



CITY OF HAYWARD

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

Action Minutes City Council

Tuesday, June 27, 2023

7:00 PM

**Council Chamber and
Virtual Platform (Zoom)**

CITY COUNCIL MEETING

CALL TO ORDER: Mayor Salinas

Pledge of Allegiance: Council Member Roche

AB 2449 TELECONFERENCE NOTIFICATIONS AND CONSIDERATION

Council Member Goldstein participated via Zoom under AB 2449 Brown Act teleconferencing procedures for an emergency circumstance as defined in Government Code section 54953(f)(2)(A) (ii) and 54953(j)(1). The City Council unanimously approved allowing Council Member Goldstein to participate virtually.

ROLL CALL

Present: 7 - Council Member Angela Andrews, Council Member Ray Bonilla Jr., Council Member Daniel Goldstein, Council Member Julie Roche, Council Member George Syrop, Council Member Francisco Zermeno, and Mayor Mark Salinas

CLOSED SESSION ANNOUNCEMENT

The City Council convened in closed session at 5:30 p.m. With Council Member Goldstein attending remotely pursuant to AB 2449 Brown Act teleconferencing procedures due to an emergency circumstance, and all other members attending in person and no public comment, the Council discussed the following matters: 1) conference with property negotiators pursuant to Government Code section 54956.8 regarding 1069 B Street (APN 428-0066-085-00) and 22695 Foothill Boulevard (APN 428-0066-086-00); 2) conference with legal counsel pursuant to Government Code section 54956.9(d)(4) regarding two anticipated litigation cases; and 3) conference with property negotiators pursuant to Government Code section 54956.8 regarding 558 B Street (APN 431-0004-083-06). City Attorney Lawson indicated that the Council discussed the items and took no reportable action. The closed session adjourned at 6:55 p.m.

PUBLIC COMMENTS

There were none.

CITY MANAGER'S COMMENTS

City Manager McAdoo

CONSENT

Consent Items 5, 6, 10, 18, 19 and 22 were removed from the Consent Calendar for comment.

Approval of the Consent Calendar

A motion was made by Council Member Syrop, seconded by Council Member Roche, to approve the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Council Member Andrews, Council Member Bonilla Jr., Council Member Goldstein, Council Member Roche, Council Member Syrop, Council Member Zermeno, and Mayor Salinas

1. [Approve the Minutes of the Special City Council/Hayward Public Finance Authority Board Meeting on June 20, 2023](#)

Consent item approved.

2. [Adopt an Ordinance of the City of Hayward Amending Chapter 5, Article 7 of the Hayward Municipal Code Regarding Community Preservation by Amending Section 5-7.00 Relating to Findings and Purpose, Amending Section 5-7.10 Relating to Definitions, Amending Section 5-7.20 Relating to Public Nuisance, Amending Section 5-7.30 Relating to Administrative Citations and Adding Section 5-7.140 Relating to Cumulative Remedies](#)

Consent item approved.

3. [Adopt a Resolution Confirming the Report of Non-Abatable Code Violations and Penalty Liens List Associated With the Code Enforcement Division and Community Preservation/Rental Housing Programs](#)

Consent item approved.

4. [Adopt a Resolution Confirming the Report and Special Assessment List and Authorizing Transmittal of Assessments to the County Assessor for Collection Associated with Overdue Community Preservation and Rental Program Charges for the Period of January 1, 2022, Through May 1, 2023](#)

Consent item approved.

5. [Adopt a Resolution Confirming the Report and Assessment for Delinquent Garbage Bills Incurred by Property Owners of Single-Family Residences](#)

Consent item approved.

6. [Adopt a Resolution Confirming the Report and Special Assessment for Delinquent Sewer and Water Bills and Authorizing the Delinquent Charges to Become a Special Assessment Against the Properties if not Paid by August 1, 2023](#)

Consent item approved.

7. [Adopt a Resolution Approving the Final Map of Tract 8614, a 10 Lot Subdivision for Condominium Purposes at 29212 Mission Boulevard, Hayward to Allow the Construction of 59 Condominium Units, Open Space Areas, and Related Site Improvements; Applicant/Owner: Hayward SoMi, LLC., Application No. 202201713.](#)

Consent item approved.

