



SPECIAL CITY COUNCIL MEETING MINUTES
777 B Street, Hayward, CA 94541
Council Chambers and Virtual Platform (Zoom)
Tuesday, January 30, 2024, 7:00 p.m.

The Special City Council meeting was called to order by Mayor Salinas at 7:00 p.m. The City Council held a hybrid meeting in Council Chambers and virtually via Zoom.

Pledge of Allegiance: Council Member Bonilla Jr.

Present: COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche, Syrop, Zermeño
MAYOR Salinas
Absent: None

PRESENTATION

Mayor Salinas read a certificate of commendation acknowledging former Police Chief Toney Chaplin upon his retirement and in recognition of his valuable service to the community. City Manager McAdoo and Police Chief Matthews offered words of gratitude to former Police Chief Chaplin for his thoughtfulness, dedication, professionalism, leadership, and commitment to public service. Mayor Salinas and Police Chief Matthews presented Chief Chaplin with plaques and items of recognition for his service. Former Police Chief Chaplin offered words of appreciation.

PUBLIC COMMENTS

Suzane with Hayward Concerned Citizens congratulated Police Chief Chaplin on his retirement and thanked him for the expertise he brought to the Hayward Police Department.

Jackson Peterson introduced Civic GPT, a technological solution designed to optimize a city's governance and communication processes.

Arzo Mehdavi commended the work done by Police Chief Chaplin and spoke in favor of the Council's action to remove four companies from the City's investment portfolio.

Mimi Dean spoke about the former Skywest Golf Course proposed development and expressed the proposal is an environmental injustice and does not enhance the quality of life for surrounding community areas and invited the Council to walk the area.

Tyler Dragony expressed concern about the proposed development of former Skywest Golf Course and the negative impact to the unincorporated Eden Area.

Sergio Jimenez with Nor Cal Carpenters Union urged the City to encourage developers to use contractors that provide health coverage, use apprenticeships, and hire locally.

CITY MANAGER'S COMMENTS

City Manager McAdoo made two announcements: 1) the swearing-in of new Police Chief Bryan Matthews on February 1, 2023; and 2) in anticipation of the upcoming storm, free sandbags were available in front of the Hayward Animal Center and additional information was available on the City's website.

CONSENT

1. Adopt an Ordinance Amending Chapter 10, Article 1 (Zoning Ordinance) of the Hayward Municipal Code Rezoning Certain Properties to a Planned Development District in Connection with Zone Change and Vesting Tentative Map Application No. MTA-23-0001 for the Eden Village III Development **CONS 24-042**

Staff report submitted by City Clerk Lens, dated January 30, 2024, was filed.

It was moved by Council Member Bonilla Jr., seconded by Council Member Goldstein, and carried by the following roll call vote, to adopt the resolution.

AYES:	COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche, Syrop, Zermeno MAYOR Salinas
NOES:	None
ABSENT:	None
ABSTAIN:	None

Ordinance 24-02, "An Ordinance Amending Chapter 10, Article 1 (Zoning Ordinance) Of the Hayward Municipal Code Rezoning a Property to the Medium Density Residential District in Connection with Zone Change Application No. MTA-23-0005"

2. Adopt a Resolution Accepting the Resignation of Commissioner Aidan Ali-Sullivan from the Planning Commission, Effective Immediately **CONS 24-038**

Staff report submitted by City Clerk Lens, dated January 30, 2024, was filed.

Council Member Bonilla Jr. commended the work of former Commissioner Ali-Sullivan and thanked him for his service; and announced the annual recruitment would launch at the end of April and encouraged interested residents to apply.

It was moved by Council Member Bonilla Jr., seconded by Council Member Goldstein, and carried by the following roll call vote, to adopt the resolution.



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Syrop, Zermeno
MAYOR Salinas

NOES: None

ABSENT: None

ABSTAIN: None

Resolution 24-013, "Resolution Accepting the Resignation of Aidan Ali-Sullivan from the Planning Commission"

3. Adopt a Resolution Authorizing the City Manager to Accept and Appropriate up to \$200,000 in Donations and Fee Revenue for the Animal Shelter for Fiscal Year 2024
CONS 24-006

Staff report submitted by Police Chief Matthews, dated January 30, 2024, was filed.

It was moved by Council Member Bonilla Jr., seconded by Council Member Goldstein, and carried by the following roll call vote, to adopt the resolution.

