



SPECIAL JOINT MEETING OF THE HAYWARD CITY COUNCIL/HAYWARD REDEVELOPMENT SUCCESSOR AGENCY BOARD/HAYWARD HOUSING AUTHORITY BOARD

The Special Joint Meeting of the Hayward City Council/Hayward Redevelopment Successor Agency Board/Hayward Housing Authority Board was called to order by Mayor/Chair Halliday at 7:00 p.m. The special meeting was conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order No 29-20 dated March 17, 2020, and the 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: COUNCIL/HRSAB/HHAB MEMBERS Lamnin, Márquez, Mendall, Salinas, Wahab, Zermeño
MAYOR/CHAIR Halliday
Absent: None

CLOSED SESSION ANNOUNCEMENT

The City Council convened in closed session on June 23, 2020, at 5:00 p.m., regarding two items: 1) conference with property negotiators pursuant to Government Code 54956.8 regarding Levy Affiliated Holdings; 22695 Foothill Blvd, 22631 Foothill Blvd, 1099 B St, 1093 B St, 1061 B St, 1071 B St, 1075 B St, 1081 B St, 1055 B St, 1057 B St, 1087 B St, 1061 B St, 1099 B St, 1075 B St, 1069 B St, 1057 B St, 1071 B St, 1063 B St, 1093 B St, 1081 B St, 1087 B St, 1063 B St; APNs: 428-0066-086-00, 428-0066-085-00; and 2) conference with legal counsel pursuant to Government Code 54956.9(d)(4) regarding one anticipated case. City Attorney Lawson added there was no reportable action related to the items.

PUBLIC COMMENTS

There were none.

CONSENT

1. Approve City Council Minutes of the Special City Council Meeting on June 9, 2020 **MIN 20-067**

It was moved by Council Member Mendall, seconded by Council Member Wahab, and carried unanimously, to approve the minutes of the Special City Council meeting on June 9, 2020.

2. Adopt a Resolution Calling for the City of Hayward General Municipal Election to be Consolidated with the Presidential General Election to Be Held on November 3, 2020, for the Purpose of Electing Four Council Members for Full Terms of Four Years; and Adopt a Resolution Setting Regulations for Candidates Pertaining to Candidate Statements **CONS 20-318**

Staff report submitted by City Clerk Lens, dated June 23, 2020, was filed.

It was moved by Council Member Mendall, seconded by Council Member Wahab, and carried by the following roll call vote, to approve the resolutions:

AYES: COUNCIL MEMBERS Lamnin, Márquez, Mendall, Salinas,
Wahab, Zermeño
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 20-085, “Resolution of the City Council of the City of Hayward Calling for a General Municipal Election to be Held on November 3, 2020, for the Purpose of Electing Four Members of the City Council for Terms of Four Years; and Requesting the Alameda County Board of Supervisors to Provide for the Consolidation of a General Municipal Election of the City of Hayward with the Presidential General Election”

Resolution 20-086, “Resolution of the City Council of the City of Hayward, California, Adopting Regulations for Candidates for Elective Office Pertaining to Candidate Statements Submitted to the Voters at an Election to be Held on Tuesday, November 3, 2020”

3. Adopt an Ordinance Amending the Hayward 2040 General Plan Establishing New Vehicle Miles Traveled (VMT) California Environmental Quality Act (CEQA) Thresholds and Updated Greenhouse Gas (GHG) Emission Reduction Goals **CONS 20-316**

Staff report submitted by City Clerk Lens, dated June 23, 2020, was filed.

It was moved by Council Member Mendall, seconded by Council Member Wahab, and carried by the following roll call vote, to approve the ordinance:



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AYES: COUNCIL MEMBERS Lamnin, Márquez, Mendall, Salinas
Wahab, Zermeño
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Ordinance 20-09, “An Ordinance Amending the Hayward 2040 General Plan Establishing New Vehicle Miles Traveled (VMT) California Environmental Quality Act (CEQA) Thresholds and Updated Greenhouse Gas (GHG) Emission Reduction Goals”

4. Adopt a Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Safir & Associates for Diversity, Equity, and Inclusion Trainings **CONS 20-182**

Staff report submitted by City Manager McAdoo June 23, 2020, was filed.

It was moved by Council Member Mendall, seconded by Council Member Wahab, and carried by the following roll call vote, to approve the resolution:

AYES: COUNCIL MEMBERS Lamnin, Márquez, Mendall, Salinas,
Wahab, Zermeño
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 20-087, “Resolution Authorizing the City Manager to Negotiate and Execute a Professional Services Agreement with Safir and Associates for Equity Leadership Training in an Amount Not to Exceed \$125,000; and an Appropriation of \$62,500 from the General Fund (Fund 100)”

5. Adopt a Resolution Authorizing the City Manager to Enter into Exclusive Negotiations with Waste Management of Alameda County to Extend the Solid Waste and Recycling Franchise Agreement **CONS 20-301**

Staff report submitted by Director of Public Works Ameri, dated June 23, 2020, was filed.

