



**MINUTES OF THE SPECIAL CITY COUNCIL MEETING OF THE  
CITY OF HAYWARD  
Council Chambers  
777 B Street, Hayward, CA 94541  
Tuesday, April 11, 2017, 7:00 p.m.**

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The Special City Council meeting was called to order by Mayor Halliday at 7:00 p.m., followed by the Pledge of Allegiance led by Council Member Márquez.

**ROLL CALL**

Present: COUNCIL MEMBERS Zermeño, Márquez, Mendall, Peixoto, Lamnin, Salinas  
MAYOR Halliday  
Absent: None

**CLOSED SESSION ANNOUNCEMENT**

City Attorney Lawson announced the Council convened in closed session concerning conference with legal counsel pursuant to Government Code 54956.9 regarding two anticipated litigation cases; and took no reportable action. Mr. Lawson noted that the Council did not have time to meet with labor negotiators pursuant to Government Code 54957.6 regarding all groups.

**PRESENTATIONS**

Council Member Peixoto read a proclamation declaring the week of April 9-15, 2017, as National Animal Care and Control Appreciation Week. The proclamation was presented to Animal Services Manager, Jennie Comstock.

Council Member Márquez read a proclamation declaring the week of April 9-15, 2017, as National Public Safety Telecommunicators Week. The proclamation was presented to Acting Police Chief, Mark Koller.

Mayor Halliday read a proclamation declaring April 23-29, 2017, as National Volunteer Week. The proclamation was presented to Volunteer Coordinator, Zach Ebadi. Volunteers of the following groups were recognized for their valuable contributions: Fire Department volunteers; Animal Shelter; Literacy Plus Program; Homework Support Center; Friends of the Hayward Public Library; City's Boards, Commissions, and Task Forces; and City Manager Department volunteers.

**PUBLIC COMMENTS**

Mr. Charlie Peters, Clean Air Performance Professionals representative, spoke about vehicle and registration fees related to road infrastructure; and provided documents for the record.

Ms. Sarah Ismail, Public Health Justice Collective representative, urged the Council to join other Bay Area cities by adopting a sanctuary city policy; and provided a letter for the record.

Ms. Michelle Loya-Talamantes, Public Health Justice Collective representative, spoke about studies showing the negative effects of recent anti-immigrant policies; and advocated for a sanctuary city policy.

Mr. Jaman Brewster, Hayward resident, spoke about incidents involving folks parking vehicles across his driveway and the lack of traffic enforcement; and submitted the documents that were submitted to the City and requested a response from the Council.

Ms. Jotika Krishan, Hayward resident, expressed issues with people blocking her driveway and entrance/exit to her court and vandalizing her property, and noted that efforts to get assistance from the City were unsuccessful.

The following speakers spoke about 16-year-old, Elena Mondragon, who was shot by Fremont Police on March 14, 2017, in Hayward during an investigation. The speakers urged the Council to direct staff to hold people responsible for Elena's death accountable; conduct an unbiased investigation; stop unsubstantiated rumors that criminalize the victim; release the video footage of the incident and investigation reports; release the full autopsy report and all medical records; release the officers' names; encourage the Alameda County District Attorney's Office to pursue charges against the Fremont Police officers; and exert all leverage possible to do justice.

Mr. Miguel Minjares, Elena's uncle and Hayward Unified School District employee

Ms. Leigh Davenport, Anti Police-Terror Project member, submitted a document

Ms. Heather Thompson, Hayward resident

Ms. Haley Bash

Mr. James Deboer, Anti Police-Terror Project member

Ms. Evelina Minjares, Elena's grandmother

Mr. Paul Minjares, Elena's uncle

Ms. Evelina Minjares, Elena's sister

Ms. Tova Fry, Anti Police-Terror Project member

Ms. Emily Rose Johns, Anti Police-Terror Project attorney

Mr. Mike Mendez, submitted a card but did not speak

Ms. Evelina Minjares, Elena's cousin

Mr. James Burch, Anti Police-Terror Project member

Ms. Annie Banks, Anti Police-Terror Project member

Ms. Ysenia Sepulveda, Hayward Collective representative

Ms. Mary Noble, Showing Up for Racial Justice member

Bishop JW Macklin of Glad Tidings Church offered words of comfort to Elena's family and friends, expressed assurance that the City would provide answers, and offered his assistance.



