



CITY OF HAYWARD

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

Action Minutes City Council

Tuesday, June 21, 2022

7:00 PM

**Council Chamber and
Virtual Platform (Zoom)**

CITY COUNCIL MEETING

CALL TO ORDER: Mayor Halliday

Pledge of Allegiance: Council Member Wahab

ROLL CALL

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

CLOSED SESSION ANNOUNCEMENT

The City Council convened in closed session on June 21, 2022, at 5:30 p.m., with all members present and no public speakers, regarding three items: (1) conference with property negotiators pursuant to Government Code section 54956.8 regarding Caltrans Parcel Group 8: Grove Way; APNs, 415-0180-070-00, 415-0180-068-01, 415-0180-076-00, 415-0180-084-01, 415-0180-073-00, 415-0180-074-00, 415-0180-075-00, 415-0180-072-00, 415-0180-071-00, 415-0180-069-01, 415-0190-064-00, 415-0180-083-01, 415-0180-080-00, 415-0180-082-01, 415-0180-081-01; (2) conference with labor negotiators pursuant to Government Code section 54957.6 regarding labor groups; and (3) conference with legal counsel pursuant to Government Code section 54956.9 regarding Stoddard-Nunez v. City of Hayward, U.S. District Court, N.D. CA, No. 4:13-cv-04490 KAW. City Attorney Lawson announced there was no reportable action related to the items, there was an action item related to Item 2 under Legislative Business, and indicated the closed session adjourned at 6:15 p.m.

PRESENTATION

Certificate of Commendation Presented to Hayward Chamber of Commerce
President and CEO Kim Huggett

PUBLIC COMMENTS

Ms. Velda Goe

CITY MANAGER'S COMMENTS

There were none.

CITY COMMISSIONS

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

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

1. [Hayward Youth Commission: Adopt a Resolution Confirming the Appointment of Hayward Youth Commission Members \(Report from City Clerk Lens\)](#)
2. [Adopt a Resolution Affirming the City's Support for the Library Bill of Rights, the Freedom to Read Statement, and the Freedom to View Statement \(Report from Library Director Addleman\)](#)

A motion was made by Council Member Marquez, seconded by Council Member Salinas, to adopted That Council adopts a resolution (Attachment II) affirming the City's support for the Library Bill of Rights, Freedom to Read, and Freedom to View Statements. The motion carried by the following vote:

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

CONSENT

Approval of the Consent Calendar

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

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

3. [Approve the City Council Meeting Minutes of the City Council Meeting on June 7, 2022](#)

Consent item approved.

4. [Adopt a Resolution \(1\) Authorizing the City Manager to Amend the Agreement with Tyler Technologies to Extend the Term of the Contract for Six Months and Reflect Revised Tasks, and \(2\) Authorize the Transfer of \\$150,000 to Cover Previously Authorized and Appropriated Project Budget](#)

Consent item approved.

5. [Adopt a Resolution Authorizing the City Manager to Amend the FY2022 Operating Budget for the Development Services Department Building Division for Outside Plan Check, Building Inspection, and Permit Technician Services](#)

Consent item approved.

6. [Adopt a Resolution Awarding a Contract to GSW Construction, Inc., for the Trash Capture Device Installation on Cotter Way Project No. 07675 in the Amount of \\$188,600, Approving \\$18,900 Construction Contingency Budget, and Appropriating an Additional \\$70,000 to the Project](#)

Consent item approved with modifications.

7. [Adopt a Resolution Awarding the Construction Contract to Rosas Brothers Construction, Inc., for the FY22 Sidewalk Rehabilitation and Wheelchair Ramps Project No. 05318 in an Amount Not-to-Exceed \\$752,392](#)

Consent item approved.

8. [Adopt a Resolution Authorizing the City Manager to Accept and Appropriate Funds from the California Water and Wastewater Arrearage Payment Program \(CWWAPP\) for Wastewater Arrearages in an Amount Not-to-Exceed \\$744,389](#)

Consent item approved.

9. [Adopt a Resolution of Intention to Preliminarily Approve the Engineer's Report and Assessments for Fiscal Year 2023 for Consolidated Landscaping and Lighting District No. 96-1, Zones 1 through 18, and Set July 5, 2022, as the Public Hearing Date](#)

Consent item approved.

