



## CITY COUNCIL MEETING

777 B Street, Hayward, CA 94541

Council Chambers

<https://hayward.zoom.us/j/87197958358?pwd=sKEsD8wehiOs0ZeaY10h3DpDLxymEE.1>

Tuesday, December 3, 2024, 7:00 p.m.

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The City Council meeting was called to order by Mayor Salinas at 7:00 p.m. The City Council held a meeting in the Council Chambers.

**Pledge of Allegiance:** Council Member Bonilla Jr.

### ROLL CALL

Present: COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche, Syrop, Zermeño  
MAYOR Salinas

Absent: None

### CLOSED SESSION ANNOUNCEMENT

The City Council convened in closed session on December 3, 2024, at 5:30 p.m., with all members present and no public speakers, regarding two items: 1) conference with legal counsel pursuant to Government Code section 54956.9(d)(2) regarding anticipated litigation (one case); and 2) public employment pursuant to Government Code section 54957 to consider the appointment or employment of the City Manager. City Attorney Lawson indicated that the Council met, but took no reportable action related to both matters. The closed session adjourned at 6:50 p.m.

### PRESENTATION

Mayor Salinas announced the 2024 Keep Hayward Clean and Green (KHCG) Beautiful Yard Contest Award presentation and introduced KHCG Task Force Members Ferreira, Milleman, Melnikov, and Mansel. KHCG Task Force Member Melnikov announced the three award recipients: 1<sup>st</sup> place winner Monica Gloria; 2<sup>nd</sup> place winner Mary Jane; and 3<sup>rd</sup> place winner Jamie Mejia. Mayor Salinas presented certificates of recognition to award recipients and Council Member Andrews handed off gift cards.

### PUBLIC COMMENTS

There were none.

### CITY MANAGER'S COMMENTS

Interim City Manager Claussen announced that the Weekes Library is closed until March for renovations and updates and encouraged residents to access the Downtown Library for resources such as AV equipment and meeting rooms.

## CONSENT

Consent Items 2 and 3 were removed from the Consent Calendar for comment.

1. Approve the City Council Minutes of the Meeting on November 19, 2024 **MIN 24-126**  
It was moved by Council Member Andrews, seconded by Council Member Syrop, and carried by the following roll call vote, to adopt the City Council meeting minutes of November 19, 2024.

2. Adopt a Resolution Accepting the Resignation of Task Force Member Leah Madonich Martinez from the Keep Hayward Clean and Green Task Force, Effective Immediately **CONS 24-623**

Staff report submitted by City Clerk Lens, dated December 3, 2024, was filed.

Council Member Andrews expressed gratitude to Keep Hayward Clean and Green Task Force Member Martinez for her impactful contributions to the task force and wished her well in future endeavors.

It was moved by Council Member Andrews, seconded by Council Member Syrop, and carried by the following roll call vote, to adopt the resolution.

AYES:	COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche, Syrop, Zermeño MAYOR Salinas
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution 24-238, "Resolution Accepting the Resignation of Ms. Leah Madonich Martinez from the Keep Hayward Clean and Green Task Force"

3. Adopt a Resolution Accepting the Resignation of Member Jadesola Edwards from the Personnel Commission, Effective Immediately **CONS 24-624**

Staff report submitted by City Clerk Lens, dated December 3, 2024, was filed.

Council Member Syrop thanked Personnel Commissioner Edwards for her significant contributions to the Personnel Commission during its transition and encouraged residents to apply for vacancies on the commission to support the City's governance and improvement efforts.

It was moved by Council Member Andrews, seconded by Council Member Syrop, and carried by the following roll call vote, to adopt the resolution.



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Syrop, Zermeño  
MAYOR Salinas

NOES: None

ABSENT: None

ABSTAIN: None

Resolution 24-239, "Resolution Accepting the Resignation of Ms. Jadesola Edwards from the Personnel Commission"

4. Adopt a Resolution Accepting Transmittal of the Annual Mitigation Fee Act Report (AB 1600) **CONS 24-611**

Staff report submitted by Finance Director Gonzales, dated December 3, 2024, was filed.

