



GEOLOGIC HAZARD ABATEMENT DISTRICT/CITY COUNCIL MEETING

777 B Street, Hayward, CA 94541

Council Chambers and Zoom

<https://hayward.zoom.us/j/83639328548?pwd=ZUdDZE5lM2R1dHNFbVJoVXIjBckdmQT09>

Tuesday, June 18, 2024, 7:00 p.m.

The Hayward Geologic Hazard Abatement District (GHAD) Board/City Council meeting was called to order by Mayor/GHAD Chair Salinas at 7:00 p.m. The City Council/GHAD Board held a hybrid meeting in the Council Chambers and virtually via Zoom.

Pledge of Allegiance: Council/ GHAD Member Zermeño

Present: COUNCIL/GHAD MEMBERS Andrews, Bonilla Jr., Goldstein, Roche, Syrop, Zermeño

MAYOR/GHAD Chair Salinas

Absent: None

The Hayward Geologic Hazard Abatement District Board held its meeting and adjourned it at 7:15 p.m. and reconvened into the City Council meeting.

CLOSED SESSION ANNOUNCEMENT

The City Council convened in closed session on June 18, 2024, at 5:30 p.m., with all members present, and no public speakers, regarding three items: 1) conference with labor negotiators pursuant to Government Code section 54957.6 regarding negotiations with all labor groups; 2) conference with legal counsel pursuant to Government Code section 54956.9(d)(1) regarding *Roe v. Montenegro, et al.*, Alameda County Superior Court, No. 22 CV010050; and 3) conference with legal counsel pursuant to Government Code section 54956.9(d)(1) regarding *Benson v. City of Hayward, et al.*, U.S. District Court, Northern District of California, No. 3:23-CV-01500-AGT. City Attorney Lawson reported that the Council met regarding all three items. Regarding Item 1 and Item 2, City Attorney Lawson indicated that the Council took no reportable action. Regarding Item 3, City Attorney Lawson indicated that the Council was advised that plaintiffs agreed to drop their lawsuit and dismiss it with prejudice. The City paid no money in exchange for dismissal of the lawsuit. No Council action was required or taken. The closed session adjourned at 6:10 p.m.

PRESENTATIONS

Mayor Salinas read a proclamation declaring June 19, 2024, as Juneteenth National Independence Day in the City of Hayward. Ronnie Stewart accepted the proclamation on behalf of the West Coast Blues Society; Rahima Walker and Philip Walker accepted the proclamation on behalf of the National Association for the Advancement of Colored People (NAACP); and Library Director Addleman accepted the proclamation on behalf of the City of Hayward.

Mayor Salinas read a commendation for the Words for Lunch Program, as well as organizations that have partnered to make it such an impactful and successful program. Library Deputy Director Vien thanked the City for the special recognition and introduced the following

community partners to speak about the program and receive a certificate: Edgar Chavez, Executive Director of Hayward Promise Neighborhood; Hector Garcia, Hayward Unified School District (HUSD) Director of Curriculum, Instruction & Assessment; Dr. Jason Reimann, HUSD Superintendent; Renne Herzeld, Executive Director of 4 Cs of Alameda County; Edgar Esquiviz, President of Board of Directors of The Kids' Breakfast Club; Jayanti Addleman, Library Director; and Cathy Gibson, volunteer.

PUBLIC COMMENTS

There being no public comment, Mayor Salinas opened and closed public comment at 7:51 p.m.

CITY MANAGER'S COMMENTS

Interim City Manager Claussen provided an update on the July Fourth Fireworks Enforcement Plan, which included: a public awareness campaign; collaboration with the Rental Housing Authority, HARD and HUSD on social media messaging; street and traffic signs; courtesy notices to approximately 68,000 property owners, residents, and tenants in areas prone to illegal fireworks activity; enforcement efforts on July 4th; and citation fees starting at \$1,500 for the first citation, \$3,000 for the second, and \$5,000 for the third.

HAYWARD YOUTH COMMISSION

1. Hayward Youth Commission: Adopt a Resolution Confirming the Appointment and Reappointment of Hayward Youth Commission Members **APPT 24-001**

Staff report submitted by City Clerk Lens, dated June 18, 2024, was filed.

City Clerk provided a synopsis of the staff report.

There being no public comment, Mayor Salinas opened and closed public comment at 7:58 p.m.