It was moved by Council Member Mendall, seconded by Council Member Wahab, and carried by the following roll call vote, to approve the resolution:

AYES: COUNCIL MEMBERS Lamnin, Márquez, Mendall, Salinas,
Wahab, Zermeño
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 20-088, “Resolution Authorizing the City Manager to Enter into Exclusive Negotiations with Waste Management of Alameda County to Extend the Solid Waste and Recycling Franchise Agreement”

6. Adopt a Resolution Authorizing the City Manager to Execute a Professional Services Agreement with SurfaceDesign, Inc., for Design of the Mission Boulevard Linear Park Landscape Project, Project No. 05288, in an Amount Not-to-Exceed \$310,000 **CONS 20-300**

Staff report submitted by Director of Public Works Ameri, dated June 23, 2020, was filed.

It was moved by Council Member Mendall, seconded by Council Member Wahab, and carried by the following roll call vote, to approve the resolution:

AYES: COUNCIL MEMBERS Lamnin, Márquez, Mendall, Salinas,
Wahab, Zermeño
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 20-089, “Resolution Authorizing the City Manager to Execute a Professional Services Agreement with SurfaceDesign, Inc., For Design Services Associated with the Mission Boulevard Linear Park Project”

7. Adopt a Resolution Authorizing the City Manager to Execute an Agreement with Project Sentinel for Fiscal Year 2021 in an Amount Not-to-Exceed \$150,000 to Provide Mediation Services Related to Rent Stabilization and Repayment Agreements at the Same Level as Fiscal Year 2020 and Adopt a Resolution Appropriating \$75,000 to the Rental Housing Program Fund from Additional Fee Revenue **CONS 20-310**



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Staff report submitted by Deputy City Manager Ott, dated June 23, 2020, was filed.

It was moved by Council Member Mendall, seconded by Council Member Wahab, and carried by the following roll call vote, to approve the resolutions:

AYES: COUNCIL MEMBERS Lamnin, Márquez, Mendall, Salinas,
Wahab, Zermeño
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 20-090, “Resolution Authorizing the City Manager to Execute an Agreement with Project Sentinel in an Amount Not-to-Exceed \$150,000 to Provide Administrative Support, Educational Services, and Mediation Services Related to Rent Stabilization and Repayment Agreements”

Resolution 20-091, “Resolution Authorizing the Amendment to Resolution 20--, the Budget Resolution for the City of Hayward Operating Budget for Fiscal Year 2021, Appropriating Seventy-Five Thousand Dollars (\$75,000) to the Rental Housing Program Fund from Additional Rent Stabilization Fee Revenue to Cover the Cost of Administering the Residential Rent Stabilization and Tenant Protection Ordinance and the Mobile home Space Rent Stabilization Ordinance”

8. Adopt a Resolution Approving Addendum No.1 and Addendum No.2 and Awarding a Contract to GSE Construction Company, Inc., for the Water Pollution Control Facility (WPCF) Headworks Bar Screens Project, Project No. 07567, in an Amount Not-to-Exceed \$7,886,200, and Appropriating Additional Funds from the Sewer Replacement Fund in the Amount of \$4,598,300 **CONS 20-314**

Staff report submitted by Director of Public Works Ameri, dated June 23, 2020, was filed.

It was moved by Council Member Mendall, seconded by Council Member Wahab, and carried by the following roll call vote, to approve the resolutions:

AYES: COUNCIL MEMBERS Lamnin, Márquez, Mendall, Salinas,
Wahab, Zermeño
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 20-092, “Resolution Approving Addendum No. 1 and Addendum No. 2 and Awarding a Contract to GSE Construction Company, Inc. for the Water Pollution Control Facility (WPCF) Headworks Bar Screens Project, Project No. 07567, in an Amount Not-to-Exceed \$7,886,200”

Resolution 20-093, “Resolution Appropriating \$4,598,300 from the Sewer Replacement Fund for the Headworks Bar Screens Project, Project No. 07567”

9. Approve the City of Hayward’s Five-Year Permanent Local Housing Allocation Plan and Authorization for the City Manager and Assigned Staff to Submit an Application to the State of California Department of Housing Community Development for Permanent Local Housing Allocation Funds for the Hayward Navigation Center **CONS 20-319**

Staff report submitted by Deputy City Manager Ott, dated June 23, 2020, was filed.

It was moved by Council Member Mendall, seconded by Council Member Wahab, and carried by the following roll call vote, to approve the resolutions:

AYES: COUNCIL MEMBERS Lamnin, Márquez, Mendall, Salinas,
Wahab, Zermeño
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 20-094, “Resolution Approving the City of Hayward’s Five-Year Permanent Local Housing Allocation”

Resolution 20-095, “Resolution Approving the City of Hayward’s Five-Year Permanent Local Housing Allocation Plan and Authorizing the City Manager and Assigned Staff to Submit an Application to the State of California Department of Housing and Community Development”



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10. Adopt a Resolution Approving a Side Letter of Agreement between the City of Hayward and the International Federation of Professional and Technical Engineers, Local 21 for Implementation of an Unpaid Furlough in Fiscal Year 2021, and Authorizing the City Manager to Execute the Agreement **CONS 20-317**

Staff report submitted by Assistant City Manager/ Interim Director of Human Resources Hurtado, dated June 23, 2020, was filed.