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City Manager McAdoo and Interim Police Chief Koller expressed words of sympathy to Elena's family and friends noting the City was committed to conducting an impartial investigation of the incident. Interim Police Chief Koller indicated that there were three independent investigations, and the Alameda County District's Office was investigating the actions associated with the officers involved. Chief Koller assured the audience that all facts would be shared at the conclusion of the investigation.

Mayor Halliday spoke about this year's Annual Children's Memorial event at the end of April and noted that Elena's name would be added to the list of children who lost their lives to violence.

Mayor Halliday called for a recess at 8:45 p.m., and resumed the meeting at 8:51 p.m.

### **CONSENT**

1. Minutes of the Special City Council Meeting on March 14, 2017 **MIN 17-041**  
It was moved by Council Member Zermeño, seconded by Council Member Márquez, and carried unanimously, to approve the minutes of the Special City Council meeting on March 14, 2017.
2. Minutes of the City Council Meeting on March 21, 2017 **MIN 17-042**  
It was moved by Council Member Zermeño, seconded by Council Member Márquez, and carried unanimously, to approve the minutes of the City Council meeting on March 21, 2017.
3. Mission Boulevard Corridor Improvements Phase 3 Project - Authorization for the City Manager to Execute a Professional Services Agreement for Final Design **CONS 17-127**

Staff report submitted by Public Works Director Fakhrai, dated April 11, 2017, was filed.

It was moved by Council Member Zermeño, seconded by Council Member Márquez, and carried unanimously, to adopt the following:

Resolution 17-033, "Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Mark Thomas and Company for Professional Services for the Mission Boulevard Corridor Improvements Project – Phase 3 Design Services"

4. Resignation of Mr. Robert Leppert from the Community Services Commission **CONS 17-145**

Staff report submitted by City Clerk Lens, dated April 11, 2017, was filed.

It was moved by Council Member Zermeño, seconded by Council Member Márquez, and carried unanimously, to adopt the following:

Resolution 17-034, "Resolution Accepting the Resignation of Robert Leppert from the Community Services Commission"

5. Filing Nuisance Abatement/Municipal Code Liens with the County Recorder's Office for Non-Abatable Code Violations **CONS 17-146**

Staff report submitted by Development Services Director Rizk, dated April 11, 2017, was filed.

It was moved by Council Member Zermeño, seconded by Council Member Márquez, and carried unanimously, to adopt the following:

Resolution 17-035, "Resolution Confirming the Report and Non – Abatable Code Violations and Penalties Liens List Associated with the Code Enforcement Division and Community Preservation/Rental Housing Programs"

6. Approval of Final Map Tract 8266 (Amaral), associated with the previously approved Vesting Tentative Tract Map and proposed development of 42 single-family homes on a 3.2-acre site located at 81 Fagundes Court, (APNs 443-0080-027-01, 443-0080-027-02, 443-0085-009-03); KB Home (Applicant/Owner) **CONS 17-149**

Staff report submitted by Development Services Director Rizk, dated April 11, 2017, was filed.

It was moved by Council Member Zermeño, seconded by Council Member Márquez, and carried unanimously, to adopt the following:

Resolution 17-036, "Resolution Approving Final Map for Tract 8266 and Authorizing the City Manager to Execute a Subdivision Agreement"

7. Adoption of a Resolution Authorizing the City Manager to Execute an Agreement with RRM Design Group to Prepare a Comprehensive Update to the City's Industrial District Regulations and Related Environmental Analysis for an Amount Not to Exceed \$225,000 **CONS 17-159**

Staff report submitted by Development Services Director Rizk, dated April 11, 2017, was filed.



