



CITY COUNCIL MEETING

777 B Street, Hayward, CA 94541

Council Chamber and Virtual Platform (Zoom)

<https://hayward.zoom.us/j/85775646866?pwd=eUdKd0E4empscVdFVDZyQytNOFJZQT09>

Tuesday, May 17, 2022, 7:00 p.m.

The City Council meeting was called to order by Mayor Halliday at 7:00 p.m. The City Council held a hybrid meeting in Council Chambers and virtually via Zoom.

Pledge of Allegiance: Mayor Halliday

ROLL CALL

Present:

Council Chamber: Council Members Lamnin, Salinas, Zermeño, and Mayor Halliday

Virtual Platform (Zoom): Council Members Andrews, Márquez, Wahab

Absent: None

CLOSED SESSION ANNOUNCEMENT

The City Council convened in closed session on May 17, 2022, at 5:30 p.m., with all members present, regarding two items: (1) conference with legal counsel pursuant to Government Code Section 54956.9 regarding Robert Corona v. City of Hayward, Claim No. 202100142HAY Workers' Compensation Appeals Board Case Nos. ADJ14347418; and (2) conference with property negotiators pursuant to Government Code Section 54956.8 regarding 1060 B Street, APN: 428-0061-048-02. Assistant City Attorney Brick announced there was no reportable action related to the items.

PRESENTATION

Mayor Halliday read a proclamation declaring May 11, 2022 through May 17, 2022 as National Police Week and May 15, 2022 as Peace Officers Memorial Day in Hayward. Mayor Halliday recognized Police Chief Chaplin, Deputy Police Chief Matthews, Captain Olsen, Police Officer Fovel, and additional Police Officers who were in attendance to receive the proclamation on behalf of the department. Police Chief Chaplin thanked Mayor Halliday and the City Council for the proclamation.

Mayor Halliday announced Consent Item No. 3 was continuing to a future Council agenda to enable staff to address recommendations from the Council Infrastructure Committee.

PUBLIC COMMENTS

Mr. Kyle Garcia, Development Director with La Familia and FESCO Family Emergency Shelter Coalition, announced the FESCO Shuffle Walk event on June 11, 2022, at Moreau Catholic High School.

City Clerk Lens noted the deadline to apply for service on the Hayward Youth Commission was May 20, 2022, noted the eligibility requirement and emphasized the City was seeking representation from every Hayward school.

CITY MANAGER'S COMMENTS

City Manager McAdoo made announcements: May 20th Bike to Work Day; May 21st annual Spring Compost Giveaway event at the former Skywest Golf Course; the East Bay Community Energy Agency grant of \$1.2 million from the California Energy Commission for electric vehicle charging hubs at the Cinema Place Parking Structure; May 26th and June 6th virtual community meetings and June 11th open house at the North District Office regarding information in possession of the Police Department characterized as military equipment under AB 481; the Hayward Public Library has broadened its Personal Tech Lending Library to include all Hayward residents; and the People's Budget voting will continue through May 20th.

CONSENT

1. Approve the City Council Meeting Minutes of the City Council Meeting on April 26, 2022
MIN 22-065

It was moved by Council Member Salinas, seconded by Council Member Márquez, and carried unanimously, to approve the minutes of the City Council Meeting on April 26, 2022.

2. Approve the City Council Meeting Minutes of the City Council Meeting on May 3, 2022
MIN 22-066

It was moved by Council Member Salinas, seconded by Council Member Márquez, and carried unanimously, to approve the minutes of the City Council Meeting on May 3, 2022.

3. Adopt a Resolution Authorizing the City Manager to Execute a Five-Year Agreement with Axon Enterprises Inc. to Purchase Axon Fleet 3 In-Car Dash Cameras for Fifty-Three Patrol Vehicles and with Auto-Tagging Subscription(s) for Officers in an Amount Not-to-Exceed \$785,518 **CONS 22-266**

Consent Item No. 3 was continuing to a future Council agenda to enable staff to address recommendations from the Council Infrastructure Committee.