It was moved by Council Member Mendall, seconded by Council Member Wahab, and carried by the following roll call vote, to approve the resolution:

AYES: COUNCIL MEMBERS Lamnin, Márquez, Mendall, Salinas,
Wahab, Zermeño
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 20-096, "Resolution Approving a Side Letter of Agreement with the International Federation of Professional and Technical Engineers, Local 21 for Implementation of an Unpaid Furlough in Fiscal Year 2021"

11. Adopt a Resolution Approving an Amendment to the City of Hayward Salary Plan for Fiscal Year 2020 **CONS 20-327**

Staff report submitted by Assistant City Manager/ Interim Director of Human Resources Hurtado, dated June 23, 2020, was filed.

It was moved by Council Member Mendall, seconded by Council Member Wahab, and carried by the following roll call vote, to approve the resolution:

AYES: COUNCIL MEMBERS Lamnin, Márquez, Mendall, Salinas,
Wahab, Zermeño
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 20-097, “Resolution Approving the Amended Fiscal Year 2020 Salary Plan Designating Positions of Employment in the City of Hayward and Salary Range; and Superseding Resolution No. 20-040 and all Amendments Thereto”

PUBLIC HEARING

12. Community Development Block Grant (CDBG): Approval of FY 2021 Community Agency Funding Recommendations and FY 2021-2025 Community Development Block Grant Consolidated Plan and FY 2021 Action Plan **PH 20-045**

Staff report submitted by Deputy City Manager Ott, dated June 23, 2020, was filed.

Council Member Márquez disclosed she had to recuse herself from participating on discussion and vote related to FY 2021 Arts and Music funding recommendations which included the Love Never Fails agency where she was a former advisory member.

Community Services Manager Davis provided a synopsis of the CDBG COVID-19 CARES Act funding update and FY 2021 Social Services funding recommendations.

In response to Council Member Wahab’s inquiry related to the City’s requirements for switching in-person to online programs, Community Services Manager Davis noted agencies are expected to meet contractual obligations and, if issues arise, staff works with them to enable them to perform alternative service delivery or propose a process for funds to be redistributed.

Community Services Manager Davis continued her presentation on FY 2021 CDBG funding recommendations, FY 2021 Arts and Music funding recommendations, and 2021-2025 CDBG Consolidated Plan and 2021 Annual Action Plan.

There being no requests to speak, Mayor Halliday opened and closed the public hearing at 7:21 p.m.

Council Member Wahab offered a motion, seconded by Council Member Márquez, to approve the resolution appropriating Community Agency funding recommendations for FY 2021 in the Social Services funding category.

It was moved by Council Member Wahab, seconded by Council Member Márquez, and carried by the following roll call vote, to approve the resolution:



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AYES: COUNCIL MEMBERS Lamnin, Márquez, Mendall, Salinas,
Wahab, Zermeño
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 20-098, “Resolution Approving and Appropriating the Community Agency Funding Recommendations for Fiscal Year 2021 in the Social Services Funding Category”

Council Member Márquez disconnected from Microsoft Teams at 7:29 p.m.

Council Member Salinas thanked the Community Services Commission and City staff for the work with FY 2021 funding recommendations.

It was moved by Council Member Zermeño, seconded by Council Member Salinas, and carried by the following roll call vote, to approve the resolutions:

AYES: COUNCIL MEMBERS Lamnin, Mendall, Salinas,
Wahab, Zermeño
MAYOR Halliday
NOES: None
ABSENT: COUNCIL MEMBERS Márquez
ABSTAIN: None

Resolution 20-099, “Resolution Approving and Appropriating the Community Agency Funding Recommendations for Fiscal Year 2021 in the Community Development Block Grant (CDBG) Category and Authorizing the City Manager to Apply for Federal Assistance under the Community Development Block Grant Program”

Resolution 20-100, “Resolution Approving and Appropriating the Community Agency Funding Recommendations for Fiscal Year 2021 in the Arts and Music Funding Category”

Council Member Márquez rejoined the Microsoft Teams meeting at 7:31 p.m.

13. FY 2021 Budget: Public Hearing for the Proposed FY 2021 Operating Budgets for the City of Hayward, Hayward Redevelopment Successor Agency, and Hayward Housing Authority; FY 2021 Capital Improvement Program Budget; Approval of the FY 2021 Operating Budgets and Appropriations for FY 2021; Approval of the FY 2021 Capital Improvement Program Budget and Appropriations for FY 2021; Approval of the Hayward Redevelopment Successor Agency Budget, and Approval of the Hayward Housing Authority Budget **PH 20-052**

Staff report submitted by Director of Finance Claussen, dated June 23, 2020, was filed.

Finance Director Claussen provided a synopsis of the report.

