



CITY OF HAYWARD

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

Action Minutes City Council

Tuesday, September 18, 2018

7:00 PM

Council Chambers

CITY COUNCIL MEETING

CALL TO ORDER Pledge of Allegiance: Council Member Salinas

ROLL CALL

Present: 7 - Council Member Francisco Zermeno, Council Member Al Mendall, Council Member Marvin Peixoto, Council Member Sara Lamnin, Council Member Elisa Marquez, Mayor Barbara Halliday, and Council Member Mark Salinas

CLOSED SESSION ANNOUNCEMENT

City Attorney Lawson reported the City Council convened in closed session at 5:30 p.m., concerning two items: 1) conference with property negotiators pursuant to Government Code 54956.8, regarding State owned parcels along the Route 238 Bypass Alignment; and 2) conference with labor negotiators pursuant to Government Code 54957.6, regarding all groups; and noted there was no reportable action related to the items. Mr. Lawson added that Mayor Halliday had to recuse herself from participation on Item No. 1 due to the proximity of her house to the discussed parcels.

Mayor Halliday announced that the Public Comments section of the agenda was going to be taken after the appointments and reappointments action item.

PRESENTATION

Presentation by Mr. Richard Valle, Tri-CED representative, on current recycling market dynamics.

ACTION ITEMS

1. [Appointments and Reappointments to the Community Services Commission, Keep Hayward Clean and Green Task Force, Library Commission, Personnel Commission and Planning Commission \(Report from City Clerk Lens\)](#)

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

Aye: 7 - Council Member Zermeno, Council Member Mendall, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, Mayor Halliday, and Council Member Salinas

City Clerk Lens administered the oath of affirmation to new and reappointed members.

Council Member Márquez left the Council Chambers.

PUBLIC COMMENTS

Mr. Butch Kille
Mr. Jerry Turney
Mr. Kim Huggett
Ms. Alicia Lawrence
Mr. Charlie Peters
Ms. Wynn Grcich
Mr. Nicholas Harvey

CONSENT

Consent Items 6, 7, 15, and 18 were removed from the Consent Calendar for discussion and separate vote.

Approval of the Consent Calendar

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

Aye: 6 - Council Member Zermeno, Council Member Mendall, Council Member Peixoto, Council Member Lamnin, Mayor Halliday, and Council Member Salinas

Absent: 1 - Council Member Marquez

2. [Minutes of the City Council Meeting on July 17, 2018](#)

Consent Item approved.

3. [Minutes of the Special City Council Meeting on July 23, 2018](#)

Consent Item approved.

4. [Minutes of the City Council Meeting on July 24, 2018](#)

Consent Item approved.

5. [Adoption of Ordinance Amending Chapter 10, Article 1, Sections 10-1.845.j \(5\) and \(6\); and 10-1.1045.j\(5\) and \(6\) \(Minimum Design and Performance Standards\) of the Hayward Municipal Code Related to Drive-Through Restaurants and Drive-Through Coffee/Esspresso Shops in the City of Hayward](#)

Consent Item approved.

6. [Approval of Final Map Tract 8335 \(Telles/Mission\), Associated with the Previously Approved Vesting Tentative Tract Map and Proposed Development of 35 Townhomes on a 2.7-Acre Site Located at 26601 Mission Blvd; KB Home \(Applicant/Owner\)](#)

Item continued to October 2, 2018, at the request of City staff.

7. [Approval of Final Map Tract 8233 \(Parkside Heights\), Associated with the Previously Approved Vesting Tentative Tract Map and Proposed Development of 97 Single-Family Homes on a 10.68-Acre Site Located at the Southern Corner of 2nd Street and Walpert Street; Pulte Homes \(Applicant/Owner\)](#)

A motion was made by Council Member Zermeño, seconded by Council Member Lamnin, to continue the item to next week. The motion carried by the following vote:

Aye: 6 - Council Member Zermeno, Council Member Mendall, Council Member Peixoto, Council Member Lamnin, Mayor Halliday, and Council Member Salinas

Absent: 1 - Council Member Marquez

8. [Approval of Final Map Tract 8151 \(Eden Village\), Associated with the Previously Approved Vesting Tentative Tract Map and Proposed Development of Thirteen \(13\) Single-Family Homes on a 1.45-Acre Site Located at 24582/24570 Eden Avenue and 24655 Mohr Drive; Nuvera Homes \(Applicant/Owner\)](#)

Consent Item approved.