It was moved by Council Member Andrews, seconded by Council Member Syrop, and carried by the following roll call vote, to adopt the resolution.

AYES: COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche,  
Syrop, Zermeño  
MAYOR Salinas

NOES: None

ABSENT: None

ABSTAIN: None

Resolution 24-240, "Resolution Accepting the Report and Adopting Findings Related to Fees Collected for the Development Projects Subject to the Requirements of the Mitigation Fee Act"

5. Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Amendment to an Agreement with Allied Universal Technology to Integrate Additional Facilities for Purchase and Phase III Implementation of a Consolidated Access Control System in an Increase of \$660,000 and an Amount Not to Exceed \$2,305,588.24 **CONS 24-619**

Staff report submitted by Maintenance Services Director Rullman, dated December 3, 2024, was filed.

It was moved by Council Member Andrews, seconded by Council Member Syrop, and carried by the following roll call vote, to adopt the resolution.

AYES: COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche,  
Syrop, Zermeño  
MAYOR Salinas  
NOES: None  
ABSENT: None  
ABSTAIN: None

Resolution 24-241, "Resolution Authorizing the City Manager to Negotiate and Execute an Amendment to an Agreement with Allied Universal Technology to Integrate Additional Facilities for Purchase and Phase III Implementation of a Consolidated Access Control System in an Increase of \$660,000 and an Amount Not to Exceed \$2,305,588.24"

6. Adopt a Resolution Authorizing the City Manager to Execute an Agreement with Iteris, Inc., in an Amount of \$132,814 to Purchase Video Detection Systems for Tennyson & Winton Signal Timing Upgrade Project No. 05342 **CONS 24-620**

Staff report submitted by Public Works Director Ameri, dated December 3, 2024, was filed.

It was moved by Council Member Andrews, seconded by Council Member Syrop, and carried by the following roll call vote, to adopt the resolution.

AYES: COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche,  
Syrop, Zermeño  
MAYOR Salinas  
NOES: None  
ABSENT: None  
ABSTAIN: None

Resolution 24-242, "Resolution Authorizing the City Manager to Execute an Agreement with Iteris, Inc., in the Amount of \$132,814 to Purchase Video Detection Systems for the Tennyson and Winton Signal Timing Upgrade, Project No. 05342"

7. Adopt a Resolution Approving the Reallocation of Unobligated ARPA Funds to the General Fund **CONS 24-625**

Staff report submitted by Finance Director Gonzales, dated December 3, 2024, was filed.

It was moved by Council Member Andrews, seconded by Council Member Syrop, and carried by the following roll call vote, to adopt the resolution.



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Syrop, Zermeño  
MAYOR Salinas

NOES: None

ABSENT: None

ABSTAIN: None

Resolution 24-243, "Resolution Authorizing the Transfer and Appropriation of \$4,005,527 Dollars of Unobligated American Rescue Plan Act (ARPA) Funds to the General Fund"

8. Adopt a Resolution Authorizing the City Manager to Execute Professional Service Agreements with Kittelson & Associates, Inc., Hexagon Transportation Consultants, Inc., and Kimley-Horn & Associates, Inc., for On-call Public Works Transportation Consulting Services **CONS 24-626**

Staff report submitted by Public Works Director Ameri, dated December 3, 2024, was filed.

It was moved by Council Member Andrews, seconded by Council Member Syrop, and carried by the following roll call vote, to adopt the resolution.

AYES: COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche,  
Syrop, Zermeño  
MAYOR Salinas

NOES: None

ABSENT: None

ABSTAIN: None

Resolution 24-244, "Resolution Authorizing the City Manager to Negotiate and Execute Professional Services Agreements with Kittelson & Associates, Inc.; Hexagon Transportation Consultants, Inc.; and Kimley-Horn & Associates, Inc., for Three Years for On-Call Transportation Consulting Services"

9. Adopt a Resolution Approving the Terms of the Employee Home Loan Program **CONS 24-627**

Staff report submitted by Finance Director Gonzales, dated December 3, 2024, was filed.