Discussion ensued among members of the City Council/Board and City staff regarding: the additional \$1 million in one-time funds from the General Fund reserve towards Social Services funding for FY 2021 and the Community Services Commission holding a special meeting to develop recommendations to Council/Board for its approval; reimbursement of reserve funds under COVID-19 crisis; commitment to continue discussion with the community regarding the “seven demands” and service provision by the police department; potential layoffs should there be a second shelter in place order later in the year; \$1 million of the expected \$4.6 million for Other Post-Employment Benefits (OPEB) payment and plans for future payments; plans for a second wave of COVID-19 and quarterly reports to Council/Board on revenue generation; comprehensive community engagement plan to be presented to Council and the public within one month and setting October as a target for bringing recommendation and policy options for Council/Board consideration; community engagement related to the seven demands; the correction to the Fire Department budget to reflect last year’s staffing level; measures placed on the ballot and community commitments; and proposed FY 2021 Police Department budget reduction (approximately 4.9 percent reduction).

Mayor/Chair Halliday opened public hearing at 8:21 p.m.

Public speakers participated by calling the City Clerk’s office at (510) 583-4400.

Mr. Minesh Patel, Hayward resident, shared his research on police funding from cities’ General Funds in comparison to Hayward and supported reallocating 10 percent of Hayward’s police budget to community-based services.

Mr. George Syrop, Hayward resident, expressed support for the seven demands and formation of a panel that will address community issues that have been voiced during the past month.

Ms. Alicia Lawrence, The Hayward Collective member, expressed disappointment that the proposal only included a 4.9 percent police budget reduction and did not address the seven community demands.



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Ms. Debbie Frederick, Hayward resident, expressed Hayward needed to raise the quality of City services and not reduce Police Department staffing levels nor defund its budget.

Mr. Jesse Gunn, Hayward resident, supported actionable plans noting the 4.9 percent reduction was only a half measure and indicated the community was asking for a smaller police footprint and shared his negative experience with the Police Department.

Ms. Katie Alvarez, Hayward resident, expressed support for redistributing 10 percent of the police department budget to community-based services, noted other cities were already taking related actions and looked forward to the community engagement.

Mr. Jordan Leopold, Hayward resident, expressed support for the seven demands and emphasized the importance of having community engagement and ensuring the police department provides a service to the community.

Ms. Linda Cardott, expressed concern about the shortfall of the OPEB payment and a second wave of the pandemic which could drive the economy into a deeper recession and supported the Police Department, noting there is an opportunity for improvement but not divide the community.

Ms. Vanessa Sadsad, noted there was a need to defund the police department by 10 percent, but the Council had not offered proposals to address the demands and urged the Council to delay approving the proposed City budget.

Ms. Elizabeth Blancas, Hayward resident, expressed support for the seven demands, disagreed with the proposed 4.9 percent police department budget reduction, and urged Council to not approve the City's budget.

Ms. Navi Kaur, Punjabi Sikh community member, supported redirecting funds from the Police Department to the community, and noted it was failing to protect people of color and were not equipped to handle cases of domestic violence and mental illness, and asked Council to work with The Hayward Collective.

Mr. Isaac Harris spoke in support of the seven demands and reallocating 10 percent of the police department budget to community-based services and noted the importance of knowing the history of homeownership to understand the connection between policing, race, and property.

Ms. Erica Richards, Hayward resident, expressed support for the seven demands, particularly to redistribute 10 percent of the police budget to education and mental health resources and demilitarize and ban military equipment.

Mr. Jose Hernandez, Hayward resident, noted funding for community services was 2 percent, supported the seven demands, noted that Measure C comments were misleading, and added that public safety increases when there is funding for community-based services.

Ms. Maryann Higgs, Hayward resident, noted that taking funding away from the Police Department did not address police brutality and the other issues driving protests across the nation but through policy changes and behavioral training, and looked forward to community engagement and hearing from a broader section of the community.

Ms. Arieana Castellanos, Hayward resident, shared research from police departments, noted that crime decreased when Oakland laid off officers, favored using police funds toward education and urged support for the seven demands.

Ms. Araceli Orozco, Hayward resident, noted the proposed budget reduction did not address the seven demands and requested the Council to not approve the budget.

Ms. Angela Andrews, Planning Commissioner, was glad about additional funding for community services but was concerned with the timeline to make allocations, noted the Police Department was not trained to handle mental health calls and wanted to learn what community services were delivered via the police department.

Ms. Amelia Harmon, Hayward resident, referred to a 2016 report by Donald Frazier of Building Opportunities for Self-Sufficiency entitled, "A need for Alternatives to Incarceration for Mentally Ill in Alameda County".

Mr. Kevin Dowling, former Council Member, noted there were many excellent police officers, mental health counseling was challenging work, SRO officers were those who like to work with school children, and requested community engagement with a broader range of the community.

Ms. Toni West, Hayward resident, noted the City cannot move forward if its residents are still in pain and do not feel their concerns are being addressed.

Mr. Ian Valencia, Hayward resident, supported the seven demands and noted the 10 percent police budget reduction was modest and showed action.

Ms. Arianne Riley, Hayward resident, supported the updated demands, noted there were police officers but not nurses in schools and noted the need to fund community-based services to keep the community engaged.

Ms. Kimberly Wiley, Hayward resident, spoke how the community has been overrun with crime in recent years due to lack of police presence and was interested in learning how Police and City staffs will be reformed to make sure the City does not use reserves.

Mayor Halliday closed the public hearing at 9:28 p.m.



