



**SPECIAL CITY COUNCIL MEETING  
REMOTE PARTICIPATION  
Tuesday, September 29, 2020, 7:00 p.m.**

The Special City Council meeting was called to order by Mayor 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. Members of the City Council, City Staff, and members of the public participated via the Zoom Webinar platform.

Pledge of Allegiance: Mayor Halliday

**ROLL CALL**

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

**CLOSED SESSION ANNOUNCEMENT**

The City Council convened in closed session on September 29, 2020, at 6:00 p.m., regarding two items: 1) conference with legal counsel pursuant to Government Code 54956.9 regarding one anticipated litigation; and 2) conference with legal counsel pursuant to Government Code 54956.9 regarding one anticipated litigation. City Attorney Lawson announced there was no reportable action related to Item 1 and Mayor Halliday added there was no reportable action related to Item 2.

**PUBLIC COMMENTS**

There were none.

**CONSENT**

1. Approve City Council Minutes of the City Council Meeting on September 15, 2020 **MIN 20-096**

It was moved by Council Member Wahab, seconded by Council Member Márquez, and carried unanimously, to approve the minutes of the Special City Council meeting on September 15, 2020.

2. Adopt a Resolution Authorizing the City Manager to Enter into an Exclusive Negotiating Rights Agreement with Integral Partners Funding, LLC, for the Proposed Development of Parcel Group 6: Carlos Bee Quarry **CONS 20-456**

Staff report submitted by Deputy City Manager Ott, dated September 29, 2020, was filed.

It was moved by Council Member Wahab, seconded by Council Member Márquez, 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 20-158, "Resolution of the City Council of the City of Hayward Authorizing the City Manager to Negotiate and Execute an Exclusive Negotiating Rights Agreement Between the City of Hayward and Integral Partners Funding, LLC for a Proposed Development Located at Parcel Group 6: Carlos Bee Quarry"

3. Adopt Resolutions Authorizing the City Manager to Accept and Appropriate Grant Funding and Private Donations for Fire Department Programs and Supplies for the Food Distribution and COVID-19 Testing Sites **CONS 20-462**

Staff report submitted by Fire Chief Contreras, dated September 29, 2020, was filed.

It was moved by Council Member Wahab, 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 20-159, "Resolution Authorizing the City Manager to Accept and Appropriate up to \$10,000 in Grant Funding from Eden Healthcare District for the Purchase of CPR Mannequins"

Resolution 20-160, "Resolution Authorizing the City Manager to Accept and Appropriate \$40,000 in Grant Funding from PG&E for the Defensible Space Resident Assistance Program"

Resolution 20-161, "Resolution Authorizing the City Manager to Accept and Appropriate up to \$100,000 in Private Donations in FY20-21 to Support the Food Distribution Site and Covid-19 Testing Site"



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4. Adopt a Resolution Authorizing the City Manager to Execute a Professional Services Agreement Extension for Investment Portfolio Management Services with PFM Asset Management LLC in an Amount Not-to-Exceed \$95,000 Per Year **CONS 20-465**

Staff report submitted by Director of Finance Claussen, dated September 29, 2020, was filed.

It was moved by Council Member Wahab, seconded by Council Member Márquez, 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 20-162, "Resolution Authorizing the City Manager to Execute Contract with PFM Asset Management LLC for Investment Portfolio Management Services"

5. Adopt a Resolution in Support of California Proposition 15, Tax on Commercial and Industrial Properties for Education and Local Government Funding Initiative **CONS 20-467**

Staff report submitted by City Manager McAdoo, dated September 29, 2020, was filed.

It was moved by Council Member Wahab, seconded by Council Member Márquez, 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 20-163, "Resolution Supporting Proposition 15: Schools and Communities First Initiative"

6. Adopt a Resolution Accepting Revisions to the City of Hayward Conflict of Interest Code  
**CONS 20-482**

Staff report submitted by City Clerk Lens, dated September 29, 2020, was filed.