It was moved by Council Member Andrews, seconded by Council Member Syrop, and carried by the following roll call vote, to adopt the resolution.

AYES: COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche,  
Syrop, Zermeño  
MAYOR Salinas  
NOES: None  
ABSENT: None  
ABSTAIN: None

Resolution 24-245, "A Resolution of the City Council of the City of Hayward Approving the Employee Home Loan Program Loan Agreement and Setting the Terms for Repayment"

10. Adopt a Resolution Appropriating Funds from the Wastewater Operating Fund to 1) Prepay the 2016 Clean Water State Revolving Fund Loan Related to the Financing of the Recycled Water Project in a Not-to-Exceed Amount of \$14.1 million and 2) Establish an Interfund Loan to Finance the Prepayment **CONS 24-633**

Staff report submitted by Public Works Director Ameri, dated December 3, 2024, was filed.

It was moved by Council Member Andrews, seconded by Council Member Syrop, and carried by the following roll call vote, to adopt the resolution.

AYES: COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche,  
Syrop, Zermeño  
MAYOR Salinas  
NOES: None  
ABSENT: None  
ABSTAIN: None

Resolution 24-246, "Resolution Appropriating Funds from Wastewater Operating Fund To 1) Prepay the 2016 Clean Water State Revolving Fund Loan Related to the Financing of the Recycled Water Project in an Amount Not to Exceed \$14.1 Million And 2) Establish an Interfund Loan to Finance the Prepayment"

11. Adopt a Resolution Approving the Plans and Specifications and Call for Bids for the Water Resource Recovery Facility's (WRRF) New Administration and Laboratory Project, Project No. 07786 **CONS 24-632**

Staff report submitted by Public Works Director Ameri, dated December 3, 2024, was filed.



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It was moved by Council Member Andrews, seconded by Council Member Syrop, and carried by the following roll call vote, to adopt the resolutions.

AYES: COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche,  
Syrop, Zermeño  
MAYOR Salinas

NOES: None

ABSENT: None

ABSTAIN: None

Resolution 24-247, "Resolution Approving the Plans and Specifications for the Water Resource Recovery Facility's (WRRF) New Administration Building and Laboratory Project, Project No. 07786, and Calling for Bids to Be Received by January 28, 2025"

Resolution 24-248, "Resolution Approving the Use of Certain Sole Source Products in the Plans and Specifications for the Water Resource Recovery Facility's (WRRF) New Administration Building and Laboratory Project, Project No. 07786"

## **WORK SESSION**

### **12. Recommended FY 2026 to FY 2030 Sewer Rates and Connection Fees (Report from Public Works Director Ameri) **WS 24-037****

Staff report submitted by Public Works Director Ameri, dated December 3, 2024, was filed.

Public Works Director Ameri announced the item and introduced Consultant Nancy Phan, Management Analyst Trang Nguyen, and Consultant Christian Sprunger who provided a synopsis of the staff report.

Discussion ensued among member of the City Council, City staff, and Consultants Phan and Sprunger and the following clarifications were made: the proposed 12% annual revenue increase does not mean all customers face a 12% rate hike; residential customers may see smaller increases, while some businesses might pay slightly more; the necessity of maintaining the \$34 million utility fund reserve was explained as a requirement for council policy, debt service coverage, and emergency preparedness; Hayward offers assistance programs to reduce utility costs for qualifying residents; sewer delinquencies are a small fraction of total revenue, contrasting with larger waste management delinquencies; extending the timeline for implementing rate increases could result in even higher long-term rates; the high proposed sewer connection fees were justified by the decision to avoid residential ratepayer subsidies for

