



MINUTES OF THE CITY COUNCIL MEETING
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, April 2, 2019, 7:00 p.m.

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

ROLL CALL

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

CLOSED SESSION ANNOUNCEMENT

City Attorney Lawson reported the City Council convened in closed session at 5:00 p.m., concerning four items: 1) conference with legal counsel pursuant to Government Code 54956.9 (d)(1) regarding two pending litigation cases that pursuant to Government Code section 54956.9(g) did not include case titles because including them would jeopardize service of process upon one or more unserved parties; 2) conference with property negotiators pursuant to Government Code 54956.8 regarding City owned properties and easements located at 22300 Foothill Boulevard, Hayward; APNs: 415-0250-112-00, 415-0250-111-02, and 415-0250-113-00; and 3) conference with legal counsel pursuant to Government Code 54956.9 regarding the case AGG, et al. v. City of Hayward, et al. U.S. District Court, ND CA, No. #4: 4:19-civ-00697-DMR; and noted there was no reportable action.

PUBLIC COMMENTS

Ms. Jennifer Ellis, FESCO representative, invited all to the 22nd Annual FESCO Shuffle on May 4, 2019, at San Leandro Marina Park.

Mr. Zachariah Oquenda, Hayward resident, noted April 2019 marked the 18th anniversary of Sexual Assault Awareness and Prevention Month, spoke about crimes in downtown Hayward, and requested the City take a more proactive role in ensuring neighborhood safety.

Mr. Robert Garchow, Hayward resident, expressed concern about construction street sweepers that were frequently cleaning Industrial Parkway and Dixon Street and creating nuisance for the neighborhood.

Ms. Wynn Grcich, Hayward resident, spoke about 1) a prior Council meeting when Mr. Jim Drake spoke under public comments; and 2) law allowing for the liquifying of remains and referred to related documents.

Mr. Marc Delong spoke about the Montessori Children’s House of Hayward and noted staff and families would be asking the City to help the school secure a new location.

Consent Item No. 4 was continued to April 9, 2019, to allow City staff to address questions raised by Council Member Wahab.

CONSENT

1. Minutes of the City Council Meeting on March 19, 2019 **MIN 19-042**

It was moved by Council Member Mendall, seconded by Council Member Salinas, and carried unanimously, to approve the minutes of the City Council meeting on March 19, 2019.

2. Resignation of Mr. Hasieb Lemar from the Keep Hayward Clean and Green Task Force, Effective Immediately **CONS 19-226**

Staff report submitted by City Clerk Lens, dated April 2, 2019, was filed.

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

Resolution 19-061, “Resolution Accepting the Resignation of Hasieb Lemar from the Keep Hayward Clean and Green Task Force”

3. Authorize the City Manager to Execute an Agreement with Epic Productions of Phoenix, LLC to Provide an Online Recruitment Campaign for the Police Department **CONS 19-192**

Staff report submitted by Police Chief Koller, dated April 2, 2019, was filed.

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

Resolution 19-062, “Resolution Authorizing the City Manager to Execute a Contract with Epic Productions of Phoenix, LLC and the Hayward Police Department for Recruitment Services, in an amount Not to Exceed \$195,000.”

4. Authorization for the City Manager to Accept and Appropriate up to \$92,000 in Grant Funding from the California Fire Safe Council for the City’s Chipping and Defensible Space Program **CONS 19-193**

The item was continued to April 9, 2019.



MINUTES OF THE CITY COUNCIL MEETING
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5. Approval of FY 2020 Measure B/BB Annual Paratransit Program Plan **CONS 19-201**

Staff report submitted by Deputy City Manager Ott and Community Services Manager Davis, dated April 2, 2019, was filed.

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

Resolution 19-063, "Resolution Authorizing the City Manager to Implement an Annual Paratransit Plan and Negotiate and Execute all Documents Related to and in Support of Paratransit Activities Including the Administration of the Hayward Operated Paratransit (The Hop) Program"

6. Adoption of a Resolution Authorizing the City Manager to Execute an Amendment to the Agreement with Dutchover & Associates for Landscape Architect Services **CONS 19-225**

Staff report submitted by Development Services Director Simpson, dated April 2, 2019, was filed.

