



**SPECIAL MEETING OF THE CITY COUNCIL  
REMOTE PARTICIPATION  
Tuesday, May 26, 2020, 7:00 p.m.**

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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.

**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 May 21, 2020 at 3:00 p.m., regarding a conference with labor negotiators pursuant to Government Code 54957.6 for all labor groups. City Attorney Lawson reported all Council members were present and there was no reportable action.

The City Council convened in closed session on May 26, 2020 at 5:00 p.m., regarding three items: 1) public employment pursuant to Government Code 54957(b)(1) regarding City Attorney and City Clerk; 2) conference with labor negotiators pursuant to Government Code 54957.6; and 3) anticipated litigation pursuant to Government Code 54956.9(d)(4) and 54956.9(c)(1) regarding one anticipated litigation. City Attorney Lawson reported all Council members were present and there was no reportable action related to Items 2 and 3. Mayor Halliday noted there was no reportable action related to Item 1.

**PRESENTATION**

Mayor Halliday gave Council Member Wahab the opportunity to read a Proclamation declaring the month of May as Asian and Pacific Islander American Heritage Month and condemning all forms of harassment and expression of hatred, particularly in connection with the COVID-19 pandemic, against members of the Asian and Pacific Islander community.

**PUBLIC COMMENTS**

Public comments were limited to items on the Agenda as items were called.

**CONSENT**

Consent Items 2 and 3, and 5 were removed from the Consent Calendar for separate vote.

1. Approve City Council Minutes of the City Council Meeting on May 5, 2020 **MIN 20-018**  
It was moved by Council Member Márquez, seconded by Council Member Mendall, and carried unanimously, to approve the minutes of the City Council Meeting on May 5, 2020.
2. Adopt a Resolution Approving the Project List for FY21 Road Repair and Accountability Act (RRAA) Funding for the FY21 Pavement Improvement Project 2020 **CONS 20-226**

Staff report submitted by Public Works Director Ameri, dated May 26, 2020, was filed.

Council Member Mendall disclosed he lives within a neighborhood that would benefit from the proposed project improvement and after consulting the City Attorney's office, he did not need to recuse himself from voting on the item because he would derive the same benefit as other homeowners.

It was moved by Council Member Mendall, seconded by Mayor Halliday, 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 20-064, "Resolution Approving Project List for FY21 Road Repair and Accountability Act (RRAA) Funding for the FY21 Pavement Improvement Project"

3. Adopt a Resolution Approving a Financing Model that Supports the Development of Middle-Income Affordable Housing and Authorize the City Manager to Execute Purchase Option Agreements with CalCHA **CONS 20-242**

Staff report submitted by Housing Division Manager Morales, dated May 26, 2020, was filed.

Mayor Halliday opened public comment at 7:22 p.m.

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

Ms. Alicia Lawrence, The Hayward Collective representative, referred to The Hayward Collective letter she had submitted and asked Council to vote against the proposal or table it until further research is conducted on long-term benefits of the model.

Mayor Halliday closed public comments at 7:26 p.m.



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Discussion ensued among members of the City Council, City staff, Mr. Jordan Moss, Catalyst Housing Group managing member and founder, and Ms. Allison Arnold, Catalyst Housing Group, Director of Government Relations regarding: CalCHA program and data; public forum for tenants to provide input; information provided in The Hayward Collective letter; the City Manager's authority to enter into purchase sale agreements for each property; the item as a part of the housing work plan reviewed by the Homelessness-Housing Task Force; the zero displacement clause; Association of Bay Area Governments joint powers agreement; City's goal related to Regional Housing Needs Allocation (RHNA) numbers; and ongoing legislative efforts for moderate income housing in AB 725.

City staff noted that staff will make sure to review tenant notifications and that Council and the public are notified of future CalCHA meetings.

Council Member Márquez offered a motion to approve staff's recommendation noting the City was struggling with a housing crisis and staff had vetted CalCHA's program and Catalyst Housing Group.