It was moved by Council Member Wahab, seconded by Council Member Márquez, 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 20-164, "Resolution Accepting the Additions and Revisions to the City of Hayward Conflict of Interest Code"

**WORK SESSION**

7. FY 2020 Preliminary Unaudited General Fund Financial Review **WS 20-039**

Staff report submitted by Director of Finance Claussen, dated September 29, 2020, was filed.

Director of Finance Claussen announced the item and introduced Deputy Director of Finance Gonzales who provided a synopsis of the staff report.

Discussion ensued among members of the City Council and City staff regarding: home sale trends in comparison to last year; revenue from cannabis; reserves and overall deficit; early financial reports on impact from the pandemic; OPEB payments; small businesses; state or federal funding/protections; and one-time impacts of South Dakota vs. Wayfair and online sales tax.

Members of the City Council had the following suggestions: prioritize paying debt; paying down the ARC (Annual Required Contribution), restore revenue during the mid-year update, provide updated financial information to the Council Budget and Finance Committee and bargaining groups, and keep track of property transfers for indicators of displacement. The City Council thanked the Finance Department for the report.

There being no public speakers, Mayor Halliday opened and closed the public hearing at 7:50 p.m.



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Council Member Lammin shared she needed to leave the meeting due to a family emergency and left the meeting.

**PUBLIC HEARING**

Mayor Halliday disclosed she had to recuse from discussing and voting on Item 8 because the property was within 500 feet of her residence. Mayor Halliday left the meeting at 7:50 p.m., and Mayor Pro Tempore Salinas presided over the meeting.

8. Subaru Disposition and Development Agreement: Adopt a Resolution: (1) Approving the Government Code Section 52201 Summary Report for the Project ; and (2) Authorizing the City Manager to Negotiate and Execute a Disposition and Development Agreement with BMODDRE2, LLC for Transfer of Specified City Owned Properties and for the Development of a New Automobile Subaru Dealership **PH 20-064**

Staff report submitted by Deputy City Manager Ott, dated September 29, 2020, was filed.

Economic Development Specialist Ralston provided a synopsis of the staff report.

Discussion ensued among City Council members and City staff regarding: plans for the lot and a recommendation to get rid of the chain link fence; timeline for affordable housing; measures in place to mitigate construction impacts on the neighborhood; the project exempt from CEQA review; community benefit by way of providing affordable housing; community outreach efforts; and traffic impacts on the neighborhood and Mission Boulevard during construction.

In response to Council Member Márquez's inquiry, Mr. Devin McCafferty, project applicant, noted that their local contractor includes local employees and discussed Subaru's community contributions.

There being no speakers, Mayor Pro Tempore Salinas opened and closed the public hearing at 8:18 p.m.

Council Member Wahab reiterated comments made by members of the City Council that the peace for residents should be a priority during the project development.

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

AYES: COUNCIL MEMBERS Márquez, Mendall, Wahab, Zermeño  
MAYOR PRO TEMPORE Salinas  
NOES: NONE  
ABSENT: COUNCIL MEMBER Lamnin  
MAYOR Halliday

Resolution 20-165, "Resolution Approving Government Code Section 52201 Summary Report and Authorizing the City Manager to Negotiate and Execute a Disposition and Development Agreement with BMODDRE2, LLC, for Specified Properties Located Near Mission Boulevard and Carlos Bee Boulevard for the Construction of a New Auto Dealership and Making Specified Findings in Association therewith"

Mayor Halliday returned to the meeting at 8:42 p.m.

9. Huntwood Ave and Patrick Ave Traffic Calming: Adopt a Resolution Approving Pavement Striping Improvements **PH 20-066**

The item was continued to October 6, 2020.

#### **LEGISLATIVE BUSINESS**

10. 2020 Bicycle and Pedestrian Master Plan: Adopt a Resolution Accepting the Hayward 2020 Bicycle and Pedestrian Master Plan **LB 20-050**

Staff report submitted by Director of Public Works Ameri, dated September 29, 2020, was filed.

