



**SPECIAL CITY COUNCIL MEETING
REMOTE PARTICIPATION
Tuesday, March 30, 2021, 5:00 p.m.**

The Special City Council meeting was called to order by Mayor Halliday at 5:00 p.m. The special meeting was conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order No 29-20 dated March 17, 2020 regarding the COVID-19 pandemic. Members of the City Council, City Staff, and members of the public participated via Zoom platform.

Pledge of Allegiance: Mayor Halliday

ROLL CALL

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

SPECIAL WORK SESSION

1. City Council Member Handbook: Review Sections of the Handbook and Provide Direction to Staff Regarding Update or Changes **WS 21-015**

Staff report submitted by City Manager McAdoo dated March 30, 2021, was filed.

Mayor Halliday noted the special work session was a continuation of the February 20 City Council retreat to review the City Council Handbook. Based on Council feedback it was agreed the following items would be discussed: Council Referrals; Boards, Commissions, Committees, and Task Force; City Council; Council Committees; and Policy Regarding City Council Expression. At least one member expressed an interest in discussing the following sections: Council Liaison; Motions; Ordinances; Proclamations; Quasi-Judicial Hearings; and Rules, Decorum, and Order.

City Manager McAdoo introduced Ms. Julia Novak with The Novak Consulting Group who facilitated the special work session.

Members of the City Council offered suggestions for various sections as identified below.

City Council Section (Pages 2-9)

The Vacancy subsection needs clarity. Reference the possibility for appointments and include other scenarios for vacancy such as when a Council member is elected to the office of mayor or other elective office; consider rewording “dies” with “passes away” or another synonym; consider changing the period “60 consecutive days” to a set number of meetings

such as three regular meetings; consider giving examples of what would generally be excused absence such as military service, leave of absence or significant event.

The Elective Officers subsection needs clarity and could be read as follows, "... Elective Officers shall hold office for a term of four years immediately after they have been sworn in following their installation and shall continue in office until their respective successors qualify."

The Benefits subsection can be expanded to include that in addition to PERS, members can also participate in PARS (Public Agency Retirement Services). It was noted that Council members cannot be PERS eligible through multiple agencies.

Consider modifying the Policy in Support of Harassment-Free, Discrimination-Free, and Retaliation-Free Workplace, II Complaint Procedure, (A) Reporting to the Mayor subsection to indicate a Council member could file a complaint with the most recent Mayor Pro Tempore or another member of the Council.

Policy Regarding City Council Expression on State, Federal and International Issues Section (Page 17)

Rewrite section to replace resolution language with a summary that references Resolution 77-209.

Council Member Handbook needs to be updated to reflect the new laws related to social media requirements; and perhaps add language to a separate section in the Handbook.

Agenda Section (Page 20-28)

Consider including guidance for staff and outside consultants on presentation length.

The following comments were provided for the Council Referrals subsection: 1) prefer returning to the previous process which required a Council member just getting three other votes for an idea/request to move forward; 2) consider an in-between process specifying that items need to be raised at regular meetings rather than before closed sessions with a verbal motion and a vote captured in the minutes; 3) consider a process by which the member seeking the referral has to find two other Council members to support the proposal, present a thoroughly researched and data-driven document to explain how the item is connected to Council priorities, include a timeline, and have the item vetted by a council standing committee; 4) support for option three and add that if a Council member cannot discuss with another member due to committee limitations, it can become a referral for that committee; 5) consider a process by which referrals are vetted at the committee level and if there is support for a referral to move forward, there needs to be clarity about cost and what will be the offset to address the referral; 6) a referral should come to the full Council as a one-page policy memo, Council votes on direction which is documented in the minutes, referral goes to a committee to get vetted policy-wise with staff input and comes back to the full Council with a recommendation within a defined policy, and allow for a 2-3 month timeline for committee and Council review. It was noted there are two types of referrals: 1) straightforward community requests that can be submitted via Access Hayward; and 2)



**SPECIAL CITY COUNCIL MEETING
REMOTE PARTICIPATION
Tuesday, March 30, 2021, 5:00 p.m.**

requests that pull resources from existing work and Council should have a discussion as to the tradeoffs. It was further added that a straightforward request is a community request.