8. [Adopt a Resolution Authorizing the City Manager to Execute a Three-Year Agreement With Pacheco Landscape Management for Landscape Maintenance Services at all Hayward Fire Department Stations in an Amount Not-To-Exceed \\$319,600](#)

Consent item approved.

9. [Adopt a Resolution Authorizing the City Manager to Accept and Appropriate \\$100,000 in Grant Funding From Pacific Gas & Electric For the No-Cost Residential Chipping Program and Defensible Space Resident Assistance Program](#)

Consent item approved.

10. [Adopt a Resolution Authorizing the City Manager to Amend an Existing Agreement with Ganey Science, LLC to Update the Emergency Management Plan and to Negotiate and Execute an Agreement for On-Call Emergency Management Consulting Services with Ganey Science, LLC.](#)

Consent item approved.

11. [Adopt a Resolution Authorizing the City Manager to Transfer Up to \\$59,801.50 from Fund 230 to Fund 730 to Reimburse the Information Technology \(IT\) Department for the CENIC Upgrade Work at the Weekes Branch Library \(Weekes Branch\)](#)

Consent item approved.

12. [Adopt a Resolution Authorizing the City Manager to Allow the Hayward Police Department to Participate in the Application Process for the Organized Retail Theft Prevention Grant Sponsored Through the Board of State and Community Corrections](#)

Consent item approved.

13. [Adopt a Resolution Authorizing the City Manager to Amend the Professional Services Agreement with Carollo Engineers, Inc., to Increase the Contract Amount by \\$276,746 for a Not-to-Exceed Amount of \\$1,385,581 to Provide Additional Construction Support Services for the Water Pollution Control Facility \(WPCF\) Switchgear Rehabilitation Project No. 07656](#)

Consent item approved.

14. [Adopt a Resolution Authorizing the City Manager to Execute a MOU and Partnership Agreement, and Accept and Appropriate up to \\$101,000 for the Operation of Family Education Program Services for Hayward Unified School District \(HUSD\) Schools](#)

Consent item approved.

15. [Adopt Resolutions Rejecting All Bids for the La Vista Park Project and Approving Plans and Specifications and Call for Bids for the La Vista Park - Keyways Grading Project, Project No. 06914, and Authorizing the City Manager to Execute Amendment No. 2 to the Professional Services Agreement with SurfaceDesign, Inc.](#)

Consent item approved.

16. [Adopt a Resolution Awarding a Construction Contract to Bear Construction, Inc., for the FY23 Median Landscape Improvement - Phase 2 Project, Project No. 05281 in the Amount of \\$852,600, Approving Addendum No. 1, 2 and 3, and Authorizing a Construction Contingency Change Order Budget of \\$155,000](#)

Consent item approved.

17. [Adopt Resolutions Authorizing the City Manager to \(1\) Award a Construction Contract to W. Bradley Electric in the Amount of \\$280,833 and Approving \\$42,125 in Administrative Construction Contingency; and \(2\) Appropriate \\$137,125 from the Measure BB Local Transportation \(Fund 212\) to the Safe Routes to School - Cesar Chavez Middle School, Project No. 05319](#)

Consent item approved.

18. [Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Second Amendment to the Ground Lease with HWD AAS Hangar, LLC \(dba APP Jet Center\)](#)

Consent item approved.

19. [Adopt a Resolution Adopting a Local Road Safety Plan](#)

Consent item approved.

20. [Adopt a Resolution Approving the Memoranda of Understanding between the City of Hayward and the International Association of Firefighters, Local 1909 and Authorizing Staff to Execute the Agreement](#)

Consent item approved.

21. [Adopt a Resolution Authorizing the City Manager to Accept and Appropriate up to \\$15,000 Annually for the Next Five Years in Donations for the Annual Hayward Volunteer Recognition and Awards Dinner](#)

Consent item approved.

22. [Adopt a Resolution Authorizing the City Manager to enter into an Exclusive Negotiation Rights Agreement with Montecito Development Company LLC for Proposed Development of the California Air National Guard and Skywest Sites at the Hayward Executive Airport \(Report will be available no later than Monday, June 26, 2023\)](#)

Consent item approved.

