



**MINUTES OF THE SPECIAL JOINT CITY COUNCIL/HAYWARD HOUSING
AUTHORITY MEETING OF THE CITY OF HAYWARD**
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, June 27, 2017, 7:00 p.m.

The City Council meeting was called to order by Mayor Halliday at 7:00 p.m., followed by the Pledge of Allegiance led by Council Member Lamnin.

ROLL CALL

Present: COUNCIL MEMBERS Zermeño, Márquez, Mendall, Peixoto, Lamnin, Salinas
MAYOR Halliday
Absent: None

CLOSED SESSION ANNOUNCEMENT

City Attorney Lawson announced the Council convened in closed session pursuant to Government Code 54957 regarding performance evaluation for City Manager, and the Council took no reportable action.

PUBLIC COMMENTS

Mayor Halliday presented Development Services Director Rizk with a commendation upon his upcoming retirement from the City of Hayward.

Mr. Jim Drake, Hayward resident, spoke about the pine trees at the corner of Santa Clara and Jackson streets that were removed and are planned to be replaced.

Ms. Kate Turney, provided a document for the record, and spoke about the Federal Aviation Administration (FAA) comments related to subsidizing general aviation rents.

Mr. Sean Pan, Business Development Associate at Squadz, spoke about a platform that helps streamline public facility rentals, increase participation, maximize utilization, and generate additional revenue.

Mr. Jerry Turney, Hayward airport tenant, provided a document for the record, and spoke about the FAA's opinion related to nonaeronautical revenue.

Mr. Bud Eckert, Hayward resident, spoke about the action taken by the City Council related to the sanctuary city designation on June 6, 2017.

Council Member Zermeño invited all to the Tennyson All America Festival on July 1, 2017 at the Mt. Eden Mansion to celebrate the 241st birthday of the country which was organized by the Tennyson Community Committee.

BOARDS AND COMMISSIONS

1. Appointment to the Hayward Youth Commission of Eight Voting Members, Eight Alternate Members, and Reappointment of Three Continuing Members (Report from City Clerk) **APPT 17-002**

Staff report submitted by City Clerk Lens, dated June 27, 2017, was filed.

City Clerk Lens provided a synopsis of the staff report.

It was moved by Council Member Zermeño, seconded by Council Member Salinas, and carried unanimously, to adopt the following:

Resolution 17-093, "Resolution Confirming the Appointment and Reappointment of Members of the Hayward Youth Commission"

City Clerk Lens administered the oath of allegiance and swore in the newly appointed and reappointed members of the Hayward Youth Commission.

PUBLIC HEARING

2. Public TEFRA Hearing as Required by the Internal Revenue Code of 1986, and Adoption of Resolutions Authorizing: a) the Re-Issuance of a Tax-Exempt Multifamily Note, b) an Amendment to the Construction and Permanent Loan Agreement; and, c) Related Actions in Connection with the Hayward Four Affordable Apartments (Report from Director of Library and Community Services Reinhart) **PH 17-066**

Staff report submitted by Library and Community Services Director Reinhart, dated June 27, 2017, was filed.

Library and Community Services Director Reinhart announced the report and introduced Housing Development Specialist Cortez who provided a synopsis of the report.

Mayor Halliday opened the public hearing at 7:39 p.m.

Mr. Kevin Leichner with Eden Housing thanked the City for the partnership related to the four affordable apartments project.

Discussion ensued among Council Members and Mr. Kevin Leichner related to: the additional overhead of \$650,000 on voluntary permanent relocation; Eden's process moving forward to ensure the Area Median Income (AMI) standard is met in order to receive tax credits; the additional borrowing supported by the project; the number of families who were relocated and were able to put a down payment on homes; Harris Court apartments; other affordable housing projects; and a periodic audit of all affordable housing properties.



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Council Members Lamnin and Márquez disclosed having individually met with Mr. Kevin Leichner and Eden Housing representatives.

Mayor Halliday closed the public hearing at 7:58 p.m.

Council Member Zermeño offered a motion per staff recommendation and Council Member Mendall seconded the motion.

Council Member Lamnin supported the motion and emphasized Council Member Mendall's comment about the need to have periodic audits to ensure that people in need benefit from public funds.

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

Resolution 17-094, "Resolution of the City Council of the City of Hayward Approving the Reissuance of Qualified Residential Rental Project Bonds in Accordance with Section 147(f) of the Internal Revenue Code Approving an Amendment to a Construction and Permanent Loan Agreement (Multifamily Housing Back to Back Loan Program) (Hayward Four Apartments), and Authorizing and Approving Related Actions"

Resolution 17-095, "Resolution Authorizing an Amendment to the Hayward Four Loan Agreement to Clarify Approved Financing for the Project"

Hayward Housing Resolution 17-02, "Resolution Authorizing an Amendment to the Hayward Four Loan Agreement to Clarify Approved Financing for the Project"

3. Adopt Resolutions to Approve the Engineer's Report, Reconfirm the Assessment Diagrams and Assessments, and Order the Levy and Collection of Assessments, Approve Funding Recommendations, and Appropriate Special Revenue Funds for Fiscal Year 2018 for Consolidated Landscaping and Lighting District No. 96-1, Zones 1 through 16 (Report from Maintenance Services Director Rullman) **PH 17-033**

Staff report submitted by Maintenance Services Director Rullman, dated June 27, 2017, was filed.