large business users, aligning with policy and Proposition 218 requirements; while comparisons of commercial sewer rates with other jurisdictions were not included in the presentation, staff offered to provide this data upon request; the San Francisco Bay Regional Water Quality Control Board mandated nutrient removal requirements for wastewater agencies in the Bay Area; rate increases are not aimed at generating revenue but are necessary to comply with environmental requirements and service debt related to these projects; connection fees are a one-time charge applied when new properties or developments are built and connected to the sewer system; commercial customers, such as restaurants, have the option to pay connection fees over time (up to 10 years) instead of upfront; the two-year timeline for implementing the proposed connection fee increases is aimed at providing predictability for developers planning new projects; the proposed rate increases of up to 12% annually are set for the next five years, with a new cost-of-service study planned afterward to determine future adjustments; maintaining reserves equivalent to one year of operational revenue is an optimal target for ensuring creditworthiness and managing unforeseen financial fluctuations; and the rates outlined in the discussion represent the maximum, and adjustments to lower them may still be possible before the Proposition 218 notice is published, based on Council's concerns raised.

There being no public speakers, Mayor Salinas opened and closed public comment at 8:03 p.m.

## **PUBLIC HEARING**

13. Tenant Relocation Assistance Ordinance: Introduction of an Ordinance Amending Chapter 12, Article 2 of the Hayward Municipal Code Simplifying Requirements for Relocation Assistance; Adopt a Resolution Amending the FY 2025 Master Fee Schedule; and Adopt a Resolution Appropriating Revenue Funds Received from Landlords Reimbursing the City for Relocation Assistance Cases (Report from Development Services Director Buizer) **PH 24-046**

Staff report submitted by Development Services Director Buizer and Development Services Deputy Director Morales, dated December 3, 2024, was filed.

Development Services Director Buizer announced the item and introduced Management Analyst Patel who provided a synopsis of the report.

Discussion ensued among members of the City Council, Management Analyst Patel and Development Services Deputy Director Morales and the following clarifications were made: relocation assistance fees are required under state law only in cases where there is an official order to vacate, and local fees may also apply in such circumstances; state-mandated relocation fees are set at two times the fair market rent plus a utility allowance; if a landlord cannot or will not pay the required relocation assistance, the City will make the payment to the tenant and later collect reimbursement from the landlord; tenants are not required to submit receipts for expenses; the funds are intended to provide financial support for emergency relocation, such as covering first and last month's rent, to prevent homelessness; a penalty fee may be applied





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to incentivize landlords to pay on time and to help cover City administrative costs; the \$30,000 represents funds the City previously paid to tenants for relocation assistance when landlords failed to comply with orders to vacate; the initial payments were covered using ARPA (American Rescue Plan Act) funds; the recovered funds do not automatically go into a revolving relocation assistance fund; specific authorization is required to reuse them for similar purposes; the funds should logically be allocated to a revolving relocation assistance fund to support similar cases in the future; landlords are required to notify tenants of their rights under the Residential Rent Stabilization Ordinance and Tenant Relocation Assistance Ordinance; the City provides additional notification in cases involving code enforcement orders to vacate; if a landlord fails to pay relocation assistance, the city issues a failure-to-pay notice and informs the tenant of their rights; the City works to ensure landlord compliance through follow-up actions; landlords must submit proof of payment to the city within 30 days of the required payment; the City actively monitors cases to ensure compliance, even if tenants are unaware of their rights or fail to report nonpayment; the ordinance has successfully helped tenants relocate from uninhabitable housing conditions and provided them with resources to secure alternative housing; the complexity of the payment structure has caused misunderstandings between landlords and staff; the City's ability to advance relocation payments when landlords fail to act has expedited the process of finding safe housing for tenants; and the ordinance has led to more tenants reporting unsafe conditions, highlighting the importance of the City's role in enforcing housing standards.

Mayor Salinas opened the public hearing at 8:22 p.m.

Ro Aguilar commended the City for its tenant relocation ordinance and inquired whether the City tracks the long-term success of relocated tenants, including their ability to secure stable, affordable housing, avoid homelessness, and manage potential challenges in temporary arrangements such as hotels.

Mayor Salinas closed the public hearing at 8:25 p.m.

Council Member Goldstein made a motion to approve the staff's recommendation.

