



**MINUTES OF THE MEETING OF THE CITY COUNCIL**  
**Council Chambers**  
**777 B Street, Hayward, CA 94541**  
**Tuesday, March 20, 2018, 7:00 p.m.**

---

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

**ROLL CALL**

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

**CLOSED SESSION ANNOUNCEMENT**

City Attorney Lawson announced the City Council convened in closed session on March 13, 2018, regarding two items: 1) conference with labor negotiators pursuant to Government Code Section 54957.6 regarding all groups; 2) conference with property negotiators pursuant to Government Code Section 54956.8 regarding State owned parcels along the Route 238 bypass alignment; and noted there was no reportable action.

City Attorney Lawson added the City Council also convened in closed session today at 4:30 p.m., regarding three items: 1) public employment pursuant to Government Code Section 54957 regarding the annual performance evaluation of the City Clerk; 2) conference with property negotiators pursuant to Government Code Section 54956.8 regarding State owned parcels along the Route 238 bypass alignment; 3) conference with labor negotiators pursuant to Government Code Section 54957.6 regarding all groups; and noted there was no reportable action regarding Item No. 2. Mr. Lawson added that the Council needed to reconvene in closed session after the regular meeting to continue discussion related to Item No. 3. Mayor Halliday noted there was no reportable action on Item No. 1.

**PRESENTATION**

Mayor Halliday read a proclamation presented to the American Red Cross Bay Area Chapter Alameda County Leadership Council declaring the month of March 2018 as American Red Cross Month. Mr. Greg Portillo, Alameda County Leadership Council representative, and Ms. Debbie Feary and Ms. Karen Fuller, County Disaster Services representatives, accepted the proclamation, and spoke about "Sound the Alarm" which is a series of home fire safety and smoke alarm installation events occurring from April 28 through May 13, 2018.

**PUBLIC COMMENTS**

Mr. Ricardo Robles, Hayward resident, expressed concern about second hand smoke particularly marijuana smoke in multifamily residential apartments.

Mr. Naicker Sajneel and Ms. Alia Shameer, Tennyson High School students, donated to the City photographs that were taken during the March for Our Lives and National School Walkout event in Hayward.

Mr. Charlie Peters, Clean Air Performance Professionals representative, spoke about smog checks and environmental impacts, and provided related documents.

Mr. Jim Drake, Hayward resident, reiterated his request for information regarding rape rates. City Manager McAdoo provided information on reported rape cases.

Ms. Deborah Curtis spoke about homeless individuals who are victims of rape.

Mr. Firooz Farhoomand spoke about a security service for schools and police departments.

Council Member Márquez shared that the Centro Legal de la Raza was holding free tenants' rights workshops the fourth Friday of every month at Hayward City Hall.

## **CONSENT**

Consent Item No. 3 was removed from the calendar for separate vote.

1. Minutes of the City Council Meeting on February 27, 2018 **MIN 18-039**

It was moved by Council Member Márquez, seconded by Council Member Lamnin, and carried unanimously, to approve the minutes of the City Council Meeting on February 27, 2018.

2. Minutes of the City Council Meeting on March 6, 2018 **MIN 18-040**

It was moved by Council Member Márquez, seconded by Council Member Lamnin, and carried unanimously, to approve the minutes of the City Council Meeting on March 6, 2018.

3. Adoption of Ordinance Adding Article 21 to Chapter 8 of the Hayward Municipal Code Relating to a Commercial Cannabis Tax **CONS 18-155**

Staff report submitted by City Clerk Lens, dated March 6, 2018, was filed.

It was moved by Council Member Márquez, seconded by Council Member Lamnin, and carried with the following vote, to adopt the following:

AYES:	COUNCIL MEMBERS Zermeño, Márquez, Peixoto, Lamnin MAYOR Halliday
NOES:	COUNCIL MEMBERS Mendall, Salinas
ABSENT:	None
ABSTAIN:	None



**MINUTES OF THE MEETING OF THE CITY COUNCIL**  
**Council Chambers**  
**777 B Street, Hayward, CA 94541**  
**Tuesday, March 20, 2018, 7:00 p.m.**

---

Ordinance 18-03, "Ordinance of the City of Hayward, California Adding Article 21 to Chapter 8 of the Hayward Municipal Code Relating to a Commercial Cannabis Tax"

4. New Sidewalks FY17 - Walpert Street (Fletcher Lane to Second Street), Project No. 05258 & 05259: Approval of Plans and Specifications, and Call for Bids and Appropriation of Additional Funds **CONS 18-169**

Staff report submitted by Interim Public Works Director Ameri, dated March 20, 2018, was filed.

