher with a first-place poster or writing winner received a \$100 gift card and a \$75 gift card for a second place winner. Mayor Salinas drew names for two bonus prizes of \$200 each. All students, teachers, and families were congratulated for their participation.



CITY COUNCIL MEETING
777 B Street, Hayward, CA 94541
Council Chambers and Zoom
<https://hayward.zoom.us/j/83639328548?pwd=ZUdDZE5lM2R1dHNFbVJoVXJBckdmQT09>
Tuesday, April 16, 2024, 7:00 p.m.

The City Council took a recess and Mayor Salinas reconvened the meeting at 8:16 p.m.

PUBLIC COMMENTS

TJ, with Hayward Concerned Citizens, urged support for the Hayward Animal Shelter by expanding affordable spaying and neutering services to manage the feral population; suggested that future Council Public Safety Committee meetings be widely publicized and include live broadcasting; and highlighted a recent rise in violent crimes, advocating for increased public safety measures and public participation in reporting crimes.

Mary Anne Reno highlighted the historical significance of April as Fair Housing Month; and invited the community to an open house hosted by Eden Council for Hope and Opportunity (ECHO Housing) on April 18, 2024, at their downtown Hayward office on Second Street.

CITY MANAGER'S COMMENTS

City Manager McAdoo made two announcements: 1) the "Homegrown in Hayward" project, part of a Hayward People's Budget Project, on April 27, 2024, at Bidwell Park, will feature a planting event for all ages; and 2) the annual Citywide Cleanup Day on April 20, 2024, at Weekes Park will include a celebration of Earth Day and a Community Fair.

CONSENT

1. Approve the Minutes of the City Council Meeting on March 26, 2024 **MIN 24-047**
It was moved by Council Member Andrews, seconded by Council Member Goldstein, and carried unanimously to adopt the City Council meeting minutes of March 26, 2024.
2. Adopt a Resolution Authorizing the City Manager to Accept and Appropriate up to \$100,000 in Donations for Hayward Police Department Programs Annually Through the End of Fiscal Year 2026 **CONS 24-178**

Staff report submitted by Police Chief Matthews, dated April 16, 2024, was filed.

It was moved by Council Member Andrews, seconded by Council Member Goldstein, and carried by the following roll call vote, to adopt the resolution.

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

Resolution 24-064 “Resolution Authorizing the City Manager to Accept and Appropriate up to \$100,000 in Donations for Hayward Police Department Programs Annually through the End of Fiscal Year 2026”

3. Adopt Resolutions Authorizing the City Manager to Apply for a United States Environmental Protection Agency (EPA) Water Infrastructure Finance and Innovation Act (WIFIA) Loan for the Water Resource Recovery Facility (WRRF) Improvements - Phase II Project in an Amount up to \$260 Million, and Authorize Payment of WIFIA Loan Application Fee in the Amount of \$100,000 **CONS 24-179**

Staff report submitted by Public Works Director Ameri, dated April 16, 2024, was filed.

It was moved by Council Member Andrews, seconded by Council Member Goldstein, and carried by the following roll call vote, to adopt the resolution.

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

Resolution 24-065, “Resolution Authorizing the City Manager to Apply for a United States Environmental Protection Agency (USEPA) Water Infrastructure Finance and Innovation Act (WIFIA) Loan for the Water Resource Recovery Facility (WRRF) Improvements – Phase II Project, the WRRF Administration and Lab Project and the Primary Effluent Equalization Facility Project”

Resolution 24-066, “Resolution Authorizing the Payment of United States Environmental Protection Agency (USEPA) Water Infrastructure Finance and Innovation Act (WIFIA) Loan Application Fee in the Amount of \$100,000 for the Water Resource Recovery Facility (WRRF) Improvements – Phase II Project, the WRRF Administration and Lab Project and the Primary Effluent Equalization Facility Project”

4. Adopt a Resolution Authorizing the City Manager to Execute a Funding Agreement, Accept \$600,000 in Environmental Protection Agency San Francisco Water Quality Improvement Fund Grant Funds, and Appropriate \$600,000 to the Nature-Based Solution Feasibility Study Project No. 07809 in Fund 612 Sewer Improvement Fund **CONS 24-181**



CITY COUNCIL MEETING
777 B Street, Hayward, CA 94541
Council Chambers and Zoom
<https://hayward.zoom.us/j/83639328548?pwd=ZUdDZE5lM2R1dHNFbVJoVXJBckdmQT09>
Tuesday, April 16, 2024, 7:00 p.m.