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It was moved by Council Member Zermeño, seconded by Council Member Márquez, and carried unanimously, to adopt the following:

Resolution 17-037, “Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with RRM Design Group for Preparation of a Comprehensive Update of the City’s Industrial Zoning Regulations for an Amount Not to Exceed \$225,000”

There was City Council consensus to move Item No. 10 before Work Session Item No. 8.

**WORK SESSION**

8. Tennyson Corridor Strategic Initiative - Vision and Concept (Report from City Manager McAdoo) **WS 17-012**

Staff report submitted by Library and Community Services Director Reinhart, dated April 11, 2017, was filed.

City Manager McAdoo announced the report and introduced Library and Community Services Director Reinhart who provided a synopsis of the report.

Mayor Halliday opened the public comments section at 9:19 p.m.

Ms. Rosa Enciso, Hayward resident, via a Spanish-English interpreter, spoke about his son who was killed while biking through the I-880/Tennyson Road interchange, and urged the City to make onramps and exits safer for pedestrians and bicyclists.

Ms. Angela Andrews, Hayward resident, offered three suggestions for the Tennyson Corridor: 1) increase safety measures for pedestrians, bicyclists, and drivers at the I-880 freeway exit; 2) more public art and rebranding to reduce blight and foster community pride; and 3) more economic development that caters to residents who want more healthy food options, entertainment, and activities.

Ms. Susie Hufstader, Bike East Bay community organizer, recommended that the boundaries of the Tennyson Corridor extend beyond the I-880 freeway, and asked the Council to take an advocacy role in reaching out to Caltrans and other agencies regarding improving safety at on and off ramps.

Bishop JW Macklin expressed that Glad Tidings Church was interested in collaborating with the City to improve South Hayward, and shared he was working on a health initiative for the neighborhood.

Mayor Halliday closed the public comments section at 9:32 p.m.

Discussion ensued among Council Members and City staff regarding the vision for the Tennyson Corridor Strategic Initiative.

Council Members noted that the Tennyson Corridor geographic area could extend from Industrial Boulevard to Mission Boulevard, and others thought it could extend from Mt. Eden Park to La Vista Park.

Council Members were in general agreement with the catalyst or opportunity sites identified in the staff report as part of the Tennyson Corridor Strategic Initiative. The following were identified as additional opportunity sites: the Leidig Court commercial property; commercial properties between Tennyson Road and Tennyson Park; areas adjacent to the west and east sides of the I-880/Tennyson Road interchange; and Eden Youth and Family Center.

The Council was in general agreement to have a Concept Plan that incorporates all elements that create Complete Communities and Complete Streets, and build on projects that are underway.

Council Members provided the following suggestions for key considerations and outcomes the Council wants to prioritize in the development of the Tennyson Corridor Strategic Initiative: beautify the “Tennyson Corridor” by adding landscaping, incorporating public art such as a Cesar Chavez mural, adding underground utilities, adding green poles, and adding green lanes; create a place for families with younger kids at La Vista Park and Tennyson Park; prioritize the safety of the I-880/Tennyson Road interchange and railroad tracks behind Tennyson High School; encourage further economic development of businesses needed in the area such as banking institutions, coffee shops, and bike stores; bring longtime proven local organizations to enhance and strengthen the corridor; form a task force similar to the Downtown Specific Plan Task Force comprised of longtime residents, new comers, and stakeholder representatives; consider renaming Leidig Court to Cesar Chavez Court; review future land uses and strike through uses for liquor stores, tobacco shops, and check cashing services; seek state funding opportunities; and utilize the Hayward Empathy Action Response Team (HEART) to reach out to the community and implement the initiative.

## **PUBLIC HEARING**

9. 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)  
**PH 17-019**



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Staff report submitted by Human Resources Director Collins, dated April 11, 2017, was filed.

