



# CITY OF HAYWARD

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

## Action Minutes City Council

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**Tuesday, June 25, 2019**

**7:00 PM**

**Council Chambers**

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### CITY COUNCIL MEETING

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

#### **ROLL CALL**

**Present:** 7 - Council Member Francisco Zermeno, Council Member Elisa Marquez, Council Member Al Mendall, Council Member Sara Lamnin, Council Member Aisha Wahab, Council Member Mark Salinas, and Mayor Barbara Halliday

#### **CLOSED SESSION ANNOUNCEMENT**

The City Council convened in closed session at 5:30 p.m., regarding two three items: 1) conference with legal counsel pursuant to Government Code 54956.9 regarding case Joseph Ley v. City of Hayward, Workers' Compensation Appeals Board Case No. ADJ10557863; ADJ10557894; ADJ10557862; and ADJ10557861; and 2) Tom Cassells v. City of Hayward, Workers' Compensation Appeals Board Case No. ADJ10406200; and 3) conference with legal counsel pursuant to Government Code 54956.9(d)(1) regarding Stoddard-Nunez v. City of Hayward, et al., USDC Case Number 13-cv-04490 KAW. City Attorney Lawson announced there was no reportable action.

#### **PUBLIC COMMENTS**

Mr. Jim Drake  
Mr. Tim Romano-Pugh  
Ms. Jessica Fuentes  
Mr. Karter Woods - did not speak  
Ms. Rosaura Mendoza  
Ms. Rosalyn Moya  
Ms. Nayeli Marquez  
Mr. Charlie Peters  
Mr. Gleno Silva - did not speak

*Consent Item No. 2 and Consent Item No. 3 were removed for separate vote.*

#### **CONSENT**

#### Approval of the Consent Calendar

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

**Aye:** 7 - Council Member Zermeno, Council Member Marquez, Council Member Mendall, Council Member Lamnin, Council Member Wahab, Council Member Salinas, and Mayor Halliday

1. [Minutes of the City Council Meeting on June 4, 2019](#)

Consent item approved.

2. [Adoption of an Ordinance Adding Chapter 12, Article 1, to the Hayward Municipal Code Regarding the Residential Rent Stabilization and Tenant Protection Ordinance](#)

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

**Aye:** 7 - Council Member Zermeno, Council Member Marquez, Council Member Mendall, Council Member Lamnin, Council Member Wahab, Council Member Salinas, and Mayor Halliday

3. [Adopt a Resolution of Denial for a Proposed Cannabis Retail Dispensary at 1004 B Street \(Assessor Parcel No. 428-0061-056-00\) by Siavash Afshar on Behalf of Hayward Station \(Applicant\); Alfred J Antonini \(Property Owner\), Conditional Use Permit Application No. 201806005](#)

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

**Aye:** 2 - Council Member Salinas, and Mayor Halliday

**Nay:** 4 - Council Member Zermeno, Council Member Mendall, Council Member Lamnin, and Council Member Wahab

**Absent:** 1 - Council Member Marquez

**A motion was made by Council Member Wahab, seconded by Council Member Mendall, to approve a Conditional Use Permit for a cannabis retail dispensary at 1104 B Street with a friendly amendment by adding a condition to the findings of approval that would require the applicant to contribute one percent of revenue to the Hayward Community Foundation and remit taxes on a quarterly basis, unless some alternative agreement could be reached between the City and the applicant. The motion carried by the following vote:**

**Aye:** 5 - Council Member Zermeno, Council Member Mendall, Council Member Lamnin, Council Member Wahab, and Mayor Halliday

**Nay:** 1 - Council Member Salinas

**Absent:** 1 - Council Member Marquez

4. [Adopt a Resolution Authorizing the City Manager to Execute Amendment No. 4 to the Professional Services Agreement with CSG Consultants, Inc. \(CSG\) for Private Development Plan Check Review and Related Services](#)

Consent item approved.

5. [Authorize the City Manager to Negotiate and Execute a Contract Amendment with Chabot-Las Positas Community College District to Add an Additional \\$22,000 for Outreach Work to be Completed in Summer 2019](#)

Consent item approved.

**PUBLIC HEARING**

6. [Public Tax and Equity Fiscal Responsibility Act \(TEFRA\) Hearing as Required by the Internal Revenue Code of 1986, and Adoption of a Resolution Approving the Issuance by California Statewide Communities Development Authority of Tax-Exempt Bonds to Finance the Acquisition, Construction and Development of the Maple & Main Apartment Project \(Report from City Manager McAdoo\)](#)

A motion was made by Mayor Halliday, seconded by Council Member Márquez, to approve staff's recommendation with an amendment to the motion that demolition of the two Phase I homes would occur within 15 days of bond sell. The motion carried by the following vote:

Aye: 4 - Council Member Zermeno, Council Member Marquez, Council Member Salinas, and Mayor Halliday

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

7. [Introduction of an Ordinance to Establish a Soft Story Seismic Screening Program for Multifamily Residential Buildings and Voluntary Seismic Retrofit Standards for Soft Story Buildings \(Report from Development Services Director Simpson\)](#)

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

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

Nay: 1 - Council Member Marquez

8. [Approve a Resolution Updating the FY 2020 Master Fee Schedule with New Fees and Charges in the Maintenance Services Section Related to Facility Rentals in City Hall and the 21st Century Library and Learning Center and Accept the Proposed Changes to the Maintenance Services Section of the FY 2020 Master Fee Schedule \(Report from Maintenance Services Director Rullman and Library Services Director Addleman\)](#)

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

Aye: 7 - Council Member Zermeno, Council Member Marquez, Council Member Mendall, Council Member Lamnin, Council Member Wahab, Council Member Salinas, and Mayor Halliday

**LEGISLATIVE BUSINESS**

9. [Adoption of Emergency Ordinance Establishing a Temporary Moratorium on Rent Increases Exceeding Five Percent of Current Rent on All Pre-1979 Units Except Single Family Homes and Condominiums \(Report from City Manager McAdoo\)](#)

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

Aye: 7 - Council Member Zermeno, Council Member Marquez, Council Member Mendall, Council Member Lamnin, Council Member Wahab, Council Member Salinas, and Mayor Halliday

**10. [Adoption of Resolution Approving an Amendment to the City of Hayward Salary Plan for Fiscal Year 2020 \(Report from Human Resources Director Collins\)](#)**

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

Aye: 7 - Council Member Zermeno, Council Member Marquez, Council Member Mendall, Council Member Lamnin, Council Member Wahab, Council Member Salinas, and Mayor Halliday

**11. [Adoption of Resolutions Approving Extensions of the Employment Agreements Between the City of Hayward and the City Attorney and City Clerk and Authorizing the Mayor to Execute Those Agreements on Behalf of the Council \(Report from Human Resources Director Collins\)](#)**

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

Aye: 7 - Council Member Zermeno, Council Member Marquez, Council Member Mendall, Council Member Lamnin, Council Member Wahab, Council Member Salinas, and Mayor Halliday

**ADJOURNMENT**

Mayor Halliday adjourned the meeting at 10:15 p.m., in memory of Des Patten and former Mayor Roberta "Bertie" Cooper.

**NEXT MEETING, July 2, 2019, 7:00 PM**