



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov

Action Minutes City Council

Tuesday, July 17, 2018

7:00 PM

Council Chambers

CITY COUNCIL MEETING

CALL TO ORDER Pledge of Allegiance: Council Member Mendall

ROLL CALL

Present: 7 - Council Member Francisco Zermeno, Council Member Al Mendall, Council Member Marvin Peixoto, Council Member Sara Lamnin, Council Member Elisa Marquez, Mayor Barbara Halliday, and Council Member Mark Salinas

CLOSED SESSION ANNOUNCEMENT

City Attorney Lawson announced the City Council convened in closed session at 5:00 p.m., concerning three items: 1) conference with property negotiators pursuant to Government Code 54956.8 regarding APN/Address: 432-0124-002-00 (1525 West Winton Ave.); 2) conference with property negotiators pursuant to Government Code 54956.8 concerning APNs/Addresses: 442-0010-004-20 (529 Southland Mall Dr.), 442-0010-004-20 (335 Southland Mall Dr.), 442-0010-006-01 (24518 Hesperian Blvd.), 442-0010-008-00 (24041 Southland Dr.); and 3) conference with labor negotiators pursuant to Government Code 54957.6 regarding all groups; and noted there was no reportable action.

City Attorney Lawson also reported that the City Council unanimously added one anticipated litigation case pursuant to Government Code 54954.2(b)(2) because the matter came to the attention of City staff after publication of the closed session agenda; and noted that there was no reportable action.

PRESENTATION

National Night Out 2018

PUBLIC COMMENTS

Mr. Jerry Turney
Ms. Wynn Grcich
Mr. Don Keller
Ms. Janice Keller
Mr. Kim Huggett
Mr. Andy Madeira
Mr. Bowa Tucker
Mr. Andy Webber
Mr. Mitchell Medeiros
Mr. Charlie Peters

Consent Items 2, 3, 6, and 14 were removed from the Consent Calendar.

CONSENT

Approval of the Consent Calendar

A motion was made by Council Member Márquez, seconded by Council Member Mendall, to approve the Consent Calendar. The motion carried by the following vote:

Aye: 7 - Council Member Zermeno, Council Member Mendall, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, Mayor Halliday, and Council Member Salinas

1. [Minutes of the City Council Meeting on July 3, 2018](#)

Consent item was approved.

2. [An Ordinance Amending Chapter 10, Article 1 \(Zoning Ordinance\) of the Hayward Municipal Code by Rezoning Certain Property to Planned Development District in Connection with Zone Change and Vesting Tentative Map Application No. 201704074 to Accommodate 41-Single Family Dwellings at 22626 4th Street](#)

A motion was made by Council Member Mendall, seconded by Council Member Zermeño, to approve staff's recommendation. The motion carried by the following vote:

Aye: 6 - Council Member Zermeno, Council Member Mendall, Council Member Peixoto, Council Member Marquez, Mayor Halliday, and Council Member Salinas

Recused: 1 - Council Member Lamnin

3. [Resolution Reappointing Council Member Peixoto to the Housing Authority of the County of Alameda Housing Commission for a Four-Year Term Ending August 6, 2022](#)

A motion was made by Council Member Márquez, seconded by Council Member Mendall, to approve staff's recommendation. The motion carried by the following vote:

Aye: 6 - Council Member Zermeno, Council Member Mendall, Council Member Lamnin, Council Member Marquez, Mayor Halliday, and Council Member Salinas

Recused: 1 - Council Member Peixoto

4. [Filing Nuisance/Abatement/Municipal Code Liens with the County Recorder's Office for Non-Abatable Code Violations](#)

Consent item was approved.

5. [Report and Special Assessment for Residential Rental Inspection Program Fees Past Due](#)

Consent item was approved.

6. [Report and Special Assessment for Community Preservation Fees Past Due](#)

A motion was made by Council Member Mendall, seconded by Council Member Lamnin, to approve staff's recommendation. The motion carried by the following vote:

Aye: 6 - Council Member Mendall, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, Mayor Halliday, and Council Member Salinas

Nay: 1 - Council Member Zermeno

7. [Report and Assessment for Delinquent Garbage Bills Incurred by Property Owners of Single-Family Residences Households](#)

Consent item was approved.

8. [Report and Special Assessment for Delinquent Sewer Bills and Water Bills Incurred by Property Owners](#)

Consent item was approved.

9. [Recycled Water Storage and Distribution System Project: Authorization to Execute an Amendment to Professional Services for Recycled Water Customer Retrofit Conversions to Increase the Contracted Amount for Additional Services](#)

Consent item was approved.