Council members expressed admiration for the Hayward Youth Commission's dedication, professionalism, and desire to contribute to the community at a young age; acknowledged the difficulty of selecting commissioners from a pool of impressive candidates and emphasized the importance of diversity and representation from various schools; and praised applicants' willingness to tackle significant issues such as mental health and substance abuse and encouraged them to take ownership of their roles.

It was moved by Council Member Bonilla Jr., seconded by Council Member Andrews, and carried unanimously to adopt the resolution.



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

NOES: None

ABSENT: None

ABSTAIN: None

Resolution 24-116, "Resolution Confirming the Appointment and Reappointment of Members of the Hayward Youth Commission"

City Clerk Lens administered the oath of affirmation to continuing and newly appointed members of the Hayward Youth Commission.

The Council took a recess at 8:11 p.m. and Mayor Salinas reconvened the meeting at 8:14 p.m.

CONSENT

Consent Items 4, 8, 16, and 20 were removed from the Consent Calendar for discussion and a separate vote. Item 12 was pulled from the Consent Calendar for a comment.

In regard to Items #4, 8, 16, and 20, Council Member Goldstein inquired about the intervention process for delinquent charges related to community preservation, rental program arrears, relocation assistance repayments, and delinquent utility and garbage assessments, highlighting concerns about the financial difficulties faced by some property owners and their potential impact on residents to which Interim City Manager Claussen informed the Council the City actively reaches out to those on the delinquency list to offer assistance and connect them with resources to help meet their obligations. Council Member Goldstein suggested that a personal touch in outreach can be effective, citing his experience as an HOA President, and offered his assistance to the City in addressing these issues.

2. Approve the Minutes of the Special City Council Meeting on May 11, 2024 **MIN 24-071**
It was moved by Council Member Syrop, seconded by Council Member Andrews, and carried unanimously to adopt the special City Council meeting minutes of May 11, 2024.

3. Approve the Minutes of the Special City Council Meeting on May 14, 2024 **MIN 24-072**
It was moved by Council Member Syrop, seconded by Council Member Andrews, and carried unanimously to adopt the special City Council meeting minutes of May 14, 2024.

4. Adopt a Resolution Confirming the Report and Special Assessment List Regarding Overdue Community Preservation and Rental Program Charges for the Period of January 1, 2023, Through May 1, 2024, and Authorizing Transmittal of Assessments to the Alameda County Assessor for Collection **CONS 24-235**

Staff report submitted by Development Services Director Buizer, dated June 18, 2024, was filed.

It was moved by Council Member Goldstein, seconded by Council Member Syrop, and carried unanimously to adopt the resolution.

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

Resolution 24-133, "Resolution Confirming the Report and Special Assessment List Regarding Overdue Community Preservation and Rental Program Charges for the Period of January 1, 2023 through May 1, 2024 and Authorizing Transmittal of Assessments to the Alameda County Assessor for Collection"

5. Adopt a Resolution Approving the Final Engineer's Report and Ordering the Levy of Assessments for Fiscal Year 2025 for Old Highlands Area Road Improvement Assessment District **CONS 24-280**

Staff report submitted by Public Works Director Ameri, dated June 18, 2024, was filed.

It was moved by Council Member Syrop, seconded by Council Member Andrews, and carried unanimously, to adopt the resolution.

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

Resolution 24-117, "Resolution Preliminarily Approving the Final Engineer's Report and Ordering the Levy of Assessments for Fiscal Year 2025 for the Old Highlands Area Road Improvement Assessment District"



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6. Adopt a Resolution Authorizing the City Manager to Execute the South Hayward Promise Neighborhoods' (SHPN) One (1) Year Contract, and Accept and Appropriate up to \$100,000, in Funding Allocated from the CA Department of Social Services \$100K Subaward for South Hayward Promise Neighborhoods Partners Over Fiscal Year 2025
CONS 24-306

Staff report submitted by Library Services Director Addleman,
dated June 18, 2024, was filed.

It was moved by Council Member Syrop, seconded by Council Member Andrews, and carried unanimously, to adopt the resolution.

