



CITY OF HAYWARD

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

Action Minutes City Council

Tuesday, March 2, 2021

7:00 PM

Remote Participation

CITY COUNCIL MEETING

CALL TO ORDER: Mayor Halliday

Pledge of Allegiance: Council Member Zermeño

ROLL CALL

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

Absent: 1 - Council Member Sara Lamnin

CLOSED SESSION ANNOUNCEMENT

The City Council convened in closed session at 6:00 p.m., regarding conference with legal counsel concerning two anticipated litigation cases, with Council Member Lamnin absent. City Attorney Lawson announced before the closed session there were two separate cases pursuant to Government Code section 54956.9(d)(4) and Government Code section 54956.9(d)(2). City Attorney Lawson indicated the first case was discussed pursuant to Government Code section 54956.9(d)(4) involving facts and circumstances known to the City warranting a decision on whether to initiate litigation; and further it was announced that case two was discussed pursuant to Government Code section 54956.9(d)(2) involving facts and circumstances known to potential plaintiffs or claimants that would give rise to litigation. City Attorney Lawson noted the Council took no reportable action regarding both items. Council Member Márquez recused herself and did not participate in the second item.

PRESENTATIONS

Women's History Month: Presented to American Association of University Women

Art IS Education Month: Presented to East Bay Youth Orchestra

PUBLIC COMMENTS

Dr. Anatole Bogatski
Mr. Anthony Tassone
Ms. Thu Nguyen
Ms. Linda
Ms. Valerie Anderson

CONSENT

Approval of the Consent Calendar

Approval of the Consent Calendar

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

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

Absent: 1 - Council Member Lamnin

1. [Approve City Council Minutes of the Special City Council Meeting on February 13, 2021](#)

Item approved.

2. [Approve City Council Minutes of the City Council Meeting on February 16, 2021](#)

Item approved.

3. [Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Landscape Maintenance Contract for Route 238 \(Phase 1 and 2\) with Los Loza Landscaping, in an Annual Amount of \\$270,000 and Approving an Additional \\$20,000 Annually for Contingencies](#)

Item approved.

PUBLIC HEARING

4. [Switzer Residence: Adopt a Resolution Approving a Proposed Single-Family Residence and Attached Accessory Dwelling Unit on a Vacant 0.21-Acre Hillside Lot with an Average Slope Greater than 20% Located at 2579 Home Avenue, Assessor Parcel No. 081D-1660-040-00, Requiring Approval of Site Plan Review and Grading Permit Application No. 202000579, Categorically Exempt from the California Environmental Quality Act \(CEQA\) per Section 15303, Class 3. Bich-Khoi Do \(Applicant\); Bradley Switzer Trust \(Owner\) \(Report from Development Services Director Simpson\)](#)

A motion was made by Council Member Zermeno, seconded by Council Member Salinas, to continue the item until May 4, 2021 to address all concerns raised including mediating discussion among applicant/owner and neighbors. The motion carried by the following vote:

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

Absent: 1 - Council Member Lamnin

5. [Rainbow Court Single-Family Residence: Adopt a Resolution Approving Site Plan Review and Grading Permit Application for Proposed Single-Family Residence on a Vacant 0.12-Acre Hillside Lot with an Average Slope Greater than 20%, Located at 2382 Rainbow Court, Assessor Parcel No. 425-0410-029-00, Application No. 202002396, Ravi Jonnadula, H & M Ventures \(Applicant/Owner\) \(Report from Development Services Director Simpson\)](#)

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

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

Absent: 1 - Council Member Lamnin

LEGISLATIVE BUSINESS

6. [Municipal Facility License Agreement Template: Adopt a Resolution Approving the Municipal Facility Master License Agreement Template for the Attachment of Wireless Facilities to City-Owned Vertical Infrastructure in the Public Right-of-Way, and Authorizing the City Manager to Execute Master Facility License Agreements with Qualified Companies in Substantial Conformance with the Template and Upon Approval by the City Attorney as to Form \(Report from Assistant City Manager Ott\)](#)

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

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

Absent: 1 - Council Member Lamnin

7. [Planning Commission Vacancy: Acceptance of Resignation of Mr. Gary Patton from the Planning Commission Effective April 1, 2021, and Direction on Process for Filling the Vacancy \(Report from City Clerk Lens\)](#)

A motion was made by Council Member Salinas, seconded by Council Member Márquez, to approve staff's recommendation amending the resolution to indicate former Council Member Mendall was appointed to fill the upcoming Planning Commission vacancy and his appointment would expire in September 2021 when a new commissioner is appointed and sworn in. The motion carried by the following vote:

Aye: 5 - Council Member Andrews, Council Member Marquez, Council Member Salinas, Council Member Zermeno, and Mayor Halliday

Absent: 1 - Council Member Lamnin

Abstain: 1 - Council Member Wahab

ADJOURNMENT

Mayor Halliday adjourned the meeting at 11:04 p.m.

NEXT MEETING, March 16, 2021, 7:00 PM