



**MINUTES OF THE SPECIAL CITY COUNCIL MEETING OF THE CITY OF
HAYWARD
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, September 26, 2017, 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 Lamnin. Mayor Halliday noted that while it was the longstanding practice to start the meeting with the Pledge of Allegiance, participation was optional given recent events.

ROLL CALL

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

CLOSED SESSION

City Attorney Lawson announced the City Council convened in closed session regarding two items: 1) conference with labor negotiators pursuant to Government Code 54957.6; and 2) conference with legal counsel pursuant to Government Code 54956.9 regarding Russell City Energy Company v. City of Hayward, California Court of Appeal, No. A144749; and noted there was no reportable action.

PUBLIC COMMENTS

Ms. Diane Fagalde, Hayward resident, thanked the Police Department for finding her automobile.

Ms. Joann Cola, Hayward resident, spoke about ongoing health and safety issues with the homeless encampment at A and 4th Streets.

Ms. Linda Bennett, Hayward resident, provided photographs of the homeless encampment at A and 4th Streets and the creek; and spoke about the wellbeing of residents in the neighborhood.

Mr. Monzella Curtis, Hayward resident, expressed concerned about decontrolled apartments and significant rent increases.

Ms. Jackie Zaneri, legal fellow at Centro Legal de La Raza, spoke about the lack of protection for tenants whose apartment units have been decontrolled; and asked for a moratorium on evictions or a reform of rent control law.

Mr. Ramon Rios Pareda, La Familia Counseling Services representative, recommended that prospective developers meet community stakeholders before moving forward with projects; and supported building low-income housing with services.

Ms. Marcela Ruiz, Hayward tenant, via an English-Spanish interpreter, noted that Aloha Apartments was sold and tenants were issued two-month eviction notices; and asked for rent control.

Mr. Samuel Avalos, Hayward tenant, via a Spanish-English interpreter, spoke about the sixty-day notice of termination of tenancy that Solis Gardens issued to residents of Aloha Apartments, and the emotional burden it has caused to vulnerable tenants.

Mr. Jim Drake, Hayward resident, spoke about grocery stores and disguised sales.

Mr. Ruben Medrano, Hayward tenant, spoke about the sixty-day notice that Solis Gardens issued to tenants and the uncertainty with the tenants' situation.

Consent Item No. 8 was removed for discussion and separate vote.

CONSENT

1. Adoption of a Resolution Authorizing the City Manager to Negotiate and Execute an Amendment to the Agreement with CSG Consultants, Inc., for Development Review Services in the Planning Division **CONS 17-544**

Staff report submitted by Interim Development Services
Director Bristow, dated September 26, 2017, was filed.

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

Resolution 17-141, "Resolution Authorizing the City Manager to Negotiate and Execute an Amendment to the Agreement with CSG Consultants, Inc., for Development Review Services in the Planning Division for an Amount Not to Exceed \$510,000"

2. Adoption of a Resolution Authorizing the City Manager to Negotiate and Execute an Amendment to the Agreement with Stevenson, Porto & Pierce, Inc., for Planner Services **CONS 17-545**

Staff report submitted by Interim Development Services
Director Bristow, dated September 26, 2017, was filed.

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

Resolution 17-142, "Resolution Authorizing the City Manager to Negotiate and Execute an Amendment to the Agreement with Stevenson, Porto & Pierce, Inc., for Planner Services"



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3. Amendment of Professional Services Agreement with TJKM, Inc. for Neighborhood Traffic Calming Program (NTCP) **CONS 17-561**

Staff report submitted by Public Works Director Fakhrai, dated September 26, 2017, was filed.

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

Resolution 17-143, “Resolution Authorizing the City Manager to Execute an Amendment to the Agreement with TJKM Transportation Consultants Inc. for Additional Services Associated with the City of Hayward’s Neighborhood Traffic Calming Program”

4. Request for an Appropriation of \$75,000 from General Fund Reserves and Adoption of a Resolution Authorizing the City Manager to Execute a Professional Service Agreement with Moves the Needle for Lean Innovation Trainings **CONS 17-582**

Staff report submitted by Management Analyst II Stefanski, dated September 26, 2017, was filed.

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

Resolution 17-144, “Resolution Authorizing the City Manager to Negotiate and Execute a Professional Services Agreement with Moves the Needle for Lean Innovation Training for City Executives and Staff in an Amount Not to Exceed \$174,735; and Appropriation of \$75,000 from the General Fund (Fund 100)”

5. Adoption of Ordinance Amending Chapter 2, Article 3, Section 2-3.50 of the Hayward Municipal Code to Provide for Increased Membership to the Library Commission **CONS 17-585**

Staff report submitted by City Clerk Lens, dated September 26, 2017, was filed.

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

Ordinance 17-12, "Ordinance Amending Chapter 2, Article 3, Section 2-3.50 of the Hayward Municipal Code to Increase the Number of Library Commissioners from Seven (7) to Nine (9)"

6. Approval of Changes to the Adopted FY 2018 - FY 2027 Capital Improvement Program (CIP) Budget Related to the Road Repair and Accountability Act (RRAA - SB 1 Funding) **CONS 17-588**

Staff report submitted by Director of Public Works Fakhrai, dated September 26, 2017, was filed.

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

Resolution 17-145, "Resolution Amending Resolution 17-088, the Budget Resolution for Capital Improvement Projects for Fiscal Year 2018, Relating to New Fund 211 – RRAA (SB 1)"

7. Appointment of Ms. Zaineb Sharafali and Mr. Luis Prada to the Library Commission **APPT 17-005**

Staff report submitted by City Clerk Lens, dated September 26, 2017, was filed.