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

Resolution 24-118, "Resolution Authorizing the City Manager to Execute the South Hayward Promise Neighborhood (SHPN) One (1) Year Contract Totaling \$100,000 Over Fiscal Year (FY) 2025; and Authorize the City Manager to Accept and Appropriate Up to \$100,000 in Funding from Hayward Promise Neighborhoods Over Fiscal Year 2025"

7. Adopt a Resolution Authorizing the Procurement of an On-Call Consultant for Water, Sewer, and Recycled Water Pipeline Related Projects in an Amount Not-to-Exceed \$500,000 **CONS 24-314**

Staff report submitted by Public Works Director Ameri, dated
June 18, 2024, was filed.

It was moved by Council Member Syrop, seconded by Council Member Andrews, and carried unanimously, to adopt the resolution.

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

Resolution 24-119, "Resolution Awarding the Contract for an On-Call Consultant for Water, Sewer, and Recycled Water Pipeline Projects to GSW Construction Inc. in an Amount Not-to-Exceed \$500,000"

8. Adopt a Resolution Authorizing a Report and Assessment for Delinquent Housing Division Relocation Assistance Payments **CONS 24-315**

Staff report submitted by Development Services Director Buizer, dated June 18, 2024, was filed.

It was moved by Council Member Goldstein, seconded by Council Member Syrop, and carried unanimously to adopt the resolution.

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

Resolution 24-134, "Resolution Confirming the Report and Special Assessment List and Authorizing Transmittal of Assessment to the County Auditor for Collection Associated with Overdue Tenant Relocation Assistance Payments for the Period of June 1, 2023 through June 1, 2024"

9. Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Professional Services Agreement with Townsend Public Affairs, Inc. for State Legislative Advocacy Services for Fiscal Year 2025 **CONS 24-318**

Staff report submitted by Interim City Manager Claussen, dated June 18, 2024, was filed.

It was moved by Council Member Syrop, seconded by Council Member Andrews, and carried unanimously, to adopt the resolution.

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



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Resolution 24-120, "Resolution Authorizing the City Manager to Negotiate and Execute a Professional Services Agreement with Townsend Public Affairs, Inc. for State Legislative Advocacy"

10. Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Professional Services Agreement with Capitol Advocacy Partners for Federal Legislative Advocacy Services for Fiscal Year 2025 **CONS 24-319**

Staff report submitted by Interim City Manager Claussen, dated June 18, 2024, was filed.

It was moved by Council Member Syrop, seconded by Council Member Andrews, and carried unanimously, to adopt the resolution.

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

Resolution 24-121, "Resolution Authorizing the City Manager to Negotiate and Execute a Professional Services Agreement with Capitol Advocacy Partners for Federal Legislative Advocacy"

11. Adopt a Resolution Authorizing the City Manager to Accept and Appropriate \$1,212,000, in State Legislative Directed Spending from the California Department of Health Care Services for the Hayward Evaluation and Response Teams (HEART) Program Operations **CONS 24-321**

Staff report submitted by Assistant City Manager Youngblood, dated June 18, 2024, was filed.

It was moved by Council Member Syrop, seconded by Council Member Andrews, and carried unanimously, to adopt the resolution.

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

Resolution 24-122, "Resolution Authorizing the City Manager to Accept and Appropriate \$1,212,000 in State Legislative Directed Spending Funding from the California Department of Health Care Services for the Hayward Evaluation Response Team's Program Operations"

12. Adopt a Resolution Authorizing the City Manager to Accept and Appropriate up to \$250,000, in Donations Per Fiscal Year from Nonprofit, Not-for-Profit, and Other Support Groups to Support Library Services and Programs Through the End of Fiscal Year 2026
CONS 24-323

Staff report submitted by Library Services Director Addleman, dated June 18, 2024, was filed.

Council Member Roche congratulated the Friends of the Hayward Library for their impressive effort in contributing over \$140,000 to the library this year.

It was moved by Council Member Syrop, seconded by Council Member Andrews, and carried unanimously, to adopt the resolution.

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

Resolution 24-123, "Resolution Authorizing the City Manager to Accept and Appropriate up to \$250,000 in Donations Per Fiscal Year from Nonprofit, Not-For-Profit, and Other Support Groups to Support Library Services and Programs Through the End of FY 2026"

13. Adopt a Resolution Authorizing the City Manager to Accept and Appropriate up to \$350,000, in Funding from the California State Library for Library Services and Programs and Supersede Resolution No. 22-078 **CONS 24-324**

Staff report submitted by Library Services Director Addleman, dated June 18, 2024, was filed.