4. Adopt a Resolution Authorizing the City Manager to Execute Amendment No. 5 Increasing the Professional Services Agreement with Advanced Mobility Group, Inc., by \$200,000 for a Total Not-to-Exceed Amount of \$632,500 for Various On-Call Traffic Engineering Design and Related Services **CONS 22-270**

Staff report submitted by Director of Public Works Ameri, dated May 17, 2022, was filed.

It was moved by Council Member Salinas, seconded by Council Member Márquez, and carried by the following roll call vote, to adopt the resolution.



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Wahab, Zermeño
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 22-120, "Resolution Authorizing the City Manager to Execute Amendment No. 5 Increasing Funding for the Professional Services Agreement with Advanced Mobility Group, Inc., by \$200,000 for a Total Not-to-Exceed Amount of \$632,500 for on call Traffic Engineering Design and Other Related Services"

5. Adopt a Resolution Approving the Appropriation of Revenue from the Policy Planning Fee in the Amount of \$244,250 for the Next General Plan Update and Other Future Planning Projects **CONS 22-275**

Staff report submitted by Assistant City Manager/ Development Services Director Ott, dated May 17, 2022, was filed.

It was moved by Council Member Salinas, seconded by Council Member Márquez, and carried by the following roll call vote, to adopt the resolution.

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,
Wahab, Zermeño
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 22-121, "Resolution Approving the Appropriation of Revenue from the Policy Planning Fee in the Amount of \$244,250 for the Next General Plan Update and Other Future Planning Projects"

6. Adopt a Resolution Authorizing the City Manager to Approve a \$75,000 Grant and a \$50,000 Small Business Loan to Tap and Snack LLC, (DBA Arthur Mac's Tap and Snack) to Assist in the Construction and Establishment of a New Full-Service Restaurant and Outdoor Beer Garden at 1060 B Street **CONS 22-278**

Staff report submitted by Assistant City Manager Ott, dated May 3, 2022, was filed.

It was moved by Council Member Salinas, seconded by Council Member Márquez, and carried by the following roll call vote, to adopt the resolution.

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,
Wahab, Zermeño
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 22-122, “Resolution Approving Financial Assistance to Arthur Mac’s Tap and Snack, LLC, and Authorizing the City Manager to Execute a Grant Agreement in the Amount of \$75,000 and a Loan Agreement in the Amount of \$50,000”

7. Adopt a Resolution Authorizing the City Manager to Execute a One-Year Extension of a Joint Exercise of Powers Agreement for the Hayward Area Shoreline Planning Agency
CONS 22-280

Staff report submitted by Assistant City Manager/ Development Services Director Ott and Director of Public Works Ameri, dated May 17, 2022, was filed.

It was moved by Council Member Salinas, seconded by Council Member Márquez, and carried by the following roll call vote, to adopt the resolution.

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab,
Zermeño
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 22-123, “Resolution Authorizing the City Manager to Execute a One-Year Extension for Renewal of An Agreement Between the City of Hayward, East Bay Regional Park District, and Hayward Area Recreation and Park District Titled the Hayward Area Shoreline Planning Agency Joint Exercise of Powers Agreement”

8. Adopt a Resolution Accepting the Resignations of Ms. Reanne Meighan, Mr. Adithya Naresh and Mr. Raul Chavez from the Keep Hayward Clean and Green Task Force, Effective Immediately **CONS 22-282**

Staff report submitted by City Clerk Lens, dated May 17, 2022, was filed.



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It was moved by Council Member Salinas, seconded by Council Member Márquez, and carried by the following roll call vote, to adopt the resolution.

