



# 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 18, 2018**

**7:00 PM**

**Council Chambers**

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### **SPECIAL JOINT CITY COUNCIL/HAYWARD REDEVELOPMENT SUCCESSOR AGENCY MEETING**

**CALL TO ORDER Pledge of Allegiance: Council/HRSA Member Salinas**

#### **ROLL CALL**

**Present:** 13 - Council Member Francisco Zermeno, Council Member Al Mendall, Council Member Sara Lamnin, Council Member Sara Lamnin, Council Member Elisa Marquez, Mayor Barbara Halliday, Mayor Barbara Halliday, Council Member Mark Salinas, Mayor Barbara Halliday, Mayor Barbara Halliday, Council Member Sara Lamnin, Council Member Sara Lamnin, and Council Member Aisha Wahab

#### **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 legal counsel pursuant to Government Code 54956.9, regarding Spears v. City of Hayward, Alameda County Superior Court, No. RG17851268; and 2) conference with legal counsel pursuant to Government Code 54956.9, regarding City of Hayward, et al. v. Cohen, et al., Sacramento County Superior Court, No. 34-2018-80002804; and noted there was no reportable action related to the items.

#### **PRESENTATION**

Hayward Unified School District Rotary Scholars

**PUBLIC COMMENTS**

Mr. Zachariah Oquenda  
Mr. Alex Leichenger  
Mr. Kim Huggett  
Mr. Carlos Cosio  
Ms. Priscilla Maldonado  
Mr. Faiz Alizai  
Mr. Jordan Mutawalan  
Mr. Kristian Perilla  
Mr. Marcos Reyes  
Ms. Norma Orozco  
Mr. Luis Urrea  
Ms. Lindsey Williams  
Ms. Kimberlee Burks  
Ms. Alicia Lawrence  
Mr. Jim Drake  
Ms. Lacei Amodei  
Ms. Araceli Orozco

**Approval of the Consent Calendar**

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

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

**CONSENT**

Consent Items 7 and 8 were removed from the Consent Calendar for separate discussion and vote.

1. [Minutes of the Special Joint City Council/Hayward Housing Authority Board Meeting on November 13, 2018](#)

**Consent item approved.**

2. [Minutes of the Meeting on November 27, 2018](#)

**Consent item approved.**

3. [Minutes of the Special Joint Hayward City Council/Housing Authority/Redevelopment Successor Agency/Public Financing Authority Meeting on December 4, 2018](#)

**Consent item approved.**

4. [Transmittal of the Annual Mitigation Fee Act Report \(AB 1600\)](#)

**Consent item approved.**

5. [Approval of the Annual Recognized Obligation Payment Schedule for the Period July 1, 2019 to June 30, 2020 and the Successor Agency Administrative Budget for the Period July 1, 2019 to June 30, 2020](#)

Consent item approved.

6. [Authorization to Amend the FY2019 Operating Budget for the Development Services Department Building Division for Outside Plan Check, Building Inspection, and Permit Technician Services](#)

Consent item approved.

7. [Authorization to Negotiate and Execute a Management and Disbursement Agreement with The Downtown Hayward Improvement Association \(DHIA\), Non-Profit Public Benefit Corporation; to Appoint City Staff to the Downtown Hayward Improvement Association Board, and to Release the Downtown Community Benefit District Annual Assessment](#)

A motion was made by Council Member Mendall, seconded by Council Member Zermeno, to adopt staff's recommendation with a revised RES 18-263 (fifth whereas to read as follows: WHEREAS, in order to initiate operations of the DHIA, the City agrees to advance 80% of the 2019-2020 assessment amount to the DHIA to facilitate the organization's first year set up and associated expenses, and the remaining twenty percent with the May disbursement.). The motion carried by the following vote:

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

**Recused:** 2 - Council Member Marquez, and Council Member Salinas

8. [Resolution to Protect Our Ocean and Coast from Offshore Drilling, Exploration, and Fracking](#)

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

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

9. [Adopt Resolutions \(1\) Awarding a Contract to AAAA Generator Service, in the amount of \\$121,000 and \(2\) Appropriation of Funds for the Purchase and Installation of an Emergency Standby Diesel Generator at Highland 1000 Water Pump Station](#)

Consent item approved.