It was moved by Council Member Syrop, seconded by Council Member Andrews, and carried unanimously to adopt the resolution.



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Syrop, Zermeno
MAYOR Salinas

NOES: None

ABSENT: None

ABSTAIN: None

Resolution 24-124, "Resolution Authorizing the City Manager to Accept and Appropriate up to \$350,000 in Funding from the California State Library for Library Services and Programs, Superseding Resolution No. 22-078"

14. Adopt a Resolution Authorizing the City Manager to Accept and Appropriate \$1,242,500, from the Alameda County Probation Department for Delinquency Prevention Network Youth Service Center Services for Fiscal Year 2025 and Fiscal Year 2026, and to Negotiate and Execute a Two-Year Agreement for Such Services **CONS 24-325**

Staff report submitted by Police Chief Matthews, dated June 18, 2024, was filed.

It was moved by Council Member Syrop, seconded by Council Member Andrews, and carried unanimously, to adopt the resolution.

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

NOES: None

ABSENT: None

ABSTAIN: None

Resolution 24-125, "Resolution Authorizing the City Manager to Accept and Appropriate \$1,242,500 from the Alameda County Probation Department to the Delinquency Prevention Network Youth Service Center to Provide Services for Fiscal Years 2025 and 2026 and to Negotiate and Execute a Two-Year Agreement for Such Services"

15. Adopt a Resolution Authorizing the City Manager to Execute a Professional Services Agreement with TransCore in an Amount Not-to-Exceed \$202,500, for Adaptive Signal Control Implementation Services for the Winton Avenue/D Street and Tennyson Road Corridors Signal Timing Project, Project No. 05342 **CONS 24-326**

Staff report submitted by Public Works Director Ameri, dated June 18, 2024, was filed.

It was moved by Council Member Syrop, seconded by Council Member Andrews, and carried unanimously to adopt the resolution.

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

Resolution 24-126, "Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Transcore in an Amount Not-To-Exceed \$202,500 for Adaptive Signal Control Implementation Services for the Winton Avenue/D Street and Tennyson Road Corridors Signal Timing Project, Project No. 05342"

16. Adopt a Resolution Confirming the Report and Special Assessment for Delinquent Sewer Bills and Water Bills Incurred by Property Owners **CONS 24-32**

Staff report submitted by Public Works Director Ameri, dated June 18, 2024, was filed.

It was moved by Council Member Goldstein, seconded by Council Member Syrop, and carried unanimously, to adopt the resolution.

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

Resolution 24-135, "Resolution Confirming the Report and Special Assessment List Associated with Delinquent Water and Sewer Bills and Authorizing the Delinquent Charges to Become a Special Assessment Against the Properties if Not Paid by August 1, 2024"

17. Adopt a Resolution Authorizing the City Manager to Execute an Agreement with WaterSmart Software Inc. ("VertexOne") in an Amount Not-to-Exceed \$426,000, to Continue Providing Water Customer Portal Software Services **CONS 24-328**

Staff report submitted by Public Works Director Ameri, dated June 18, 2024, was filed.



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It was moved by Council Member Syrop, seconded by Council Member Andrews, and carried unanimously, to adopt the resolution.

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

Resolution 24-127, "Resolution Authorizing the City Manager to Execute an Agreement with Watersmart Software Inc. ("Vertexone") in an Amount Not-To-Exceed \$426,000 to Continue Providing Water Customer Portal Software Services"

18. Adopt a Resolution Authorizing the City Manager to Award a Construction Contract to Spenco Construction for the Fiscal Year 2024 Sidewalk Rehabilitation and Wheelchair Ramps Project No. 05324 in the Amount of \$684,312, and Approving \$115,688, in Administrative Construction Contingency **CONS 24-329**

Staff report submitted by Public Works Director Ameri, dated June 18, 2024, was filed.

It was moved by Council Member Syrop, seconded by Council Member Andrews, and carried unanimously, to adopt the resolution.

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

Resolution 24-128, "Resolution Awarding the Sidewalk Rehabilitation and Wheelchair Ramps, FY2024 Project, Project No. 05324, Construction Contract to Spenco Construction Inc"

19. Adopt a Resolution Authorizing the City Manager to Accept and Appropriate \$61,000, in Grant Funding from PG&E for the No-Cost Residential Chipping Program and Defensible Space Resident Assistance Program **CONS 24-330**

Staff report submitted by Interim Fire Chief Vollmer, dated June 18, 2024, was filed.

