



# CITY OF HAYWARD

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

## Action Minutes City Council

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**Tuesday, December 17, 2019**

**7:00 PM**

**Council Chambers**

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### CITY COUNCIL MEETING

#### **CALL TO ORDER Pledge of Allegiance: Council Member Wahab**

#### **ROLL CALL**

**Present:** 6 - Council Member Francisco Zermeno, Council Member Al Mendall, Council Member Sara Lamnin, Council Member Aisha Wahab, Council Member Mark Salinas, and Mayor Barbara Halliday

**Absent:** 1 - Council Member Elisa Marquez

#### **CLOSED SESSION ANNOUNCEMENT**

The City Council convened in closed session at 5:00 p.m., regarding three items: 1) conference with legal counsel pursuant to Government Code 54956.9 regarding one anticipated litigation case; 2) conference with labor negotiators pursuant to Government Code 54957.6 regarding all groups; and 3) conference with property negotiators pursuant to Government Code 54956.8 regarding former Route 238 Parcel Group 7, 24900 and 25000 Mission Boulevard; APNs 445-0200-009-00 and 445-0200-012-01 and 24744 - 24874 Mission Boulevard; APNs 445-0150-058-01, 445-0150-056-00, 445-0150-055-00, 445-0150-054-00, 445-0150-053-02 and 445-0150-052-01. City Attorney Lawson noted there was no reportable action related to Items 1 and 2, and the City Council provided direction to staff related to Item 3.

#### **PUBLIC COMMENTS**

Ms. Wynn Grcich  
Ms. Sue Kaipers  
Ms. Ciana DeAnda  
Ms. Jacqueline Gonzalez-Palafox  
Mr. Aric Yeverino  
Ms. Rachel Zargar  
Ms. Sabrina  
Ms. Michael Christopher  
Ms. Davida Scott

**CONSENT**

Consent Items 3, 6, 7, and 10 were removed from the Consent Calendar for separate vote.

**Approval of the Consent Calendar**

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

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

**Absent:** 1 - Council Member Marquez

**1. [Minutes of the City Council Meeting on December 3, 2019](#)**

**Consent item approved.**

**2. [Resignation of Ms. Christina Cabrera from the Keep Hayward Clean and Green Task Force, Effective November 22, 2019](#)**

**Consent item approved.**

**3. [Adopt a Resolution Approving the Proposed Special Event Support and Grant Program Guidelines](#)**

**A motion was made by Mayor Halliday, seconded by Council Member Zermeno, to approve staff's recommendation directing staff that the final recommendation be ratified by the City Council at a future meeting as a consent item. The motion carried by the following vote:**

**Aye:** 4 - Council Member Zermeno, Council Member Lamnin, Council Member Wahab, and Mayor Halliday

**Nay:** 2 - Council Member Mendall, and Council Member Salinas

**Absent:** 1 - Council Member Marquez

**4. [Adopt a Resolution Authorizing the City Manager to Accept and Appropriate \\$200,000 in Grant Funding from the California Office of Traffic Safety for the Hayward Police Department](#)**

**Consent item approved.**

**5. [Adopt Resolutions Authorizing the City Manager to Accept and Appropriate \\$999,881 of Proposition 47 Funds and Amend Resolution 19-015 Authorizing the City Manager to Appropriate Up to \\$3,192,339 for an Additional \\$116,000 for the One-Year Operations of the Hayward Housing Navigation Center](#)**

**Consent item approved.**

**6. [Adopt a Resolution Approving Policy on Discontinuation of Residential Water Service for Nonpayment](#)**

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

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

**Absent:** 1 - Council Member Marquez

**7. [Adopt a Resolution Authorizing the City Manager to Execute an Operations and Maintenance Agreement with Engie Services U.S., Inc., for the First Phase \(Phase IIA\) of the Two-Megawatt Solar Photovoltaic Energy System at the Water Pollution Control Facility \(WPCF\)](#)**

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

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

**Absent:** 1 - Council Member Marquez

**8. [Adopt a Resolution Approving Final Map Tract 8482 \(Eden Village II\), Associated with the Previously Approved Vesting Tentative Map for five \(5\) Single Family Homes on a 0.51-Acre Site Located at 24763 Mohr Drive](#)**

**Consent item approved.**

**9. [Adopt Resolutions Authorizing the City Manager to Execute the Amended Joint Exercise of Powers Agreement for the East Bay Dischargers Authority and Approve a Fourth Amendment Extending the Current Agreement by Six Months \(January 1, 2020-June 30, 2020\)](#)**

**Consent item approved.**

**10. [Adopt a Resolution Supporting the Proposal to Transform the Pacific Gas and Electric Company into a Customer-Owned Utility](#)**

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

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

**Absent:** 1 - Council Member Marquez

## **LEGISLATIVE BUSINESS**

**11. [Update on Commercial Cannabis Permit Process and Program \(Report from Development Services Director Simpson\) \(Continued from October 29, 2019\)](#)**

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

**Aye:** 4 - Council Member Zermeno, Council Member Mendall, Council Member Lamnin, and Mayor Halliday

**Nay:** 2 - Council Member Wahab, and Council Member Salinas

**Absent:** 1 - Council Member Marquez

**12. [Introduction of an Ordinance Increasing the Commercial Cannabis Tax Rate to 7% of Gross Sales \(Report from City Manager McAdoo\) \(Continued from October 29, 2019\)](#)**

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 Lamnin, Council Member Salinas, and Mayor Halliday

**Nay:** 1 - Council Member Wahab

**Absent:** 1 - Council Member Marquez

**13. [Introduction of an Ordinance Revising the City's Park Impact Fees and Chapter 10, Article 16 of the Hayward Municipal Code \(Report from Development Services Director Simpson\)](#)**

A motion was made by Council Member Zermeño, seconded by Council Member Mendall, to approve staff's recommendation with three amendments: 1) eliminate the 30 percent reduction from the maximum allowable fee for industrial type of development; 2) add exemption for any affordable ownership units; and 3) have Council consider options for future park fee increases after the City considers a new transportation impact fee. The motion carried by the following vote:

**Aye:** 5 - Council Member Zermeno, Council Member Mendall, Council Member Lamnin, Council Member Salinas, and Mayor Halliday

**Nay:** 1 - Council Member Wahab

**Absent:** 1 - Council Member Marquez

**14. [Adoption of a Resolution Approving an Amendment to the City of Hayward Salary Plan for Fiscal Year 2020 \(Report from Assistant City Manager Hurtado\)](#)**

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:** 6 - Council Member Zermeno, Council Member Mendall, Council Member Lamnin, Council Member Wahab, Council Member Salinas, and Mayor Halliday

**Absent:** 1 - Council Member Marquez

## COUNCIL REFERRALS

None.

## ADJOURNMENT

Mayor Halliday adjourned the meeting at 10:38 p.m. and wished everyone a happy holiday season.

## NEXT SPECIAL MEETING, January 14, 2020