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,
Wahab, Zermeño
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 22-124, “Resolution Accepting the Resignations of Ms. Reanne Meighan, Mr. Adithya Naresh and Mr. Raul Chavez from the Keep Hayward Clean and Green Task Force”

9. Adopt Resolutions Authorizing the City Manager to Execute Agreements with the Alameda County Health Care Services Agency and the Hayward Unified School District to Accept and Appropriate \$227,150 and \$120,000, Respectively, for School-Based Mental Health Services Provided by the City of Hayward in Fiscal Year 2022 Through 2023 **CONS 22-283**

Staff report submitted by Chief of Police Chaplin, dated May 17, 2022, was filed.

It was moved by Council Member Salinas, seconded by Council Member Márquez, and carried by the following roll call vote, to adopt the resolutions.

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,
Wahab, Zermeño
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 22-125, “Resolution Authorizing the City Manager to Execute an Agreement with the Alameda County Health Care Service Agency to Accept and Appropriate \$227,150 for School-Based Mental Health Services Provided by the City of Hayward in Fiscal Year 2022 through 2023”

Resolution 22-126, “Resolution Authorizing the City Manager to Execute an Agreement with the Hayward Unified School District to Accept and Appropriate \$120,000 for School-Based Mental Health Services Provided by the City of Hayward in Fiscal Year 2022 through 2023”

10. Adopt a Resolution Authorizing the City Manager to Accept and Appropriate up to \$50,000 in Funding from Edward Martins or the Donna L and Edward E Martins Foundation to Support Library Services and Programs **CONS 22-295**

Staff report submitted by Director of Library Services Addleman, dated May 17, 2022, was filed.

Mayor Halliday acknowledged Donna L and Edward E Martins Foundation for the generosity and enabling the City to purchase the Hayward Public Library’s bookmobile, Curbie. Library Director Addleman expressed gratitude for donations towards library services including the Beat Maker, a program for creating music online.

Council Member Andrews suggested that an Instagram graphic be created to advertise the Beat Maker.

Council Member Márquez recognized Mr. Martins’ continued contributions benefitting the Hayward community, especially investing in Hayward’s youth.

It was moved by Council Member Salinas, seconded by Council Member Márquez, and carried by the following roll call vote, to adopt the resolution.

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,
Wahab, Zermeño
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 22-127, “Authorize the City Manager to Accept and Appropriate Up to \$50,000 in Funding from Edward Martins or the Donna L. and Edward E. Martins Foundation to Support Library Services and Programs”

11. Adopt a Resolution Authorizing the Sole Source Purchase of Submersible Wastewater Pumps for Use at the Valle Vista Lift Station in an Amount Not-to-Exceed \$331,893.60 **CONS 22-298**

Staff report submitted by Director Public Works Ameri, dated May 17, 2022, was filed.



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It was moved by Council Member Salinas, seconded by Council Member Márquez, and carried by the following roll call vote, to adopt the resolution.

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,
Wahab, Zermeño
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 22-128, "Resolution Authorizing the City Manager to Execute a Sole Source Purchase of Submersible Wastewater Pumps for Use at the Valle Vista Lift Station in An Amount Not-to-Exceed \$331,893.60"

WORK SESSION

Mayor Halliday noted the City Council held a Budget Work Session on May 14, 2022, and Item No. 12 was continued from the work session due to time constraints.

Council Member Zermeño noted he could not attend the Budget Work Session and hoped the People's Budget project would continue as an annual project because the community supported it.

12. FY 2023 City Budget: Proposed Fiscal Year 2023 Operating Budget Work Session #2 WS 22-013

Staff report submitted by Director of Finance Claussen, dated May 17, 2022, was filed.

Public Works Director Ameri gave an overview of the Public Works and Utilities Department budget comparison FY 2021-FY 2023; significant changes planned for FY 2023; Public Works and Utilities Department organizational chart; and FY 2022 highlights and accomplishments.

Members of the City Council commended Director Ameri on the accomplishments related to his department.

In response to questions from members of the City Council, Public Works Director Ameri spoke about: equity efforts related to the distribution of infrastructure resources throughout the community; the current 24 vacancies in the department and recruitment efforts; process for traffic mitigation requests; street enhancements to address nuisances such as illegal car activity; and usage of water reserve to stabilize water rates.

