



MINUTES OF THE CITY COUNCIL
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, January 28, 2020, 7:00 p.m.

The City Council meeting was called to order by Mayor Halliday at 7:00 p.m., followed by the Pledge of Allegiance led by Council Member Wahab.

ROLL CALL

Present: COUNCIL MEMBERS Zermeño, Márquez, Mendall, Lamnin, Wahab, Salinas
MAYOR Halliday
Absent: None

CLOSED SESSION ANNOUNCEMENT

The City Council convened in closed session at 6:00 p.m., regarding four items: 1) conference with legal counsel pursuant to Government Code 54956.9 regarding AGG, et al. v. City of Hayward, et al., U.S. District Court, ND CA, No. #4: 4:19-civ-00697-DMR; 2) conference with legal counsel pursuant to Government Code 54956.9 regarding anticipated litigation; 3) conference with legal counsel pursuant to Government Code 54956.9 regarding anticipated litigation; and 4) conference with legal counsel pursuant to Government Code 54956.9 regarding anticipated litigation.

Mayor Halliday announced that, pursuant to Government Code Section 54954.2 (b) (2), the Council unanimously approved, with Council Member Márquez moving and Council Member Zermeño seconding, to add a fifth item to the agenda to discuss one anticipated litigation case, but the item was not discussed. City Attorney Lawson noted there was no reportable action related to Items 1, 2, and 3, and the City Council would reconvene in Closed Session after the regular meeting to continue discussing Item 4 and the new item added.

PUBLIC COMMENTS

Mr. Kim Huggett, Hayward Chamber of Commerce President, reported on previous successful events sponsored by the Chamber, and announced the Chamber's 76th Annual Awards Gala on February 8, 2020 at California State University East Bay and the International Trade Luncheon on March 5, 2020 at the Golden Peacock Banquet Hall.

Consent Items 2, 3 and 5 were removed for separate vote and further discussion.

CONSENT

1. Approve City Council Minutes of the Special City Council Meeting on January 14, 2020
MIN 20-013

It was moved by Council Member Mendall, seconded by Council Member Márquez, and carried unanimously, to approve the minutes of the Special City Council meeting on January 14, 2020.

2. Adopt a Resolution Approving the City of Hayward Three-Year Strategic Roadmap (Fiscal Year 2021 - Fiscal Year 2023) **CONS 20-066**

Staff report submitted by Deputy City Manager Ott, dated January 28, 2020, was filed.

Mr. Jim Drake, Hayward resident, spoke about bike lanes on Jackson Street, Foothill Boulevard and Mission Boulevard.

It was moved by Council Member Mendall, seconded by Council Member Zermeño, and carried unanimously, to approve the following:

Resolution 20-017, “Resolution Approving and Adopting the City of Hayward Three-year Strategic Roadmap (Fiscal Year 2021 – Fiscal Year 2023)”

3. Adopt a Resolution Authorizing the City Manager to Execute a Professional Services Agreement with RSC Engineering, Inc., for the Design of the Willimet Way & I-880 Sanitary Sewer Main Installation Project, in an Amount Not-to-Exceed \$154,300 **CONS 20-069**

Staff report submitted by Public Work Director Ameri, dated January 28, 2020, was filed.

Mr. Jim Drake, Hayward resident, alleged the project was not subject to a competitive bidding process.

It was moved by Council Member Mendall, seconded by Council Member Lamnin, and carried unanimously, to approve the following:

Resolution 20-018, “Resolution Authorizing the City Manager to Execute a Professional Services Agreement with RSC Engineering, Inc., for Engineering Services Related to the Design of the Willimet Way & I-880 Sanitary Sewer Main Installation Project, Project No. 07717, in an amount Not-to-Exceed \$154,300”

4. Adopt a Resolution Accepting the Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2019; and the Memorandum on Internal Control and Required Communications **CONS 20-070**

Staff report submitted by Finance Director Claussen, dated January 28, 2020, was filed.

It was moved by Council Member Mendall, seconded by Council Member Márquez, and carried unanimously, to approve the following:



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Resolution 20-014, "Resolution Accepting the Comprehensive Annual Financial Report for the Year Ended June 30, 2019; and the Memorandum on Internal Control and Required Communications"

5. Adopt a Resolution Awarding a Contract to Vellutini Corporation dba Royal Electric Company for the Hayward High-Speed Fiber Optic Network Installation Project (Phase 1), Project No. 07275, in an Amount Not-to-Exceed \$2,407,944 **CONS 20-071**

Staff report submitted by Deputy City Manager Ott and Public Works Director Ameri, dated January 28, 2020, was filed.

Mr. Jim Drake, Hayward resident, received confirmation that the project was subject to a competitive bidding process.

