



MINUTES OF THE CITY COUNCIL MEETING
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, January 22, 2019, 7:00 p.m.

The meeting of the City Council 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, Lamnin, Wahab, Salinas
MAYOR Halliday
Absent: None

CLOSED SESSION

City Attorney Lawson reported the City Council convened in closed session at 5:00 p.m., concerning four items: 1) conference with property negotiators pursuant to Government Code 54956.8, regarding former Route 238 Parcel Group 7, 24900 and 25000 Mission Boulevard; APNs 445-0200-009-00 and 445-0200-012-01; 2) conference with property negotiators pursuant to Government Code 54956.8, regarding 1032 Central Boulevard; APN 445-270-7-1; 3) public employment pursuant to Government Code 54957, regarding the City Attorney's performance evaluation; and 4) conference with property negotiators pursuant to Government Code 54956.8, regarding 175 Fairway Street; APN 78G-2704-2-1. City Attorney Lawson noted there was no reportable action related to Items 1, 2, and 4. Mayor Halliday added there was no reportable action related to Item 3.

PUBLIC COMMENTS

Ms. Linda Mandolini, Eden Housing representative, thanked the City for the fifty years of great partnership between the City and Eden Housing.

Mr. Charlie Peters, Clean Air Performance Professionals representative, submitted a document related to self-driving or autonomous vehicles.

CONSENT

1. Fire Station 6 and Fire Training Center Project - Sole Source Justification and Procurement of Temporary Fire Station Housing Structures **CONS 19-025**

Staff report submitted by Interim Public Works Director Ameri, dated January 22, 2019, was filed.

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

Resolution 19-010, “Resolution Authorizing the City Manager to Execute an Agreement with Design Space Modular Buildings for the Rental of Temporary Housing Structures for the Fire Station 6 and Fire Training Center Project”

Resolution 19-011, “Resolution Approving the Use of Certain Sole Source Products in the Plans and Specifications for the Fire Station 6 and Fire Training Center Project”

2. Mission Boulevard Corridor Improvements Phase 2: Amendment to Professional Services Agreement **CONS 19-030**

Staff report submitted by Interim Public Works Director Ameri, dated January 22, 2019, was filed.

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

Resolution 19-012, “ Resolution Authorizing the City Manager to Execute an Amendment to the Professional Services Agreement with Owen Poole for Additional Services Associated with the Mission Boulevard Corridor Improvements Phase 2 Project”

3. Approval of Addition of Counseling Supervisor Position and Two (2) Lead Program Assistants in the Youth and Family Services Bureau of the Hayward Police Department **CONS 19-035**

Staff report submitted by Police Chief Koller, dated January 22, 2019, was filed.

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

Resolution 19-013, “Approval of Addition of Counseling Supervisor Position and Two (2) Lead Program Assistants in the Youth and Family Services Bureau of the Hayward Police Department”

WORK SESSION

4. Mission Boulevard Corridor and South Hayward BART/Mission Boulevard Form-Based Code Updates Work Session (Report from Development Services Director Simpson) **WS 19-004**

Staff report submitted by Development Services Director Simpson, dated January 22, 2019, was filed.



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Development Services Director Simpson announced the report and introduced Principal Planner Lochirco who provided a synopsis of the staff report. Ms. Martha Miller with Lisa Wise Consulting, Inc., provided an overview of opinions from stakeholder interviews related to the two City's form-based codes: Mission Boulevard Corridor and South Hayward BART/Mission Boulevard Form Based Code (FBC).

There being no public comments, Mayor Halliday opened and closed the public comments section at 7:22 p.m.

The City Council was in general agreement that the FBCs needed to be evaluated to ensure they make sense moving forward. Council Members offered the following recommendations: ensure that parking issues/concerns are addressed and consider pursuing a parking garage at the South Hayward BART Station; schedule a work session with the Planning Commission to obtain its input related to the FBCs; ground floor use should not be restricted to retail but expanded to community serving uses such as commercial and office space; have consistency with guidelines to ensure adherence to the BFCs; consider academic institutions along the Corridor; consider aesthetically pleasing and consistent signage; restrict saturation of businesses such as massage parlors and liquor stores; consider entertainment venues such as mini golf course or ice-skating rink; consider a hotel, restaurants, and a trolley for the Corridor; engage the neighborhoods along Mission Boulevard and obtain broader input from the community at large; evaluate concrete examples of developments that have been approved and reflect on elements from the BFCs that were/not successful through the development review process; consider having catalysts vetted by the Council Economic Development Committee and possibly reviewed by the City Council via a work session before moving forward; be flexible with land use designation when considering FBC revisions; strike balance of having housing at all income levels and having different types of businesses; and consider stronger sustainable elements.

5. Update to General Fund Long-Term Outlook (Report from Finance Director Claussen) **WS 19-001**

Staff report submitted by Finance Director Claussen, dated January 22, 2019, was filed.