Human Resources Director Collins provided a synopsis of the report.

There being no public comments, Mayor Halliday opened and closed the public hearing at 10:27 p.m.

It was moved by Council Member Márquez, seconded by Council Member Peixoto, and carried unanimously, to adopt the following:

Resolution 17-039, "Resolution Authorizing Intention to Approve an Amendment to Contract Between the Board of Administration, California Public Employees Retirement System and the City of Hayward"

Introduction of Ordinance 17-\_, "An Ordinance Authorizing the Amendment of the Contract between the City of Hayward and the Board of Administration of the California Public Employees' Retirement System"

## **LEGISLATIVE BUSINESS**

10. Approval of a Resolution in Support of Measure A, Hayward Unified School District's Special Parcel Tax Measure (Report from City Manager McAdoo) **LB 17-014**

Staff report submitted by Management Analyst Stefanski, dated April 11, 2017, was filed.

City Manager McAdoo provided a synopsis of the report.

In response to Council Member Márquez' inquiry, City Manager McAdoo responded that all seniors 65 years and older qualify to be exempt from the parcel tax, and the proposed parcel tax included commercial properties.

Mayor Halliday opened the public hearing at 8:56 p.m.

Hayward Unified School District (HUSD) Interim Superintendent Dr. Matt Wayne spoke about the May 2, 2017 HUSD special parcel tax measure to support education programs.

In response to Council Member Salinas' inquiry, Dr. Wayne noted he would find out how many seniors took advantage of the one-time senior exemption.

HUSD Board Member Brunner thanked Mayor Halliday for agreeing to co-chair a committee in support of the HUSD Measure A.

In response to Council Member Marquez' inquiry, Dr. Wayne noted that Oversight Committee members are selected based on guidelines that are then presented to the campaign committee for review.

Mayor Halliday closed the public hearing at 9:01 p.m.

Council Member Mendall offered a motion per staff recommendation and Council Member Salinas seconded the motion.

It was moved by Council Member Mendall, seconded by Council Member Salinas, and carried unanimously, to adopt the following:

Resolution 17-038, "Resolution in Support of Measure A,  
Hayward Unified School District's Special Parcel Tax Measure"

#### **CITY MANAGER'S COMMENTS**

City Manager McAdoo commended the Utilities and Environmental Services and Maintenance Services departments for hosting the Spring Compost Giveaway event on April 1, 2017.

#### **COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS**

Council Member Lamnin recognized her intern, Norma Hernandez, for volunteering and helping at City Hall.

Council Member Márquez made two announcements: 1) the Keep Hayward Clean and Green Task Force's Bay Friendly Landscape project on April 15, 2017, at City Hall; and 2) the Hayward Area Historical Society's 16<sup>th</sup> History Awards event on April 22, 2017.

Mayor Halliday congratulated the Police Department for earning reaccreditation by the Commission on Accreditation of Law Enforcement Agencies (CALEA); and congratulated Tyrell Elementary School for being runner-up in the Alameda County Transportation Commission's Golden Sneaker contest.

#### **ADJOURNMENT**

Mayor Halliday adjourned the meeting in memory of Otilia G. "Tillie" Sanchez at 10:34 p.m.

Ms. Otilia G. "Tillie" Sanchez was 95 years old; longtime resident of Hayward; active in the parent-teacher association (PTA) at her children's schools and after her children were out of school; volunteered at the local TV station, Channel 3; served as election precinct inspector during elections; ushered at the Little Theater; conducted vision screenings of preschool





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children for Prevent Blindness Northern California; and was involved with scholarships for local high school students. Mayor Halliday asked staff to work with the Sanchez family and find a suitable place to plant a tree in memory of Otilia Sanchez.

**APPROVED:**

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Barbara Halliday  
Mayor, City of Hayward

**ATTEST:**

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Miriam Lens  
City Clerk, City of Hayward