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Further discussion ensued among members of the City Council/Board and City staff regarding: a potential 10 percent reduction in the police department budget would involve layoffs; reallocation and reorganization of services within the police department would make sense within the overall context of service provision within the City organization planned to occur during the next couple of months, the City was looking at a budget that was not balanced without the use of reserves; the military police purchases under the CIP budget consisting mostly of replacement equipment and there was no purchase of military equipment or tear gas; and codifying in the resolution Council's commitment to reallocating funds in the Police Department.

Members of the City Council/Board acknowledged the speakers and all correspondence received and the participation of labor groups.

Council/Board Member Mendall noted it was highly unlikely the Council/Board would be able to make informed decisions unless it heard from all sectors of the community, did not want to miss the June 30 deadline which could jeopardize the City's rating during a time when the City's reserves were being depleted, acknowledged the Council would not be able to make major changes in how policing and community services are funded in the next seven days but could express its commitment to considering them, was open to considering the seven demands and evaluating them, stated that certain demands were budget related and Council could revisit the budget at any time to make changes, noted the importance to conduct community engagement and provide staff the time to analyze proposals, offered support for approving the budget and having a follow up conversation about a possible reorganization of the police department and its services, was open to having early conversations on whether Animal Services belongs in the police department, was open to demilitarizing the police department, and did not agree with eliminating technology.

Council/Board Member Zermeño was in favor of a community engagement plan and did not mind having a member of the police department involved, did not favor making a partial OPEB payment, favored allocating \$1 million for community-based services, did not support a 10 percent police budget reduction as this would cause layoffs, supported quarterly budget reports, encouraged everyone to shop locally to help Hayward's economy rebound, supported the seven demands and the Community Advisory Panel for Chief of Police. Council/Board Member Zermeño offered a motion per staff's recommendation.

Council/Board Member Márquez seconded the motion and offered a friendly amendment for language to be included in the resolution stating the City's commitment to having community dialogue related to services provided by the Hayward Police Department including but not limited to the seven demands. Council/Board Member Márquez noted there were other options that needed to be explored and the demands were actionable items that were going to take time and stressed the importance for Council to hear individual truths and experiences.

Council Member/Board Zermeño accepted the friendly amendment.

Council/Board Member Lamnin offered a friendly amendment to authorize \$1 million in one-time funds from the General Fund reserve towards Social Services funding for FY 2021 but not allocate it until budget review during the first quarter of the fiscal year in October.

Council/Board Members Zermeño and Márquez accepted the friendly amendment.

Council Member Lamnin noted the Council would review the OPEB payment obligation again in October and January with hopes of being able to make additional payments, noted five demands were in the current budget proposal in some form and there were funds allocated to both state and federal lobbyists who would be working on these issues as well as staff who would be engaged in county and state discussions, and noted other cities had made promises without concrete plans behind them.

Council/Board Member Salinas corrected a statement made by a speaker earlier in the meeting regarding his campaign committee.

Council/Board Member Salinas noted the City has been fiscally responsible in approving balanced budgets, expressed optimism that the Community Advisory Panel would be utilized to have community engagement, noted his commitment to investing in issues both related and nonrelated to the seven demands, and was in full support and commitment to seeing the process through, and agreed about committing \$1 million for community-based services and it would take robust community discussion for allocations.

Council/Board Member Wahab expressed significant concern at not making the full OPEB payment, did not agree with taking \$1 million from reserves as there was a downturn in the economy and a potential second wave pandemic, spoke about her referral which had a plan to look at the job scope of police officers and any services unrelated to crime would be transferred into a social services/social justice department with focus on investing more on mental health, housing, jobs, and crime, expressed her advocacy for more police training, noted community panelists should be made up of community members and not include police officers, did not support militarizing police but acknowledged the needed to have certain equipment, expressed concern about data retention policies and best practices, spoke about rethinking public safety and community needs and services when referring to removing some services from the police department, did not support reducing Hayward services primarily, and noted her priorities included investing in housing, economic development, education, and mental health.

Mayor/Chair Halliday was in favor of authorizing \$1 million for social services funding as this was the way to reduce the need for police services, suggested making additional OPEB contributions as the City receives one-time monies to balance the replenishment of the reserves, noted that mental health services need to be discussed and this was a good starting point and was looking forward to the community engagement, and noted the City needs to partner with Alameda County and inform the needs of the community so that funds for health



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and mental services can be directed to those in need.

It was moved by Council/Board Member Zermeño, seconded by Council/Board Member Márquez, and carried by the following roll call vote, to approve the resolutions with two friendly amendments: 1) include language in appropriate resolution stating the City's commitment to having community dialogue related to services provided by the Hayward Police Department including but not limited to the seven demands; and 2) authorize \$1 million for Social Services funding but do not allocate until budget review during the first quarter of the fiscal year in October.