AYES: COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche,
Syrop, Zermeno
MAYOR Salinas

NOES: None

ABSENT: None

ABSTAIN: None

Resolution 24-014, "Resolution Authorizing the City Manager to Accept and Appropriate Up to \$200,000 in Donations and Fee Revenue for the Hayward Animal Shelter for Fiscal Year 2024"

4. Adopt a Resolution Authorizing the City Manager to (1) Extend and Amend the Agreement with Advocates for Human Potential, Inc. for the California Department of Healthcare Services, Behavioral Health Justice Intervention Services Project; and (2) Accept and Appropriate Additional Funding in the Amount of \$876,546 **CONS 24-036**

Staff report submitted by Assistant City Manager Youngblood, dated January 30, 2024, was filed.

It was moved by Council Member Bonilla Jr., seconded by Council Member Goldstein, and carried by the following roll call vote, to adopt the resolution.

AYES: COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche,
Syrop, Zermeno
MAYOR Salinas
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 24-015, "Resolution Authorizing the City Manager to (1) Extend and Amend the Agreement with Advocates for Human Potential, Inc. for the California Department of Healthcare Services, Behavioral Health Justice Intervention Services Project; and (2) Accept and Appropriate Additional Funding in the Amount of \$876,546."

5. Adopt a Resolution Authorizing the City Manager to Accept and Appropriate \$709,000 in Grant Funding from the Office of Justice Programs - Byrne Discretionary Community Project Funding Program for the Hayward Evaluation and Response Teams (HEART) Program Operations **CONS 24-037**

Staff report submitted by Assistant City Manager Youngblood, dated January 30, 2024, was filed.

Council Member Bonilla Jr. highlighted the grant for the Hayward Evaluation and Response Teams program.

It was moved by Council Member Bonilla Jr., seconded by Council Member Goldstein, and carried by the following roll call vote, to adopt the resolution.

AYES: COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche,
Syrop, Zermeno
MAYOR Salinas
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 24-016, "Resolution Authorizing the City Manager Accept and Appropriate \$709,000 in Grant Funding from the Office of Justice Programs for the Hayward Evaluation Response Teams (Heart) Program"

6. Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Professional Services Agreement with NHA Advisors, LLC for Water Infrastructure Finance and Innovation Act (WIFIA) Loan Application and Funding Consulting Services in an Amount Not-to-Exceed \$85,000 for the Water Pollution Control Facility (WPCF) Improvements - Phase II Project **CONS 24-039**



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Staff report submitted by Public Works Director Ameri, dated January 30, 2024, was filed.

It was moved by Council Member Bonilla Jr., seconded by Council Member Goldstein, and carried by the following roll call vote, to adopt the resolution.

AYES: COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche,
Syrop, Zermeno
MAYOR Salinas
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 24-017, "Resolution Authorizing the City Manager to Negotiate and Execute a Professional Services Agreement with NHA Advisor, LLC for Water Infrastructure Finance and Innovation Act (WIFIA) Loan Application and Funding Consulting Services in an Amount Not-To-Exceed \$85,000 for the Water Pollution Control Facility (WPCF) Improvement – Phase II Project"

7. Adopt a Resolution Authorizing the City Manager to Approve and Appropriate \$60,000 to Implement a Bench for Every Bus Stop Pilot Program Project No. 05343 **CONS 24-040**

Staff report submitted by Public Works Director Ameri, dated January 30, 2024, was filed.

It was moved by Council Member Bonilla Jr., seconded by Council Member Goldstein, and carried by the following roll call vote, to adopt the resolution.

AYES: COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche,
Syrop, Zermeno
MAYOR Salinas
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 24-018, "Resolution Authorizing the City Manager to Appropriate Funds in the Amount of \$60,000 from Measure B Pedestrian and Bicycle (Fund 216) for the A Bench for Every Bus Stop Pilot Program Project No. 05343"

8. Adopt a Resolution Approving Garbage and Recycling Rate Adjustment for 2024-2025
CONS 24-041

Staff report submitted by Public Works Director Ameri, dated January 30, 2024, was filed.

Council Member Bonilla Jr. acknowledged the need for rates to go up slightly and noted that the rates were lower compared to other municipalities.

It was moved by Council Member Bonilla Jr., seconded by Council Member Goldstein, and carried by the following roll call vote, to adopt the resolution.

AYES: COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche,
Syrop, Zermeno
MAYOR Salinas
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 24-019, "Resolution Approving the Garbage & Recycling Rate Adjustment for 2024-2025"

9. Adopt a Resolution Authorizing the City Manager to Negotiate an Agreement with Stryker Corporation for the Purchase of Lucas Chest Compression Devices for the Hayward Fire Department in an Amount Not-to-Exceed \$384,836 **CONS 24-043**

Staff report submitted by Fire Chief Contreras, dated January 30, 2024, was filed.