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

Resolution 19-064, "Resolution Authorizing the City Manager to Negotiate and Execute an Amendment to the Agreement with Dutchover & Associates, for Landscape Architect Services"

PUBLIC HEARING

7. Proposed Single-Family Residence on a Vacant 0.32-Acre Hillside Lot Located at 2366 Rainbow Court, by Joyce and Robert Steinfeld (Applicant/Property Owners), Requiring Approval of a Site Plan Review and Grading Permit and the Adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (Application No. 201804682) (Report from Development Services Director Simpson) **PH 19-025**

Staff report submitted by Development Services Director Simpson, dated April 2, 2019, was filed.

Planning Manager Buizer announced the report and introduced Assistant Planner Martinez who provided a synopsis of the staff report.

There being no public comments, Mayor Halliday opened and closed the public hearing at 7:30 p.m.

In response to Council Member Mendall's inquiry about the need for requiring grading permits Council's approval, City staff noted there would a review of the Hayward Municipal Code related to the requirement.

It was moved by Council Member Mendall, seconded by Council Member Zermeño, and carried unanimously, to approve the resolution:

Resolution 19-065, "Resolution Adopting the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program and Approving the Site Plan Review with Grading Permit Application No. 201804632 Pertaining to Construction of a New Single-Family Residence at 2366 Rainbow Court"

WORK SESSION

Council Member Wahab disclosed she had to recuse herself from participating in discussion regarding Community Development Block Grant (CDBG) and Social Services funding recommendations, except for Arts and Music General Fund recommendations, due to a conflict of interest related to her past affiliation with Abode Services.

8. Fiscal Year 2020 Community Agency Funding Recommendations for Social Services, Arts & Music, and Infrastructure, Economic Development & Public Services and Review of the Community Needs Assessment for the 2020 Five-Year Consolidated Planning Process (Report from Deputy City Manager Ott) **WS 19-025**

Staff report submitted by Deputy City Manager Ott, dated April 2, 2019, was filed.

Deputy City Manager Ott announced the report and introduced Community Services Manager Davis. Community Services Manager Davis noted her oral presentation would be divided into parts: Part I - FY 2020 community agency funding process, community needs assessment, and Arts and Music recommendations; and Part II - Community Development Block Grant (CDBG) and Social Services funding recommendations, and potential additional funding recommendations. Ms. Davis provided an overview of the FY 2020 community agency funding process, community needs assessment, and Arts and Music recommendations.

Mayor Halliday opened the first public comments section at 7:45 p.m.

Ms. Nayeli Marquez, San Jose State University student and Mt. Eden High School alumna, suggested that a portion of the Arts and Music funding be devoted to classes having a more direct impact on students.



MINUTES OF THE CITY COUNCIL MEETING
Council Chambers
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Tuesday, April 2, 2019, 7:00 p.m.

Mayor Halliday closed the public comments section at 7:48 p.m.

Discussion ensued among Council Members and City staff about: FY 2020 Arts and Music funding recommendations; and the Hayward Community Foundation concept and possible endowment for Arts and Music groups.

Members of the Council were in general agreement with the funding recommendations and offered the following recommendations: consider holding a workshop for community agency applicants around fundraising and partnering with event sponsors; provide Council Members access to agency applications; consider funding non-profit agencies across the board; consider a more equitable funding allocation for the Arts and Music category and expanding it to include digital arts; non-profit agencies should actively pursue fundraising opportunities and grants directed to the arts; consider an Arts Commission; and consider an Arts Commission that incorporates STEAM (Science, Technology, Engineering, Arts and Math) elements. There was some disappointment that the Hayward Municipal Band was not funded closer to the funding level requested noting that vulnerable populations, such as isolated seniors, benefit from its concerts.

Council Member Wahab left the Council Chambers at 8:08 p.m.

Community Services Manager Davis provided an overview of Community Development Block Grant (CDBG) and Social Services funding recommendations, and potential additional funding recommendations.