9. [Approval of Final Map Tract 8394 \(Mission Seniors\), Associated with the Previously Approved Vesting Tentative Tract Map and Proposed Development of 200 Condominium Units for Seniors and Three \(3\) Detached Single Family Homes on a 4.95-Acre Site Located at 29312 Mission Boulevard; Chu Rao \(Applicant/Owner\)](#)

Consent Item approved.

10. [Summary Vacation of a Storm Drain Easement located at 28168 Mission Boulevard](#)

Consent Item approved.

11. [Alameda County Transportation Commission East 14th/Mission/Fremont Blvd Multimodal Corridor Project - Authorization for the City Manager to Execute a Project Charter](#)

Consent Item approved.

12. [FY19 Sidewalk Rehabilitation and Wheelchair Ramps Repair Project: Approval of Plans and Specifications and Call for Bids](#)

Consent Item approved.

13. [Mission Boulevard Corridor Improvements Phase 2 Project - Grant of Public Utility Easement to Pacific Gas & Electric \(PG&E\)](#)

Consent Item approved.

14. [Water Pollution Control Facility-Valve Operating Mechanism Replacement: Authorization for City Manager to Execute a Sole Source Purchase of REXA Actuators](#)

Consent Item approved.

Mayor Halliday announced she had to recuse herself from participating on Consent Item No. 15 due to the proximity of her house to the northeast corner of Mission Boulevard and Carlos Bee Boulevard and left the Council Chambers. Council Member Lamnin was selected to preside over the item.

15. [Authorization for the City Manager to Negotiate and Execute a Purchase and Sale Agreement with Moussa Group LLC for the Sale of Six City Parcels](#)

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

Aye: 5 - Council Member Zermeno, Council Member Mendall, Council Member Peixoto, Council Member Lamnin, and Council Member Salinas

Absent: 1 - Council Member Marquez

Recused: 1 - Mayor Halliday

Mayor Halliday returned to the Council Chambers.

16. [Authorization for the City Manager to Appropriate Funds and Accept an Agreement with the Alameda County Health Care Services Agency \(HCSA\) for the Our Kids Our Families Program Services Provided by the Youth and Family Services Bureau \(YFSB\) of the Hayward Police Department](#)

Consent Item approved.

17. [Authorization for the City Manager to Accept and Appropriate \\$7,500 in Awarded Grant Funding from the California State Library](#)

Consent Item approved.

18. [Approval of a Resolution Opposing California Proposition 6, the Voter Approval for Future Gas and Vehicle Taxes and 2017 Tax Repeal Initiative \(2018\)](#)

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

Aye: 6 - Council Member Zermeno, Council Member Mendall, Council Member Peixoto, Council Member Lamnin, Mayor Halliday, and Council Member Salinas

Absent: 1 - Council Member Marquez

19. [Resolution Affirming the Continuance of the Hayward Poet Laureate Program, the Establishment of City Protocol for Poet Laureate Appointments, and the Extension of the Appointment of Bruce Roberts as the City of Hayward Poet Laureate through June 30, 2019](#)

Consent Item approved.

PUBLIC HEARING

20. [City Council Call-Up of the Planning Commission’s Approval for the Proposed Establishment of a Cocktail Bar and Lounge with Cabaret Entertainment Located at 990 “B” Street, Assessor Parcel No. 428-0056-057-00, VGJB, Inc. \(Applicant\); Corinne and Timoleon Zaracotas \(Property Owners\), Requiring Approval of Conditional Use Permit Application No. 201802339 \(Report from Development Services Director Simpson\)](#)

A motion was made by Council Member Zermeño, seconded by Council Member Salinas, to deny the application. The motion failed by the following vote:

Aye: 1 - Council Member Salinas

Nay: 5 - Council Member Zermeno, Council Member Mendall, Council Member Peixoto, Council Member Lamnin, and Mayor Halliday

Absent: 1 - Council Member Marquez

A motion was made by Council Member Mendall, seconded by Council Member Zermeño, to deny the application without prejudice. The motion carried by the following vote:

Aye: 6 - Council Member Zermeno, Council Member Mendall, Council Member Peixoto, Council Member Lamnin, Mayor Halliday, and Council Member Salinas

Absent: 1 - Council Member Marquez

ADJOURNMENT

Mayor Halliday adjourned the meeting at 9:49 p.m.

NEXT MEETING – September 25, 2018, 7:00 PM