It was moved by Council Member Syrop, seconded by Council Member Andrews, and carried unanimously, to adopt the resolution.

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

Resolution 24-129, "Resolution Authorizing the City Manager to Accept and Appropriate \$61,000 in Grant Funding from Pacific Gas and Electric for the No-Cost Residential Chipping and Defensible Space Resident Assistance Program"

20. Adopt a Resolution Confirming the Report and Assessment for Delinquent Garbage Bills Incurred by Residential Property Owners with Cart Service **CONS 24-332**

Staff report submitted by Public Works Director Ameri, dated June 18, 2024, was filed.

It was moved by Council Member Goldstein, seconded by Council Member Syrop, and carried unanimously to adopt the resolution.

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

Resolution 24-136, "Resolution Confirming the Report and Special Assessment List Associated with Delinquent Garbage Bills Incurred by Residential Property Owners with Cart Service"

21. Adopt a Resolution Calling for the City of Hayward General Municipal Election to be Consolidated with the General Election to Be Held on November 5, 2024, for the Purpose of Electing Four Council Members for Full Terms of Four Years; and Adopt a Resolution Setting Regulations for Candidates Pertaining to Candidate Statements **CONS 24-334**

Staff report submitted by City Clerk Lens, dated June 18, 2024, was filed.



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It was moved by Council Member Syrop, seconded by Council Member Andrews, and carried unanimously to adopt the resolution.

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

NOES: None

ABSENT: None

ABSTAIN: None

Resolution 24-130, "Resolution of the City Council of the City of Hayward Calling for a General Municipal Election to be Held on November 5, 2024, for the Purpose of Electing Four Members of the City Council for Terms of Four Years; and Requesting the Alameda County Board of Supervisors to Provide for the Consolidation of a General Municipal Election of the City of Hayward with the General Election"

Resolution 24-131, "Resolution of the City Council of the City of Hayward, California, Adopting Regulations for Candidates for Elective Office Pertaining to Candidate Statements Submitted to the Voters at an Election to be Held on Tuesday, November 5, 2024"

22. Adopt a Resolution to Execute Side Letter of Agreement Amending the Memoranda of Understanding (MOU), Section 5.01 Medical Insurance between the City of Hayward and the Hayward Fire Chief's Association ("HFCA") to Correctly Reflect the Retiree Medical Insurance Contribution Amount **CONS 24-344**

Staff report submitted by Human Resources Director Frye, dated June 18, 2024, was filed.

It was moved by Council Member Syrop, seconded by Council Member Andrews, and carried unanimously, to adopt the resolution.

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

NOES: None

ABSENT: None

ABSTAIN: None

Resolution 24-132, "Resolution Approving and Authorizing the City Manager to Execute the Side Letter Agreement Amending the Memorandum of Understanding (MOU), Section 5.01 Medical Insurance Between the City of Hayward and the Hayward Fire Chiefs' Association (HFCA), to Correctly Reflect the Retiree Medical Insurance Contribution Amount"

PUBLIC HEARING

23. Sidewalk Vendor Ordinance: Introduce an Ordinance Amending Chapter 6, Article 16 of the Hayward Municipal Code Regarding the Regulation and Enforcement of Sidewalk Vendors by Amending Sections 6-16.70 and 6-16.80 and adding 6-16.90 **PH 24-025**

Staff report submitted by Director of Development Services Buizer, dated June 18, 2024, was filed.

Development Services Director Buizer provided a synopsis of the staff report.

Discussion ensued among members of the City Council and City staff and the following points were clarified: the ordinance would go into effect thirty days after its adoption; complaints are investigated regardless of location, and as violations escalate, enforcement follows; impounded materials might be recovered after paying applicable impound fees which reflect investigation, storage and impound costs and currently there is a 30-day hold before items are destroyed if unclaimed; staff's approach is education and outreach; there have been 14 complaints since the ordinance's adoption; complaints primarily come through Access Hayward or phone calls; while several vendors have shown interest for obtaining permits, only one has nearly completed the process, largely due to the complex requirements imposed by the Alameda County Health Department; the cost of impoundment is approximately \$50 per pallet, based on a contract which provides flexible storage space as needed; City staff maintains contact information for vendors through surveys and education sessions; enforcement decisions often depend on capacity and safety considerations rather than a lack of willingness to enforce the ordinance; no complaints have been escalated to the state level as SB 946 was enacted to integrate vendors into the formal economy; staff had contact with approximately 71 street vendors and 24 food trucks; and while staff attempts to track touchpoints with vendors, identifying repeat offenders can be difficult due to issues with obtaining accurate identifications from vendors.

