



CITY OF HAYWARD

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

Action Minutes City Council

Tuesday, November 15, 2022

7:00 PM

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

CITY COUNCIL MEETING

CALL TO ORDER: Mayor Halliday

Present: 7 - Council Member Angela Andrews, Council Member Sara Lamnin, Council Member Elisa Marquez, Council Member Mark Salinas, Council Member Aisha Wahab, Council Member Francisco Zermeno, and Mayor Barbara Halliday

Pledge of Allegiance: Mayor Halliday

ROLL CALL

CLOSED SESSION ANNOUNCEMENT

The City Council convened in closed session at 5:00 p.m., with all members present and no public comments, regarding three items: 1) public employment pursuant to Government Code section 54957 regarding the upcoming performance evaluation for City Manager, City Attorney and City Clerk; 2) conference with legal counsel pursuant to Government Code sections 54956.9(d)(2) and 54956.9(e)(1) regarding one anticipated litigation; and 3) conference with property negotiators pursuant to Government Code section 54956.8 regarding Caltrans Parcel Group 5 - Maitland Drive, Bunker Hill Court, Bunker Hill Boulevard and Central Boulevard, APNs: 445-0250-041-01, 445-0260-084-03, 445-0260-018-04, 445-0270-054-02, 445-0250-060-00, 445-0250-059-01, 445-0260-109-04, 445-0260-018-03, 445-0260-109-03, 445-0260-002-00. City Attorney Lawson reported that the Council discussed Item 1 and unanimously approved, with Mayor Halliday moving and Council Member Márquez seconding, selection of Pivotal Group as the consultant to perform a 360 assessment of the Council-appointed officers in an amount not to exceed \$21,500, plus additional options in an amount not to exceed \$5,350, and authorized Assistant City Manager Youngblood to execute an agreement with said consultant; regarding Item 2, the Council discussed one case of anticipated litigation in consultation with City Attorney Lawson and took no reportable action; and regarding Item 3, the Council discussed property transactions, specifically Caltrans Route 238 Parcel Group 5 ("Bunker Hill"), and took no reportable action, but public action was anticipated on Consent Item No. 13. The closed session adjourned at 6:25 p.m.

PUBLIC COMMENTS

TJ with Hayward Concerned Citizens
Mr. Gabriel Altamirano with South Hayward Now/Ahora
Mr. Nate Rizvi
Ms. Savana

CITY MANAGER'S COMMENTS

City Manager McAdoo

ACTION ITEMS**CONSENT**

Approval of the Consent Calendar

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

Aye: 7 - Council Member Andrews, Council Member Lamnin, Council Member Marquez, Council Member Salinas, Council Member Wahab, Council Member Zermeno, and Mayor Halliday

1. [Approve the City Council Minutes of the Special City Council Meeting on October 25, 2022](#)

Consent item approved.

2. [Adopt a Resolution Approving the Appropriation of \\$150,000 for the Golden Oaks II - Tract 8058 Improvement Project No. 08058, and Authorizing Staff to Increase the Construction Contract with Golden Bay Construction, Inc., Contract No. 22132, by the Same Amount for a Total Not-To-Exceed Amount of \\$1,093,733](#)

Consent item approved.

3. [Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with ESRI for a Small Municipal and County Government Enterprise Agreement \(SGEA\) in an Amount not to Exceed \\$303,000](#)

Consent item approved.

4. [Adopt an Ordinance Establishing a Building Code for the City of Hayward; Regulating the Construction, Alteration, Repair, and Maintenance of Structures; Providing for the Issuance of Permits and Collection of Fees; Repealing Chapter 9 Article 1, and All Amendments Thereto](#)

Consent item approved.

5. [Adopt an Ordinance Establishing a Fire Prevention Code for the City of Hayward, Adopting the California Fire Code, 2022 Edition, Prescribing Regulations Governing Conditions Hazardous to Life and Property from Fire or Explosion, Providing for the Issuance of Permits and Collection of Fees, Providing for Penalties for Violation, and Repealing Ordinance No. 19-20, As Amended, and All Other Ordinances and Parts of Ordinances in Conflict Therewith](#)

Consent item approved.

6. [Adopt an Ordinance Establishing Reach Codes for the City of Hayward, Repealing Ordinance 20-05, 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.

7. [Adopt a Resolution Allowing the City Council and Appointed Commissions/Task Forces and Council Committees to Hold Continued Teleconferenced Public Meetings Pursuant to AB 361](#)

Consent item approved.

8. [Adopt a Resolution Approving a Side Letter of Agreement Amending the Memorandum of Understanding \(MOU\) Between the City of Hayward and the Hayward Police Officers' Association \(HPOA\) to Revise Scheduled Salary Increases](#)

Consent item approved.

9. [Adopt a Resolution Approving the Amended Fiscal Year 2023 Salary Plan That Designates Classifications and Corresponding Salary Ranges](#)

Consent item approved.

10. [Adopt a Resolution Authorizing the City Manager to Amend an Agreement with Tiburcio Vasquez Health Center for Mobile Integrated Health Unit Services for Fiscal Year 2022-2023](#)

Consent item approved.

11. [Adopt a Resolution Accepting the Resignation of Ms. Elena Lepe from the Community Services Commission, Effective Immediately](#)

Consent item approved.

12. [Adopt a Resolution: \(1\) Approving the Dissolution of the South Hayward Bay Area Rapid Transit Station Access Authority; and \(2\) Authorizing the City Manager to Negotiate and Execute an Intergovernmental Agreement Pertaining to Parking and Access Near the South Hayward BART Station](#)

Consent item approved.

13. [Adopt a Resolution Authorizing the City Manager to Negotiate and Execute the First Amendment to the Disposition and Development Agreement with Trumark Properties, LLC to Allow Deferral of the Excess Purchase Price Above the Caltrans Base Purchase Price Until Issuance of Certificates of Occupancy for the Transfer of Parcel Group 5, Bunker Hill](#)

Consent item approved.

WORK SESSION

14. [Dispatch Needs Assessment and Capacity Improvement: Presentation of Consultant Evaluation and Recommendations \(Report from City Manager McAdoo, Fire Chief Contreras, and Acting Police Chief Matthews\)](#)

Information only; no action taken.

PUBLIC HEARING

15. [Retiree Hiring Exception: Adopt a Resolution Approving an Exception to the 180-Day Waiting Period Requirement for Up to Six \(6\) Retired CalPERS Annuitants to Work as City of Hayward Communications Operators](#)

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

Aye: 7 - Council Member Andrews, Council Member Lamnin, Council Member Marquez, Council Member Salinas, Council Member Wahab, Council Member Zermeno, and Mayor Halliday

ADJOURNMENT

Mayor Halliday adjourned the Council meeting at 9:22 p.m.

NEXT MEETING, December 6, 2022. 7:00 PM
November 22, 2022 - Meeting Canceled -