It was moved by Council Member Bonilla Jr., seconded by Council Member Goldstein, and carried by the following roll call vote, to adopt the resolution.

AYES: COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche,
Syrop, Zermeno
MAYOR Salinas
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 24-020, "Resolution Authorizing the City Manager to Negotiate an Agreement with Stryker Corporation for the Purchase of Lucas Chest Compression Devices for Use by the Hayward Fire Department in an Amount Not-To-Exceed \$384,836"



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10. Adopt a Resolution Ratifying Updates to the Council Appointments List CONS 24-049

Staff report submitted by City Manager McAdoo, dated January 30, 2024, was filed.

Council Member Bonilla Jr. appreciated the Public Safety Committee formation, the forward movement, and the appointments made by Mayor Salinas.

Council Member Andrews clarified that the Bay Area Water Supply and Conservation Authority meets at 6:30 p.m. and later confirmed the East Bay Dischargers Authority meets at 4:00 p.m.

Mayor Salinas acknowledged Council Member Andrews for her service in various intergovernmental agencies.

It was moved by Council Member Bonilla Jr., seconded by Council Member Goldstein, and carried by the following roll call vote, to adopt the resolution.

AYES:	COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche, Syrop, Zermeno MAYOR Salinas
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution 24-021, "Resolution to Confirm the Mayor's Council Appointments as Shown in the Attached Council Appointments List, Dated January 25, 2024"

PUBLIC HEARING

- 11. 1103 Walpert Street Rezoning: Proposed Zone Change of a 4.1-Acre Site Located at 1103 Walpert Street (Assessor's Parcel Number (APN) 445-0040-003-03), from Planned Development (PD) District to Medium Density Residential (RM) District Consistent with the Medium Density Residential Land Use Designation and Finding that No Further Environmental Review is Required Pursuant to the California Environmental Quality Act; Application No. MTA-23-0005. Applicant: Ronald Luter, Arc of the East Bay. Owners: Arc of the East Bay PH 24-002**

Staff report submitted by Development Services Director Buizer, dated January 30, 2024, was filed.

Mayor Salinas announced he was asking staff to forgo the oral presentation and proceed with questions. There were no questions from members of the City Council.

Mayor Salinas opened the public hearing at 7:40 p.m.

Peggy Guernsey expressed safety concerns with the court in the proposed development noting it is extremely narrow for cars to travel down the court and was opposed to increasing the density in the court.

Mayor Salinas closed the public hearing at 7:43 p.m.

It was moved by Council Member Roche, seconded by Council Member Bonilla Jr., and carried by the following roll call vote, to adopt the resolution and introduce the ordinance.

AYES:	COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche, Syrop, Zermeno MAYOR Salinas
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution 24-022, "Resolution Approving a Zone Change and Findings that No Further Environmental Review is Required Pursuant to the California Environmental Quality Act; Arc of the East Bay (Applicant/Owner)"

Introduction of Ordinance 24-_, "An Ordinance Amending Chapter 10, Article 1 (Zoning Ordinance) Of the Hayward Municipal Code Rezoning a Property to the Medium Density Residential District in Connection with Zone Change Application No. MTA-23-0005"

12. Hayward 2040 General Plan: Adopt Resolutions Amending the Hayward 2040 General Plan to Include the Updated Climate Action Plan, an Amended Hazards Element, and a New Environmental Justice Element; and Approval of Related Environmental Analysis Prepared Pursuant to the California Environmental Quality Act **PH 24-003**

Staff report submitted by Development Services Director Buizer and Public Works Director Ameri, dated January 30, 2024, was filed.

Principal Planner Schmidt and Environmental Services Manager Pearson provided a synopsis of the staff report.

Members of the City Council thanked City staff for all the work and public outreach with the Hayward 2040 General Plan.