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

Resolution 18-034, "Resolution Approving Plans and Specifications for the New Sidewalks FY 17 – Walpert Street Project, Project NO. 05258 & 05259 and Call for Bids"

Resolution 18-035, "Resolution Amending Resolution 17-088, the Budget Resolution for Capital Improvement Projects for Fiscal Year 2018, Relating to an Appropriation of Fund 213 – Measure BB for New Sidewalks"

5. Recycled Water Storage and Distribution System Project, Project No. 07507: Approval of Addendum Nos. 1 through 3 and Award of Pump Station and Storage Tank Construction Contract; Approval of Addendums Nos. 1 through 4 and Award of Distribution Pipelines System Construction Contract; Adoption of Resolutions to apply for Increased Funding through the State Revolving Fund Loan Program; and Appropriation of Additional Funds **CONS 18-175**

Staff report submitted by Interim Public Works Director Ameri, dated March 20, 2018, was filed.

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

Resolution 18-036, "Resolution Approving Addendum Nos. 1 through 3 Awarding a Contract to Myers and Sons Construction, LP for the Construction of the Recycled Water Pump Station and Storage tank, Project No. 07507, in an Amount Not to Exceed \$4,793,000"

Resolution 18-037, "Resolution Approving Addendum Nos. 1 Through 3 and Awarding a Contract to Mountain Cascade, INC., for the Construction of the Recycled Water Distribution System, Project NO. 07507, in an Amount Not to Exceed \$15,963,000"

Resolution 18-038, "Resolution Authorizing the City Manager to Sign and File a State Revolving Fund Loan Financial Assistance Application in an Amount Not to Exceed \$27,100,000 for Capital Improvement Project NO. 07507-Recycled Water Storage Distribution System Project"

Resolution 18-039, "R Recycled Water Storage and Distribution System Project Reimbursement Resolution in Support of State Water Resources Control Board State Revolving Fund Loan Application"

Resolution 18-040, "Resolution Appropriating \$8,481,000 for the Capital Improvement Program Sewer Improvement Fund for the Recycled Eater Storage and Distribution System Project, Project No. 07507"

## **PUBLIC HEARING**

6. FY 2018 Master Fee Schedule/Fine and Bail Schedule (Continued to March 27, 2018) **PH 18-018**

Mayor Halliday noted that the item was continued to March 27, 2018.

## **LEGISLATIVE BUSINESS**

7. Adoption of a Resolution Authorizing the City Manager to Issue a Notice of Funding Availability for New Construction of Affordable Housing (Report from Assistant City Manager Hurtado) **LB 18-012**

Staff report submitted by Assistant City Manager Hurtado, dated March 6, 2018, was filed.

Assistant City Manager Hurtado announced the report and introduced Housing Manager Morales who provided a synopsis of the report.

Discussion ensued among Council Members and City staff regarding: the project and developer threshold criteria and scoring criteria, 100% affordable units, and local hire.



**MINUTES OF THE MEETING OF THE CITY COUNCIL**  
**Council Chambers**  
**777 B Street, Hayward, CA 94541**  
**Tuesday, March 20, 2018, 7:00 p.m.**

---

Council Members offered the following recommendations: ensure that “veterans” is included in the target populations, have developers hold more than one community meeting to provide the community an opportunity to provide feedback on the proposed project as part of the threshold criteria, consider housing for extremely low and very low income levels when leveraging City funds, and maintain flexibility when reviewing and scoring proposals by providing multiple options for funding housing projects.

Mayor Halliday opened the public hearing at 8:20 p.m.

Mr. Andy Madeira, Eden Housing representative, suggested that Council consider adding studio units to the list of type of housing projects, include 100% affordable projects, have housing adjacent to services as part of the community amenities, and prioritize properties that are in Priority Development Areas.

Mr. Jared Wright, Abode Services representative, noted that the designation of 40 points in the readiness scoring criteria was too high and might discourage projects that have deeper affordability.

Mayor Halliday closed the public hearing at 8:26 p.m.

Council Member Mendall suggested that the project’s proximity to services, parks, and recreation opportunities be added to the location scoring criteria.