Staff report submitted by Public Works Director Ameri, dated April 16, 2024, was filed.

It was moved by Council Member Andrews, seconded by Council Member Goldstein, and carried by the following roll call vote, to adopt the resolution.

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

Resolution 24-067, "Resolution Authorizing the City Manager to Execute a Funding Agreement, Accept \$600,000 in Environmental Protection Agency (EPA) Grant Funds, and Appropriate \$600,000 from Fund 612 to the Nature Based Solutions Feasibility Study Project No. 07809 at the Water Resource Recovery Facility"

5. Adopt a Resolution Authorizing the Transfer and Appropriation of \$275,000 from Measure C Capital Fund (Fund 406) to Fleet Replacement Fund (Fund 736, Project 07302) and the Procurement of an Aerial-Lift Forestry Bucket Truck from Altec Inc. **CONS 24-185**

Staff report submitted by Maintenance Services Director Rullman, dated April 16, 2024, was filed.

It was moved by Council Member Andrews, seconded by Council Member Goldstein, and carried by the following roll call vote, to adopt the resolution.

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

Resolution 24-068 "Resolution Authorizing the Transfer and Appropriation of \$275,000 from Measure C Capital Fund (Fund 406) to Fleet Replacement Fund (Fund 736, Project 07302) and the Procurement of an Aerial-Lift Forestry Bucket Truck from Altec Inc."

WORK SESSION

6. Council Appointed Officials: Review of Roles of Commissions and Task Forces **WS 24-006**

Staff report submitted by Assistant City Manager Youngblood, dated April 16, 2024, was filed.

City Manager McAdoo announced the item and introduced Assistant to City Manager Thomas who provided a synopsis of the staff report.

Mayor Salinas opened the public comment at 8:19 p.m.

Hayward Youth Commissioners, Josue Barrera, Alicia Saenz, and Phylis Essandoh, promoted service through the Hayward Youth Commission and encouraged the youth to join the Commission by applying or contacting the City Clerk.

Keep Hayward Clean and Green Task Force (KHCGTF) Member Douglas Mansel supported the continuation of the KHCGTF, emphasizing its benefits in community cleanups, educational outreach at street fairs, and providing service opportunities for local students.

KHCGTF Vice Chair Tom Ferreira spoke in support of the KHCGTF, highlighting the group's commitment to supporting and educating residents on sustainability; advocated for the Adopt-A-Block program, encouraging community participation; and highlighted the KHCGTF focus on education at community events.

KHCGTF Member Melissa Milleman shared her concerns about the potential reduction of KHCGTF activities, emphasizing the value of their expanded efforts beyond trash pickup; and highlighted the positive community response to the programs.

KHCGTF Chair Jeffrey Haman detailed the KHCGTF's efforts in preserving the environment and enhancing Hayward's visual appeal through community collaborations, educational initiatives and supporting green policies; and urged for Council's continued support of the KHCGTF.

Community Services Commissioner Jesse Gunn emphasized the need for protocols to ensure the successful implementation of Council-approved policies; highlighted the critical role of funding in the commission's work, but also pointed out the value of passionate volunteers who contribute to neighborhood and City improvements; and hoped for a commissions mechanism to seek permission, tackle problems, and remain advisory bodies.

Community Services Commission Parliamentarian, Collin Thormoto, urged the Council to recognize the potential of commissions and task forces beyond their official capacities; voiced concerns over proposals to limit the scope of these bodies; and proposed expanding the roles of these groups to foster greater community engagement and policy development in areas such as environmental justice and education.



CITY COUNCIL MEETING
777 B Street, Hayward, CA 94541
Council Chambers and Zoom
<https://hayward.zoom.us/j/83639328548?pwd=ZUdDZE5lM2R1dHNFbVJoVXJBckdmQT09>
Tuesday, April 16, 2024, 7:00 p.m.

Mayor Salinas closed the public comment at 8:39 p.m.

