



CITY COUNCIL MEETING

777 B Street, Hayward, CA 94541

Council Chamber and Virtual Platform (Zoom)

<https://hayward.zoom.us/j/86529095829?pwd=YUdGWESvTHpGeGwxa1FFK01HbGx4dz09>

Tuesday, May 3, 2022, 7:00 p.m.

The City Council meeting was called to order by Mayor Halliday at 7:00 p.m. The City Council held a hybrid meeting which included in-person and teleconference participation by members of the City Council, staff and public.

Pledge of Allegiance: Council Member Zermeño

ROLL CALL

Present:

Council Chamber: Council Members Lamnin, Salinas, Zermeño, and Mayor Halliday

Virtual Platform (Zoom): Council Members Andrews, Márquez, Wahab

Absent: None

CLOSED SESSION ANNOUNCEMENT

The City Council convened in closed session on May 3, 2022, at 5:00 p.m., with all members present, regarding three items: (1) conference with legal counsel pursuant to Government Code section 54956.9 concerning Cisneros v. City of Hayward, et al. Alameda County Superior Court, Case No. HG20069664; (2) conference with labor negotiators pursuant to Government Code section 54957.6 regarding all bargaining groups; and (3) public employment pursuant to Government Code section 54957 regarding the annual performance evaluation for City Manager, City Attorney and City Clerk. City Attorney Lawson announced there was no reportable action related to Items 1 and 2. Mayor Halliday announced there was no reportable action related to Item 3. The closed session adjourned at 6:48 p.m.

PUBLIC COMMENTS

The following employees acknowledged it was Public Service Recognition Week; spoke of the service provided by City employees; asked Council to consider City employees and the increase in demand for services when reviewing the budget and setting priorities; underscored the need to fill vacancies to continue to provide high standard services and avoid employee burnout; urged to curb privatization and outsourcing work and keep jobs in Hayward; and asked to provide training and growth opportunities for employees.

Mr. John Varga, IFPTE Local 21 representative

Ms. Suzanne Philis, Hayward resident, City employee, SEIU Local 21 representative

Mr. Danny Magalhaes, Maintenance Services Supervisor, HAME Vice President

Ms. Brianne Elizarrey, City employee, IFPTE Local 21 representative

Ms. Michelle Gee, Library employee, IFPTE Local 21 representative

Ms. Manaal Shafi, Bloom Energy coordinator, shared the Bloom Energy Stars and Strides Run would be held on July 2, 2022, with proceeds benefiting Santa Clara Valley Medical Center Hospitals and Clinics.

Council Member Wahab commended the work of employees and requested that vacancies be filled and create career journeys for employees through internal promotional opportunities.

CITY MANAGER'S COMMENTS

City Manager McAdoo made two announcements: 1) expressed gratitude to all City employees and addressed the speakers on the vacancies, noted that for Public Service Recognition Week the Executive Team was hosting the annual Employee Pancake Breakfast on May 5, 2022; and 2) Hayward People's Budget participatory process had started and would end May 15, 2022, and invited all to vote on community projects that will receive funding.

Mayor Halliday apologized there was no proclamation for Public Service Recognition Week but emphasized how much Council appreciated and valued City staff.

CONSENT

Consent Item No. 9 and Item No. 4 included comments.

1. Approve the Special Joint City Council/Hayward Housing Authority Board Meeting Minutes of the City Council Meeting on April 19, 2022 **MIN 22-058**

It was moved by Council/HHA Member Wahab, seconded by Council/HHA Member Lamnin, and carried unanimously, to approve the minutes of the Special Joint City Council/Hayward Housing Authority Board meeting on April 19, 2022.

2. Adopt a Resolution Endorsing the Alameda County Home Together 2026 Implementation Plan **CONS 22-245**

Staff report submitted by Assistant City Manager Ott, dated May 3, 2022, was filed.

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

AYES:	COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab, Zermeno MAYOR Halliday
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution 22-109, "Resolution Endorsing the Alameda County Home Together 2026 Implementation Plan"



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3. Adopt a Resolution Authorizing the City Manager to Enter into and Execute an Agreement with LWP Claims Solutions ("LWP") for Administration of the City of Hayward's Workers' Compensation Claims Services **CONS 22-254**

Staff report submitted by Human Resources Director Sangy, dated May 3, 2022, was filed.

