



**SPECIAL CITY COUNCIL MEETING
REMOTE PARTICIPATION
Tuesday, June 2, 2020, 7:00 p.m.**

The special meeting was conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order No 29-20 dated March 17, 2020, and the Alameda County Health Officer Order No. 20-10 dated April 29, 2020 regarding the COVID-19 pandemic.

ROLL CALL

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

CLOSED SESSION ANNOUNCEMENT

The City Council convened in closed session on June 1, 2020 at 7:00 p.m., regarding a conference with labor negotiators pursuant to Government Code 54957.6 for all labor groups. City Attorney Lawson reported all Council members were present and there was no reportable action.

The City Council convened in closed session on June 2, 2020 at 5:00 p.m., regarding two items: 1) conference with legal counsel pursuant to Government Code 54957(a); and 2) conference with labor negotiators pursuant to Government Code 54957.6 for all labor groups. City Attorney Lawson reported that pursuant to Government Code 54954.2(b)(2) the City Council unanimously approved, with Mayor Halliday motioning and Council Member Zermeño seconding, to add one item to the agenda. City Attorney Lawson added that all Council members were present and there was no reportable action related to any of the items discussed.

PRESENTATIONS

Mayor Halliday announced the 2020 City of Hayward Earth Day Poster and Writing Contest and welcomed all winners and their families who were participating virtually. It was noted that 506 entries were received from students representing 24 Hayward schools. Council Member Mendall, who serves as the Chair of the Council Sustainability Committee along with Council Members Zermeño and Márquez, noted it was the 37th Annual Earth Day Campaign, and announced the 20 Poster and Writing Contest winners who were recognized with gift certificates and also acknowledged all 17 teachers who were involved and also recognized with gift cards. All students were thanked for their participation and teachers for encouraging the students to participate.

Mayor Halliday gave Council Member Lamnin the opportunity to read a Proclamation declaring the month of June 2020 as Lesbian, Gay, Bisexual, Transgender, Questioning, Queer, Intersex, and 2-Spirit (LGBTQQI2-S) (LGBTQ+) Pride Month in the City of Hayward.

PUBLIC COMMENTS

Public comments were limited to items on the Agenda as items were called.

CONSENT

Consent Item No. 2 was removed from the Consent Calendar for separate action.

1. Approve City Council Minutes of the Special City Council Meeting on May 19, 2020 **MIN 20-060**

It was moved by Council Member Márquez, seconded by Council Member Lamnin, and carried unanimously, to approve the minutes of the special City Council meeting on May 19, 2020.

2. Adopt a Resolution of Intention to Preliminarily Approve the Engineer’s Report and Assessments for Fiscal Year 2021; and Set June 23, 2020 as the Public Hearing Date for Such Actions for Consolidated Landscaping and Lighting District No. 96-1, Zones 1-18 **CONS 20-150**

Staff report submitted by Maintenance Services Director Rullman, dated June 2, 2020, was filed.

Mayor Halliday read a statement from Mr. Marty Froomin, into the record, which opposed flat fee increases in special assessments during a pandemic.

City Manager McAdoo noted staff has been working with the community to identify individuals facing hardships due to COVID-19.

Council Member Lamnin appreciated staff’s efforts to mitigate financial impact on residents.

Council Member Mendall disclosed he lives in one of the districts, but the City Attorney confirmed he did not need to recuse from participating or voting on the item.

It was moved by Council Member Lamnin, seconded by Mayor Halliday, and carried with the following roll call vote, to approve the resolution:

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



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Resolution 20-072, "Resolution Preliminarily Approving Engineer's Report, Declaring Intention to Levy Assessments for Fiscal Year 2021 for Consolidated Landscaping and Lighting District No. 96-1, Zones 1-18, and Setting June 23, 2020, as the Public Hearing Date"

3. Adopt a Resolution of Intention to Preliminarily Approve the Engineer's Report and Levy Assessments for Fiscal Year 2021 for Maintenance District No. 1 - Storm Drainage Pumping Station and Storm Drain Conduit Located at Pacheco Way, Stratford Road and Ruus Lane, and Set June 23, 2020, as the Public Hearing Date **CONS 20-260**

Staff report submitted by Maintenance Services Director Rullman, dated June 2, 2020, was filed.