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Discussion ensued among members of the City Council, Principal Planner Schmidt, and Environmental Services Manager Pearson and the following points were clarified: staff can seek out grants and commit to education of homes impacted by pollution burden; modifications to the Hazards Element and Environmental Justice Element included comments received from Save The Bay; staff is working with Ava Community Energy to install solar and battery storage targeting critical facilities that need to remain open during a disaster; outreach efforts included several community facilities throughout the city; Climate Action Plan goals related to transportation address emission reduction efforts; City staff engages businesses when deciding to install electric vehicle charging stations; the City received a grant to begin an inventory of public trees and is pursuing additional funding to prepare an Urban Forest Master Plan; staff plans to start tracking greenhouse gas emissions from the airport; funding for eight staff to support the plan will be addressed during the Strategic Roadmap meeting; airport emissions will be included in the annual greenhouse gas emissions inventory report; the fleet electrification target is a part of the overall target; as it is difficult to install electric vehicle charging in older multi-family housing, more publicly available charging will be required; staff continues to learn about the best way to accomplish goals and adjust the programs to match available science; staff is reviewing a StopWaste model ordinance that cities can adopt to regulate the use of single use disposables; and Ava Community Energy utilize the same low-income discount that PG&E has for electricity rates and offers incentives for electrification of appliances.

Mayor Salinas opened the public hearing at 8:20 p.m.

Erin Pang with Save The Bay supported adoption of the Hayward Environmental Justice Element and Hazard Element with recommended edits marked as accepted in Attachment VI noting the goal was to have climate resilience prioritized in all aspects of city planning.

Justin Vidanes supported the proposed General Plan and recommended considering previous concrete and nuclear energy.

Mimi Dean urged the Council to include the emissions data for the airport in the Climate Action Plan prior to its adoption.

Tyler Dragoni expressed concern for omitting the airport emissions from the Climate Action Plan.

Randy Waage suggested monitoring greenhouse gases from the airport, noted the need for extra trail space, and suggested a ban on plastic bags and water bottles.

Mayor Salinas closed the public hearing at 8:34 p.m.

Council Sustainability Commission members Andrews, Roche, and Zermeno were acknowledged for their involvement; City staff were commended for their work; and Planning Commissioner Meyers was recognized for his presence in the audience.

Council Member Syrop commented that electric vehicles and carbon sequestration were not necessarily pro-climate measures; inquired about an accelerated timeline to incorporate airport emissions metrics into the greenhouse gas inventory for review by the Council Sustainability Committee and Council Infrastructure and Airport Committee to inform future Climate Action Plan amendments, and generally expressed support for the item.

Principal Planner Schmidt clarified for the record that the greenhouse gas inventory that omitted airport emissions was separate from the New Environmental Justice Element map presented which was based on environmental and socio-economic factors which included the airport.

Council Member Roche acknowledged staff's readiness with answers throughout the process during the Council Sustainability Committee's discussion which included previous comment; offered to agendaize the airport emissions matter with the Council Sustainability Committee; and noted Hayward had been meeting goals ahead of the state with the Plan and the Environmental Justice Element would help with funding opportunities.

Council Member Roche made a motion to move staff's recommendation.

Council Member Andrews seconded the motion, inquired about prioritizing grants for pollution reduction efforts near homes around the I-880 freeway and airport; noted the Keep Hayward Clean and Green Task Force submitted a letter regarding plastic straws and urged continued efforts to address plastic straw packaging; and encouraged further partnership with Caltrans in relation to the Environmental Justice Element.

Council Members Goldstein supported the inclusion of the airport emissions data in the inventory report.

Council Member Bonilla Jr. expressed overall support of the Plan especially the climate resilience and centering the work on justice and equity and the new Environmental Justice Element; stressed the importance of public engagement and participation from low-income communities in the success of the Plan; and supported the Council Sustainability Committee's involvement to include the airport into the inventory moving forward.

Council Member Zermeno supported moving the Plan forward and favored having the Council Sustainability Committee review the airport emissions data and making a recommendation to the Council.

Mayor Salinas concurred with comments by Council members, recognized Hayward's movement to ban plastic bags and Styrofoam use and adopt the use of compostable take-out containers; and noted the negative pollution impact to the Jackson Triangle neighborhood and emphasized attention to the matter from an Environmental Justice Element perspective.



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It was moved by Council Member Roche, seconded by Council Member Andrews, and carried by the following roll call vote, to adopt the resolutions.

AYES: COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche,
Syrop, Zermeno
MAYOR Salinas
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 24-023, "Resolution Adopting the Updated Climate Action Plan as an Amendment to the Hayward 2040 General Plan, Greenhouse Gas Emissions Thresholds and the Initial Study and Negative Declaration Prepared Pursuant to the California Environmental Quality Act"

Resolution 24-024, "Resolution Adopting a General Plan Amendments to the Hazards Element and Adoption of a New Environmental Justice Element"

LEGISLATIVE BUSINESS

13. Housing Emergency: Adopt a Resolution Declaring a State of Emergency on Homelessness, Temporarily Suspending Applicable Local Planning and Zoning Requirements for Publicly Owned Property and Specified Private Property to Enable Flexible Responses to the Homelessness Crisis, and Determining that the Common Sense CEQA Exemption Applies **LB 24-004**

Staff report submitted by Assistant City Manager Youngblood,
dated January 30, 2024, was filed.

