



# CITY OF HAYWARD

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

## Action Minutes City Council

---

**Tuesday, September 19, 2017**

**7:00 PM**

**Council Chambers**

---

### CITY COUNCIL MEETING

#### **CALL TO ORDER Pledge of Allegiance: Council Member Peixoto**

Mayor Pro Tempore Márquez asked for a moment of silence in memory of Heather Hayer from Charlottesville, Virginia, and the victims of the hurricanes.

#### **ROLL CALL**

**Present:** 6 - Council Member Francisco Zermeno, Council Member Al Mendall, Council Member Marvin Peixoto, Council Member Sara Lamnin, Council Member Elisa Marquez, and Council Member Mark Salinas

**Absent:** 1 - Mayor Barbara Halliday

#### **CLOSED SESSION ANNOUNCEMENT**

City Attorney Lawson announced the City Council convened in closed session on July 25, 2017 regarding two pending litigation items; and noted that the Council unanimously approved, with Council Member Zermeno absent, settling the case Charlene Jimerson v. City of Hayward et al., Case No. 16-cv-03176(YGR). Mr. Lawson also announced the City Council convened in closed session at 5pm regarding two pending litigation items and three property negotiations; and there was no reportable action.

#### **PUBLIC COMMENTS**

Mr. Michael Green-Hoffman  
Mr. Ramin Yavrom  
Ms. Cathy Yavrom  
Mr. Jim Drake  
Mr. Alan Torrey  
Ms. Diane Fagalde  
Ms. Wynn Grcich  
Ms. Heather Reyes  
Ms. Alyse Lui  
Mayor Pro Tempore Márquez

**BOARDS AND COMMISSIONS**

1. [Appointments and Reappointments to the Community Services Commission, Downtown Hayward Business Improvement Area Advisory Board, Keep Hayward Clean and Green Task Force, Library Commission, and Planning Commission \(Report from City Clerk Lens\)](#)

**City Clerk Lens administered the oath of office to appointed and reappointed members.**

A motion was made by Council Member Zermeño, seconded by Council Member Lamnin, to approve the staff recommendation and direct the City Council Ad Hoc Committee to review the terms for members of Boards and Commissions. The motion carried by the following vote:

**Aye:** 6 - Council Member Zermeno, Council Member Mendall, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, and Council Member Salinas

**Absent:** 1 - Mayor Halliday

**Mayor Pro Tempore Márquez noted there was a request to move Legislative Business Item No. 17 after Boards and Commissions because the two items were related.**

**CONSENT**

Consent Item Nos. 6 and 14 were pulled for further discussion.

## Approval of the Consent Calendar

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

**Aye:** 6 - Council Member Zermeno, Council Member Mendall, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, and Council Member Salinas

**Absent:** 1 - Mayor Halliday

2. [Minutes of the Special City Council Meeting on July 11, 2017](#)

**Consent Item Approved with an Amendment.**

3. [Minutes of the Special City Council Meeting on July 18, 2017](#)

**Consent Item Approved.**

4. [Minutes of the Special City Council Meeting on July 25, 2017](#)

**Consent Item Approved.**

5. [Recycled Water Project: Authorization for the City Manager to Submit a Financial Assistance Application and Execute Agreements for Funding for the Recycled Water Project through the United States Bureau of Reclamation Title XVI Water Recycling and Reuse Program](#)

**Consent Item Approved.**

6. [Approval of a Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with Rolling Orange for Website Development and Maintenance Professional Services](#)

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

**Aye:** 6 - Council Member Zermeno, Council Member Mendall, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, and Council Member Salinas

**Absent:** 1 - Mayor Halliday

7. [Re-Execution of Revised Cooperation Agreement for FYs 2018-2020 Between the City of Hayward and the County of Alameda to Participate in the Alameda County HOME Consortium](#)

Consent Item Approved.

8. [Authorization for the City Manager to Execute a Memorandum of Understanding with the Alameda County Health Care Services Agency for Medi-Cal Administrative Activities Provided by the Youth and Family Services Bureau of the Hayward Police Department](#)

Consent Item Approved.

9. [Resignation of Janet Livingston from the Keep Hayward Clean and Green Task Force](#)

Consent Item Approved.

10. [Amendment No. 1 to Professional Services Agreement with CSG Consultants, Inc.](#)

Consent Item Approved.

11. [FY 2017 Sidewalk Tripping Hazards Removal Project - Adoption of Resolution Authorizing the City Manager to Execute a Purchase Order Contract with BPR, Inc.](#)

Consent Item Approved.

12. [Recycled Water Storage and Distribution System Project: Authorization to Execute an Amendment to Professional Services for Recycled Water Customer Retrofit Conversions to Increase the Contracted Amount for Additional Services](#)

Consent Item Approved.

13. [Pay As You Save \(PAYS\) Program Modification](#)

Consent Item Approved.

14. [Mission Boulevard Corridor Improvements Phase 2 Project - Approval of Plans and Specifications and Call for Bids](#)

A motion was made by Council Member Zermeno, seconded by Council Member Mendall, to approved the staff recommendation with an amendment to include the alternatives for improvements and a metal fence. The motion carried by the following vote:

**Aye:** 6 - Council Member Zermeno, Council Member Mendall, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, and Council Member Salinas

**Absent:** 1 - Mayor Halliday

## WORK SESSION

15. [Hayward Shuttle Study - Findings and Draft Final Recommendations \(Report from Director of Public Works Fakhraj\)](#)

Information Only

## PUBLIC HEARING

16. [Adoption of a Resolution of Intention and Introduction of an Ordinance Approving an Amendment to the Contract Between the City of Hayward and the California Public Employees Retirement System \(CalPERS\) for Miscellaneous Members in Unrepresented Executive and Council Appointed Officer Groups \(Report from Human Resources Director Collins\)](#)

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

**Aye:** 6 - Council Member Zermeno, Council Member Mendall, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, and Council Member Salinas

**Absent:** 1 - Mayor Halliday

## LEGISLATIVE BUSINESS

17. [Introduction of Ordinance Amending Chapter 2, Article 3, Section 2-3.50 of the Hayward Municipal Code to provide for increased membership to the Library Commission \(Report from City Attorney Lawson and City Clerk Lens\)](#)

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

**Aye:** 6 - Council Member Zermeno, Council Member Mendall, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, and Council Member Salinas

**Absent:** 1 - Mayor Halliday

**ADJOURNMENT**

Mayor Pro Tempore Márquez adjourned the meeting at 9:32 p.m., in memory of Hayward resident Robert Cowen and former Hayward Council Member George Oakes, who served as a Council Member from 1960 to 1981 and as Mayor from 1963 to 1964.

**NEXT MEETING, September 26, 2017 – 7:00 PM**