Members of the KHCGTF were acknowledged for their service and comments.

Discussion ensued among members of the City Council and City staff. Members of the City Council expressed general support for the Mayor to form an ad hoc committee for the purpose of the following: evaluate the number of members for the KHCGTF and Community Services Commission (CSC) taking into account quorum attainment and more efficient meetings; evaluate frequency of cleanups to optimize engagement while preserving impactful community events such as Earth Day; review mission statements to ensure they are in alignment with Council's expectations and priorities to ensure commissions are focused and effective; consider how the CSC can focus its attention on community issues, such as the overrepresentation of the black community in homelessness; review the role of Hayward Youth Commission (HYC) representatives on the KHCGTF and HYC interactions with the Hayward Local Agencies Committee (HLAC); consider how the Library Commission and CSC can work together in addressing neighborhood and equity issues at the Weekes Branch; explore the CSC's purview beyond the community funding process to assist with a variety of community services aligned with their scope of service; review the Library Commission's current function; consider reducing the frequency of Library Commission meetings or merging it with another commission to increase efficiency and reduce staff load; review functions and configurations of City commissions; reassess the scope, function, and size of City commissions; consider a code of conduct for commissioners, highlighting concerns about inappropriate behavior on social media that negatively impacts the Council's relationship with the community;

It was also recommended to seek input from KHCGTF and CSC members about reducing the number of members; it was emphasized that minimal reduction could maintain geographic representation while not impacting meeting quorum; it was acknowledged the CSC expanded its mission beyond its original scope, contributing to significant community improvements; it was noted a preference to wait until the work session on a public art fee is held before considering removing arts and music funding from the funding process; it was noted the need for the CSC to focus on its core responsibilities rather than expanding into broader community advocacy roles traditionally held by other organizations; and commissioners were encouraged to participate in public comment independently of their commission's collective voice, ensuring their personal perspectives are heard.

Council Member Andrews, also the Council liaison to the KHCGTF, supported the KHCGTF in their preference for maintaining a larger number of members in the KHCGTF, suggesting a minimum of 15 to 20 members due to the physical nature of their cleanup activities.

There was consensus to pause this year's recruitment for KHCGTF and CSC and wait to receive the recommendation from the ad hoc committee in terms of member size.

7. Stack Center Project: Update on Phasing and Funding Gap **WS 24-010**

Staff report submitted by Assistant City Manager Youngblood, dated April 16, 2024, was filed.

Assistant to City Manager Thomas provided a synopsis of the staff report.

There being no public comment, Mayor Salinas opened and closed public comment at 9:34 p.m.

Discussion ensued among members of the City Council and City staff about the funding gap for Phase II (core and shell & first floor spaces) of the Stack Center project; the Governance Group comprising the City, Alameda County and Hayward Area Recreation and Park District (HARD); and the insufficient fundraising capacity within project partners to raise donations of \$100,000.

Members of the City Council offered the following comments: display the public art done by the Youth Advisory Group on different public sites; retain a café within the new South Hayward Youth and Family Center project (Stack Center), as is essential for providing a communal indoor space in Hayward and a long-standing community desire; collaborate with Economic Development to ensure the café's inclusion; recognize the disparity in amenities across different parts of the City, and incorporate attractive lighting to enhance equity; include an economic development aspect to the business planning; use proceeds from the sale of City-owned properties, specifically the City Center, to cover the funding gap for the project, rather than relying on future Measure C funds; close the funding gap using Measure C funds to cover the \$14,329,098 with replenishment of funds, highlighting the importance of not scaling down the project's amenities to only include those covered by the grant; invest \$70,000 for an outside business consultant to develop a sustainable business model for the Stack Center and potentially generate significant revenue or additional funding; consider fonts beyond the proposed for the sign; develop a robust business plan for the sustainability of the Stack Center; note the importance of fulfilling the commitments made to the community, which were based on extensive public input; hire a consultant if it could enhance fundraising strategies or identify more effective ways to generate revenue for the project; address equity concerns in the Tennyson corridor of South Hayward; note the need for additional meeting spaces within the center; note the importance of continuous fundraising efforts, including grant applications, to ensure the project's completion; and make sure to keep the Council informed of any funding changes related to the project.