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

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,
Wahab, Zermelo
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 22-110, "Resolution Authorizing the City Manager to Execute and Enter into a Five-Year Agreement with LWP Claims Solutions for Administration of the City of Hayward's Workers' Compensation Claims Services for a Total Not to Exceed Amount of \$2,500,000"

4. Adopt a Resolution Accepting the Resignation of Mr. Michael Chand from the Keep Hayward Clean and Green Task Force, Effective Immediately **CONS 22-257**

Staff report submitted by City Clerk Lens, dated May 3, 2022, was filed.

Council Member Andrews thanked Mr. Michael Chand for his service on the Keep Hayward Clean and Green Task Force and wished him the best in future endeavors.

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

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,
Wahab, Zermelo
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 22-111, “Resolution Accepting the Resignation of Mr. Michael Chand from the Keep Hayward Clean and Green Task Force”

5. 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 **CONS 22-258**

Staff report submitted by City Manager McAdoo and City Clerk Lens, dated May 3, 2022, was filed.

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

AYES:	COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab, Zermeño MAYOR Halliday
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution 22-112, “Resolution Making the Required Findings Pursuant to AB 361 to Continue to Hold Teleconferenced Public Meetings During the COVID 19 State of Emergency”

6. Adopt a Resolution Approving the Plans and Specifications and Call for Bids for the Willimet Way and I-880 Sanitary Sewer Main Installation Project, Project No. 07717 **CONS 22-262**

Staff report submitted by Public Works Director Ameri, dated May 3, 2022, was filed.

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

AYES:	COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab, Zermeño MAYOR Halliday
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution 22-113, “Resolution Approving the Plans and Specifications for the Willimet Way and I-880 Sanitary Sewer Main Installation Project, Project No. 07717, and Calling for Bids”



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7. Adopt a Resolution Approving the Plans and Specifications and Calling for Bids for the Sewer Line Improvements Project, Project No. 07761 **CONS 22-265**

Staff report submitted by Director of Public Works Ameri, dated May 3, 2022, was filed.

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

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,
Wahab, Zermeno
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 22-114, "Resolution Approving the Plans and Specifications for the Sewer Line Improvements Project, Project No. 07761, and Calling for Bids to Be Received by June 7, 2022"

8. Adopt a Resolution Authorizing the City Manager to Enter into an Agreement for Vegetation Management Services with Pacheco Landscape Management, for a Not to Exceed Amount of \$263,997 to Support the Hayward Fire Department's Creation of Defensible Space Project **CONS 22-274**

Staff report submitted by Fire Chief Contreras, dated May 3, 2022, was filed.

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

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,
Wahab, Zermeno
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 22-115, “Adopt a Resolution Authorizing the City Manager to Execute an Agreement with Pacheco Landscape Management for Vegetation Management Services Related to the Hayward Fire Department’s Defensible Space Project in an Amount Not to Exceed \$263,997”

9. Adopt a Resolution in Support of Locating a Trauma Center in Southern Alameda County at Washington Hospital’s Morris Hyman Critical Care Pavilion **CONS 22-279**

Staff report submitted by City Manager McAdoo, dated May 3, 2022, was filed.

Ms. Kimberly Hartz, Washington Hospital Healthcare System CEO, stated that designating a trauma center in Southern Alameda County and having the infrastructure in place was an important initiative for the community, and urged Council’s support.

Mayor Halliday stated this would create more opportunities for the Hayward community to receive trauma services.

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

AYES:	COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab, Zermeno MAYOR Halliday
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution 22-116, “Resolution of the City Council of the City of Hayward in Support of Locating a Trauma Center at Washington Hospital Healthcare and Encourages the Alameda County Board of Supervisors to Approve a Trauma Center at Washington Hospital in Southern Alameda County”

WORK SESSION

10. Proposed Traffic Impact Fee and Nexus Study **WS 22-012**

Staff report submitted by Director of Public Works Ameri, dated May 3, 2022, was filed.

Public Works Director Ameri provided a synopsis of the proposed Traffic Impact Fee (TIF) and Nexus Study and introduced Michaela Jellicoe, an economic consultant with Community Attributes, Inc., who presented the development feasibility summary and recommendations. Director Ameri provided an overview of stakeholders’ feedback and



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responses.

There being no public comments, Mayor Halliday opened and closed the public comment section at 8:06 p.m.