It was moved by Council Member Márquez, seconded by Council Member Lamnin, and carried with the following roll call vote, to approve the resolution:

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

Resolution 20-067, "Resolution of Intention Preliminarily Approving the Engineer's Report; Declaring Intention to Levy Assessments for Fiscal Year 2021; and Setting June 23, 2020, as the Public Hearing Date Concerning Maintenance District No. 1 - Storm Drainage Pumping Station and Storm Drain Conduit - Pacheco Way, Stratford Road, and Ruus Lane"

4. Adopt a Resolution of Intention to Preliminarily Approve the Engineer's Report and Levy Assessments for Fiscal Year 2021 for Maintenance District No. 2 - Eden Shores Storm Water Facilities and Water Buffer, and Set June 23, 2020, as the Public Hearing Date **CONS 20-261**

Staff report submitted by Maintenance Services Director Rullman, dated June 2, 2020, was filed.

It was moved by Council Member Márquez, seconded by Council Member Lamnin, and carried with the following roll call vote, to approve the resolution:

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

Resolution 20-068, “Resolution of Intention Preliminarily Approving Engineer's Report, Declaring Intention to Levy Assessments for Fiscal Year 2021, and Setting June 23, 2020, as the Public Hearing Date Concerning Maintenance District No. 2 - Eden Shores Storm Water Facilities and Water Buffer”

5. Adopt a Resolution Approving a New Ground Lease with Pacific Roller Die Company, Inc., and Authorizing the City Manager to Execute the Lease **CONS 20-238**

Staff report submitted by Public Works Director Ameri, dated June 2, 2020, was filed.

It was moved by Council Member Márquez, seconded by Council Member Lamnin, and carried with the following roll call vote, to approve the resolution:

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

Resolution 20-069, “Resolution Authorizing the City Manager to Negotiate and Execute a New Lease Agreement with Pacific Roller Die Company, Inc., for the Lease of Airport Property”

6. Adopt a Resolution Authorizing the City Manager to Execute Amendment No. 3 Increasing the Professional Services Agreement with Advanced Mobility Group, Inc., by \$70,000 for a Total Not-to-Exceed Amount of \$337,500 **CONS 20-275**

Staff report submitted by Public Works Director Ameri, dated June 2, 2020, was filed.

It was moved by Council Member Márquez, seconded by Council Member Lamnin, and carried with the following roll call vote, to approve the resolution:



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MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 20-070, "Resolution Authorizing the City Manager to Execute Amendment No. 3 to the Professional Services Agreement with Advanced Mobility Group, Inc., for Traffic Signal Design and Related Services"

7. Adopt a Resolution Authorizing the City Manager to Amend the Professional Services Agreement with Pavement Engineering, Inc., for the FY21 Pavement Improvement Project, Project No. 05227, 05295, 05236, 05238, 05239, by \$362,250, for an Amount Not-to-Exceed \$1,014,705 **CONS 20-276**

Staff report submitted by Public Works Director Ameri, dated June 2, 2020, was filed.

It was moved by Council Member Márquez, seconded by Council Member Lamnin, and carried with the following roll call vote, to approve the resolution:

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

Resolution 20-071, "Resolution Authorizing the City Manager to Amend the Professional Services Agreement with Pavement Engineering, Inc., to Provide Engineering Services for the FY21 Pavement Improvement Project, Project No. 05227, 05295, 05236, 05238, 05239"

WORK SESSION

8. I-880/Whipple Road - Industrial Parkway Southwest and I-880/Industrial Parkway West Interchange: Interchange Improvement Project (Report from Public Works Director Ameri) **WS 20-020**

Staff report submitted by Public Works Director Ameri, dated June 2, 2020, was filed.

Transportation Manager Kelley announced the report and introduced Mr. Sasha Dansky, Project Manager from the consultant team, and Mr. Gary Sidhu, project lead from the Alameda County Transportation Commission ACTC. Mr. Dansky and Mr. Sidhu provided an overview of the Whipple Road-Industrial Parkway Southwest interchange and Industrial Parkway West interchange; project purpose and need; project context and constraints; and potential improvement alternatives for both interchanges.