Council Member Zermeño offered a motion per staff’s recommendation including the addition to the location scoring criteria, and adding “veterans” to the target populations as recommended by Council Member Peixoto.

Council Member Peixoto seconded the item.

Council Member Lamnin suggested to create housing units identified from data in the Regional Housing Need Allocation (RHNA), homelessness survey, academic institutions and rental housing research; include more than just Alameda County Measure A1 funding; prioritize the innovation scoring criteria; and prioritize cost per unit without compromising quality.

Council Member Mendall offered a friendly amendment to the motion that involved eliminating the developer experience threshold criteria and only evaluating developer experience under scoring criteria to further encourage innovation. Council Members Zermeño and Peixoto were amenable to the friendly amendment.

Mayor Halliday expressed support for the motion and recommended against spending all City funds to match Measure A1 funding but reserve some funds to meet housing needs for

homeless individuals such as projects that would include space for a warming shelter that could also serve as a navigation center.

Council Member Márquez also emphasized the need for a warming shelter and supported increasing the innovation scoring criteria. Council Member Márquez expressed support for the motion noting that staff could analyze what worked, and encouraged staff to work with applicants applying for homeownership funding.

Council Member Lamnin offered a friendly amendment that included prioritizing Hayward residents to the extent it is legally permissible. Council Member Zermeño and Peixoto were amenable to the friendly amendment.

Council Member Lamnin added that employment centers and schools should be in proximity to the projects, and noted the importance of creating complete communities.

The City Council was in general support to authorize the City Manager to issue a Notice of Funding Availability (NOFA) for new construction of affordable rental housing.

It was moved by Council Member Zermeño, seconded by Council Member Peixoto, and carried unanimously, to adopt the resolution with the following friendly amendments: 1) ensure that “veterans” is added to the target populations; 2) include the project’s proximity to services, parks, and recreation opportunities to the location scoring criteria; 3) eliminate the developer experience threshold criteria and only evaluate developer experience under scoring criteria to further encourage innovation; and 4) prioritize Hayward residents to the extent it is legally permissible.

Resolution 18-041, “Resolution Authorizing the City Manager to Issue a Notice of Funding Availability for New Construction of Affordable Rental Housing”

## **CITY MANAGER’S COMMENTS**

City Manager McAdoo made two announcements: 1) the Alameda County Transit Board and City staff will hold an informal breakfast briefing on March 23, 2018 at City Hall, to provide an update on current AC Transit plans and initiatives; and 2) the Alameda County Transportation Commission will conduct a walking tour on March 27 and 28, 2018, as part of the Railroad Crossing and Corridor Study on the Union Pacific Railroad Corridor.

## **COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS**

Council Member Márquez invited all to the Keep Hayward Clean and Green Task Force beautification event on March 24, 2018 at Ruus Park.

Council Member Zermeño invited all to the Latino Business Roundtable on March 23, 2018 at St. Rose Hospital, Balch Pavilion, to hear the benefits of metal recycling and celebrate Hayward’s 142<sup>nd</sup> birthday.



**MINUTES OF THE MEETING OF THE CITY COUNCIL**  
**Council Chambers**  
**777 B Street, Hayward, CA 94541**  
**Tuesday, March 20, 2018, 7:00 p.m.**

---

Mayor Halliday reported on her attendance at the Alameda County Mayors' Conference where there was a presentation by the U.S. Geological Survey, and added that October 21, 2018 marks Hayward's 150<sup>th</sup> Anniversary of the Great Quake of 1868.

**ADJOURNMENT**

Mayor Halliday adjourned the meeting at 8:55 p.m., in memory of former Council Member Joseph Hilson.

Former Council Member Joseph Hilson served on the Council for twelve years; was the initiator and first chair of the Council Technology Committee; served as a chair of the Environment Committee; was the City's representative to Alameda County Waste Management Authority; was a member of the Board of Directors for the National League of Cities and chair of its technology committee; and was instrumental during the construction of the current City Hall. Condolences were offered to the family of Joe Hilson who attended the meeting. Mayor Halliday asked staff to work with the family to find a suitable place to plant a tree in his memory.

The City Council reconvened in closed session to continue discussion related to conference with labor negotiators, and it was noted that a report out would be provided at the March 27, 2018 Council meeting.

**APPROVED:**

---

Barbara Halliday  
Mayor, City of Hayward

**ATTEST:**

---

Miriam Lens  
City Clerk, City of Hayward