WORK SESSION

23. [Community Survey Results: Receive Presentation of Community Survey Results and Consider Potential Ballot Measure for Future Facilities Needs \(Report from Assistant City Manager Claussen\)](#)

No action taken; information only.

24. [I-880/Whipple Road - Industrial Parkway Interchange Improvement Project: Review and Discuss Aesthetic and Design Features \(Report from Director of Public Works Ameri\)](#)

The item was not heard and moved to a future date.

PUBLIC HEARING

25. [LLAD 96-1 Public Hearing: Adopt a Resolution to Approve the Final Engineer's Report, Reconfirm Maximum Base Assessment Amounts, Confirm the Assessment Diagrams and Fiscal Assessments, Order the Levy and Collection of Fiscal Assessments; and Adopt a Resolution to Approve Funding Recommendations and Appropriate Special Revenue Funds for Consolidated Landscaping and Lighting Assessment District \(LLAD\) No. 96-1, Zones 1 through 18, for Fiscal Year 2024 \(Report from Maintenance Services Director Rullman\)](#)

A motion was made by Council Member Zermeño, seconded by Council Member Bonilla Jr. to approve staff's recommendation. The motion carried by the following vote:

Aye: 7 - Council Member Andrews, Council Member Bonilla Jr., Council Member Goldstein, Council Member Roche, Council Member Syrop, Council Member Zermeno, and Mayor Salinas

26. [Maintenance District No. 1 Public Hearing: Adopt a Resolution to Approve the Final Engineer's Report, Confirm the Maximum Base Assessment Rate, Confirm the Fiscal Assessment Rate, Confirm the Assessment Diagram, Order the Levy and Collection of Fiscal Assessment; and Adopt a Resolution to Approve Funding Recommendations and Appropriate Revenue and Expenditure Budgets for Maintenance District No. 1 - Storm Drainage Pumping Station and Storm Drain Conduit - Pacheco Way, Stratford Road and Ruus Lane, for Fiscal Year 2024 \(Report from Maintenance Services Director Rullman\)](#)

A motion was made by Council Member Roche, seconded by Council Member Goldstein, to approve staff's recommendation. The motion carried by the following vote:

Aye: 7 - Council Member Andrews, Council Member Bonilla Jr., Council Member Goldstein, Council Member Roche, Council Member Syrop, Council Member Zermeno, and Mayor Salinas

27. [Maintenance District No. 2 Public Hearing: Adopt a Resolution to Approve the Final Engineer's Report, Confirm the Maximum Base Assessment Rate, Confirm the Fiscal Assessment Rate, Confirm the Assessment Diagram, Order the Levy and Collection of Fiscal Assessment; and Adopt a Resolution to Approve Funding Recommendations and Appropriate Revenue and Expenditure Budgets for Maintenance District No. 2 - Eden Shores Storm Water Buffer and Facilities, for Fiscal Year 2024 \(Report from Maintenance Services Director Rullman\)](#)

A motion was made by Council Member Zermeño, seconded by Council Member Goldstein, to approve staff's recommendation. The motion carried by the following vote:

Aye: 7 - Council Member Andrews, Council Member Bonilla Jr., Council Member Goldstein, Council Member Roche, Council Member Syrop, Council Member Zermeno, and Mayor Salinas

COUNCIL REFERRAL

28. [City Council Referral: Developing Hayward's Vulnerable Needs Registry \(Referral from Council Members Syrop, Roche, and Bonilla Jr.\)](#)

A motion was made by Council Member Bonilla Jr., seconded by Council Member Syrop, to approve the City Council referral. The motion carried by the following vote:

Aye: 7 - Council Member Andrews, Council Member Bonilla Jr., Council Member Goldstein, Council Member Roche, Council Member Syrop, Council Member Zermeno, and Mayor Salinas

ADJOURNMENT

Mayor Salinas adjourned the meeting at 8:46 p.m. in memory of Joel Thornley, former superintendent of Hayward Unified School District.

NEXT MEETING, August 15, 2023, 7:00 PM

COUNCIL RECESS - July 4, 2023 to August 8, 2023