Public Works Director Ameri announced the item and introduced Senior Transportation Engineer Solla who provided a synopsis of the staff report.

Discussion ensued among members of the City Council and City staff regarding: the possibility of increasing the number of improved streets; most streets are residential and have no need for bicycle improvements and many are highways or high-volume streets; the letter from Bike East Bay Manager Husftader and any plans to designate a transportation planner within the Transportation Division who would focus solely on the project implementation and dedicated cycle track on Mission Boulevard; thoughts about expanding to a regional approach as other cities update their plans; data considered regarding fatalities and accidents; and traffic mitigation measures such as bulb-outs.

Mayor Halliday opened the public hearing at 9:02 p.m.

Ms. Susie Hufstader, Bike East Bay Advocacy Manager, provided a letter for the record and expressed support for the Bicycle and Pedestrian Master Plan.



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Mr. Steven Dunbar supported the Plan noting it was well done and complete.

Mayor Halliday closed the public hearing at 9:08 p.m.

Members of the City Council were in general agreement with the Bicycle and Pedestrian Master Plan and praised Public Works staff for their work.

Council Member Mendall spoke against hiring a dedicated staff member focused on Bicycle and Pedestrian Master Plan implementation and instead encouraged all transportation department staff to pay attention to bicycle and pedestrian issues.

Council Member Wahab echoed Bike East Bay Manager Hufstader's comments and discussed the Council's efforts to prioritize environmental sustainability.

Council Member Márquez expressed she would like to focus on areas where accidents have occurred as well as the safe routes to schools, suggested a partnership with Bike East Bay to educate the public on proper bike use and how to navigate Hayward, and acknowledged input from the Council Infrastructure Committee.

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

Resolution 20-166, "Resolution for the Adoption of the 2020  
Bicycle and Pedestrian Master Plan"

**INFORMATIONAL ITEM**

11. November 3, 2020 General Municipal Election: Vote-by-Mail Ballots **RPT 20-103**

Staff report submitted by City Clerk Lens dated September 29,  
2020, was filed.

Mayor Halliday thanked City Clerk Lens for her report and shared that information would be available on the City's website.

**CITY MANAGER'S COMMENTS**

City Manager McAdoo shared that StopWaste had donated 50 refurbished computers to the Hayward library for the Adult Literacy Program and they will be available in a few weeks.

**COUNCIL REPORTS AND ANNOUNCEMENTS**

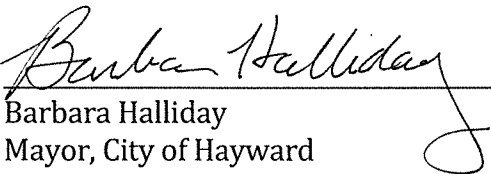
Council Member Márquez thanked City Clerk Lens for her work on the Vote By Mail staff report and encouraged eligible voters to register before the October 19 deadline; reminded the City negotiated with Waste Management for two free bulky pickups per year and urged residents to take advantage before the end of the year; announced Glad Tidings Church has a COVID-19 test site; and noted that community members who need support completing the Census survey could contact the City Manager's office.

Mayor Halliday noted a correction on the agenda and clarified the next City Council meeting was on October 6, 2020.

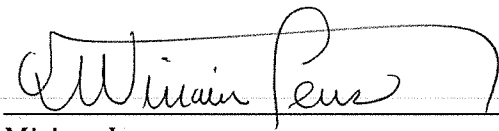
**ADJOURNMENT**

Mayor Halliday adjourned the special City Council meeting at 9:31 p.m., with good thoughts for Council Member Lamnin and her family.

**APPROVED**

  
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Barbara Halliday  
Mayor, City of Hayward

**ATTEST:**

  
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Miriam Lens  
City Clerk, City of Hayward