10. [Adopt a Resolution of Intention to Preliminarily Approve the Engineer's Report and Levy Assessments for Fiscal Year 2023 for Maintenance District No. 1 - Storm Drainage Pumping Station and Storm Drain Conduit Located at Pacheco Way, Stratford Road and Ruus Lane, and Set July 5, 2022, as the Public Hearing Date](#)

Consent item approved.

11. [Adopt a Resolution of Intention to Preliminarily Approve the Engineer's Report and Levy and Assessments for Fiscal Year 2023 for Maintenance District No. 2 - Eden Shores Storm Water Facilities and Water Buffer, and Set July 5, 2022, as the Public Hearing Date](#)

Consent item approved.

12. [Adopt Resolutions Authorizing the City Manager to Establish a Communications Operator Lateral & Entry Level \(COLE\) Hiring Bonus Program in the Amount of \\$10,000 per Qualified Candidate and Authorizing the Establishment of a Hiring Incentive Referral Program \(HIRP\) in the Amount of \\$2,000 to Be Paid to Qualifying City of Hayward Employees Who Successfully Refer Communications Operator Candidates](#)

Consent item approved.

13. [Adopt a Resolution Authorizing an Amendment to the FY 2022 Operating Budget for Fleet Management Fund \(Fund 735\) to Increase the Annual Appropriation in the Maintenance Services Department Budget by \\$195,000 Through Use of Existing Funds](#)

Consent item approved.

14. [Adopt a Resolution Allowing the City Council and Appointed Commissions/Task Forces and Council Committees to Hold Continued Teleconferenced Public Meetings Pursuant to AB 361](#)

Consent item approved.

15. [Adopt a Resolution Calling for the City of Hayward General Municipal Election to be Consolidated with the General Election to Be Held on November 8, 2022, for the Purpose of Electing Two Council Members and One Mayor for Full Terms of Four Years; and Adopt a Resolution Setting Regulations for Candidates Pertaining to Candidate Statements](#)

Consent item approved.

WORK SESSION

16. [Police Department Dash Cameras: Work Session to Review a Proposed Hayward Police Department Capital Improvement Project Regarding the Purchase of Axon Fleet Vehicle Dash Cameras with Automated License Plate Reading \(ALPR\) Technology \(Report from Police Chief Chaplin\)](#)

No action; information only.

LEGISLATIVE BUSINESS

17. [Military Equipment Use Policy: Introduction of an Ordinance Approving Military Equipment Use Policy No. 706 Regarding the Hayward Police Department's Funding, Acquisition, and Use of "Military Equipment," as Defined by Assembly Bill 481 \(Report from Police Chief Chaplin\)](#)

A motion was made by Council Member Zermeno, seconded by Council Member Salinas, to approve staff's recommendation with the following amendments to the ordinance: remove the three items from HPD's equipment inventory ((6) Model 1088 CS Stingerballs, (9) Model 1090 Stingerballs, and (6) Model 1089 OC Stingerballs); enhance complaint language and mirror existing complaint policy; under Military Equipment Inventory List, consider language that indicates a rifle is a firearm capable of harming or killing and arm subject at various distances; further clarify the breakdown between authorized use, authorized users and the purpose for each piece of equipment; and further articulate the minimum uses for the equipment. For the staff report, consider a six-month review of uses and policy implementation; prioritize the complaint system project, and evaluate having pre-recorded warning messages in different languages when using CS gas during incidents. The motion carried by the following vote:

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

18. [Unrepresented Salary and Benefits: Adopt a Resolution Amending the Salary and Benefits Resolution for Unrepresented Executives, Management, City Manager, Human Resources, and City Attorney Employees \(Report from Assistant City Manager/Interim HR Director Youngblood\)](#)

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

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

19. [Council-Appointed Officers' Employment Agreements: Adopt Resolutions Approving Amendments to the Employment Agreements Between the City of Hayward and the City Attorney, City Clerk, and City Manager and Authorizing the Mayor to Execute the Agreements \(Report from Assistant City Manager/Interim HR Director Youngblood\)](#)

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

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

ADJOURNMENT

Mayor Halliday adjourned the meeting at 11:38 p.m.

NEXT MEETING, June 28, 2022, 7:00 PM