LEGISLATIVE BUSINESS

8. Municipal Elections: Adopt a Resolution of Intention to Transition from At-Large Election of the Mayor and City Council to District-Based Elections Beginning with the 2026 Election Cycle **LB 24-011**

Staff report submitted by City Clerk Lens, dated April 16, 2024, was filed.



CITY COUNCIL MEETING
777 B Street, Hayward, CA 94541
Council Chambers and Zoom
<https://hayward.zoom.us/j/83639328548?pwd=ZUdDZE5lM2R1dHNFbVJoVXJBckdmQT09>
Tuesday, April 16, 2024, 7:00 p.m.

Senior Assistant City Attorney Vigilia provided a synopsis of the staff report.

There being no comments by members of the Council, Mayor Salinas opened the public hearing at 10:03 p.m.

Jack Wu, the plaintiff in a lawsuit against the City of Hayward over district elections, criticized the City for delaying the implementation of district elections which he argued suppresses Asian representation in Hayward; asserted that the City's proposed resolution to delay districting until 2026 serves the interests of incumbents rather than the community; and urged the Council to adopt a resolution for implementing district elections by November 2024 or, failing that, to establish an independent redistricting commission.

Sara Lamnin commended the Council's commitment to community engagement; hoped the City would be able to apply for the additional 90-day extension; suggested utilizing established best practices and tools like AC Transit's process and the State of California's community of interest maps for the redistricting process; encouraged collaboration with the school district and local organizations to ensure inclusive and informed community participation; and urged forming a group from City commissions to meet before and after the maps are created to provide independent guidance for the map creation.

Scott Rafferty highlighted Hayward as the largest city in California yet to transition to district elections, stressed the importance of implementing district elections in a presidential election year to maximize minority voter turnout; drew on his experiences with similar initiatives in other cities; and noted it was feasible for the City to transition in 2024.

Mary Anne Faue expressed concerns about transitioning from at-large to district-based elections in Hayward, fearing that such a change could disrupt the sense of unity and community collaboration that has characterized the City's governance.

Mayor Salinas closed the public hearing at 10:12 p.m.

Council Member Roche offered a motion to move the item hoping for as inclusive of process as possible taking into consideration communities of interest and providing interpretation services at public hearings.

Council Member Syrop seconded the motion noting the condensed timeline was not ideal but stressed the importance of community input to ensure the transition is done correctly and was concerned about staff workload hoping leverage of community partners to help with the process.

Council Member Andrews echoed the comments made by members of the Council, acknowledged Mary Anne Faue's comments, and hoped for continued camaraderie among her

colleagues.

Council Member Goldstein noted given time constraints with deadlines given by the Alameda County Registrar of Voters, and while there was a desire to comply with the law, he noted the City might not be able to transition until 2026.

Council Member Zermeño urged for the process to be a community-centered process.

Mayor Salinas did not think this was what the framers of the California Voting Rights Act had in mind, noting the City was forced to engage in the process.

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

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

Resolution 24-069 “Resolution of the City Council of the City of Hayward Declaring its Intent to Transition from at-Large to by-District Council Member Elections Under Elections Code § 10010”

COUNCIL REPORTS AND ANNOUNCEMENTS

Council Member Roche announced the Hayward Public Library's multilingual story times for children, available in English, Spanish, Chinese, and American Sign Language; and encouraged the community to visit the library's calendar online.

Council Member Syrop announced an upcoming photo exhibition featuring artwork from City staff, set to be displayed at the John O'Lague Galleria at City Hall from June 5, 2024, to October 9, 2024.

Council Member Andrews announced the Equity and Antiracism in Education Resource Summit at the Chabot College Event Center on April 27, 2024.

ADJOURNMENT

Mayor Salinas adjourned the City Council meeting at 10:21 p.m.

APPROVED

Mark Salinas
Mayor, City of Hayward



CITY COUNCIL MEETING
777 B Street, Hayward, CA 94541
Council Chambers and Zoom
<https://hayward.zoom.us/j/83639328548?pwd=ZUdDZE5lM2R1dHNFbVJoVXJBckdmQT09>
Tuesday, April 16, 2024, 7:00 p.m.

ATTEST:

Miriam Lens
City Clerk, City of Hayward