AYES: COUNCIL/HRSAB/HHAB MEMBERS Lamnin, Márquez,
Mendall, Salinas,
Zermeño
MAYOR/CHAIR Halliday
NOES: COUNCIL/HRSAB/HHAB MEMBER Wahab
ABSENT: None
ABSTAIN: None

Resolution 20-101, "Resolution Approving the Operating Budget of the City of Hayward for Fiscal Year 2021; Adopting Appropriations for Fiscal Year 2021, Except for General Fund Community Agency Funding"

Redevelopment Successor Agency Resolution 20-02, "Resolution of the City Council of the City of Hayward, Acting as the Governing Board of the Successor Agency for the redevelopment Agency of the City of Hayward, Approving the Budget of the Redevelopment Successor Agency of the City of Hayward and Adopting Appropriations for Fiscal Year 2021"

Housing Authority Resolution 20-01, "Resolution Approving and Appropriating the Community Agency Funding Recommendations for Fiscal Year 2021 in the Social Services Funding Category"

Resolution 20-100, "Resolution Approving Capital Improvement Projects for Fiscal Year 2021"

14. Engineer's Report LLD No. 96-1: Adopt a Resolution to Approve the Final Engineer's Report, Reconfirm Maximum Base Assessment Amounts, Confirm the Assessment Diagrams and Fiscal Assessments, Order the Levy and Collection of Fiscal Assessments; and Adopt a Resolution to Approve Funding Recommendations and Appropriate Special Revenue Funds for Consolidated Landscaping and Lighting Assessment District No. 96-1, Zones 1 through 18, for Fiscal Year 2021 **PH 20-049**

Staff report submitted by Maintenance Services Director Rullman, dated June 23, 2020, was filed.

Management Analyst II Blohm provided a synopsis of LLD No. 96-1, Maintenance District No. 1, and Maintenance District No. 2 reports; and addressed questions related to the Consolidated Landscaping and Lighting Assessment District No. 96-1, Zone 3 (LLD 3) percent cap, how it is applied to all districts, inflation factor and calculations for the assessments.

Mayor Halliday opened the public hearing at 10:52 p.m.

Public speakers participated by calling the City Clerk's office at (510) 583-4400.

Mr. Steve Oiwa, Hayward resident, spoke about the notice for LLD Zone 3 for the Prominence area, noted his assessment was over \$900 and could not afford it and inquired who had made such decision. Mr. Oiwa also recommended implementation of a speaking time limit for members of the City Council.

Management Analyst III Blohm responded that in the Prominence area there is a Prominence Landscape Committee and it was requested that the Consumer Price Index (CPI) be applied to the rate and again this year the Committee requested that the 3 percent be applied to the assessment rate. Ms. Blohm encouraged Mr. Oiwa to work with the Prominence Landscape Committee to understand what landscaping is performed in the Prominence area. Mr. Oiwa was also advised to contact his homeowner's association (HOA).

Mayor Halliday closed the public hearing at 10:58 p.m.

Council Member Mendall disclosed he resides in Zone 7; however, he did not need to recuse himself from voting on the item. Council Member Mendall noted that Council Members should limit themselves to ten minutes and be self-monitored. Council Member Mendall noted while it is Council's decision to increase the assessments, for the most part, the increases are driven by requests from the communities living in the LLDs for landscaping work done.

Council Member Mendall offered a motion per staff's recommendation.

Council Member Márquez seconded the motion.



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Council Member Lamnin commented that when Council addresses the referral process, the Council's allotted speaking time can also be added to the agenda for discussion.

Council Member Lamnin supported the motion and added that when new LLDs are added, that Council consider how reserve amounts are maintained as she was concerned about large increases when districts are coming online with the City. City Manager McAdoo said there could be an option to phase in assessment fees over the first couple of years and that staff would have to look into it.

Mayor Halliday was concerned about the amount of the assessment on top of the property tax and that it is often when a community is being developed and that is when there is the initial need for services and it helps these areas look better.

It was moved by Council Member Mendall, seconded by Council Member Márquez, and carried by the following roll call vote, to approve the resolutions:

AYES: COUNCIL MEMBERS Lamnin, Márquez, Mendall, Salinas,
Wahab, Zermeño
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 20-103, "Resolution Approving the Final Engineer's Report, Reconfirming Maximum Base Assessments, Confirming the Assessment Diagrams and Fiscal Assessments, and Ordering Levy and Collection of Fiscal Assessments for Fiscal Year 2021 for the Landscaping and Lighting Assessment District No. 96-1, Zones 1-18"

Resolution 20-104, "Resolution Approving Funding Recommendations and Appropriating Special Revenue Funds for Consolidated Landscaping and Lighting Assessment District No. 96-1, Zones 1 through 18 for Fiscal Year 2021"

15. Engineer's Report MD No. 1: Adopt a Resolution to Approve the Final Engineer's Report, Confirm the Maximum Base Assessment Rate, Confirm the Fiscal Assessment Rate, Confirm the Assessment Diagram, Order the Levy and Collection of Fiscal Assessment; and Adopt a Resolution to Approve Funding Recommendations and Appropriate Revenue and Expenditure Budgets for Maintenance District No. 1 (MD-1) – Storm Drainage Pumping Station and Storm Drain Conduit – Pacheco Way, Stratford Road and Ruus Lane, for Fiscal Year 2021 **PH 20-050**

Staff report submitted by Maintenance Services Director Rullman, dated June 23, 2020, was filed.

Management Analyst II Blohm provided a synopsis of LLD No. 96-1, Maintenance District No. 1, and Maintenance District No. 2 reports.

The public hearing for this item was held concurrent with item 14.