There being no public speakers, Mayor Halliday opened and closed the public hearing section at 7:58 p.m.

Discussion ensued among Council members, City staff, Mr. Shasha Dansky, and Mr. Gary Sidhu regarding: Industrial Parkway West interchange alternatives; Whipple Road-Industrial Parkway Southwest interchange design variations; increasing lanes and capacity in the intersections; adding and lengthening dual left turns; community outreach to affected property owners; right-of-way impacts; cost estimates for the three alternatives and anticipated funds from Measure BB; correspondence from Mr. Steven Dunbar from Bike East Bay and alternative options; overview of all three alternatives regarding pedestrian and bicycle access; traffic issues on Tennyson Road and the importance of good lighting in the area. Members of the City Council generally supported improved pedestrian options and protections.

Council Member Mendall preferred the less costly design variation option for the Whipple Road-Industrial Parkway Southwest interchange. Regarding the Industrial Parkway West interchange, Council Member Mendall noted both Alternatives 1 and 2 were viable but had a slight preference for Alternative 1 which would avoid demolishing buildings and was better from a pedestrian and bicycle perspective.

Council Member Márquez supported the safest alternative for cars, bicycles, pedestrians, and public transportation riders. Council Member Márquez recommended engaging the Friends of San Lorenzo Creek to minimize any impacts to the San Lorenzo Creek.

Council Member Lamnin concurred with Council Member Mendall's comments about the design variation and keeping costs down and not requiring property acquisition; and supported a plan that includes good bicycle entrances to enable them to get into their lanes and preferred the pedestrian and bicycle lanes be separate. Council Member Lamnin noted Alternative 3 helps improve pedestrian and bicycle safety.

Council Member Zermeño recommended a well-designed overpass with aesthetic elements for the bridge that do not include chain link fences and noted carnation was the City's flower; supported the alternative for Whipple Road/Industrial Parkway Southwest interchange; preferred spending more funds to improve the Industrial Parkway West interchange; and supported either Alternative 1 or 3.



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Council Member Salinas expressed he was comfortable with Alternative 3 for the Industrial Parkway West interchange with multi-use pathways and requested staff be mindful of aesthetics as this would be a major gateway to the City's industrial area; and noted Whipple Road would be improved with the project.

Council Member Wahab favored Alternative 2 for the Industrial Parkway West interchange as the design allows for more space and length; requested staff provide clarity on comments from organizations and individuals regarding pedestrian and bicycle safety; and expressed concern about impact of multi-use lanes on slow walkers such as older individuals.

Mayor Halliday concurred with her colleagues about bicycle and pedestrian elements being a priority and for staff to continue working with Bike East Bay; and she noted a key benefit was adding the northbound exit ramp to Industrial Parkway.

LEGISLATIVE BUSINESS

9. Presentation of FY 2021 Proposed Operating Budget (Report from Finance Director Claussen) **LB 20-025**

Staff report submitted by Finance Director Claussen, dated June 2, 2020, was filed.

Finance Director Claussen provided a synopsis of the staff report, available on the City's Meeting and Agenda Center under Documents Received After Published Agenda.

Mayor Halliday opened the public hearing at 9:20 p.m.

Public speakers participated by calling the City Clerk's office at (510) 583-4400.

Ms. Cheryl Penick, IFPTE Local 21 representative, pointed out inconsistencies in reporting and expressed a desire for greater transparency in where the revenue projections originated from.

Mayor Halliday closed the public hearing at 9:22 p.m.

Council members acknowledged City staff efforts and discussions with bargaining groups.

Discussion ensued regarding: Other Post-Employment Benefits (OPEB) payment deferrals; employee protections and importance of continuing to provide services to residents; Transient Occupancy Tax (TOT) projections; starting to reopen businesses to help sales tax revenue; voter approved Measure C funds; and funds for Fire Station and Fire Training Center.

