



CITY OF HAYWARD

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

Action Minutes City Council

Tuesday, July 19, 2016

7:00 PM

Council Chambers

CITY COUNCIL MEETING

CALL TO ORDER Pledge of Allegiance: Council Member Peixoto

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 that the City Council convened in closed session at 5:00 p.m., and at the beginning of the session the Council by unanimous vote approved to add a litigation item pursuant to Government Code 54954 (b) (2) related to Consent Item No. 14. Mr. Lawson noted that the Council did not discuss the two pending litigations listed on the agenda.

Mayor Halliday announced that the Council convened in closed session on Thursday, July 14, 2016 and also during tonight's closed scheduled concerning public employment pursuant to Government Code 54957. Mayor Halliday was pleased to announce that the Council unanimously decided to appoint Assistant City Manager, Kelly McAdoo, as the new City Manager effective August 1, 2016, with a contract to be approved on September 13, 2016.

PUBLIC COMMENTS

Mr. Rich Essi
Ms. Asia Denman
Mr. Tom Silva
Council Member Márquez

CONSENT

Consent Item Nos. 3 and 8 were removed for discussion.

Approval of the Consent Calendar

A motion was made by Council Member Mendall, seconded by Council Member Márquez, 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 Special Joint City Council/Hayward Redevelopment Successor Agency/Hayward Housing Authority Meeting on June 28, 2016](#)

Consent Item approved.

2. [Minutes of the City Council Meeting on July 5, 2016](#)

Consent Item approved.

3. [Authorization to Renew a Rental Housing Subsidy Grant Agreement with Abode Services to Provide Rental Assistance to Emancipated Youth through "Project Independence" and to Utilize HOME Funds for that Purpose](#)

A motion was made by Council Member Zermeno, seconded by Council Member Peixoto, to approve the staff 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

Nay: 1 - Council Member Lamnin

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

Consent Item approved.

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

Consent Item approved.

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

Consent Item approved.

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

Consent Item approved.

8. [Mission Boulevard and Blanche Street & Gading Road and Huntwood Way Intersections Safety Improvements: Award of Contract](#)

Item continued to a date uncertain.

9. [Resolution Authorizing the City Manager to Negotiate and Execute an Amendment to the Ground Lease with Meridian Aviation, Inc.](#)

Consent Item approved.

10. [Resolution of the City Council of the City of Hayward Authorizing the City Manager to Negotiate and Execute an Agreement Between the City of Hayward and Tyler Technologies Inc. to Continue the Standard Software Maintenance Support Services Agreement](#)

Consent Item approved.

11. [Resolution of the City Council of the City Of Hayward Authorizing the City Manager to Negotiate and Execute a Change Order for the Network Infrastructure Replacement Project With LookingPoint, Inc.](#)

Consent Item approved.

12. [Adoption of Ordinance Amending Chapter 10, Article 1 of the Hayward Municipal Code by Rezoning Certain Property in Connection with Zone Change Application No. 201600059 Relating to the Construction of Twenty Detached Single-Family Homes at 25906 Gading Road](#)

Consent Item approved.

13. [Adoption of Ordinance Amending Chapter 10, Article 1 of the Hayward Municipal Code by Rezoning Certain Property in Connection with Zone Change Application No. 201601906 Relating to a Parcel of Land Located at 619 Shepherd Avenue](#)

Consent Item approved.

14. [Adoption of Ordinance Amending 2\(l\)\(2\) of the City of Hayward Residential Rent Stabilization Ordinance Clarifying the Exemption Applicable to Units Financed or Insured by a Federal, State or Local Agency](#)

Consent Item approved.

15. [Approval of Final Map Tract 8226 - Brookwood Development - Associated with the Previously Approved Vesting Tentative Tract Map and Proposed Development of 18 Single Family Detached Homes on a 1.96 acre site at 24178 Saklan Avenue in the Mount Eden Area; Lenox Homes \(Applicant\), Ronald and Ray Depina \(Owner\)](#)

Consent Item approved.

16. [Runway 10R-28L Rehabilitation Project at Hayward Executive Airport: Award of Contract](#)

Consent Item approved.

17. [Approval of a Second Amendment to the Exclusive Right to Negotiate Agreement with William Lyon Homes, Inc. for a Proposed Development Located in South Hayward near Dixon and Valle Vista Avenues](#)

Consent Item approved.

WORK SESSION**18. [Overview of Seismic Retrofits for Soft Story Buildings \(Report from Development Services Director Rizk\)](#)**

Information Only

PUBLIC HEARING

Council Member Marquez disclosed she needed to recuse from participating on Hearing Item No. 22 because of a conflict of interest with her family business and she left the Council Chambers at approximately 8:35 p.m.

19. [Adopt Resolutions to Approve the Engineer's Report, Reconfirm Base Maximum Assessment Amount, Confirm the Assessment Diagram and Fiscal Assessment, Order the Levy and Collection of Fiscal Assessments, and Approve Funding Recommendations and Appropriate Special Revenue Funds for Maintenance District No. 1 - Storm Drainage Pumping Station and Storm Drain Conduit - Pacheco Way, Stratford Road and Ruus Lane - for Fiscal Year 2017 \(Report from Development Services Director Rizk\)](#)

A motion was made by Council Member Peixoto, seconded by Council Member Márquez, to approve the staff 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

20. [Adopt Resolutions to Approve the Engineer's Report, Confirm the Assessment Diagram and Assessment, Order the Levy and Collection of Assessments, and Approve Funding Recommendations, and Appropriate Special Revenue Funds for Maintenance District No. 2 - Eden Shores Storm Water Buffer and Facilities, for Fiscal Year 2017 \(Report from Development Services Director Rizk\)](#)

A motion was made by Council Member Peixoto, seconded by Council Member Zermeño, to approve the staff 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

21. [Adopt Resolutions to Approve the Engineer's Report, Reconfirm Maximum Base Assessments, Confirm the Assessment Diagrams and Fiscal Assessments, Order the Levy and Collection of Fiscal Assessments; and Approve Funding Recommendations and Appropriate Special Revenue Funds for Consolidated Landscaping and Lighting District No. 96-1, Zones 1 through 13, for Fiscal Year 2017 \(Report from Development Services Director Rizk\)](#)

A motion was made by Council Member Márquez, seconded by Council Member Mendall, to approve the staff 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

22. [Approval of an Application for and Authorization for the City Manager to Accept an Application for a Mills Act Historical Property Contract for the Property Located at 22654 Main Street \(Report from Assistant City Manager McAdoo\)](#)

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

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

Absent: 1 - Council Member Marquez

Council Member Márquez returned to the Council Chamber dais at 8:50 p.m.

LEGISLATIVE BUSINESS

23. [General Plan Implementation Annual Report \(Report from Development Services Director Rizk\)](#)

Information Only.

24. [Submission of Cannabis Tax Measure to Hayward Voters on November 8, 2016 \(Report will be available Friday afternoon on July 15, 2016\)](#)

A motion was made by Council Member Zermeño, seconded by Council Member Mendall, to approve the staff recommendation with ballot language modifications to be confirmed on July 26, 2016. 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

ADJOURNMENT

Mayor Halliday adjourned the meeting at 10:27 p.m., in memory of Mary Nunez.