10. [Recycled Water Treatment Facility Project - Phase I: Approval of Addendum Nos. 1 and 2 and Award of Procurement Contract for Membrane Treatment System Equipment](#)

Consent item was approved.

11. [Approval of Final Map Tract 8434 \(Spindrift II\), Associated with the Previously Approved Vesting Tentative Map Tract 8148 and Proposed Development of 52 Single-Family Homes on a 6.18-Acre Site Located at the North-East Corner of Marina Drive and Eden Park Place; Pulte Group \(Applicant/Owner\)](#)

Consent item was approved.

12. [Authorization for the City Manager to Execute a Memorandum of Understanding with the Alameda County Health Care Services Agency for Medi-Cal Administrative Activities Provided by the Youth and Family Services Bureau of the Hayward Police Department](#)

Consent item was approved.

13. [Resolution Approving the Extension and Amendment of the Memorandum of Understanding between the City of Hayward and the Hayward Police Officers Association](#)

Consent item was approved.

14. [Authorization to Enter into an Exclusive Negotiating Rights Agreement for Caltrans Parcel Group 3, Generally Bounded by East 16th Street, Tennyson Road and Calhoun Street; and, Parcel Group 4, Generally Bounded by Westview Way, Harder Road and Calhoun Street; and a portion of Parcel Group 2 at Tennyson Road](#)

A motion was made by Council Member Márquez, seconded by Council Member Mendall, to approve staff's recommendation. The motion carried by the following vote:

Aye: 7 - Council Member Zermeno, Council Member Mendall, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, Mayor Halliday, and Council Member Salinas

PUBLIC HEARING

15. [Proposed Addendum to Stonebrae Slope Management Program \(Report from City Attorney Lawson and Interim Public Works Director Ameri\)](#)

A motion was made by Council Member Peixoto, seconded by Council Member Lamnin, to approve staff's recommendation. The motion carried by the following vote:

Aye: 7 - Council Member Zermeno, Council Member Mendall, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, Mayor Halliday, and Council Member Salinas

16. [Proposed Single-Family Residence on a Vacant 0.27-Acre Hillside Lot Located at 2367 Rainbow Court, by Mark Bucciarelli \(Applicant\) on Behalf of Quan and Thip Tran \(Property Owners\), Requiring Approval of a Site Plan Review and Grading Permit and the Adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program \(Application No. 201700714\) \(Report from Development Services Director Simpson\)](#)

A motion was made by Council Member Lamnin, seconded by Council Member Zermeno, to approve staff's recommendation. The motion carried by the following vote:

Aye: 7 - Council Member Zermeno, Council Member Mendall, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, Mayor Halliday, and Council Member Salinas

LEGISLATIVE BUSINESS

17. [Approval of Commercial Cannabis Permits for Retail Cannabis Dispensaries \(Report from City Manager McAdoo\)](#)

A motion was made by Council Member Mendall, seconded by Council Member Peixoto, to approve staff's recommendation. The motion carried by the following vote:

Aye: 6 - Council Member Zermeno, Council Member Mendall, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, and Mayor Halliday

Nay: 1 - Council Member Salinas

18. [Adoption of Resolutions Establishing November 6, 2018 as the date for Two Proposed Ballot Measures, 1\) Asking Hayward Voters to Approve an Increase in the Real Property Transfer Tax; and, 2\) Asking Hayward Voters to Approve an Increase in the Transient Occupancy Tax \(Report will be available no later than July 16, 2018\)](#)

A motion was made by Council Member Mendall, seconded by Council Member Márquez, to approve staff recommendation asking Hayward voters to approve an increase in the Real Property Transfer Tax. The motion carried by the following vote:

Aye: 6 - Council Member Zermeno, Council Member Mendall, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, and Mayor Halliday

Nay: 1 - Council Member Salinas

19. [Adoption of a Resolution to Rescind Authorization for the CaliforniaFirst PACE Program to Operate in Hayward \(Report from Director of Utilities and Environmental Services Ameri\)](#)

A motion was made by Council Member Márquez, seconded by Council Member Mendall, to approve staff's recommendation. The motion carried by the following vote:

Aye: 7 - Council Member Zermeno, Council Member Mendall, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, Mayor Halliday, and Council Member Salinas

INFORMATION ITEMS

20. [Informational Report on Pacific Gas & Electric's Community Pipeline Safety Initiative Project](#)

Information only.

ADJOURNMENT

Mayor Halliday adjourned the meeting at 11:15 p.m., in memory of Mr. Gary Clark and Ms. Esther Concepcion.

NEXT SPECIAL MEETING, Monday, July 23, 2018