Some members of the Council provided the following suggestions: consider moving forward with placing a TOT measure on the November ballot and make sure the proposal is in line with neighboring municipalities; revisit the cannabis permit process; do not reduce OPEB payments; consider a twelve month hiring freeze; separate supplies from services and better define them; consider e-Library for parents and children and continue programs for adults; reassess Public Works projects; do not reduce department budgets for essential services; and evaluate selling City vacant buildings.

The City Council was appreciative of City employees' participation in helping balance the City's budget and welcomed public comment on the proposed budget.

10. Employment Agreement Extensions: Adopt Resolutions Approving a Three-Month Extension to the Employment Agreements Between the City of Hayward, the City Attorney and City Clerk, Amending the Agreements to Eliminate the July 2020 Scheduled 2% Cost of Living Adjustment, and Authorizing the Mayor to Execute Those Agreements (Report from Assistant City Manager/Interim Human Resources Director Hurtado) **LB 20-024**

Staff report submitted by Assistant City Manager/Interim Director of Human Resources Hurtado, dated June 2, 2020, was filed.

Assistant City Manager/Interim Human Resources Director Hurtado provided a synopsis of the staff report.

There being no public comments, Mayor Halliday opened and closed the public hearing at 10:20 p.m.

City Council members thanked City staff, City Attorney and City Clerk for giving up scheduled 2% Cost of Living adjustments and discussed Measure C funds.

Council Member Salinas offered a motion to approve staff's recommendation.

Council Member Márquez seconded the motion.

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

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



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Resolution 20-073, "Resolution Approving the Extension and Modification of the City Clerk's Employment Agreement and Authorizing the Mayor to Execute the Agreement on Behalf of the Council"

Resolution 20-074, "Resolution Approving the Extension and Modification of the City Attorney's Employment Agreement and Authorizing the Mayor to Execute the Agreement on Behalf of the Council"

INFORMATION ITEM

11. Informational Report on the Results of Foothill Boulevard and D Street Intersection Safety Analysis and Proposed Improvements RPT 20-058

Staff report submitted by Public Works Director Ameri, dated June 2, 2020, was filed.

The item was an informational report. City Manager McAdoo noted the item would be presented to the Council Infrastructure Committee in July.

CITY MANAGER'S COMMENTS

City Manager McAdoo condemned the actions of the Minneapolis Police officers resulting in the death of Mr. George Floyd, spoke about actions that necessitated instituting a curfew in Hayward on June 1, 2020, and noted Hayward was rescinding the curfew order and following Alameda County's curfew order in effect until June 5, 2020, from 8:00 p.m. to 5:00 a.m. City Manager McAdoo also noted there would be a Town Hall meeting on June 8, 2020, in coordination with the Community Advisory Panel to Police Chief and co-hosted by Mayor Halliday, Police Chief Chaplin, and herself.

COUNCIL REPORTS AND ANNOUNCEMENTS

Mayor Halliday spoke on behalf of the City about shared anger over the horrible incident that resulted in the death of Mr. George Floyd while in the custody of four Minneapolis Police officers on May 25, 2020. Mayor Halliday noted it was one of recent tragic incidents of racial injustice in the country that ignited justified pain and anger over continued systemic racism. Mayor Halliday indicated Hayward must try to do its best to live up to the commitment for an inclusive, equitable and compassionate community, and asked residents to help be a force for calm and forward progress.

Council Member Salinas expressed anger after watching the video of Mr. George Floyd which reminded him how far society is from addressing issues of structural inequality, institutional racism, and disparities, and reminded all about the institutions/agencies Hayward has in place to provide more access to historically marginalized communities.

Council Member Wahab shared memories of her upbringing with a Black family and shared her thoughts on the events that occurred recently on systemic racism; offered words of hope and fellowship during the pandemic; thanked the City for its efforts, residents who have been sheltering-in-place, and protesters for exercising their right to speak and the Hayward Police Department for being respectful during a challenging time.

ADJOURNMENT

Mayor Halliday adjourned the special meeting at 10:50 p.m., in honor and memory of Mr. George Floyd. Mayor Halliday said may his death be the catalyst to bring about the change that is needed and has been needed to ensure equal treatment under the law of all persons in our community and country.

APPROVED

Barbara Halliday
Mayor, City of Hayward

ATTEST:

Miriam Lens
City Clerk, City of Hayward