Finance Director Claussen provided a synopsis of the staff report and submitted a correction to the summary of unfunded liabilities (Table 3 in the staff report) related to the City's OPEB (Other Post-Employment Benefits) Retiree Medical for Police Officers, Firefighters, and Miscellaneous.

Discussion ensued among Council Members and City staff about the FY2019 general fund five-year forecast projections; projected revenues; one-time revenue and reserve policies; reserve-surplus policy; CalPERS rates.

Council Members offered the following recommendations: provide information, during the Mid-Year staff report, about Measure C revenue; include Measure C revenue in the general fund ten-year forecast chart; include projected revenue of property tax for housing development in the pipeline; review the services that were outlined in the resolution that authorized adding Measure T (City's Real Property Transfer Tax) on the November 2018 ballot to ensure compliance; consider separating the "other revenue" category into onetime and recurring revenues; consider eliminating the "revised budget" column from the ten-year forecast chart as the "actual" column was sufficient; continue to be fiscally responsible by expanding capacity and managing costs; consider strategies to strengthen reserves-surplus; consider generating monthly budget reports for the Council and the public; earmark funds on a regular basis; develop stronger revenue streams; follow discussion related to the "split roll" tax measure to change Proposition 13 and consider lobbying; and follow discussion regarding changes to the sales tax in California.

There being no public comments, Mayor Halliday opened and closed the public comments section at 8:32 p.m.

LEGISLATIVE BUSINESS

6. Approval of a Resolution to Extend Resolution 18-027, Declaring a Shelter Crisis in the City of Hayward Until June 30, 2021, and to Authorize the City Manager to Take Emergency Actions to Implement a Hayward Housing Navigation Center on City-Owned Property, and Approval of a Resolution to Authorize the City Manager to Appropriate and Expend up to \$3 Million in State and Local Funding for the Hayward Navigation Center (Report from City Manager McAdoo) **LB 19-007**

Staff report submitted by Deputy City Manager Ott, dated January 22, 2019, was filed.

City Manager McAdoo announced the report and introduced Deputy City Manager Ott who provided a synopsis of the report.

Discussion ensued among Council Members and City staff regarding: discussion with local businesses and restaurants about in-kind contributions; transportation to transport individuals to and from the proposed housing navigation center; concerns expressed by business owners with the proposal; current warming centers; opportunity for a community garden at the center; coordinated efforts for donations and cash contributions from the public; consideration of involving the neighborhood on an ongoing basis via a Neighborhood Advisory Board; individuals who live in cars and designating space for them. Council Members Márquez, Zermeño, Salinas and Mayor Halliday disclosed they had toured the Pathways STAIR Center on January 7, 2019, and were impressed with the service provided at the Center.

Mayor Halliday opened the public hearing section at 9:06 p.m.

The following individuals expressed support for the proposed housing navigation center (Center) and onsite case management and up to nine months after housing placement;



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suggested job training and possibly growing produce that can be consumed onsite; recommended onsite lockers; and recommended seeking famous sponsors.

Ms. Linda Mandolini, Eden Housing representative
Ms. Alicia Lawrence, Hayward resident and Hayward Collective member
Ms. Silvia Brandon Perez, Hayward resident
Ms. Kim Pereira, Hayward resident

The following individuals expressed concern with the proposed Center related to safety and impact to the neighborhood, suggested the population served be provided with counseling, medication and family support, and urged the Council to engage community stakeholders before making a decision.

Mr. Chris Lam, Hayward business owner
Ms. Theresa Rezendes, Hayward resident
Mr. Wei Qi, Hayward business owner

Mr. Daniel Cooperman, director of programs for Bay Area Community Services (BACS), spoke about his positive experience with the service provided at the Berkeley Pathways STAIR Center and noted his support for the expansion of homeless services in Hayward.

Mayor Halliday closed the public hearing at 9:34 p.m.

Council Member Lamnin offered a motion per staff's recommendation. Council Member Márquez seconded the motion.

Council Member Lamnin recommended two changes to the resolution: 1) have language consistency by replacing the term "the homeless" with "people/individual/persons who are homeless" and use homelessness as a situation, and 2) modify the fifth Whereas to clarify language by adding the word "homelessness" in front of "challenges".

Council Members were in general agreement with the implementation of the Hayward Housing Navigation Center. Council Members offered the following recommendations for the Center: adopt a results-based approach resulting in a high percentage of encampment residents moving to the Center in a timely manner and successfully transitioning them into permanent housing; require adequate staffing and consider substitute safety personnel to address concerns expressed by the businesses; pursue a self-sustaining model that includes counseling services; be mindful on how funds are spent; engage the Council if funding appropriation at the State level is stalled; consider engaging a volunteer donations coordinator; consider parking, lockers, and bike storage for the residents; avail community resources; consider Social Services and CDBG unspent funds for future years based on achieved goals; engage the neighborhood and businesses in the area as they could become resourceful financially and provide employment opportunities; be proactive in pursuing grants and

engaging businesses to obtain funds for subsequent years; and consider other City-owned properties and community resources on a temporary basis or to be used during the day if the proposed site does not materialize.