Assistant City Manager Youngblood announced the item and introduced Community Services Manager Cole-Bloom who provided a synopsis of the staff report.

Members of the City Council thanked City staff for all their work addressing homelessness.

Discussion ensued among members of the City Council, City Manager McAdoo, and Community Services Manager Cole-Bloom; and the following points were clarified: use allowances on privately owned land and minimum health and safety standards will be monitored during the state of emergency on homelessness and suspension of planning and zoning requirements; Council's action on the matter would support a county land use

committee which would aim at identifying available parcels and collaborating across jurisdictions; the county was expediting procurements and looking for additional funding to sustain existing and effective agencies; the state of emergency on homelessness would be in effect until March 2025 and information reports could be shared with the Council and frequent updates with the Housing and Homelessness Task Force; staff could discuss ways to convey to state elected officials the benefits of Project Roomkey and non-congregant settings; the City will continue to address barriers to services and evaluate response methods; the results of the Point-in-Time (PIT) count for individuals experiencing homelessness will be shared in the spring; and staff could evaluate how the emergency declaration can facilitate conversations on Caltrans land.

There being no public comments, Mayor Salinas opened and closed the public hearing at 9:20 p.m.

Members of the Council acknowledged Community Services Manager Cole-Bloom for her work around homelessness efforts and leading the PIT count; and recognized the work of Homelessness-Housing Task Force members Goldstein, Salinas and Syrop.

Mayor Salinas disclosed he serves on the Alameda County Mayor's Conference Homelessness Task Force and noted that short-term strategies for local municipal governments included moving individuals to wraparound services, and long-term strategies included working with county, state, and federal partners and leveraging funds for successful programs.

Council Member Bonilla Jr., disclosed he serves on the Alameda County Continuum of Care committee and noted the importance of a coordinated entry to permanent housing; acknowledged the state of emergency declaration would help coordinate county efforts and give the City the flexibility to address the homelessness crisis; and noted the Council's action would align with Council's priorities to preserve, protect and produce more housing, stressing the importance of prioritizing equity; and made a motion to approve staff's recommendations.

Council Member Syrop seconded the motion; expressed concern about the results of the Point-in-Time (PIT) Count for individuals experiencing homelessness which will be ready in the spring and urged the City to be in the best place possible to prepare solutions; and encouraged the community to read the staff report that details the efforts to address the homelessness crisis.

Council Member Roche noted homelessness is a regional issue that needs a coordinated effort; and expressed support for the declaration of emergency.

Council Member Andrews acknowledged PIT count participants; stated the emergency declaration does not represent lack of effort on homelessness from the City; was appalled to find a fifty percent homelessness for an eight percent African population; stressed the need to identify systemic barriers that are creating the oppression to such outcome in the community; and supported the motion.



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Council Member Zermeno noted the action was a good next step in dealing with homelessness; noted the action also addressed public safety and health concerns in the community; and expressed support for the motion.

Council Member Goldstein noted he serves on the Homelessness-Housing Task Force and the Housing Authority of the County of Alameda and was honored to support the motion.

It was moved by Council Member Bonilla Jr., seconded by Council Member Syrop, and carried by the following roll call vote, to adopt the resolution.

AYES:	COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche, Syrop, Zermeno MAYOR Salinas
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution 24-025, "Resolution declaring a State of Emergency on Homelessness and Temporarily Suspending Applicable Local Planning and Zoning Requirements for Publicly Owned Property and Specified Private Property to Enable Flexible Responses to the Homelessness Crisis."

COUNCIL REPORTS AND ANNOUNCEMENTS

Council Member Syrop asked for staff to put out communication to the unhoused community regarding assistance during the upcoming storms and staff agreed to follow through.

Council Member Andrews wanted the community to know the Council was looking at ways to address concerns related to Foothill Boulevard.

ADJOURNMENT

Mayor Salinas adjourned the special City Council meeting at 9:38 p.m. noting the next meeting was scheduled for February 6, 2024.

APPROVED

Mark Salinas
Mayor, City of Hayward

ATTEST:

Miriam Lens
City Clerk, City of Hayward