



CITY OF HAYWARD

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

Action Minutes City Council

Tuesday, June 20, 2023

7:00 PM

**Council Chamber and
Virtual Platform (Zoom)**

SPECIAL JOINT MEETING OF THE CITY COUNCIL AND HAYWARD PUBLIC FINANCE AUTHORITY BOARD

CALL TO ORDER: Mayor/HPFA Chair Salinas

Pledge of Allegiance: Council/HPFA Member Goldstein

AB 2449 TELECONFERENCE NOTIFICATIONS AND CONSIDERATION

Council Member Roche was not feeling well and participated via Zoom under AB 2449 just cause circumstance.

ROLL CALL

Present: 7 - Council Member Angela Andrews, Council Member Ray Bonilla Jr., Council Member Daniel Goldstein, Council Member Julie Roche, Council Member George Syrop, Council Member Francisco Zermeno, and Mayor Mark Salinas

CLOSED SESSION ANNOUNCEMENT**June 13, 2023****June 20, 2023**

The City Council convened in closed session on June 13, 2023, at 5:30 p.m., with all members present and no public speakers, regarding public employment pursuant to Government Code section 54957 regarding compensation of the three appointed officers, the City Attorney, City Clerk, and City Manager. Mayor Salinas announced the Council took no reportable action.

The City Council convened in closed session on June 20, 2023, at 5:30 p.m., with all members present and no public speakers, regarding four items: 1) conference with property negotiators pursuant to Government Code section 54956.8 regarding Skywest Properties, 1401 Golf Course Road, APN 432-0134-001-05 and CANG Site, 1525 West Winton Avenue, APN 432-0124-002-00; 2) conference with property negotiators pursuant to Government Code section 54956.8 regarding B Street, APN 431-0108-003-00, Cannery Lot; 3) conference with property negotiators pursuant to Government Code section 54956.8 regarding 22549 Foothill Blvd, APN 428-0061-044-00; and 4) conference with legal counsel pursuant to Government Code section 54956.9 (d)(4) regarding one anticipated litigation case. City Attorney Lawson indicated that Council gave direction to staff related the items on the agenda and took no reportable action. The closed session adjourned at 6:42 p.m.

PROCLAMATION

Juneteenth Proclamation

PUBLIC COMMENTS

There were none.

CITY MANAGER'S COMMENTS

City Manager McAdoo

HAYWARD YOUTH COMMISSION

A motion was made by Council Member Bonilla Jr., seconded by Council Member Goldstein, to adopted HAYWARD YOUTH COMMISSION. The motion carried by the following vote:

Aye: 7 - Council Member Andrews, Council Member Bonilla Jr., Council Member Goldstein, Council Member Roche, Council Member Syrop, Council Member Zermeno, and Mayor Salinas

1. [Hayward Youth Commission: Adopt a Resolution Confirming the Appointment and Reappointment of Hayward Youth Commission Members \(Report from City Clerk Lens\)](#)

City Clerk Lens administered the oath of affirmation to newly appointed and reappointed members.

CONSENT

Consent Item 5 was removed from the Consent Calendar for discussion and public comment.

Approval of the Consent Calendar

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

Aye: 7 - Council Member Andrews, Council Member Bonilla Jr., Council Member Goldstein, Council Member Roche, Council Member Syrop, Council Member Zermeno, and Mayor Salinas

- [Approve the Minutes of the Special Joint City Council/Hayward Redevelopment Successor Agency/Hayward Housing Authority Meeting on June 6, 2023](#)

Consent item approved.

- [Adopt an Ordinance Establishing Reach Codes for the City of Hayward: Adopting Chapter 9, Article 8 of the Hayward Municipal Code to Amend Part 11 \(California Green Building Standards Code\) of the California Building Standards Code \(Title 24 of the California Code of Regulations\); and Amending the City's Off-Street Parking Regulations \(Chapter 10, Article 2\) of the Hayward Municipal Code](#)

Consent item approved.

- [Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Professional Services Agreement with SCI Consulting Group for Support on the City's Landscape and Lighting Assessment Districts in a Total Not-to-Exceed Amount of \\$106,211 and Agreement Effective Date Through Fiscal Year 2028](#)

Consent item approved.

- [Adopt a Resolution Authorizing a Joint Application to and Participation in the State Homekey Program for the Project Reclamation Scattered Site Program in a Total Not-to-Exceed Amount of \\$10 Million, for which the California Environmental Quality Act Does Not Apply](#)

Consent item approved.

- [Adopt a Resolution Preliminarily Approving the Final Engineer's Report and Ordering the Levy of Assessments for Fiscal Year 2024 for Old Highlands Area Road Improvement Assessment District](#)

Consent item approved.

7. [Adopt a Resolution Authorizing the City Manager to Appropriate Additional Funds in the Amount of \\$109,531.25 from Measure BB \(Local Transportation\) Fund 212 for the Hesperian Boulevard and West A Street Protected Intersection, Project No. 05338](#)

Consent item approved.

8. [Adopt a Resolution Rejecting the Bid from Nema Construction and Awarding a Construction Contract to Ray's Electric for the Traffic Signal Upgrade at Jackson Street Project, Project No. 05270 in the Amount of \\$622,540 in Addition to Approving \\$62,254 in Administrative Construction Contingency](#)

Consent item approved.

9. [Adopt a Resolution Authorizing the City Manager to Execute an Agreement with Tartaglia Engineering for Design Services for the Airport Pavement Rehabilitation Project in Total Not-to-Exceed Contract Amount of \\$648,000](#)

Consent item approved.