The following suggestions were offered by members of the City Council: consider establishing a working group or task force to explore targeted enforcement; have clear channels for residents to report concerns, including ensuring that Alameda County Health Department contact information is readily accessible through Access Hayward; provide education to property owners, business owners and residents on how to handle complaints, and the impact of state ordinances; leverage local organizations such as El Centro de la Raza to help vendors overcome language barriers; explore funding resources to ease the vendors' integration into the formal economy; and consider incorporating reminders about



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compliance with all City ordinances, including the Styrofoam ban, during the vendor application process.

Mayor Salinas opened the public hearing at 9:04 p.m.

Lynne Nguyen expressed concern about the street vendors near Huntwood Avenue and Folsom Avenue attracting illegal dumping of garbage, and suggested implementing a roundabout at the intersection which could reduce racing by slowing traffic and creating jobs.

Suzanne Luther, Hayward Concerned Citizens member, disapproved the lack of enforcement against 71 street vendors who are in their third violation stage, emphasizing the unfairness to compliant tax-paying businesses, and urged the City to impound vendors' products to encourage compliance.

TJ, Hayward Concerned Citizens member, commented that the ordinance seems ineffective without proper enforcement and highlighted concerns about staff vacancies affecting response times, non-food vendors creating safety issues, and the lack of response on complaints made through Access Hayward, questioning its efficacy as a complaint system.

Mayor Salinas closed the public hearing at 9:14 p.m.

Mayor Salinas expressed empathy for both street vendors and local businesses, emphasizing the City's efforts to integrate vendors into the economy while acknowledging the challenges posed by escalating street vending activities and the use of Styrofoam products; highlighted the need to enforce ordinances to maintain public health and safety; and reiterated the City's commitment to working with the Hayward Chamber of Commerce and other stakeholders to refine the ordinance and improve enforcement while avoiding unnecessary confrontation.

Council Member Zermeno shared his support for regulating street vendors, emphasizing that his stance is not against vendors themselves but rather in favor of helping them achieve the American Dream in a legitimate way, using examples of successful restaurateurs who began as vendors; and filed a formal complaint against nine street vendors on Tennyson Road, urging the City to educate and assist them in complying with regulations, highlighting the economic impact unregulated vendors have on established businesses.

Council Member Roche expressed support for the amendment to the ordinance, which introduces equipment impoundment as a stronger deterrent against non-compliance than fines alone and improves enforcement efforts; and emphasized that Hayward has been proactive in educating vendors and helping them comply with regulations despite state law limitations on vendor placement, commending staff for their efforts to balance enforcement and education.

Council Member Bonilla Jr. supported the new enforcement tool, emphasizing its importance for addressing the complex issue of street vending by bringing vendors into compliance and

integrating them into the local economy; and highlighted the necessity of protecting businesses and residents through proper health and safety standards and encouraged collaboration with the county's Environmental Health Department, urging the public to voice their concerns at the county level.

Council Member Syrop expressed frustration with the issue of street vending, emphasizing the challenges brick-and-mortar businesses face due to rising rents and wages; highlighted the need for a balanced approach that supports both traditional businesses and street vendors; expressed support for the ordinance for providing necessary enforcement but warned against stifling vendors entirely, advocating for a collaborative effort with the county to make the permitting process more accessible and ensure that vendors can operate legally without harming local businesses or resorting to illicit activities.

Council Member Andrews expressed appreciation for staff's commitment to educating vendors while acknowledging the challenges of balancing empathy and enforcement; highlighted the importance of focusing valuable staff time on other City initiatives; emphasized the need for collaboration with Alameda County Public Health; noted there were other options to making a living without impacting brick-and-mortar businesses; and advocated for exploring partnerships; suggested looking into sanctioning certain areas for street vending to ensure fairness and compliance; and also recommended lobbying for state law adjustments to address the impact on the City.