It was moved by Council Member Mendall, seconded by Council Member Márquez, and carried by the following roll call vote, to approve the resolutions:

| | |
|----------|--|
| AYES: | COUNCIL MEMBERS Lamnin, Márquez, Mendall, Salinas, Wahab, Zermeño MAYOR Halliday |
| NOES: | None |
| ABSENT: | None |
| ABSTAIN: | None |

Resolution 20-105, “Resolution Approving the Final Engineer’s Report, confirming Maximum Base Assessment amount, Confirming the Fiscal Assessment Rate, Confirming the Assessment Diagram, and Ordering the Levy and Collection of the Fiscal Assessment for Fiscal Year 2021 for Maintenance District No. 1: Storm Drainage Pumping Station and Storm Drain - Pacheco Way, Stratford Road, and Ruus Lane”

Resolution 20-106, “Resolution Approving Funding Recommendations and Appropriating the Special Revenue Funds for Maintenance District No.1 for Fiscal Year 2021”

16. Engineer’s Report MD No. 2: Adopt a Resolution to Approve the Final Engineer's Report, Confirm the Maximum Base Assessment Rate, Confirm the Fiscal Assessment Rate, Confirm the Assessment Diagram, Order the Levy and Collection of Fiscal Assessment; and Adopt a Resolution to Approve Funding Recommendations and Appropriate Revenue and Expenditure Budgets for Maintenance District No. 2 - Eden Shores Storm Water Buffer and Facilities, for Fiscal Year 2021 **PH 20-051**

Staff report submitted by Maintenance Services Director Rullman, dated June 23, 2020, was filed.

Management Analyst II Blohm provided a synopsis of LLD No. 96-1, Maintenance District No. 1, and Maintenance District No. 2 reports.

The public hearing for this item was held concurrent with item 14.



SPECIAL JOINT MEETING OF THE HAYWARD CITY COUNCIL/HAYWARD REDEVELOPMENT SUCCESSOR AGENCY BOARD/HAYWARD HOUSING AUTHORITY BOARD

It was moved by Council Member Mendall, seconded by Council Member Márquez, and carried by the following roll call vote, to approve the resolutions:

AYES: COUNCIL MEMBERS Lamnin, Márquez, Mendall, Salinas,
Wahab, Zermeño
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 20-107, “Resolution Approving the Final Engineer’s Report, Confirming Maximum Base Assessment Amount, Confirming the Fiscal Assessment Rate, Confirming the Assessment Diagram, and Ordering the Levy and Collection of the Fiscal Assessment for Fiscal Year 2021 for Maintenance District No. 2: Eden Shores Water Buffer Zone and Pre-Treatment Pond”

Resolution 20-108, “Resolution Approving Funding Recommendations and Appropriating the Special Revenue Funds for Maintenance District No. 2 for Fiscal Year 2021”

LEGISLATIVE BUSINESS

17. Hayward Municipal Code: Adopt an Ordinance Amending Chapter 10, Article 1 (Zoning Ordinance) of the Hayward Municipal Code Rezoning Certain Property to General Commercial in Connection with Zone Change Application No. 202000605 to Accommodate the Future Development of Parcel Group 9 **LB 20-031**

Staff report submitted by City Clerk Lens, dated June 23, 2020, was filed.

City Clerk Lens announced the staff report appeared under Legislative Business because the introduction of the ordinance did not warrant unanimous vote.

Mayor Halliday opened the public hearing at 11:07 p.m.

Public speakers participated by calling the City Clerk’s office at (510) 583-4400.

Ms. Daylen Perkins, Hayward resident, registered her opposition for consideration of a hotel for Parcel Group 9 and favored something for children and urged the Council to vote against the item.

Dr. Ann Maris, Hayward resident, noted the community did not have an opportunity to weigh in on the item as there was a meeting with multiple sites on the agenda, expressed the need to have further community outreach, and urged Council to vote against changing the zoning designation.

Ms. Brandi Gomes, lives on Norway, said this was a bad planning idea.

Mayor Halliday closed the public hearing at 11:11 p.m.

Council Member Mendall clarified that Council was not making any decision on what development would be built on the site and noted the rezoning would create flexibility. Council Member Mendall offered a motion per staff's recommendation.

Mayor Halliday seconded the motion and echoed Council Member Mendall's comments, noted that, as done with other Caltrans properties, the City would be putting out a Request for Proposals (RFP), and favored holding a community meeting specific for Parcel Group 9.

Council Member Salinas commented that he had listened to community comments opposing a hotel and that he was aware of the hotels along Foothill Boulevard. Council Member Salinas noted he would not vote for another hotel that would attract the same element to existing hotels and the project for the site would need to include community benefit.

