



**MINUTES OF THE SPECIAL JOINT CITY COUNCIL/HAYWARD
REDEVELOPMENT SUCCESSOR AGENCY MEETING OF THE CITY OF HAYWARD
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, October 25, 2016, 7:00 p.m.**

The Special Joint City Council/Hayward Redevelopment Successor Agency meeting was called to order by Mayor Pro Tempore/Chair Lamnin at 7:00 p.m., followed by the Pledge of Allegiance led by Council/HRSA Member Zermeño.

ROLL CALL

Present: COUNCIL/HRSA MEMBERS Zermeño, Márquez, Mendall, Peixoto, Salinas
MAYOR PRO TEMPORE/ACTING CHAIR Lamnin
Absent: MAYOR/CHAIR Halliday

COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS

Council Member Márquez relayed to Council information about the Caltrans Sustainable Communities Planning Grant for the Tennyson overpass at I-880. There was Council's consensus to ask staff to evaluate if staff could collaborate with Bike East Bay to apply for the grant.

Council Member Mendall requested a joint meeting of the City and Hayward Area Recreation and Park District regarding in-lieu fees for new parks. There was Council's consensus to direct staff to bring the item to a future Council meeting.

CLOSED SESSION ANNOUNCEMENT

City Attorney Lawson announced the Council convened in closed session with legal counsel pursuant to Government Code 54956.9 concerning Russell City Energy Company v. City of Hayward, California Court of Appeal Case No. A144749, and noted that Council took no reportable action.

PUBLIC COMMENTS

Mr. Peter Leroe-Munos, Vice Mayor of the City of Gilroy, spoke on behalf of the Silicon Valley Leadership Group Foundation about the 2016 Turkey Trot on November 24, 2016 in downtown San Jose.

Consent Item No. 2 was removed for discussion and public comment.

CONSENT

1. Minutes of the Special City Council Meeting on October 13, 2016 **MIN 16-094**
It was moved by Council Member Márquez, seconded by Council Member Mendall, and carried unanimously with Mayor Halliday absent, to approve the minutes of the Special City Council Meeting on October 13, 2016.

2. Approval of the City's Participation in the Alameda County Waste Management Authority's Reusable Bag Ordinance Expansion **CONS 16-636**

Staff report submitted by Utilities and Environmental Services Director Ameri, dated October 25, 2016, was filed.

Council Member Márquez asked staff to collaborate with the Hayward Chamber of Commerce in informing restaurants and retailers about the City's participation in the Alameda County Waste Management Authority's reusable bag ordinance expansion.

Ms. Jessica Lynam, California Restaurants Association representative, expressed that Hayward members were in opposition of the Alameda County Waste Management ordinance, and added they had not been consulted about the proposal. Ms. Lynam urged the Council to oppose the staff's recommendation.

Council Member Mendall, serving also as the City's representative on the Alameda County Waste Management Authority, offered a motion per staff's recommendation noting the proposed regulation would result in litter reduction.

Mayor Pro Tempore Lamnin recommended that Council Member Mendall reach out to the California Restaurants Association before October 26, 2016, to understand the Association's concerns and address them.

It was moved by Council Member Mendall, seconded by Council Member Zermeño, and carried unanimously with Mayor Halliday absent, to adopt the following:

Resolution 16-194, "Resolution Approving Participation of the City of Hayward in Alameda County Waste Management Authority Ordinance No. 2012-2 as Amended by Ordinance No. 2016-2 to Expand Regulation of Single-Use Carryout Bags and Promote the Use of Reusable Bags"

3. Approval of a Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with the Hayward Area Recreation and Park District and the Hayward Unified School District for Various Programs in an amount not to exceed \$221,594 **CONS 16-651**

Staff report submitted by City Manager McAdoo, dated October 25, 2016, was filed.