Discussion ensued among members of the City Council and City staff regarding: the proposed Traffic Impact Fee (TIF) recommendation for single family, multifamily, retail, and office use; there was confirmation that all non-residential developments with the exception of industrial, were exempt from paying park fees; funds collected from the TIF would be used for improving streets, intersections, improving pedestrian and bicyclist accessibility and safety, and other transit improvement projects; homeowners were not going to pay the fees directly but fees would be built into project developments based on their financial feasibility; recommended fees, if approved, would be evaluated in three years because it would be the initial implementation; the proposed retail and office TIF recommendations were set based on the minimal current office use and in an effort to attract and incentivize retail and office uses and create more jobs; proposed fees would go into effect July 1, 2022 and applications already in the pipeline would be grandfathered in but subject to current requirements; major retailers that are not subject to traffic impact fees would still have to mitigate impacts based on current practice if a traffic analysis determined there were traffic impacts; list of projects eligible to be implemented with collected fees would be prioritized; as part of improvement projects for bicyclist and pedestrian use, there may be a requirement to remove excessive parking and this would include a community outreach process; the project for roundabout improvements at Orchard Road and Joyce Street was on pause but would be done; and TIF would not replace traffic analysis requirements by California Environmental Quality Act (CEQA) and some development projects would still be subject to a Local Transportation Analysis (LTA).

Members of the City Council commended the work done by City staff in providing the proposed TIF recommendations; appreciated streamlining the development process; and commended the stakeholder engagement.

Council Member Wahab indicated she did not want to overburden residential properties any further; noted as Hayward expands the industrial area and economic development, everyone should pay their fair share; and asked to evaluate if the proposed single family reduction fee of 70% could be either waived or reduced further to 80% and reconsider the retail and office proposal.

Council Member Zermeño was in general agreement with the proposed fees and objectives, commented that it was unfortunate the proposal could not assist in decreasing the number of cars on the roadway, and thanked staff for the comprehensive plan.

Council Member Márquez expressed concern that large retailers could afford to pay traffic impact fees and that might be a missed opportunity; and recommended that staff explore providing an option for development projects already in the pipeline to opt in to TIF.

Council Member Lamnin appreciated that Tennyson Road and A Street projects were on the high priority list of eligible projects that would be funded with TIF; supported staff conducting the analysis for developers opting in to TIF; and suggested that in future fee discussions, staff be mindful that tying fees to housing units rather than square footage could encourage larger units and therefore more expensive units.

Council Member Andrews acknowledged the concern for small retail and office uses being subject to fees and requested that staff do an analysis for retailer/office uses under 4,000 square feet to guide the evaluation/recommendation in three years.

Mayor Halliday favored the implementation of the proposed TIF since Hayward was the only city in Alameda County without a TIF and appreciated the gradual approach due to current economic conditions; noted the money generated from the fees would help match transportation infrastructure grants; and supported the proposal and consideration of comments made by members of the Council.

It was noted the item would return to Council as a public hearing on May 17, 2022.

PUBLIC HEARING

11. 603 A Street: Adopt a Resolution to Vacate a Public Utilities Easement at 603 A Street PH 22-023

Staff report submitted by Public Works Director Ameri, dated May 3, 2021, was filed.

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

There were no questions raised by members of the City Council.

There being no public comments, Mayor Halliday opened and closed the public hearing at 8:46 p.m.

Council Member Zermeño was pleased with the proposal to vacate the Public Utilities Easement as the lot had been an eyesore for many years.

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



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Wahab, Zerméño
MAYOR Halliday

NOES: None

ABSENT: None

ABSTAIN: None

Resolution 22-117 "Resolution Vacating a Public Utilities
Easement at 603 A Street"

LEGISLATIVE BUSINESS

12. Strategic Roadmap Update: Adopt a Resolution Approving the Updated Strategic Roadmap for the FY2023 Budget **LB 22-011** Continued from April 26, 2022

Staff report submitted by Assistant City Manager Ott, dated May 3, 2022, was filed.

City Manager McAdoo introduced Management Analyst Thomas who provided a synopsis of the staff report.

Members of the City Council commended the work done by City staff.