Ms. Julia Novak suggested the Council form an ad hoc committee to work on changes to the referral process as there were differing ideas suggested. Discussion ensued among members of the City Council, Ms. Julia Novak, and City Manager McAdoo about how to proceed. There was consensus to hold a work session specific to the referral process, conduct a survey beforehand and present its findings to Council, bring back policies from different cities; and if that does not lead to consensus, an ad hoc committee could be formed.

Council Committees Section (Page 46)

Include an inventory of standing committees; provide information on committee prioritization and consolidation; and clarify which committees are intended to be temporary, time-bounded, and ad hoc.

Boards, Commissions, Committees, Task Forces Section (Page 48)

Consider a separate conversation about the role of the Community Advisory Panel (CAP) after Policy Innovation Workshop recommendations; consider inclusion of indigenous community members in the annual recruitment, possibly on the Planning Commission to bring perspective related to land use; update changes in language from passage of Measure OO (Charter Amendment); consider if small, temporary, ad hoc committees should be subject to the Brown Act; expand opportunity for service to all people by having a maximum of two terms with required break; monitor efficiency and productivity of committees and evaluate preferred number of committees and consider addressing this during roadmap conversation; and consider referring to establishing/abolishing committee language via a link to Charter language or as an appendix.

Proclamation (Page 23)

Clarify the process to request/present a proclamation; clarify the difference between proclamations and resolutions; and consider creating an appendix with the information from the City's website.

Addressing the Council Section (Page 35)

Consider updating language to allow for virtual public comment. City Manager McAdoo noted there will be discussion about public engagement options during the August recess as the City plans to move forward into hybrid meetings.

Quasi-Judicial Hearings (Page 24)

Further describe process under this section.

Rules, Decorum, and Order Section (Page 29-33)

Consider an introductory statement such as, “the purpose of the meeting is the business of the City”; expand language at the end of page 33 such as, “Council members should, when commenting, keep their focus on the issue at hand”; and lay out the process and order for questions/comments after public comment, noting differences for work sessions and public hearings; and clarify the process for new members and in meetings include PowerPoint slides with categories/actions.

Motions (Page 39)

Ensure language is clear when distinguishing between items.

Ordinances (Page 44)

Lay out process for adoption of ordinances after their introduction; when they garner unanimous approval, they are placed on the consent calendar and when they do not get unanimous approval, they are placed on legislative business.

Council Liaison (page 47)

Add language that Council Liaison’s reporting to the City Council could occur during the Council Reports and Announcement section of the agenda.

PUBLIC COMMENTS

There were no comments from public members.

Mayor Halliday noted she received feedback on a need to explain the process for phone-in participants. City Clerk Lens acknowledged the comments and noted she would start providing instructions as was done prior to instituting the video that plays at the beginning of the meeting.

Council Member Andrews reminded all about Earth Day and earth month activities and noted the Keep Hayward Clean and Green Task Force will cleanup around the Heritage Plaza in July.

Council Member Lamnin noted the Alameda County Board of Supervisors was holding a special meeting on April 6, 2021 about the 2021 redistricting process.

Council Member Zermeño highlighted March 31, 2021 was Cesar Chavez’s Birthday and reminded all to keep in mind individuals working in the fields.

Mayor Halliday announced April 6, 2021 was the next City Council meeting.



**SPECIAL CITY COUNCIL MEETING
REMOTE PARTICIPATION
Tuesday, March 30, 2021, 5:00 p.m.**

ADJOURNMENT

Mayor Halliday adjourned the special meeting at 7:05 p.m.

APPROVED

Barbara Halliday
Mayor, City of Hayward

ATTEST:

Miriam Lens
City Clerk, City of Hayward