10. [Adopt a Resolution Approving the Plans and Specifications for Phase I of the Recycled Water Treatment Facility Project and Call for Bids](#)

Consent item approved.

11. [Request for Sewer Service for a Property at 27440 Fairview Avenue in Unincorporated Alameda County, Requiring Adoption of a Resolution Authorizing the City Manager to File an Application with the Alameda County Local Agency Formation Commission for Approval of an Out-of-Service Area Agreement and to Execute Utility Service and Public Street Improvement Agreements; Application No. USA 18-02; Avtar Singh \(Owner\)](#)

Consent item approved.

12. [Approval of Professional Services Agreement with TJKM Transportation Consultants, Inc., in the Amount of \\$225,000 for the Citywide Multi-Modal Study](#)

Consent item approved.

13. [Adoption of a Resolution Authorizing the City Manager, on Behalf of the Hayward Area Shoreline Planning Agency \(HASPA\), to Execute an Agreement with SCAPE to Prepare the Hayward Regional Shoreline Master Plan for an Amount Not to Exceed \\$479,000](#)

Consent item approved.

14. [Authorization for the City Manager to Negotiate and Execute an Agreement with the City of Oakland Fire Department to Formalize Participation in the National Urban Search and Rescue Response System](#)

Consent item approved.

15. [Resolution Authorizing the City Manager to Execute an Agreement Continuing Participation in the Alameda County Operational Area Emergency Management Organization](#)

Consent item approved.

16. [Resolution Reappointing Council Member Márquez as the City of Hayward Representative to the Alameda County Mosquito Abatement District Board of Trustees for a Term Ending December 31, 2020](#)

Consent item approved.

17. [Adoption of a Resolution Delaying Imposition of Measure T - Real Property Transfer Tax Increase to January 1, 2019](#)

Consent item approved.

## WORK SESSION

18. [Review of Proposed Industrial Zoning District Regulations \(Report from Development Services Director Simpson\)](#)

Information only.

19. [Downtown Specific Plan Project Update \(Continued to January 15, 2019\)](#)

**PUBLIC HEARING**

City Attorney Lawson noted that Council Member Wahab and Council Member Zermeño needed to recuse themselves from discussing and voting on Item 20 due to conflicts of interest because Council Member Wahab had previously served on the Abode Board and Council Member Zermeño is a member of the St. Rose Hospital Foundation. Council Member Wahab and Council Member Zermeño left the Council Chambers.

**20. [Approval of: \(1\) Resolution Authorizing City Manager to Implement a Contingency Plan for Allocation and Expenditure of Up to \\$1.75 Million in Available Community Development Block Grant \(CDBG\) Funds; and \(2\) a Substantial Amendment to the CDBG FY 2018-19 Annual Action Plan \(Report from Deputy City Manager Ott\)](#)**

**A motion was made by Council Member Salinas, seconded by Mayor Halliday, to approve staff's recommendation with two friendly amendments: 1) broaden the category for the housing section; and 2) add a fifth recommendation to purchase, in the amount of \$400,000 and to the extent eligible, facilities (housing units/shelter amenities) for individuals who are homeless. The motion carried by the following vote:**

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

**Absent:** 2 - Council Member Zermeno, and Council Member Wahab

**ADJOURNMENT**

Mayor Halliday adjourned the meeting at 10:06 p.m., in memory of Ms. Veronica Larsen McNeff, Mr. Jose Ovalle, and individuals who were homeless and passed away in Hayward (Gary Rose, Gregory Bocage, Jimmy Dean "Justin", Joey Geitner, Kelly Robinson, Marc, Michael Finney, Peter Pearson, Peter Peterson, Randy McClaran, Richard Ford, Ronald Norton, and Steve Ruybal "Chief").

**NEXT SPECIAL MEETING, January 8, 2019, 7:00 PM**