Mayor Halliday seconded the motion.

Council Member Lamnin appreciated the proposed program addressed the largest deficit in RHNA numbers and provided an opportunity to address housing issues, was concerned about speculative investors displacing residents, and looked forward to learning more about tenant owned properties.

Mayor Halliday noted the proposal would address the moderate-income gap in households that can help address RHNA numbers.

Council Member Mendall noted the new model would address the difficulty meeting RHNA numbers for moderate income units, appreciated that staff had placed checks and balances so that after a few projects staff would report back to Council.

Council Member Wahab expressed concern with lack of Council oversight, would like Hayward residents to be able to come to City Hall and for staff to provide more information.

Council Member Wahab offered a friendly amendment that acquired properties be guaranteed affordable into perpetuity and have Council oversight in a timely manner. Discussion ensued about the friendly amendment.

Mayor Halliday suggested that upon each transaction staff could have an Information Item staff report at the next City Council agenda. City Manager McAdoo added that, at that time, Council could request no further acquisitions until the program can be revisited, should there be any concerns. Council Member Wahab agreed that would address some of her concerns.

Council Márquez and Mayor Halliday were amenable to the modified friendly amendment.

It was moved by Council Member Márquez, seconded by Mayor Halliday, and carried with 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 20-065, “Resolution of the City Council of the City of Hayward Authorizing the City to Become a Member of the California Community Housing Agency (“CALCHA”); Supporting CALCHA’s Issuance of Tax-Exempt Bonds for the Production, Preservation and Protection of Essential Middle-Income Rental Housing; and Authorizing the City Manager to Enter into Purchase Option Agreements with CALCHA for Essential Middle-Income Rental Housing Created within City Limits”

4. Adopt a Resolution Authorizing the City Manager to Accept and Appropriate \$11,500 from the Chabot-Las Positas Community College District for Hayward Library Education Services Homework Support Center **CONS 20-247**

Staff report submitted by Library Director Addleman, dated May 26, 2020, was filed.

It was moved by Council Member Márquez, seconded by Council Member Mendall, and carried with 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



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Resolution 20-063, "Resolution Authorizing the City Manager to Accept and Appropriate \$11,500 from the Chabot-Las Positas Community College District in FY 2020 for Education Services Homework Support Center"

5. Adopt a Resolution Approving a Side Letter of Agreement between the City of Hayward and the Hayward Police Management Unit for Implementation of an Eighty Hour Furlough in Fiscal Year 2021 and Authorizing the City Manager to Execute the Agreement **CONS 20-270**

Staff report submitted by Human Resources Analyst Master, dated May 26, 2020, was filed.

Council Member Wahab expressed appreciation for the Hayward Police Management Unit and offered a motion to approve staff's recommendation. Council Member Márquez seconded the motion.

It was moved by Council Member Wahab, seconded by Council Member Márquez, and carried with 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 20-066, "Resolution Approving a Side Letter of Agreement with the Hayward Police Management Unit for Implementation of an Eighty Hour Furlough in Fiscal Year 2021"

**WORK SESSION**

6. Racial Equity Action Plan: Report on the City of Hayward's Diversity, Equity, and Inclusion Work and Racial Equity Action Plan (Report from City Manager McAdoo) **WS 20-022**

Staff report submitted by City Manager McAdoo, dated May 26, 2020, was filed.

City Manager McAdoo introduced Ms. Shane Safir and Dr. Jamile Dugan, diversity, equity and inclusion consultants and acknowledged them for the workshops with the Government Alliance on Race and Equity (GARE) team and the City's Executive Team. City Manager McAdoo introduced GARE cohort leaders, Associate Planner Martinez, Senior Human Resources Analyst DelPino and Management Analyst James, who provided an overview of the staff report and the Racial Equity Action Plan.

Mayor Halliday opened public comments at 8:45 p.m.