Discussion ensued among members of the City Council and City staff regarding: the format for FY 2021 to FY 2023 Project List; the results of the resident satisfaction survey have been used by City staff when discussing Council's priorities and could be used with new members of the City Council after the November election; should new projects or ideas emerge in the next few months, staff would brainstorm with Council, do an analysis to determine if some projects were already being worked on or consider tradeoffs due to staffing challenges; dispatch needs assessment and capacity project for FY23; concluding Human Resources' Strategic Plan was a priority to help address vacancies across the organization; as Human Resources is restructured, the focus would be to create career pathways and training to have promotional opportunities; more organizational training was needed to incorporate racial equity language in Council staff reports; strategic priorities may change depending on direction of new City Council members and projects underneath priorities could potentially be impacted; the Street Vendor Ordinance is on the roadmap; and staff would evaluate adding the smoke-free multi-unit housing ordinance to the workplan.

Council Member Márquez requested that, should new ideas/projects emerge during the year, staff provide in their analysis and potential tradeoff recommendation, information on the staffing impacts due to vacancies.

Council Member Wahab asked that staff consider incorporating racial equity lens and economic analysis language in Council staff reports.

Mayor Halliday opened the public hearing at 9:21 p.m.

Ms. Daisy Romo-Rodriguez, Bay Area Strength Through Activism (BASTA) Adult Coordinator, spoke about health effects of secondhand smoke exposure in multi-unit housing; and urged Council to direct staff to find a solution.

Ms. Jade, BASTA Project Director, urged Council to prioritize the health of residents by creating smoke-free multi-unit housing protections; and noted BASTA collected 250 petition signatures in support of regulations and received support from property managers, Alameda County Labor Council, Hayward Youth Commission and Alameda County Public Health Department.

Mayor Halliday closed the public hearing at 9:28 p.m.

Members of the City Council thanked City staff for their work with Council's Strategic Priorities.

Council Member Salinas noted that strategic initiatives and priorities emanate from neighborhood surveys through a process that engages the community; appreciated the metrics included in the roadmap to gauge accomplishments and future plans; noted staff reports include a racial and ethnic breakdown of communities impacted; was pleased to see the top voted projects in the roadmap; and supported the Human Resources Plan, recognizing its importance.

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

Council Member Zermeño seconded the motion.

Council Member Zermeño was pleased with the outlined strategic priorities, specifically Confront Climate Crisis & Champion Environmental Justice and Grow the Economy focus areas; and emphasized the need to have adequate staffing in place to work on the strategic priorities.

Council Member Andrews appreciated the visuals provided; was pleased to see mental health and public art highlighted, the Russell City restitution prioritized, and grants and loans dispersed throughout the community; wanted to include employee self-care as a part of talent acquisition under Strengthen Organization Health; and noted that ideas of prospective new members of the Council should be heard and considered.



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Council Member Márquez was pleased with the evolvement of priorities; noted the priority list of over 70 projects was extensive and hoped there would be a concrete implementation plan if there were no recommendations to fill vacancies; and asked that the memo on smoke-free multi-unit housing be brought to Council in the fall.

Council Member Wahab noted that in the future, some projects in the roadmap can be better clarified in terms of what is policy initiated from standard duties such as mandates; requested to prioritize getting departments staffed up and trained; and wanted to prioritize and fund cyber security; and expressed support of the roadmap.

In response to Mayor Halliday's inquiry about a report on vacant properties, City Manager McAdoo noted staff could add the report, that was presented to the Council Economic Development Committee, to a future Council agenda as an informational item.

Mayor Halliday echoed the health concerns expressed by community members regarding secondhand smoke in multi-unit housing; proposed modifying one priority to "Confront Climate Crisis and Champion Environmental *Quality or Protection and Justice*" as this would add the missing element of environmental quality or protection; favored creating a cultural commission; and expressed that arts and cultural funding could be separated from Community Services and added in Economic Development, Library, or Facilities.

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

AYES:	COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab, Zermeño MAYOR Halliday
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution 22-118 "Resolution Approving and Adopting the Updated City of Hayward Three Year Strategic Roadmap (Fiscal Year 2021 – Fiscal Year 2023)"

13. Stack Center Construction Update: Adoption of Resolutions Accepting a \$2,647,000 Caltrans Grant, and Authorizing the City Manager to Execute a Contract Amendment with RossDrulisCusenbery Architecture for Project Phasing, Not-to-Exceed \$377,800 **LB 22-012**

Staff report submitted by Assistant City Manager Ott, dated May 3, 2022, was filed.

City Manager McAdoo introduced Management Analyst Thomas who provided a synopsis of the staff report.