Mayor Halliday opened the second public comments section at 8:17 p.m.

The following members of the Community Services Commission (CSC) and Application Review Committee (ARC) expressed support for FY 2020 CDBG funding recommendations. Commissioner Oquenda and Commissioner Garg spoke to the findings in the Community Needs Assessment (CNA) related to the housing crisis and homelessness.

Mr. Zachariah Oquenda, CSC Member and Social Services ARC Chair
Ms. Alicia Lawrence, CSC Member and Social Services ARC Member
Ms. Arti Garg, CSC Member and Social Services ARC Member
Ms. Julie Roche, CSC Chair

Discussion ensued among Council Members, City staff and CSC Members about the funding recommendation for the Library Family and Education Program for education services and afterschool tutoring.

Ms. Diane Fagalde, former CSC member, urged the Council to accept the CSC's funding recommendations.

Mayor Halliday closed the public comments section at 8:37 p.m.

Discussion ensued among Council Members and City staff about FY 2020 Community Agency Funding recommendations. Members of the City Council commended members of the CSC and City staff for the work done on the funding recommendations and particularly the focus given to housing needs.

There was general agreement with the funding recommendations and members of the Council offered the following suggestions for the next funding cycle: focus on kids and options for when school is not in session and ensure that organizations serving kids and young families are captured in the funding process; be proactive in getting ready for the Census to ensure everyone is counted; utilize the findings from the CAN as much as possible; consider funding Library programs via the General Fund budget allocation to avail CDBG funding to non-profit agencies; ask the ARC to consider an additional question in the application such as, "If additional funds were available, do you have a project that is important but not urgent?"; use the model of the short-term businesses grant; and consider asking funding recipients a question about the Census and how the applicant is participating in the Census to ensure vulnerable populations are counted. There was some concern about the recommendation for the expenditure of an additional \$100,000 in General Fund dollars.

The following were suggestions for allocation of available unexpended funds: consider allocating additional funds to the Minor Home Repair Program if there is a backlog; consider creating a funding program to quickly allocate excess funds for non-profit agencies; and consider options for using excess CDBG funds on existing General Fund allocations and increasing Social Services allocations out of the General Fund.

Mayor Halliday noted staff would bring FY 2020 CDBG and Social Services' recommendations for Council's action on April 30, 2019.

CITY MANAGER'S COMMENTS

City Manager McAdoo announced the Community Open House about proposed changes to Hayward's Residential Rent Stabilization Ordinance on April 6, 2019 at Glad Tidings International Church.

COUNCIL REPORTS AND ANNOUNCEMENTS

Council Member Zermeño, also the City's representative to the Alameda County Waste Management Authority, reported that during a recent meeting he attended there was discussion about packaging that is not composable.



MINUTES OF THE CITY COUNCIL MEETING
Council Chambers
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Council Member Lamnin reported she attended League of California Cities - Governance, Transparency and Labor Relations Policy Committee and the Revenue and Taxation Policy Committee meetings on March 29, 2019 in Costa Mesa and spoke about proposed bills that were discussed, and specifically spoke about AB 992 (Mullin) Open meetings: local agencies: social media.

Council Member Salinas reported on his attendance at the California Association of Local Economic Development conference on March 27-29, 2019 in Anaheim and noted there was discussion around economic development and housing issues.

Mayor Halliday reported on her attendance at the League of California - Revenue and Taxation Policy Committee meeting on March 29, 2019 in Costa Mesa and spoke about the proposed bills, related to sales and use taxes and tax increments, that were discussed in the meeting.

Council Member Márquez reported she attended a presentation, along with Mayor Halliday and City Manager McAdoo, from a non-profit, United Tech Cities founded by NBA star Andre Iguodala, about public-private partnerships.

COUNCIL REFERRALS

None submitted.

ADJOURNMENT

Mayor Halliday adjourned the meeting at 9:24 p.m.

APPROVED

Barbara Halliday
Mayor, City of Hayward

ATTEST:

Miriam Lens
City Clerk, City of Hayward