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

Ms. Angela Andrews, Planning Commission member, recommended that aspects of the program be available for community groups, such as the National Association for the Advancement of Colored People (NAACP), The Hayward Collective and The Village Method, to allow them to provide feedback.

Ms. Alicia Lawrence, Community Services Commission member, referred to an email she submitted in which she recommended the City Council participate in annual implicit bias trainings and hoped the Plan would guide how to obtain data on needs within the different cultures.

Mayor Halliday closed the public comments at 8:51 p.m.

Mayor Halliday shared that Council participated in a training in 2017 and would be included in future trainings.

Council Members thanked City staff, the consultants and the GARE team for the staff report and the work done so far on the Racial Equity Action Plan.

Members of the City Council offered the following recommendations about the Racial Equity Action Plan: celebrate cultural and racial diversity by including diverse groups; continue to make the Plan a living document as demonstrated in the City's response to help the most marginalized population during the COVID-19 pandemic; be innovative in engaging the broader Hayward community as well as the Hayward Unified School District; implement access to City communications services, including language accessibility; use the Hayward Local Agencies Committee as a forum to highlight the work that has been done so far; use aggregated data; form an interagency partnership to enable funding for the Chief Equity Officer position and have an interdisciplinary approach; use a consultant service to create the Chief Equity Officer position and define duties and explore having the position report directly to the Council; focus on the external aspect by having a study on race within the City; provide an incentive for trained staff to continue the involvement in this area; create an equity analysis with metrics/timelines with key performance indicators which includes equity of service to Hayward's residents; require one on one monthly meetings between staff and managers to talk about development; understand the fundamentals of diversity to serve more people; establish a rotation of volunteers on the City's commissions, committees and task forces; have City staff holding diverse positions involved in GARE cohorts; include data about mental



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health and de-escalation; gather data on equity and racial impacts on residents; explore fundraising to pay for training costs; build relationships with residents; and maintain opportunities for speakers to call during Council meetings.

City Manager McAdoo noted staff was working on metrics and how to better distribute resources throughout the City; was revamping the performance evaluation structure; noted the restriction in the City Charter of having the Chief Equity Officer report directly to the Council; and noted staff would provide regular updates on the program.

**LEGISLATIVE BUSINESS**

7. Salary and Benefits: Adopt a Resolution Amending the Salary and Benefits Resolution for Unrepresented Executives, Management, City Manager's Office, Human Resources, and City Attorney Employees (Report from Assistant City Manager/Interim Director of Human Resources Hurtado) **LB 20-023**

Staff report submitted by Assistant City Manager Hurtado, dated May 26, 2020, was filed.

Assistant City Manager/Interim Human Resources Director Hurtado provided a synopsis of the staff report.

There being no public comments, Mayor Halliday opened and closed the public hearing at 9:39 p.m.

Council Member Márquez offered a motion to approve staff's recommendation.

Council Member Wahab seconded the motion.

Members of the City Council thanked City staff and the employee groups for participating during difficult economic times and helping to continue serve the community.

It was moved by Council Member Márquez, seconded by Council Member Wahab, and carried with 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

## **CITY MANAGER'S COMMENTS**

City Manager McAdoo announced the City's Commissions and Keep Hayward Clean and Green Task Force recruitment; and noted the City's COVID-19 Testing Center reached 10,000 tests administered and thanked Avellino Laboratory for partnering with the City of Hayward.

Council Member Márquez asked City staff to provide guidelines for places of worship.

## **COUNCIL REPORTS AND ANNOUNCEMENTS**

Council Member Wahab requested that Council reconsider considerations for cannabis businesses as the industry was impacted by the pandemic.

Mayor Halliday noted community members continued to experience a difficult time as events that bring people together were not able to happen this year and noted the City needed to continue to be strong and conduct City business.

## **ADJOURNMENT**

Mayor Halliday adjourned the special meeting at 10:07 p.m.

## **APPROVED**

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Barbara Halliday  
Mayor, City of Hayward

## **ATTEST:**

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Miriam Lens  
City Clerk, City of Hayward