It was moved by Council Member Mendall, seconded by Mayor Halliday, and carried by the following roll call vote, to approve the ordinance:

| | |
|----------|--|
| AYES: | COUNCIL MEMBERS Lamnin, Márquez, Mendall, Salinas, MAYOR Halliday |
| NOES: | COUNCIL MEMBERS Wahab, Zermeño |
| ABSENT: | None |
| ABSTAIN: | None |

Ordinance 20-10, "An Ordinance Amending Chapter 10, Article 1 (Zoning Ordinance) of the Hayward Municipal Code Rezoning Certain Property to General Commercial in Connection with Zone Change Application No. 202000605 to Accommodate the Future Development of Parcel Group 9"

18. Hayward City Charter Amendment: Consider Proposed City Charter Amendment to Eliminate Qualified Elector/Citizenship Requirement for Service on Boards, Commissions, Committees, Task Forces, and Advisory Bodies **LB 20-033**

Staff report submitted by City Manager McAdoo, City Attorney Lawson, and City Clerk Lens, dated June 23, 2020, was filed.

Mayor Halliday provided background for the staff report.



SPECIAL JOINT MEETING OF THE HAYWARD CITY COUNCIL/HAYWARD REDEVELOPMENT SUCCESSOR AGENCY BOARD/HAYWARD HOUSING AUTHORITY BOARD

Discussion ensued among members of the City Council and City staff about the following: flexibility extending the City Commissions and Keep Hayward Clean and Green Task Force (KHCGTF) recruitment/appointment process; public notification; the use of the word “citizen” in City communications to try to be more inclusive by using alternative words such as “resident” or “community member”; Charter amendment process; background information for bringing the proposal before Council; the cost of placing the Charter amendment on the November ballot and data comparable to the Presidential Election in 2016.

Council Member Mendall noted that if the item were to return to Council for a decision to place the item on the 2020 November ballot, he expected staff to have clear answers related to the cost of adding the Charter amendment to the November ballot.

There being no public comments, Mayor Halliday opened and closed the public hearing at 11:40 p.m.

Council Member Márquez offered a motion to move the item per staff’s recommendation.

Council Member Salinas seconded the motion.

Council Member Zermeño was glad the three Council’s appointees had taken the initiative to bring forward such an important topic for the City to be inclusive and added he had heard from a former DACA student who is a longtime Hayward resident, for being turned down as an applicant for a City commission because she was found ineligible due to her voter status.

Council Member Lamnin thanked the three Council’s appointees for taking the initiative and to Council Member Márquez who had been talking about the issue for a number of years, was not concerned with the additional cost to a scheduled election, was concerned about delaying the City Commissions and KHCGTF annual recruitment/appointment process, noted the guidelines for Commissions would also need to be reviewed as stated in the staff report, noted the word “citizen” was used four times in the Charter and would defer to staff if that could be an additional grammatical change.

Council Member Mendall thanked Council Member Márquez for championing the item for a number of years, agreed with Council Member Lamnin in not delaying the City Commissions and KHCGTF annual recruitment/appointment process on the presumption that the Charter amendment would pass noting that if the Charter amendment passes in November there would be time to implement the change for next year’s recruitment and also change the community outreach.

Council Member Wahab noted that while she understood the spirit of the item and was generally happy to have the voters decide, she was concerned with staff’s capacity when there

were priority matters related to housing, economic development, and public safety, wanted clear cost estimates, and wanted further community input.

It was moved by Council Member Márquez, seconded by Council Member Salinas, and carried by the following roll call vote, to approve the staff recommendation:

AYES: COUNCIL MEMBERS Lamnin, Márquez, Mendall, Salinas,
Wahab, Zermeño
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

19. Adopt a Resolution Approving an Amendment to the City of Hayward Salary Plan for Fiscal Year 2021 **LB 20-029**

Staff report submitted by Assistant City Manager/Interim Human Resources Director Hurtado, dated June 23, 2020, was filed.

Assistant City Manager Hurtado provided a synopsis of the report.

There being no public comments, Mayor Halliday opened and closed the public hearing at 11:54 p.m.

Members of the City Council expressed appreciation for members of various labor groups, and City staff for their participation and partnership during a difficult time.

It was moved by Council Member Salinas, seconded by Council Member Wahab, and carried by the following roll call vote, to approve the resolution:

AYES: COUNCIL MEMBERS Lamnin, Márquez, Mendall, Salinas,
Wahab, Zermeño
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 20-109, “Resolution Approving the Amended Fiscal Year 2021 Salary Plan Designating Positions of Employment in the City of Hayward and Salary Range; and Superseding Resolution No. 20--and all Amendments Thereto”



**SPECIAL JOINT MEETING OF THE HAYWARD CITY COUNCIL/HAYWARD
REDEVELOPMENT SUCCESSOR AGENCY BOARD/HAYWARD HOUSING
AUTHORITY BOARD**

CITY MANAGER'S COMMENTS

There were none.

COUNCIL REPORTS AND ANNOUNCEMENTS

Council Member Salinas reminded everyone that fireworks were not permitted in the City of Hayward, noted there are people with medical and mental conditions and folks need to be mindful of their neighbors.

Mayor Halliday echoed Council Member Salinas' comments as the last couple of weeks there have been loud, bomb-like noises from fireworks. Mayor Halliday noted it was time to exercise kindness and asked residents to keep that in mind as the Fourth of July holiday approaches.

ADJOURNMENT

Mayor Halliday adjourned the meeting on June 24, 2020 at 12:03 a.m.

APPROVED

Barbara Halliday
Mayor, City of Hayward

ATTEST:

Miriam Lens
City Clerk, City of Hayward