Mayor Salinas thanked City staff for their efforts.

It was moved by Mayor Salinas, seconded by Council Member Zermeno, and carried unanimously to adopt the resolution.

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

Introduction of Ordinance 24-_, "Ordinance of the Council of the City of Hayward Amending Chapter 6, Article 16 of the Hayward Municipal Code Related to Regulations for Sidewalk Vending by Amending Sections 6-16.70 and 6-16.80 and Adding 6-16.90"

LEGISLATIVE BUSINESS

24. Sales Tax: Adoption of a Resolution Establishing November 5, 2024, as the Date for an Election on a Proposed Ballot Measure Asking Hayward Voters to Extend Without Increasing the City of Hayward Half-Cent Sales Tax for an Additional Twenty Years **LB 24-016**



GEOLOGIC HAZARD ABATEMENT DISTRICT/CITY COUNCIL MEETING

777 B Street, Hayward, CA 94541

Council Chambers and Zoom

<https://hayward.zoom.us/j/83639328548?pwd=ZUdDZE5lM2R1dHNFbVloVXlBckdmQT09>

Tuesday, June 18, 2024, 7:00 p.m.

Staff report submitted by Interim City Manager Claussen, dated June 18, 2024, was filed.

Interim City Manager Claussen provided a synopsis of the staff report.

Discussion ensued among members of the City Council and staff and the following points were clarified: staff anticipates providing the Council, by September, with a clearer prioritization and realistic expectations for the projects to be funded through a potential extension of Measure C; it is important to align the proposed ballot language with the list of projects to maintain transparency and commitment to the community; the Hayward Evaluation and Response Teams (HEART) program is currently funded through Measure C funds, and continuation discussions with options would be provided for consideration; initial assessments of certain capital project needs would be reviewed; a simplified version of a facilities master plan would be considered when prioritization of projects occur to better understand current needs; potential services include sustaining COVID-19 pandemic recovery initiatives supporting local business that were successful with American Rescue Plan Act (ARPA) funds; consider options such as public-private partnerships and leveraging real estate, like the animal shelter's location, to reduce costs and fund projects like the new police building; exercise flexibility in prioritizing projects as more information becomes available to ensure optimal allocation of the extension funds; the old City Hall needs to be secured and if refurbished could potentially serve as cultural center; successes of Measure C were highlighted and inquired on creative strategies for budget management, potential partnerships, and realistic cost estimates for future projects; acknowledged the need for partnerships and alternative funding strategies and the importance of clear communication with the community to manage expectations; and emphasized the need for realistic planning to ensure Measure C funds meet the City's facility, infrastructure, and service expectations.

Mayor Salinas opened the public hearing at 10:08 p.m.

Ro Aguilar expressed support for extending the half-cent sales tax for an additional 20 years and potential capital projects and new services, particularly endorsing the HEART program for its ability to reduce 911 calls and improve local government services; and urged prioritizing capital projects.

Suzanne Luther expressed skepticism about an extension of Measure C, noting the funds could be used for purposes other than those promised, such as a new public safety building, and required a guarantee that the money would be allocated as advertised.

TJ, Hayward Concerned Citizens member, voiced confusion over the prioritization of a new public safety building, urging the Council to follow through on their plans and ensure transparency and accountability in spending.

Mayor Salinas closed the public hearing at 10:15 p.m.

Council Member Bonilla Jr. expressed support for the Measure C extension, emphasizing the importance of learning from current projects and involving the public in prioritizing future initiatives; and highlighted the need for transparency, accountability, and community engagement in shaping project priorities and ensuring funds are effectively used to enhance City services and infrastructure, ultimately fostering a thriving environment for residents.

Council Member Roche expressed support for placing the Measure C extension on the ballot, based on the polling done in the community; disputed claims of "bait-and-switch" actions by highlighting past successes with the original Measure C projects; stressed the importance of realistic prioritization to address unmet needs, ensuring that promised projects align with available funds while inviting public input.

Council Member Goldstein expressed support for the Measure C extension, emphasizing the City's strong financial accountability and commitment to delivering on promises made to residents; highlighted the necessity of addressing aging infrastructure; assured the public that the City has consistently met its commitments with past projects, urging support for the measure as a reasonable solution to fund necessary improvements for Hayward residents.

