



**MINUTES OF THE SPECIAL JOINT CITY COUNCIL/HOUSING  
AUTHORITY/REDEVELOPMENT SUCCESSOR AGENCY/PUBLIC FINANCING  
AUTHORITY MEETING OF THE CITY OF HAYWARD  
Council Chambers  
777 B Street, Hayward, CA 94541  
Tuesday, December 5, 2017, 7:00 p.m.**

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The Special Joint Hayward City Council/Housing Authority/Redevelopment Successor Agency/Public Financing Authority meeting was called to order by Mayor/Chair Halliday at 7:00 p.m., followed by the Pledge of Allegiance led by Council/HA/RSA/PFA Member Márquez.

**ROLL CALL**

Present: COUNCIL/HA/RSA/PFA MEMBERS Zermeño, Márquez, Mendall, Peixoto,  
Lamnín, Salinas  
MAYOR/CHAIR Halliday  
Absent: None

**CLOSED SESSION**

City Attorney Lawson announced the City Council convened in closed session regarding conference with legal counsel pursuant to Government Code 54956.9 regarding City of Hayward, et al. v. Board of Trustees, California State University, et al., Alameda County Superior Court No. RG09481095, consolidated with No. RG09480852; and noted there was no reportable action.

**SPECIAL PRESENTATION**

Mayor Halliday presented a Certificate of Commendation to Public Works Director Morad Fakhrai upon his retirement from the City of Hayward on December 31, 2017.

**PUBLIC COMMENTS**

There were none.

**CONSENT**

1. Minutes of the Special City Council Meeting on November 14, 2017 **MIN 17-166**  
It was moved by Council Member Márquez, seconded by Council Member Zermeño, and carried unanimously, to approve the minutes of the Special City Council meeting on November 14, 2017, with a minor correction.
2. Authorization for the City Manager to Accept and Appropriate \$90,662.50 in Funding from the California Board of State and Community Corrections for the Hayward Police Department **CONS 17-723**

Staff report submitted by Police Chief Koller, dated December 5, 2017, was filed.

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

Resolution 17-176, "Resolution Authorizing the City Manager to Accept and Appropriate \$90,662.50 in Funding from the California Board of State and Community Corrections for the Hayward Police Department"

3. Adoption of Fiscal Year 2018 Statement of Investment Policy and Delegation of Investment Authority **CONS 17-747**

Staff report submitted by Finance Director Claussen, dated December 5, 2017, was filed.

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

Resolution 17-177, "Resolution Reaffirming the Statement of Investment Policy and Renewing the Delegation of Authority to make Investments to the Director of Finance"

HA Resolution 17-03, "Resolution Reaffirming the Statement of Investment Policy and Renewing the Delegation of Authority to make Investments to the Director of Finance"

RSA Resolution 17-03, "Resolution of the City Council of the City of Hayward, Acting as the Governing Board for the Redevelopment Successor Agency, of the City of Hayward Reaffirming the Statement of Investment Policy and Renewing the Delegation of Authority to Make Investments to the Director of Finance"

HPF Resolution 17-01, "Resolution Affirming the Statement of Investment Policy and Renewing the Delegation of Authority to Make Investments to the Director of Finance"

4. Authorization for the City Manager to Execute a Professional Services Agreement for Bicycle and Pedestrian Master Plan Update 2017 **CONS 17-750**

Staff report submitted by Finance Director Claussen, dated December 5, 2017, was filed.



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

Resolution 17-178, "Resolution Authorizing the City Manager to Execute an Agreement with Kittelson & Associates, Inc., for the 2017 Bicycle and Pedestrian Master Plan Update"

5. Resolution Authorizing the City Manager to Negotiate and Execute Purchase Agreements for Furnishings in the New Library Facility **CONS 17-760**

Staff report submitted by Library and Community Services Director Reinhart, dated December 5, 2017, was filed.

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

Resolution 17-179, "Resolution Authorizing the City Manager to Negotiate and Execute Purchase Agreements with Burgeon Group, Ki, MG West, One Workplace, Original Timer, Pivot, Ross McDonald, Staples, Inc., and Miscellaneous Other Vendors Noted in Attachment III to Procure and Install Furnishings in the 21<sup>st</sup> Century Library Facility"

6. Authorization to Execute a Banking Services Agreement with JP Morgan Chase Bank, N.A. for Banking Transactions and Cash Management Services **CONS 17-764**

Staff report submitted by Finance Director Claussen, dated December 5, 2017, was filed.

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

Resolution 17-180, "Resolution Authorizing the City Manager to Execute a Five-Year Banking and Cash Management Contract with JP Morgan Chase, N.A. Through January 2023"

7. Authorization to Enter into an Exclusive Negotiating Rights Agreement with Healthcare Development Partners, for a Proposed Development at 22300 Foothill Boulevard **CONS 17-773**

Staff report submitted by Economic Development Manager Hinkle, dated December 5, 2017, was filed.

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

Resolution 17-181, “Resolution Authorizing the City Manager to Execute a Five-Year Banking and Cash Management Contract with JP Morgan Chase, N.A. Through January 2023”

## **LEGISLATIVE BUSINESS**

8. Adoption of Commercial Cannabis Permit Selection Process and Amendment to FY2018 Master Fee Schedule for Associated Selection Process Costs (Report from City Manager McAdoo) **LB 17-054**

Staff report submitted by Management Analyst II Stefanski, Principal Planner Lochirco, and Senior Assistant City Attorney Vigilia, dated November 14, 2017, was filed.

City Manager McAdoo announced the staff report and introduced Management Analyst II Stefanski who provided a synopsis of the staff report.