Members of the City Council offered the following comments: concern about water shortage and its sustainability in the next couple of years; and hire more staff to avoid staff burnout and overtime pay.

13. Capital Improvement Program: Review of Recommended Capital Improvement Program for FY 2023 - FY 2032 **WS 22-011**

Staff report submitted by Director of Public Works Ameri, dated May 17, 2022, was filed.

Public Works Director Ameri announced the staff report and introduced Senior Management Analyst Byrne who provided an overview of the proposed FY 2023 – FY 2032 City’s Capital Improvement Program (CIP) online version and a synopsis of the staff report.

There being no public comment for Item 12 and Item 13, Mayor Halliday opened and closed the public comment section at 8:23 p.m.

Members of the City Council commended Public Works staff for the development of the CIP document and its format which was found to be interactive and user friendly.

Council Member Márquez was recognized for her leadership on the Council Infrastructure Committee and Council Members Salinas and Andrews for their service on the Committee.

Discussion ensued among members of the City Council and City staff regarding: funding gap for Phase 3 of the Route 238 Corridor project and efforts through federal grants to close the gap; needs assessment for the Weekes Branch Library; unfunded capital needs including four interchanges over I-880; West Winton Avenue road repair; fiber loop; traffic calming measures and preventative measures to deter illegal car activity; mitigation for Sulphur Creek undergrounding at the airport; and public art funding.

Members of the City Council offered the following suggestions: explore using different color/design for pedestrian crosswalks to create a connection/pathway from Harder Elementary School to CSUEB; continue to have the list of unfunded CIP projects in case additional federal grants is secured; continue to improve gateways to the community and secure funding to complete projects; explore what can be improved in the South Garden and Longwood neighborhood and consider partnering with HUSD and HARD to activate park space and beautify the area; provide information on state and federal grant funding as an informational item at a future meeting; continue to prioritize lighting and safe pedestrian access at the underpass near A Street; work with Caltrans to prioritize bike lanes on Tennyson Road, from Calaroga Avenue to Patrick Avenue, to mitigate fatalities in the area; consider creating a gateway to CSUEB by exploring development contributions toward the installation of public art; consider murals at underpasses to deter graffiti and trash collection; continue assessment and updates regarding the Animal Shelter, public safety facilities, and the Weekes Branch Library; the criminal investigations equipment line needs more work; consider tying the timing of the CIP review with the annual review of



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“military equipment” per the AB 481 requirement; provide more information about property taxes on excess right of way; explore reconsidering red light cameras to address safety concerns with motorists not obeying traffic laws; and study possible renewal of the sales tax to assist the borrowing capacity for some unfunded needs.

PUBLIC HEARING

14. Traffic Impact Fees: Adoption of a Resolution Adopting a Nexus Study and Introduction of an Ordinance Adding Article 30 to Chapter 10 of the Hayward Municipal Code Regarding Traffic Impact Fees for Developers **PH 22-027**

Staff report submitted by Director of Public Works Ameri, dated May 17, 2022, was filed.

Public Works Director Ameri provided a synopsis of the staff report regarding Traffic Impact Fees (TIF) for developers and introduced Michaela Jellicoe, Community Attributes, Consultant, who provided a synopsis of the development feasibility summary and fee comparison with other agencies.

Discussion ensued among members of the City Council and City staff regarding the maximum allowable rate for townhome and single-family units based on the Nexus Study.

There being no public comments, Mayor Halliday opened and closed the public hearing at 9:45 p.m.

Council Member Márquez made a motion per staff’s recommendation, commending the work done by City staff and the consultant which included stakeholder outreach. Council Member Salinas seconded the item.

Mayor Halliday stated that establishing the fee will help accomplish projects identified in the CIP.

It was moved by Council Member Márquez, seconded by Council Member Salinas, and carried by the following roll call vote, to approve the resolution and adopt the ordinance.