10. [Adopt a Resolution Authorizing the City Manager to Execute an Agreement with Project Sentinel for Fiscal Year 2024 in an Amount Not-to-Exceed \\$160,000 to Provide Mediation, Arbitration, and Education Services Related to the Residential Rent Stabilization and Tenant Protection Ordinance and Mobilehome Space Rent Stabilization Ordinance](#)

Consent item approved.

11. [Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Master Agreement and Lease with the Hayward Area Recreation and Park District for Operations and Maintenance of City Lands](#)

Consent item approved.

12. [Adopt Resolutions Authorizing the City Manager to \(1\) Execute an Agreement with MBS Engineering Inc., for Installation of Liquefied Petroleum Gas Pipes in a Not-to-Exceed Amount of \\$224,321, \(2\) Amend the Professional Services Agreements with Kitchell CEM for Extended Construction Support Services by \\$307,000 for a Not-to-Exceed amount of \\$2,840,000; and \(3\) with ABC Inspections by \\$85,000 for a Not-to-Exceed Amount of \\$1,030,000, for the Fire Station 6 and Fire Training Center Project, Project Nos. 07481 and 07482](#)

Consent item approved.

13. [Adopt a Resolution Approving Plans and Specifications and Call for Bids for The Stack Center - Phase I Project](#)

Consent item approved.

14. [Adopt a Resolution Authorizing the City Manager to Enter into a Contract with Aclara Technologies LLC for Sole Source Purchase of AclaraONE Software Upgrade Services for the Advanced Metering Infrastructure \(AMI\) Implementation Project for a Period of Three Years with Two, One-Year Options to Extend in an Amount Not-to-Exceed \\$416,400](#)

Consent item approved.

15. [Report and Assessment for Delinquent Garbage Bills Incurred by Property Owners of Single-Family Residences \(Item continued to June 27, 2023 City Council meeting\)](#)

Item continued to June 27, 2023 City Council meeting.

PUBLIC HEARING

16. [Utility Rate Adjustments: Adopt a Resolution Amending the Master Fee Schedule and Approving the Proposed FY 2024 and FY 2025 Water, Sewer, Recycled Water Rates and Connection Fees and Finding the Action is Exempt from CEQA Review \(Report from Director of Public Works Ameri\)](#)

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

Aye: 7 - Council Member Andrews, Council Member Bonilla Jr., Council Member Goldstein, Council Member Roche, Council Member Syrop, Council Member Zermeno, and Mayor Salinas

LEGISLATIVE BUSINESS

17. [Military Equipment Use Policy: Review of HPD's Annual Military Equipment Use Report July 2022 - March 2023 and Annual Renewal of an Ordinance Approving Military Equipment Use Policy No. 706 Regarding the Hayward Police Department's Funding, Acquisition, and Use of "Military Equipment," as Defined by Assembly Bill 481 \(Report from Acting Police Chief Matthews and City Manager McAdoo\)](#)

A motion was made by Council Member Goldstein, seconded by Council Member Zermeño, to reaffirm Ordinance 22-06. The motion carried by the following vote:

Aye: 6 - Council Member Andrews, Council Member Bonilla Jr., Council Member Goldstein, Council Member Roche, Council Member Zermeno, and Mayor Salinas

Nay: 1 - Council Member Syrop

18. [Community Preservation Ordinance: Introduction of an Ordinance Amending, Chapter 5, Article 7 of the Hayward Municipal Code Regarding Community Preservation Standards and Finding that this Action is Subject to the CEQA Common Sense Exemption \(Report from Development Services Director Buizer\)](#)

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

Aye: 7 - Council Member Andrews, Council Member Bonilla Jr., Council Member Goldstein, Council Member Roche, Council Member Syrop, Council Member Zermeno, and Mayor Salinas

19. [Refunding Certificates of Participation: Adopt Resolutions Authorizing Issuance of Certificates of Participation in an Amount Not to Exceed \\$55 Million to Refinance Prior Lease Payment Obligations \(Report from Finance Director Gonzales\)](#)

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

Aye: 7 - Council Member Andrews, Council Member Bonilla Jr., Council Member Goldstein, Council Member Roche, Council Member Syrop, Council Member Zermeno, and Mayor Salinas

20. [Council-Appointed Officers' Employment Agreements: Adopt Resolutions Approving Amendments to the Employment Agreements between the City of Hayward and the City Attorney and City Clerk and a Resolution Approving a New Employment Agreement between the City of Hayward and the City Manager and Authorizing the Mayor to Execute the Agreements \(Report from Human Resources Director Frye\)](#)

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

Aye: 7 - Council Member Andrews, Council Member Bonilla Jr., Council Member Goldstein, Council Member Roche, Council Member Syrop, Council Member Zermeno, and Mayor Salinas

21. [Salary Plan Amendment: Adopt a Resolution Approving the City of Hayward Salary Plan for Fiscal Year 2024 \(Report from Human Resources Director Frye\)](#)

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

Aye: 7 - Council Member Andrews, Council Member Bonilla Jr., Council Member Goldstein, Council Member Roche, Council Member Syrop, Council Member Zermeno, and Mayor Salinas

ADJOURNMENT

Mayor/HPFA Chair Salinas adjourned the meeting at 9:42 p.m.

NEXT MEETING, June 27, 2023, 7:00 PM