It was moved by Council Member Lamnin, seconded by Council Member Márquez, and carried unanimously, to approve the following with two modifications: 1) have language consistency by replacing the term “the homeless” with “people/individual/persons who are homeless” and use homelessness as a situation; and 2) modify the fifth Whereas to clarify language by adding the word “homelessness” in front of “challenges”:

Resolution 19-014, “Resolution to Extend Resolution 18-207, Declaring a Shelter Crisis in the City of Hayward until June 30, 2021, and Authorizing the City Manager to take Emergency Actions to Implement a Hayward Housing Navigation Center on City-Owned Property”

Resolution 19-015, “ Resolution Authorizing the City Manager to Appropriate up to \$3 Million for the One-Year Operation of the Hayward Housing Navigation Center”

PUBLIC HEARING

7. Adoption of a Resolution of Intention to Introduce an Ordinance Approving an Amendment to the Contract between the City of Hayward and the California Public Employees Retirement System (CalPERS) for Miscellaneous Members in SEIU Local 1021 (Report from Human Resources Director Collins) **PH 19-005**

Staff report submitted by Human Resources Director Collins, dated January 22, 2019, was filed.

Human Resources Director Collins provided a synopsis of the staff report.

There being no public comments, Mayor Halliday opened and closed the public hearing at 10:10 p.m.

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

Resolution 19-016, “Resolution Authorizing Intention to Approve an Amendment to Contract between the Board of Administration, California Public Employees Retirement System and the City of Hayward”

Introduction of Ordinance 19-_, “An Ordinance Authorizing the Amendment of the Contract between the City of Hayward and the Board of Administration of the California Public Employees’



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Retirement System”

INFORMATION ITEMS

8. Standardizing Conditions of Approval Update **RPT 19-215**

Staff report submitted by Development Services Director Simpson, dated January 22, 2019, was filed.

City Manager McAdoo noted the item was informational only and added there were two additional clarifications: 1) HOA should be required to enforce preservation use of garages for parking as a standard condition and require easement for the connection of private streets to adjacent properties at a future date; 2) the 60-day demolition timeline for properties on the site is when the building becomes vacant and/or 60 days after the project is approved.

CITY MANAGER’S COMMENTS

City Manager made three announcements: 1) a public informational meeting on January 23, 2019 at the Matt Jimenez Community Center to discuss plans for the I-880/Whipple Road-Industrial Parkway Southwest and I-880/Industrial Parkway West interchanges project hosted by Alameda County Transportation Commission; 2) the Keep Hayward Clean and Green Task Force beautification event on January 26, 2019 at Foothill Boulevard; and 3) a community meeting on January 28, 2019 at Hayward City Hall for the Alameda County Transit Board of Directors to consider upcoming fare changes.

COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS

Council Member Zermeño congratulated Actor Mahershala Ali who was born in Oakland and raised in Hayward for being nominated for an Oscar for Best Supporting Actor for his work in “Green Book” and suggested that the City might want to invite him to receive the key of the City.

Council Member Márquez congratulated the committee for organizing a successful event on January 21, 2019 to celebrate the birthday of Dr. Martin Luther King Jr., held at the Chabot College Performing Arts Center. Mayor Halliday thanked Public Information Officer Finnie for publicizing the event and everyone who helped organize the successful event.

Council Member Wahab announced she attended the League of California Cities for New Mayors and Council Members training January 16 to 18, 2019 where she completed required trainings. Council Member Wahab requested the City consider a resolution authorizing that waste, sewer and water late fees be suspended or waived for furloughed Federal workers who live in Hayward, effective immediately. City Manager McAdoo noted the request could

be handled administratively given there was support from the City Council. Council Member Wahab requested consideration for an accelerated study regarding a local minimum wage increase in Hayward. Discussion ensued about the request and it was noted that requests could be considered during the City Council goal/priority setting in April.

Mayor Halliday announced that a letter regarding the City of Hayward response to CASA compact was sent to the Association of Bay Area Governments (ABAG) Executive Board and the Metropolitan Transportation Commission as approved by Council on January 15, 2019 and noted the ABAG Executive Board authorized the chair to sign the CASA compact and provided an update of the meeting. City Manager McAdoo added that certain cities in Alameda County were trying to organize a joint meeting with the Metropolitan Transportation Commission, possibly on January 30, 2019.

ADJOURNMENT

Mayor Halliday adjourned the meeting at 10:31 p.m.

APPROVED

Barbara Halliday
Mayor, City of Hayward

ATTEST:

Miriam Lens
City Clerk, City of Hayward