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

Resolution 17-146, "Resolution Confirming the Appointment of Zaineb Sharafali and Luis Prada to the Library Commission"

8. Adoption of Resolution Calling for and Supporting Executive and/or Legislative Action by the Trump Administration and Congress to Restore, Renew, Extend and Expand Upon the Federal Deferred Action for Childhood Arrivals (DACA) Program and Those Protections Afforded Under DACA to Immigrants Who Came to the United States as Children **CONS 17-591**

Staff report submitted by Management Analyst II Stefanski, dated September 26, 2017, was filed.

City Manager McAdoo noted that the eighth paragraph of the resolution was missing the word "action" and wanted to amend the resolution to read as follows, "...that the City of Hayward calls for and supports executive and/or legislative **action** by the President of the United States..."

Council Members read sections of the resolution into the record.



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Rev. Arlene Nehring, senior minister at Eden United Church of Christ, thanked the City Council for the support given to DACA students and the support expressed at the “Defend our Dreams” rally.

It was moved by Council Member Márquez, seconded by Council Members Zermeño and Salinas, and carried unanimously, to adopt the following with the addition of the word “action” to the eighth paragraph of the resolution to read as follows, “... that the City of Hayward calls for and supports executive and/or legislative action by the President of the United States...”:

Resolution 17-147, “A Resolution of the City Council of Hayward, California, Calling for and Supporting Executive and /or Legislative Action by the Trump Administration and Congress to Restore, Renew, Extend, and Expand Upon the Federal Deferred Action for Childhood Arrivals (DACA) Program and Those Protections Afforded Under DACA to Immigrants Who Came to the United States as Children”

WORK SESSION

9. Hayward Community Task Force Recommended Update to the 1992 Anti-Discrimination Action Plan (Report from City Manager McAdoo)

Staff report submitted by Assistant City Manager Hurtado, dated September 26, 2017, was filed.

City Manager McAdoo announced the report and acknowledged each member of the Community Task Force and additional members of the Sanctuary City Subcommittee. Members of the Community Task Force presented a summary of the recommendations for the Commitment for an Inclusive, Equitable, and Compassionate Community (CIECC). City Manager McAdoo provided a synopsis of staff’s recommendations and showed a video that was part of an award submittal to the 2017 International Hispanic Network which highlighted the work that was done with the Task Force.

Mayor Halliday opened the public comments section at 9:01 p.m.

Ms. Sally Thomas, Supervising Hayward Librarian, expressed support for the recommendations presented by the Community Task Force; and promoted the Book to Action program and the book “In the Country We Love” by Diane Guerrero.

The following speakers spoke in support of the Community Task Force recommendations and in particular three recommendations: 1) create a Community Advisory Committee to

oversee the implementation of the action plan, and social justice matters; 2) create an HPD Advisory Committee to oversee cases involving the Police Department; and 3) withdraw participation from Urban Shield.

Mr. Ramon Rios Pareda

Ms. Alicia Lawrence

Ms. Veronica Solorio, Community Task Force and The Hayward Collective member

Ms. Ysenia Sepulveda, The Hayward Collective member

Mayor Halliday closed the public comments section at 9:15 p.m.

The City Council thanked the members of the Community Task Force, members of the community, and City staff who worked on the Update to the 1992 Anti-Discrimination Action Plan.

The City Council was in general agreement with the Community Task Force's recommendations on the actions described in the Commitment (CIECC) except for withdrawing from Urban Shield and creating an HPD Advisory Committee based on the information provided by City staff.

Council Members offered additional recommendations: have the Community Task Force oversee the implementation of the action plan and have a subcommittee look into a Rent Review Board; include language in the value statement about Hayward's educational institutions and expand the collaboration on the Book to Action program to Chabot College; have the Community Task Force reconvene in six months to review a report on the value statements and provide feedback to staff before presenting it to the Council; consolidate similar action items and engage the Bay East Association of Realtors, Rental Housing Association and the Hayward Chamber of Commerce to disseminate information to newcomers; engage the business community in discussions about the action plan; consider identifying an advisory body that is not meeting as frequently and could be tasked with the implementation of the plan; consider an additional training for City officials and volunteers on colonialism and formalize teach-ins; consider HPD taking the lead in an emergency preparedness training program incorporating principles in the Commitment CIECC; consider a housing model that sets aside affordable housing units or increases in-lieu-fees; continue the Neighborhood Partnership Program and incorporate discussions about discrimination; consider further adding immigration status as a protective group; have the Community Task Force narrow its focus to five to seven objectives in each section; determine the interest of 12 to 15 Community Task Force members willing to continue to serve for three to six meetings a year; promote more community events and learn about immigrants' backgrounds to create a cohesive community; consider having the Community Task Force continue its work as an independent unit; and engage agencies and the community at large.

Mayor Halliday noted the Commitment (CIECC) would return for Council adoption at the November 28, 2017 Council meeting.



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CITY MANAGER'S COMMENTS

City Manager McAdoo noted the Airport Open House on September 24, 2017, was a successful event where about 5,300 people participated.

COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS

There were none.

ADJOURNMENT

Mayor Halliday adjourned the meeting at 10:21 p.m.

APPROVED:

Barbara Halliday
Mayor, City of Hayward

ATTEST:

Miriam Lens
City Clerk, City of Hayward