Council Member Zermeño highlighted public safety and aging infrastructure as top priorities for Measure C funds; noted that library Sunday hours and Weekes Library refurbishment were important to support the City's educational goals; assured residents the City has fulfilled past commitments; and expressed confidence in delivering on future projects to provide the best services for the community.

Council Member Syrop expressed support for the Measure C extension, recognizing Council Member Roche's efforts in community outreach and emphasizing the importance of being realistic about project costs and prioritization; acknowledged the complexity of balancing various community needs; and highlighted the necessity of creative funding solutions, confident that the City will leverage its resources and partnerships to bring the vision of improved infrastructure and services to life, ultimately benefiting Hayward in the long term.

Council Member Andrews expressed support for placing the Measure C extension on the ballot, emphasizing it should be seen as a tool to create leverage for projects such as the Public Safety Center, rather than covering all expenses; agreed with public concerns that the measure should not promise to pay for everything, highlighting the need for assessments to determine priorities; and suggested the creation of working groups to address specific issues, particularly focusing on the services and community impact of facilities like the Weekes Branch Library.

Mayor Salinas expressed support for the extension of Measure C, emphasizing that the City has been methodical and serious about its promises and highlighting the successful completion of past projects, such as the library and firehouse, funded by the measure; and reiterated the City's commitment to delivering on its promises to the current and future generations by prioritizing investments in facilities, infrastructure, and services, particularly in public safety, to ensure Hayward remains a leader in the region.

It was moved by Mayor Salinas, seconded by Council Member Zermeño, and carried unanimously to introduce the ordinance.



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Tuesday, June 18, 2024, 7:00 p.m.

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

NOES: None

ABSENT: None

ABSTAIN: None

Resolution 24-137, "Resolution of the City of Hayward Establishing November 5, 2024, as the Date for an Election on a Proposed Ballot Measure Seeking Voter Approval Relating to an Extension of the Transactions and Use (Sales) Tax for Twenty Years, through 2054, and Requesting the Board of Supervisors of Alameda County to Consolidate Said Election with the Statewide General Election; and Authorizing Certain Other Election Activities"

Resolution 24-138, "Resolution Establishing the Schedule and Policy Providing for the Filing of Ballot Arguments for the Extension of the Transactions and Use (Sales) Tax Ballot Measure at the November 5, 2024 General Election"

COUNCIL REPORTS AND ANNOUNCEMENTS

Council Member Andrews made three announcements: 1) the Keep Hayward Clean and Green cleanup event at Ruus Park on June 22, 2024, followed by the Juneteenth Freedom Celebration at Heritage Plaza featuring the Black Cowboy Coalition, Moonbug Entertainment's very own Meekah; 2) the ribbon cutting ceremony for East Bay Eats on June 12, 2024; and 3) the return of street parties to downtown Hayward, organized by the Hayward Chamber of Commerce.

Council Member Syrop provided a reminder about mosquito prevention as the weather warms up, urging residents to check their pools for mosquito larvae and report dead birds through mosquitoes.org to help control the mosquito population and prevent disease.

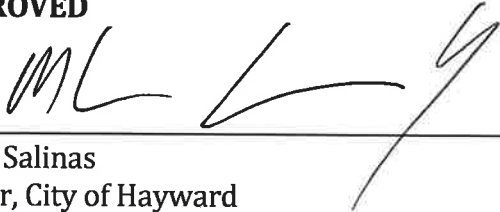
Council Member Goldstein made two announcements: 1) the Hayward Housing and Homelessness Task Force will meet on June 20, 2024; 2) June Field Day, a national emergency communications exercise taking place June 22 and 23, 2024.

Mayor Salinas announced that he will be attending the United States Mayor's Conference in Kansas City, Missouri, where mayors from across the country will discuss various topics, and he will focus on the Education and Healthcare Committee and the Public Safety Committee.

ADJOURNMENT

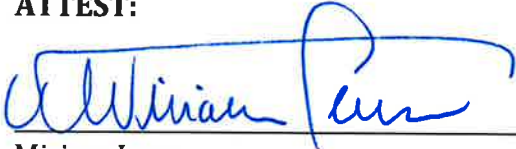
Mayor Salinas adjourned the City Council meeting at 10:46 p.m.

APPROVED



Mark Salinas
Mayor, City of Hayward

ATTEST:



Miriam Lens
City Clerk, City of Hayward