Discussion ensued among members of the City Council and City staff regarding: the Stack Center site has spaces that could accommodate for activities and to be used for community organizations but there would be further discussion on the operation of the center; the multi-purpose space was designed for holding public meetings and equipped to hold a range of meetings for governing bodies as well as nonprofit organizations; the Alameda County Office of Education and the Computer Center would be moved to a temporary location during construction and there would be solar covering most of the parking lot; consideration of enabling the space to be used for a variety of larger event types; and the total project cost was \$47 million with a gap of \$22 million and a private fundraiser was engaged to connect the City to high donors or industries.

There being no public comments, Mayor Halliday opened and closed the public hearing at 10:20 p.m.

Members of the City Council commended City staff for all the work with the project and especially Management Analyst Thomas.

Council Member Lamnin appreciated the inclusion of youth in the process and suggested to preserve youth murals; suggested some organizations such as the Rotary Club could be a partner in helping fundraise; suggested a memorial grove, a labyrinth or a brick as fundraising strategies; appreciated that Wi-Fi was to be built in from the start; suggested installing stands with bicycle repair tools for the park and mentioned Fixit Clinic is an organization that has a network of volunteers who can fix things; and suggested considering co-working space as a revenue stream.

Council Member Márquez underscored the valuable services already provided at the center would be expanded upon through the project; noted that while incorporating the youth was key, there was also a need to have space for elders where they could feel safe; committed to contributing funds and invited all to join in fundraising efforts; and made a motion to approve the staff's recommendation.

Mayor Halliday seconded the motion.

Council Member Andrews supported acknowledging the artists in some capacity and adding the art on the building or elsewhere in the city; agreed with the size of the multi-purpose room, recognizing that larger rooms would require more funding for the project; was excited about on-site care for newborns; suggested considering organizations that can share the space and help with cost sharing on weekends; suggested fundraising opportunities through benches, naming rooms and incorporating donors; noted the movie screen would serve as a go to destination; supported Council Member Zermeño's comments about incorporating bike repair stations; and noted that it might be worth considering bike storage and lockers if the facility was a site where individuals might work.



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Council Member Márquez deferred to Mayor Halliday to make the motion as the mayor had worked hard to make the site a reality; and she seconded the motion.

Mayor Halliday stated that members of the Council made great suggestions, but did not think that buildings could be enlarged, noting that the proposed site would not be able to function as event space but would be more oriented as a youth and family center for education and health care; noted the cost had increased and that the project had received large contributions thus far recognizing the need to invest in that sector of the community; and suggested staff could update the Council on contributions received or updates through an informational report.

Council Member Zermeño stated the project was a tremendous accomplishment for the Tennyson Corridor, added it would benefit the vast community in South Hayward, acknowledged individuals who supported the project; and supported donor bricks to raise funds, noting he would be the first to donate \$100.

It was moved by Mayor Halliday, seconded by Council Member Márquez, and carried by the following roll call vote, to adopt the resolutions.

AYES:	COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab, Zermeño MAYOR Halliday
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution 22-119 "Resolution Authorizing the City Manager to Accept and Appropriate \$2,647,000 in Clean California Grant Funding from the California Department of Transportation for the Stack Youth and Family Center"

Resolution 22-120 "Resolution Authorizing the City Manager to Negotiate and Execute an Amendment to the Professional Services Agreement with RossDrulisCusenbery, Inc. for Phased 1 Phase I Project Construction Document, Bidding, and Construction Phase A/E Services for the South Hayward Youth & Family Center Project, Not-to Exceed \$377,800"

COUNCIL REPORTS AND ANNOUNCEMENTS

Council Member Lamnin appreciated the strong ties the Council had to the South Hayward community and was pleased to see projects which many had been involved with for decades coming to fruition.

Council Member Márquez hoped the Council could figure out a strategy to get more involved to raise funds for the Stack Center project.

Council Member Zermeno shared that May 18, 2022, was Arbor Day and City staff would be planting trees at Cesar Chavez Middle School on that day.

Mayor Halliday noted that Council would be participating in the annual Budget Work Session virtually on Saturday May 14, 2022.

In recognition of the upcoming Mother's Day, Council Member Márquez thanked all mothers and nurturers for looking out for their community and playing a role in caring for others; and encouraged all to practice self-care.

COUNCIL REFERRALS

There were none.

ADJOURNMENT

Mayor Halliday adjourned the meeting at 10:42 p.m.

APPROVED

Barbara Halliday
Mayor, City of Hayward

ATTEST:

Miriam Lens
City Clerk, City of Hayward