AYES:	COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab, Zermeño MAYOR Halliday
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution 22-130 “Resolution of the City Council of the City of Hayward Adopting the Final Report - Multimodal Intersection Improvement Plan and Nexus Study in Support of the Proposed Traffic Impact Fee”

Intro Ord_ “An Ordinance of the City of Hayward Adding Article 30 to Chapter 10 of the Hayward Municipal Code Regarding Traffic Impact Fees for Property Developers”

COUNCIL REPORTS AND ANNOUNCEMENTS

There were none.

COUNCIL REFERRALS

15. City Council Referral: Request to Support Reproductive Justice for All Residents RPT 22-051

Staff report submitted by Council Member Wahab, Andrews, and Márquez, dated May 17, 2022, was filed.

Council Member Wahab, Council Member Márquez, and Council Member Andrews emphasized the importance in upholding reproductive rights for all women and having access to healthcare, and noted Planned Parenthood had a location in Hayward.

Mayor Halliday opened the public comment at 9:54 p.m.

Ms. Julie Roche, Hayward resident, applauded Council Members Wahab, Andrews and Márquez for making the referral in support of Reproductive Justice for All; and suggested allocating funds, perhaps CDBG funds next year, to Planned Parenthood or other agencies in anticipation of an increase in demand for such services.

Ms. Candelaria Vargas, Director of Public Affairs for Planned Parenthood Mar Monte, supported the referral and commented that her agency was already seeing the impact of individuals coming to her facility for services.

Mr. Dan Goldstein, Hayward resident, stated he stood in support of women’s rights to choose and have access to abortion, encouraged the Council to consider allocating funds next year to Planned Parenthood and other agencies that provide reproductive healthcare to women in anticipation of increased demand for services.

Ms. Becca Horowitz, community organizer with Planned Parenthood Mar Monte, stated the importance of centering with reproductive rights and justice in the community; and noted Planned Parenthood was expecting an additional 200 to 500 patients per week once the Supreme Court announces its decision.



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Ms. Jessica Pinckney, Access Reproductive Justice Executive Director, stated there would be an influx in patients coming to California specifically the Alameda County area to access care.

Mayor Halliday closed public comment at 9:54 p.m.

Mayor Halliday expressed her outrage with the potential upcoming decision from the Supreme Court; stated the referral included lighting up City Hall with pink lights, making donations to Access Reproductive Justice, and sending a letter to State representatives reaffirming the City resolution passed on October 19, 2021; suggested that when the Supreme Court reaches a decision, the City should plan an event which could be turned into a fundraiser; and was concerned about authorizing funds.

Discussion ensued about the funding which could be identified within the City Manager's Department or through the CDBG or Community Services Commission.

Council Member Wahab made a motion per the referral.

Council Member Márquez seconded the motion and offered a friendly amendment to use the Council's discretionary funds to meet the \$5,000 minimum contribution.

Council Member Wahab was amenable to the friendly amendment and the suggestion that the City work with Access Reproductive Justice for next year's allocation through the CDBG funding process.

Council Member Márquez also offered she would independently help fundraise and encouraged the community to do so as well.

Mayor Halliday supported the idea, stating there may be savings in Council's allocation.

It was moved by Council Wahab, seconded by Council Member Márquez, and carried by the following roll call vote, to approve the referral with a friendly amendment to use the Council's discretionary funds to meet the \$5,000 minimum contribution.

AYES:	COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab, Zermeño MAYOR Halliday
NOES:	None
ABSENT:	None
ABSTAIN:	None

ADJOURNMENT

Mayor Halliday adjourned the meeting at 10:21 p.m. in memory of the ten lives lost in a mass shooting at a supermarket in Buffalo, New York on May 14, 2022, and noted the need to bring the City's values of compassion, equity, and inclusion to other parts of the country.

APPROVED

Barbara Halliday
Mayor, City of Hayward

ATTEST:

Miriam Lens
City Clerk, City of Hayward