Maintenance Services Director Rullman announced that staff would be presenting information on the Consolidated Landscaping and Lighting District No. 96-1, Zones 1 through 16, Maintenance District No. 1, and Maintenance District No. 2. Mr. Rullman introduced Management Analyst II Blohm who provided a synopsis of the three staff reports.

Discussion ensued among Council Members and City staff regarding the new public notification, survey conducted, and public engagement; the engineer's reports; and new landscaping and lighting districts.

There being no public comments, Mayor Halliday opened and closed the public hearing at 8:07 p.m.

Council Member Peixoto offered a motion per staff recommendation and Council Member Márquez seconded the motion.

In response to Council Member Lamnin's question about an error in the funding recommendation for Landscaping and Lighting District (LLD) Zone 13, Management Analyst II Blohm noted that the recommendation for LLD Zone 13, related to the one-time work to address the dead, dying and diseased trees, would be amended from \$50,000 to \$10,000.

Council Member Mendall disclosed he lives in LLD Zone 7 and he did not need to recuse from voting on the item because there was no conflict of interest as the item applied to everyone in the neighborhood.

It was moved by Council Member Peixoto, seconded by Council Member Márquez, and carried unanimously, with an amendment to Resolution No. 17-097 and other related items by changing the funding recommendation for 281 LLD Zone 13 from \$208,882 to \$168,882 and adopt the following:

Resolution 17-096, "Resolution Approving the Engineer's Report, Reconfirming Base Maximum Assessments, Confirming the Assessment Diagrams and Fiscal Assessments, and Ordering Levy and Collection of Fiscal Assessments for Fiscal Year 2018 for the Consolidated Landscaping and Lighting District No. 96-1, Zones 1-16"

Resolution 17-097, "Resolution Approving Funding Recommendations and Appropriating Special Revenue Funds for Consolidated Landscaping and Lighting District No. 96-1, Zone 1 Through 16 for Fiscal Year 2018"



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4. Adopt Resolutions to Approve the Engineer's Report, Reconfirm Base Maximum Assessment Amount, Confirm the Assessment Diagram and Fiscal Assessment, Order the Levy and Collection of Fiscal Assessments, and Approve Funding Recommendations and Appropriate Special Revenue Funds for Maintenance District No. 1 - Storm Drainage Pumping Station and Storm Drain Conduit - Pacheco Way, Stratford Road and Ruus Lane - for Fiscal Year 2018 (Report from Maintenance Services Director Rullman) **PH 17-034**

Staff report submitted by Maintenance Services Director Rullman, dated June 27, 2017, was filed.

There being no public comments, Mayor Halliday opened and closed the public hearing at 8:13 p.m.

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

Resolution 17-098, "Resolution Approving the Engineer's Report, Reconfirming Base Maximum Assessments Amount, Confirming the Assessment Diagrams and Fiscal Assessments, and Ordering Levy and Collection of Fiscal Assessments for Fiscal Year 2018 for Maintenance District No. 1: Storm Drainage Pumping Station and Storm Drain – Pacheco Way, Stratford Road, and Ruus Lane"

Resolution 17-099, "Resolution Approving Funding Recommendations and Appropriating Special Revenue Funds for Maintenance District No. 1 for Fiscal Year 2018"

5. Adopt Resolutions to Approve the Engineer's Report, Reconfirm the Assessment Diagrams and Assessments, Order the Levy and Collection of Assessments, Approve Funding Recommendations, and Appropriate Special Revenue Funds for Fiscal Year 2018 for Maintenance District No. 2 - Eden Shores Storm Water Facilities and Water Buffer (Report from Maintenance Services Director Rullman) **PH 17-035**

Staff report submitted by Maintenance Services Director Rullman, dated June 27, 2017, was filed.

There being no public comments, Mayor Halliday opened and closed the public hearing at 8:16 p.m.

It was moved by Council Member Mendall, seconded by Council Member Peixoto, and carried unanimously, to adopt the following:

Resolution 17-100, “Resolution Approving the Engineer’s Report, Confirming the Assessment Diagram and Fiscal Assessment, and Ordering Levy and Collection of Assessments for Fiscal Year 2018 for Maintenance District No. 2, Eden Shores Water Buffer Zone and Pre-Treatment Pond”

Resolution 17-101, “Resolution Approving Funding Recommendations and Appropriating the Special Revenue Funds for Maintenance District No. 2 for Fiscal Year 2018”

6. Adoption of a Resolution and Introduction of an Ordinance Related to a Proposed Airport Overlay Zone Ordinance and Determination that Adoption of Such Ordinance is Exempt from the California Environmental Quality Act (Report from Development Services Director Rizk) **PH 17-063**

Staff report submitted by Development Services Director Rizk, dated June 27, 2017, was filed.