Discussion ensued among Council Members and City staff regarding: the draft Commercial Cannabis Permit Request for Proposals (RFP) process; management experience in the proposed evaluation criteria; approval process for testing facilities; and the applicants’ selection by the City Council.

Council Members were in general support of staff’s recommendation and offered the following suggestions: check references of businesses that have operated in other cities and call their local Police departments to confirm their operations are well-run; ask for management experience in Hayward when evaluating applications; evaluate swapping Community Benefit points (150) with Labor and Employment Practices points (100); clarify Section 5 (Issuance of Commercial Cannabis Business Permits & Timely Launch of Operations) of the RFP related to public hearings and land use approvals; add resources to the Community Benefits proposal section of the RFP related to education; and consider investment in health education when evaluating community benefits.

Mayor Halliday opened the public hearing at 7:45 p.m.

Ms. Joanne Irons, Hayward Coalition for Healthy Youth (HCHY) Program Coordinator and Cannabis Education for Youth and Adult Awareness Committee (CEYAA) member, invited folks to serve on the (CEYAA) Committee and expressed support for designating 150 points to the Community Benefits criteria.

Mr. Brent Alfieri, Hayward industrial property owner, recommended adding micro-business to the list of proposed cannabis business types in the RFP.



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Mr. Nasser Azimi, O'Hana Growers president, expressed support for the commercial cannabis RFP proposal and suggested adding language to the package related to: technology integration, a clear definition of "track and trace", flexibility to extend the six-month period to secure a conditional use permit, and onsite consumption.

Ms. Charnel James, with GreenWise Consulting, recommended that requirements for legal and State registration status be clarified in the RPF.

Mr. Richard Fierro, Hayward resident, expressed support for the proposed RFP.

Mayor Halliday closed the public hearing at 8:05 p.m.

Council Member Mendall offered a motion per staff's recommendation without any modifications. Council Member Peixoto seconded the motion.

Council Member Salinas noted he would be voting against the motion indicating that the cannabis businesses had been unequally distributed in communities of color and the business type would exacerbate a negative image.

Council Member Zermeño and Mayor Halliday noted they would be voting in support of the motion indicating that Measure EE related to a general tax on cannabis was approved by the voters and there were modifications built into the regulations to prevent adverse impacts.

It was moved by Council Member Mendall, seconded by Council Member Peixoto, and carried with the following vote, to adopt the resolutions:

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

Resolution 17-182, "Resolution Directing the City Manager to Call for Applications on an Ongoing Biannual Basis for Commercial Cannabis Permits, Approval of Application Request for Proposal and Process"

Resolution 17-183, "Resolution Amending the City of Hayward Fiscal year 2018 Master Fee Schedule for Commercial Cannabis Permit Application"

9. Resolution Adopting the Policy/Goal Statements for Contract Negotiations as the Guiding Principles Document for the 2018 and 2019 Negotiations Between the City of Hayward and HAME, Local 1021 Maintenance and Clerical Units, Local 21, Local 1909, and HPOA (Report from Director of Human Resources Collins) **LB 17-052**

Staff report submitted by Human Resources Director Collins, dated December 5, 2017, was filed.

City Manager McAdoo announced the report and introduced Human Resources Director Collins who provided a synopsis of the report.

There being no public comments, Mayor Halliday opened and closed the public hearing at 8:26 p.m.

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

Resolution 17-184, "Resolution Adopting the Policy/Goal Statements for Contract Negotiations as the Guiding Principles Document for the 2018 and 2019 Negotiations Between the City of Hayward and HAME, SEIU LOCAL 1021 Maintenance and Clerical Units, IFPTE Local 21, Local 1909 and HPOA"

10. Adoption of Resolution Approving an Amendment to the City of Hayward Salary Plan for Fiscal Year 2018 (Report from Director of Human Resources Collins) **LB 17-053**

Staff report submitted by Human Resources Director Collins, dated December 5, 2017, was filed.

Human Resources Director Collins provided a synopsis of the report.

There being no public comments, Mayor Halliday opened the public hearing at 8:36 p.m.

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

Resolution 17-185, "Resolution Approving the Amended Fiscal Year 2018 Salary Plan Designating Positions of Employment in the City of Hayward Salary Range; and Superseding Resolution No 17-103 and All Amendments Thereto"

## **CITY MANAGER'S COMMENTS**

City Manager McAdoo made four comments: 1) the Fire Department was acknowledged for sending fire engines and personnel to the Ventura County fires; 2) Police personnel and firefighters were collecting donations and toys for families in need; 3) the Main and Weekes



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libraries would be closed on December 7, 2017 to allow them to prepare for the move; and 4) the Friends of Hayward Library, Poet Laureate Bruce Roberts, and the library would conduct a citywide poetry contest in conjunction with the opening of the new library.

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

Mayor Halliday noted the Light-Up the Season and the SantaCon events on December 2, 2017 were successful and thanked all for their participation. Ms. Halliday also thanked the Interfaith Council for its contributions related to the decorations in the Rotunda.

Mayor Halliday and Council Member Lamnin reported on their attendance at the League of California Cities-League Leaders Workshop in Santa Cruz on the topic of strategic goals for the following year related to transportation funding, public safety, and pension reform.

**ADJOURNMENT**

Mayor/Chair Halliday adjourned the special meeting at 8:49 p.m.

**APPROVED:**

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Barbara Halliday  
Mayor, City of Hayward  
Chair, Hayward Housing Authority/Redevelopment Successor Agency/Public Financing Authority

**ATTEST:**

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Miriam Lens  
City Clerk, City of Hayward  
Secretary, Hayward Housing Authority/Redevelopment Successor Agency/Public Financing Authority