



CITY OF HAYWARD

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

Action Minutes City Council

Tuesday, July 21, 2020

7:00 PM

Remote Participation

SPECIAL JOINT MEETING OF CITY COUNCIL AND HAYWARD REDEVELOPMENT SUCCESSOR AGENCY

This meeting is being conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order No. 29-20 dated March 17, 2020, and Alameda County Health Officer Order No. 20-10 dated April 29, 2020, regarding the COVID-19 pandemic.

CALL TO ORDER Pledge of Allegiance: Mayor/Chair Halliday

ROLL CALL

Present: 6 - Council Member Francisco Zermeno, Council Member Elisa Marquez, Council Member Sara Lamnin, Council Member Aisha Wahab, Council Member Mark Salinas, and Mayor Barbara Halliday

Absent: 1 - Council Member Al Mendall

CLOSED SESSION ANNOUNCEMENT

The City Council convened in closed session at 5:45 p.m., regarding two items: 1) conference with legal counsel pursuant to Government Code 54956.9 regarding Raymond Sisson v. City of Hayward Workers' Compensation Appeals Board Case Nos. ADJ9856557, ADJ9857325; and 2) conference with legal counsel pursuant to Government Code 54956.9 regarding City of Hayward v. Board of Trustees California State University, Court of Appeal, 1st District, Case No. A158981. City Attorney Lawson reported the first item was moved by Council Member Salinas, seconded by Council Member Márquez, and unanimously approved with Council Members Mendall and Zermeno absent, to compromise and settle the matter. Regarding the second item, City Attorney Lawson reported the City Council provided direction and there was no reportable action.

PRESENTATION

Muslim Awareness and Appreciation Month Proclamation

PUBLIC COMMENTS

Ms. Sameena Usman
Ms. Arzo Mehdavi
Mr. Munir Safi
Ms. Cynthia Nunez

Approval of the Consent Calendar

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

Aye: 6 - Council Member Zermeno, Council Member Marquez, Council Member Lamnin, Council Member Wahab, Council Member Salinas, and Mayor Halliday

Absent: 1 - Council Member Mendall

Consent Items 6, 7 and 8 were removed from the Consent Calendar for separate vote.

CONSENT

1. [Approve City Council Minutes of the City Council Meeting on July 7, 2020](#)

Consent item approved.

2. [Adopt an Ordinance Adding Article 2 to Chapter 12 of the Hayward Municipal Code Relating to Tenant Relocation Assistance](#)

Consent item approved.

3. [Adopt an Ordinance Amending Article 1 of Chapter 12 of the Hayward Municipal Code Relating to Residential Rent Stabilization and Tenant Protection](#)

Consent item approved.

4. [Adopt a Resolution Authorizing the City Manager to Negotiate and Execute Agreements with Five Consulting Firms, for an Amount Not to Exceed the Total FY21 Budget Appropriation of \\$330,000 \(Development Services\) and \\$50,000 \(Fire Department\), to Provide Plan Check, Inspection and Permit Technician Services](#)

Consent item approved.

5. [Adopt Resolutions Approving Plans and Specifications and Call for Bids and Authorizing the City Manager to execute an Amendment to the Professional Services Agreement with Mark Thomas & Company, in an amount not-to-exceed amount of \\$150,000, for the Mission Boulevard Corridor Improvements Phase 3 Project](#)

Consent item approved.

6. [Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Letter Agreement with 1069 B Street, LLC to Defer Rent and Parking Maintenance Payments for Cinema Place](#)

Item withdrawn by City staff.

7. [Adopt Resolutions Authorizing the City Manager to Execute a Memorandum of Understanding \(MOU\) with the Alameda County Public Works Agency for the Hesperian Boulevard and West A Street Protected Intersection Project and Appropriate \\$1,250,056 for this Project from Measure BB \(Local Transportation\), Fund 212; Measure B \(Local Transportation\), Fund 215; and the Transportation System Improvement, Fund 460](#)

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

Aye: 6 - Council Member Zermeno, Council Member Marquez, Council Member Lamnin, Council Member Wahab, Council Member Salinas, and Mayor Halliday

Absent: 1 - Council Member Mendall

8. [Adopt a Resolution Authorizing and Appropriating Additional Emergency Funding in Response to Novel \(New\) Coronavirus \(COVID-19\)](#)

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

Aye: 6 - Council Member Zermeno, Council Member Marquez, Council Member Lamnin, Council Member Wahab, Council Member Salinas, and Mayor Halliday

Absent: 1 - Council Member Mendall

PUBLIC HEARING

9. [Costco Business Center Fuel Facility: Proposed Development of a Fuel Facility with Related Site Improvements at the Costco Business Center Located at 22330 Hathaway Avenue \(Assessor Parcel No. 429-0082-003-00\) Requiring Approval of a Major Modification to an Existing Planned Development Zoning District \(Application No. 201706217\) and Adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program. Barghausen Engineering on Behalf of Costco Wholesale Corporation \(Applicant/Owner\) \(Report from Development Services Director Simpson\)](#)

A motion was made by Council Member Salinas, seconded by Council Member Lamnin, to deny the application. The motion failed by the following vote:

Aye: 2 - Council Member Lamnin, and Council Member Salinas

Nay: 4 - Council Member Zermeno, Council Member Marquez, Council Member Wahab, and Mayor Halliday

Absent: 1 - Council Member Mendall

A motion was made by Council Member Márquez, seconded by Council Member Zermeño, to approve staff's recommendation with an additional recommendation to consider a moratorium on gas stations and an amendment to activate the three additional EV charging stations to serve a total of 10 parking spaces. The motion failed by the following vote:

Aye: 3 - Council Member Zermeno, Council Member Marquez, and Mayor Halliday

Nay: 3 - Council Member Lamnin, Council Member Wahab, and Council Member Salinas

Absent: 1 - Council Member Mendall

A motion was made by Council Member Zermeño, seconded by Council Member Márquez, to continue the item to September 15, 2020. The motion failed by the following vote:

Aye: 3 - Council Member Zermeno, Council Member Marquez, and Mayor Halliday

Nay: 3 - Council Member Lamnin, Council Member Wahab, and Council Member Salinas

Absent: 1 - Council Member Mendall

WORK SESSION

10. [Public Safety Community Engagement Plan: Review and Provide Feedback on the Proposed Public Safety Community Engagement Plan \(Report from City Manager McAdoo and Chief of Police Chaplin\)](#)

Information only; no action taken.

LEGISLATIVE BUSINESS

11. [League of California Cities 2020 Annual Conference: Adopt a Resolution Designating Voting Delegates and Alternates for the Annual Conference Scheduled for October 7-9, 2020 \(Report from City Clerk Lens\)](#)

A motion was made by Council Member Zermeño, seconded by Council Member Márquez, to designate Mayor Halliday as the City's voting delegate and Council Member Salinas and Council Member Wahab as the City's alternate voting delegates. The motion carried by the following vote:

Aye: 6 - Council Member Zermeno, Council Member Marquez, Council Member Lamnin, Council Member Wahab, Council Member Salinas, and Mayor Halliday

Absent: 1 - Council Member Mendall

ADJOURNMENT

Mayor/Chair Halliday adjourned the special meeting at 11:43 p.m., in memory of Congressman John Lewis who was a civil-rights leader and longstanding United States Representative for Georgia's 5th Congressional District.

NEXT SPECIAL MEETING, COMMISSIONS INTERVIEWS, July 28, 2020