Development Services Director Rizk provided a synopsis of the report.

Discussion ensued among Council Members and City staff regarding: continued open dialogue related to the airport with the new general manager at Southland Mall; the community representative to the Oakland Noise Forum; and solar panels at Southland Mall.

Mayor Halliday opened the public hearing at 8:34 p.m.

Mr. Edward Bogue, president of the Homeowners Association at Southgate, expressed the Southgate neighborhood wants to remain whole and not harmed by the proposed Airport Overlay Zone (AOZ) regulations.

Mayor Halliday closed the public hearing at 8:37 p.m.

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

Resolution 17-102, “Resolution Association with Adoption of a New Airport Overlay Zone Ordinance by Authorizing Amendments to the Hayward Municipal Code”

Introduction of Ordinance 17-_, “An Ordinance Amending the Hayward Municipal Code to Establish a New Airport Overlay Zone Ordinance”



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LEGISLATIVE BUSINESS

7. Adoption of a Resolution Approving an Amendment to the City of Hayward Salary Plan for Fiscal Year 2018 (Report from Director of Human Resources Collins) **LB 17-026**

Staff report submitted Human Resources Director Collins dated June 27, 2017, was filed.

Human Resources Director Collins provided a synopsis of the report.

There being no public comments, Mayor Halliday opened and closed the public hearing at 8:43 p.m.

It was moved by Council Member Márquez, seconded by Council Member Lamnin, and carried unanimously, to adopt the following:

Resolution 17-103, "Resolution Approving the Amended Fiscal Year 2018 Salary Plan Designating Positions of Employment in the City Government of the City of Hayward and Salary Range: and Superseding Resolution No. 17-073 and All Amendments Thereto"

8. Adoption of a Resolution Approving the Amendment of the Salary and Benefits Resolution for the Unrepresented Executives, Management Employees, and Employees of the Offices of the City Manager, Human Resources, and City Attorney (Report from City Manager McAdoo) **LB 17-027**

Staff report submitted City Manager McAdoo, dated June 27, 2017, was filed.

City Manager McAdoo provided a synopsis of the report.

Discussion ensued regarding the monthly personal equipment stipend and one-time personal equipment purchase stipend.

There being no public comments, Mayor Halliday opened and closed the public hearing at 8:50 p.m.

It was moved by Council Member Mendall, seconded by Council Member Salinas, and carried unanimously, to adopt the following:

Resolution 17-104, "Resolution Approving the Amendment of the Salary and Benefits Resolution of the Unrepresented Executives, Management Employees and Employees of the Offices of the City Manager, Human Resources, and City Attorney"

9. Election of Mayor Pro Tempore for Fiscal Year 2018 (Report from City Clerk Lens) **LB 17-029**

Staff report submitted City Clerk Lens, dated June 27, 2017, was filed.

City Clerk Lens provided a synopsis of the report.

Council Member Lamnin offered a motion to nominate Council Member Márquez to be the Mayor Pro Tempore for Fiscal Year 2018 and Council Member Mendall seconded the motion.

Council Member Lamnin expressed she was delighted to have served in the capacity of Mayor Pro Tempore during Fiscal Year 2017.

Mayor Halliday and Council Member Márquez thanked Council Member Lamnin for her service and acknowledged her leadership in committee assignments for the League of California Cities.

There being no public comments, Mayor Halliday opened and closed the public hearing at 8:53 p.m.

It was moved by Council Member Lamnin, seconded by Council Member Mendall, and carried unanimously, to adopt the following:

Resolution 17-105, "Resolution Authoring the Election of Mayor Pro Tempore of the City of Hayward for 2017-2018"

CITY MANAGER'S COMMENTS

City Manager McAdoo reminded residents that all types of fireworks are illegal in the City of Hayward.

COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS

Council Member Márquez announced the Tennyson All America Festival, a free event, on July 1, 2017, at the Mt. Eden Mansion to celebrate the 241st birthday of the country.

Council Member Salinas announced two summer programs: the "Words for Lunch" at Weekes Park on Tuesdays and Thursdays, except July 4th; and "Let's Do Lunch Hayward ... and breakfast too" at different sites throughout the City of Hayward.



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Council Member Zermeño commended the police officers who helped a widow clean her house, and asked that the gratitude be relayed to the officers.

Mayor Halliday reminded all that the July 4, 2017 Council meeting was canceled due to the upcoming holiday and the next special meeting would be on July 11, 2017.

ADJOURNMENT

Mayor Halliday adjourned the meeting at 9:01 p.m.

APPROVED:

Barbara Halliday
Mayor, City of Hayward
Chair, Hayward Housing Authority

ATTEST:

Miriam Lens
City Clerk, City of Hayward
Secretary, Hayward Housing Authority