It was moved by Council Member Lamnin, seconded by Council Member Mendall, and carried unanimously, to approve the following:

Resolution 20-015, "Resolution Awarding a Construction Contract to Vellutini Corporation dba Royal Electric Company"

6. Adopt a Resolution Appointing Ms. Isabel Pimentel to the Community Services Commission to Fulfill the Unexpired Term of Mr. Ernesto Sarmiento Jr. **CONS 20-075**

Staff report submitted by City Clerk Lens, dated January 28, 2020, was filed.

It was moved by Council Member Mendall, seconded by Council Member Márquez, and carried unanimously, to approve the following:

Resolution 20-016, "Resolution Appointing Ms. Isabel Pimentel to the Community Services Commission to Fulfill the Unexpired Term of Mr. Ernesto Sarmiento Jr."

PUBLIC HEARING

7. Financing of New Affordable Units at Terraces at Mission Apartments: Terraces at Mission Apartments: Public Tax and Equity Fiscal Responsibility Act Hearing as Required by the Internal Revenue Code of 1986, and Adoption of a Resolution Approving the Issuance by California Public Finance Authority of Tax-Exempt Bonds to Finance the Acquisition, Construction and Development of Terraces at Mission

Apartments for 110 Units of Senior Affordable Housing by Preservation Partners
Located at 28870 Mission Boulevard (Item Continued Until Further Notice) **PH 20-005**

Mayor Halliday noted the item was continued until further notice.

LEGISLATIVE BUSINESS

8. Garbage and Recycling Annual Rate Increase: Adopt a Resolution Approving the Garbage and Recycling Rates for 2020-2021, Effective March 1, 2020 (Report from Public Works Director Ameri) **LB 20-006**

Staff report submitted by Public Works Director Ameri, dated January 28, 2020, was filed.

Environmental Services Manager Pearson announced the report and introduced Solid Waste Program Manager Krump who provided a synopsis of the staff report.

Discussion ensued among Council members and City staff regarding public notification about the garbage and recycling annual rate increase, bulky collection service, garbage services, and recycling program and diversion rate.

There being no public comments, Mayor Halliday opened and closed the public hearing at 7:35 p.m.

Council Member Wahab offered a motion per staff's recommendation and Council Member Márquez seconded the motion.

Council members commended staff's work related to the proposed garbage and recycling rates.

Council Member Lamnin recommended staff bring forward an informational item about a report on efforts at the county level to address the infrastructure needs for recycling.

Council Member Zermeño noted that as the City's representative to the Alameda County Waste Management Authority (ACWMA), he had been pushing for a system that would allow the country to take care of its own garbage as opposed to sending it to other parts of the world.

Mayor Halliday commended Council Member Zermeño for serving as the City's delegate to the ACWMA and Council Member Lamnin for her service as the alternate.

It was moved by Council Member Wahab, seconded by Council Member Márquez, and carried unanimously, to approve the following:

Resolution 20-019, "Resolution Approving the Garbage & Recycling Rate Adjustment for 2020-2021"



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CITY MANAGER'S COMMENTS

There were none.

COUNCIL REPORTS AND ANNOUNCEMENTS

Council Member Márquez thanked all who attended the Keep Hayward Clean and Green Task Force beautification event on January 25, 2020 and invited all to the next event scheduled for March 28, 2020. Council Member Márquez also encouraged the public to subscribe to The Leaflet, the City's Environmental Newsletter and The Stack, the City's Newsletter.

Council Member Lamnin reported on meetings she attended: CalPERS's forum to discuss more transparency in healthcare cost; League of California Cities, Policy Committee meeting to address sustainable use of taxpayers' dollars; AC Transit meeting to discuss bus service; and Hayward Local Agencies Committee meeting to address the Census.

Council Member Zermeño thanked City staff for the improvements along Tennyson Corridor.

Council Member Wahab wished a Happy Lunar New Year to those who celebrate; and spoke about potential efforts to add subtitles to meeting videos for community members.

Council Member Salinas reported on his attendance at a Land Use Law and Policy conference where policies around homelessness, producing, preserving, and protecting housing were discussed.

Mayor Halliday reported on her attendance, along with City Manager McAdoo, at a meeting convened by the Alameda County Board of Supervisors to discuss a potential half-cent sales tax to address housing issues.

COUNCIL REFERRALS

There were none.

ADJOURNMENT

Mayor Halliday adjourned the meeting at 7:51 p.m., in memory of former California Congressman Fortney "Pete" Stark. Mayor Halliday noted Congressman Pete Stark was a longtime East Bay congressman, had many accomplishments during his tenure, and was instrumental for the Affordable Care Act and had left papers to the Hayward Area Historical Society for future research. Mayor Halliday asked staff to work with the Stark family to plant a tree in memory of Pete Stark. Mayor Halliday expressed sadness for the tragic helicopter

crash in Los Angeles that took the life of retired National Basketball Association star, Kobe Bryant, and eight other people.

Mayor Halliday announced the City Council would reconvene into Closed Session in Conference Room 2A.

APPROVED

Barbara Halliday
Mayor, City of Hayward

ATTEST:

Miriam Lens
City Clerk, City of Hayward