It was moved by Council Member Márquez, seconded by Council Member Mendall, and carried unanimously with Mayor Halliday absent, to adopt the following:



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Resolution 16-191, "Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with the Hayward Area Recreation and Park District and the Hayward Unified School District for Various Programs in an Amount Not to Exceed \$221,594"

4. Resolution Accepting the Resignation of Mr. Sid Hamadeh from the Downtown Hayward Business Improvement Area Advisory Board **CONS 16-667**

Staff report submitted by City Clerk Lens, dated October 25, 2016, was filed.

It was moved by Council Member Márquez, seconded by Council Member Mendall, and carried unanimously with Mayor Halliday absent, to adopt the following:

Resolution 16-192, "Resolution Accepting the Resignation of Sid Hamadeh from the Downtown Hayward Business Improvement Area Advisory Board"

5. Amendment to Professional Services Agreement with RossDrulisCusenbery for Police Administration Building Needs Assessment Study **CONS 16-668**

Staff report submitted by Public Works Director Fakhrai, dated October 25, 2016, was filed.

It was moved by Council Member Márquez, seconded by Council Member Mendall, and carried unanimously with Mayor Halliday absent, to adopt the following:

Resolution 16-193, "Resolution Authorizing the City Manager to Execute an Amendment to the Agreement with RossDrulisCusenbery Architecture for Additional Services Associated with the Police Administration Building Needs Assessment Study"

WORK SESSION

6. Report Regarding Updates to the Patient Protection and Affordable Care Act and Impacts to the City of Hayward (Report from Human Resources Director Collins) **WS 16-062**

Staff report submitted by Human Resources Director Collins, dated October 25, 2016, was filed.

Human Resources Director Collins announced the report and introduced Senior Human Resources Analyst Lopez who provided a synopsis of the report.

Discussion ensued among Council Members and City staff regarding: health plans provided by California Public Employees Retirement System (CalPERS); efforts by the League of California Cities to provide alternatives to CalPERS; and the Cadillac tax.

PUBLIC HEARING

7. Adoption of City of Hayward User Fee Study (Report will be available no later than Monday, October 24, 2016) (Report from Acting Director of Finance Claussen) **PH 16-105**

Staff report submitted by Acting Director of Finance Claussen, dated October 25, 2016, was filed.

Acting Director of Finance Claussen provided a synopsis of the staff report and noted that Exhibit A of the proposed resolution (User Fees) would be amended by adding the Planning and Landscape Inspection Fee and the Plot Plan Review Fee.

There being no public comments, Mayor Pro Tempore Lamnin opened and closed the public hearing at 7:46 p.m.

Council members expressed appreciation for the responsiveness to the questions raised during the work session.

Mayor Pro Tempore Lamnin recommended that the reference to hotels be amended to indicate as “per parcel” as opposed to “per unit” fee.

It was moved by Council Member Zermeno, seconded by Council Member Mendall, and carried unanimously with Mayor Halliday absent, to adopt the following:

Resolution 16-195, “Resolution Approving the Comprehensive User Fee Study as Prepared by Willdan Financial Services and Adopting the User Fees as Proposed by the Study for All Departments”

LEGISLATIVE BUSINESS

8. Request for the Council to Interview, Select, and Appoint Four (4) Members to the Personnel Commission and Provide Feedback on the Proposed Revisions to the Scope of the Personnel Commission (Report from Human Resources Director Collins) **LB 16-103**

Staff report submitted by Human Resources Director Collins, dated October 25, 2016, was filed.



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City Manager McAdoo announced the report and introduced Human Resources Director Collins who provided a synopsis of the report.

Discussion ensued among Council members and City staff. The Council was in general agreement of staff's recommendation and provided the following feedback: the Personnel Commission would benefit by expanding the scope of its duties and updating the Mission statement; make sure that recruitment materials highlight that new members will have the opportunity to update the scope of duties and the Mission statement; include in the scope of the Commission local hiring; the Personnel Commission should be academically diverse; as the Commission's Mission is developed, make diversity the foundation of the Commission; design the Personnel Commission meeting agendas to include presentations from outside speakers to enhance the knowledge of the Commission; and utilize community resources to build a conduit as it was done with the job fair with community experts reviewing resumes which was organized in the past.