Mayor Salinas thanked staff and acknowledged his colleagues on the Housing Policy & Resource Committee (HPRC) for their efforts in improving the ordinance to support tenants, highlighting the City's commitment to preventing homelessness and assisting families during housing development or renovation; and supported the motion.

Council Member Bonilla Jr. emphasized the importance of relocation assistance as a homelessness prevention strategy and advocated for creating a sustainable revolving relocation assistance fund; and appreciated the effort to streamline services, protect vulnerable renters, and ensure safe housing conditions for residents.

Council Member Syrop commended staff for simplifying the ordinance and making it more efficient for tenants, landlords, and City staff, framing it as a fiscally responsible and moral approach to preventing homelessness; and echoed support for a revolving fund and suggested incorporating metrics to evaluate the program’s effectiveness.

Council Member Roche praised the ordinance’s clear language and proactive checks and balances to ensure compliance by landlords while providing tenants with necessary resources; and appreciated efforts to simplify processes and penalize noncompliance, ensuring better support for tenants in difficult circumstances.

Council Member Andrews commended the HPRC for driving proposed changes and highlighted the ordinance as a community investment to prevent homelessness and retain families; and stressed the importance of making the ordinance accessible in multiple languages.

Council Member Zermeño supported the ordinance as a critical tool for preventing homelessness and addressing community concerns about housing issues, adding it to the City's broader strategy to tackle homelessness and protect residents.

It was moved by Council Member Goldstein, seconded by Council Member Syrop, and carried by the following roll call vote, to adopt the resolutions and introduce the ordinance.

AYES: COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche,  
Syrop, Zermeño  
MAYOR Salinas  
NOES: None  
ABSENT: None  
ABSTAIN: None

Resolution 24-249, “Resolution Authorizing the Amendment to Resolution 24-197, the Resolution for the City of Hayward Fiscal Year 2025 Master Fee Schedule Associated with the Administration of Chapter 12, Article 2 of the Hayward Municipal Code Regarding the Tenant Relocation Assistance Ordinance”

Resolution 24-250, “Resolution Authorizing the Appropriation of \$29,858 in Revenue Funds from Landlord Reimbursements to the City for Tenant Relocation Assistance Due to a Governmental Agency’s Order to Vacate After Landlords’ Failure to Pay”

Introduction of Ordinance 24-\_, “An Ordinance of the City of Hayward, California, Amending Chapter 12, Article 2 of the Hayward Municipal Code Relating to Tenant Relocation Assistance”



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## **COUNCIL REPORTS AND ANNOUNCEMENTS**

Council Member Andrews announced upcoming events, including "Light Up the Season" at City Hall on December 7, 2024; the Bay Philharmonic Holiday Spectacular show on December 14 and 15, 2024, at Chabot College, and a K-pop event in collaboration with the Downtown Hayward Improvement Association and the Asian Art Museum on December 15, 2024, in downtown Hayward.

Council Member Syrop praised a community-organized street cleanup led by Pearl's Café, highlighting the success of the event and encouraging other neighborhoods to organize similar efforts, with support from the Keep Hayward Clean and Green Task Force.

Council Member Zermeño suggested adding decorative holiday lights on Foothill Boulevard to enhance the area's festive appeal and potentially slow traffic. Development Services Director Buizer confirmed existing holiday lighting and committed to exploring additional options for future years.

Mayor Salinas invited the public to a special City Council meeting on December 10, 2024, for the swearing-in of re-elected council members, and highlighted the significance of community ceremony in marking important milestones.

## **COUNCIL REFERRALS**

There were none.

## **ADJOURNMENT**

Mayor Salinas adjourned the City Council meeting at 8:43 p.m.

## **APPROVED**

A handwritten signature in black ink, appearing to be "Mark Salinas", written over a horizontal line.

Mark Salinas  
Mayor, City of Hayward

## **ATTEST:**

A handwritten signature in black ink, appearing to be "Miriam Lens", written over a horizontal line.

Miriam Lens  
City Clerk, City of Hayward