It was noted that Council Member Peixoto serves as the Council liaison to the Personnel Commission. It was further noted that the Council liaison, City Manager, Human Resources Director, and Personnel Commission would craft recommendations for the new scope and Mission statement and will present them to the City Council for its review.

Mayor Pro Tempore Lamnin opened the public hearing at 8:06 p.m.

Ms. V. Toni Adams, Personnel Commission member, expressed the talents of the Personnel Commissioners could be utilized more effectively, and recommended that the City provide skill training for its residents.

Mayor Pro Tempore Lamnin closed the public hearing at 8:09 p.m.

Council Member Márquez offered a motion directing staff to proceed with the Personnel Commission recruitment and to be clear in the recruitment process that the new members will have an opportunity to help revise the scope and Mission statement of the Personnel Commission.

Council Member Mendall seconded the motion.

Mayor Pro Tempore Lamnin recommended that the goals of the Personnel Commission be consistent with the City's and City Council's goals.

It was moved by Council Member Márquez seconded by Council Member Mendall, and carried unanimously with Mayor Halliday absent, to provide direction to staff to proceed with the recruitment process and to be clear in the recruitment process that the new members will

have an opportunity to help revise the scope and Mission statement of the Personnel Commission.

9. Approval of the Preliminary and Final Official Statements for the Redevelopment Successor Agency of the City of Hayward 2016 Tax Allocation Refunding Bonds (Refunding the Outstanding 2004 and 2006 Tax Allocation Bonds), a Bond Purchase Agreement with the Underwriters and Confirming the Issuance of the Bonds (Report from Acting Finance Director Claussen) **LB 16-104**

Staff report submitted by Acting Finance Director Claussen,
dated October 25, 2016, was filed.

Acting Finance Director Claussen provided a synopsis of the report.

Discussion ensued among Council members and City staff regarding the refinance option as determined by the City's municipal financial advisor.

There being no public comments, Acting Chair Lamnin closed the public hearing at 8:20 p.m.

It was moved by Council/HRSA Member Mendall, seconded by Council/HRSA Member Zermeño, and carried with Mayor/Chair Halliday absent, to adopt the following:

Redevelopment Successor Agency Resolution 16-04, "Resolution of the City Council of the City of Hayward, Acting as the Governing Board of the Redevelopment Successor Agency of the City of Hayward, A Separate Legal Entity, Confirming the Issuance of Refunding Bonds, Approving Preliminary and Final Official Statements and Providing for Other Matters Properly Relating Thereto"

CITY MANAGER'S COMMENTS

City Manager McAdoo announced she was in Japan celebrating the 30th anniversary of the Hayward-Funabashi Sister City relationship, and spoke about the delegation's visit to the factory where earthquake-resistant ductile iron pipe is manufactured and used by the City.

COUNCIL REPORTS, REFERRALS AND FUTURE AGENDA ITEMS

Council Member Salinas acknowledged the organizers of the Rubik's Rumble 2016 event on October 22, 2016.

Mayor Pro Tempore Lamnin announced the Council would be holding a special meeting/Council retreat on November 5, 2016 at City Hall, and would reconvene on November 15, 2016 for its regular meeting.



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ADJOURNMENT

Mayor Pro Tempore/Acting Chair Lamnin adjourned the meeting of the Joint City Council/Hayward Redevelopment Successor Agency at 8:25 p.m., and reconvened into the meeting of the Hayward Geologic Hazard Abatement District.

APPROVED:

Sara Lamnin
Mayor Pro Tempore, City of Hayward
Acting Chair, Hayward Redevelopment Successor Agency Board

ATTEST:

Miriam Lens
City Clerk, City of Hayward
Secretary, Hayward Redevelopment Successor Agency Board