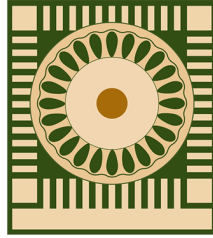


CITY OF HAYWARD

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



CITY OF
HAYWARD
HEART OF THE BAY

Agenda - Final

Tuesday, December 16, 2025

7:00 PM

Council Chambers

City Council

**CITY COUNCIL MEETING
777 B Street, Hayward, CA 94541
City Hall, Council Chambers**

NOTICE: The City Council will hold a hybrid meeting in the Council Chambers and virtually via Zoom

PUBLIC PARTICIPATION

How to observe the Meeting:

1. Comcast TV Channel 15
2. Live stream <https://hayward.legistar.com/Calendar.aspx>
3. YouTube Live stream: <https://www.youtube.com/user/cityofhayward>

How to submit written Public Comment:

1. Use eComment on the City's Meeting & Agenda Center webpage at:
<https://hayward.legistar.com/Calendar.aspx>. eComments are directly sent to the iLegislate application used by City Council and City staff. Comments received before 3:00 p.m. the day of the meeting will be exported into a report, distributed to the City Council and staff, and published on the City's Meeting & Agenda Center under Documents Received After Published Agenda.

2. Send an email to List-Mayor-Council@hayward-ca.gov by 3:00 p.m. the day of the meeting. Please identify the Agenda Item Number in the subject line of your email. Emails will be compiled into one file, distributed to the City Council and staff, and published on the City's Meeting & Agenda Center under Documents Received After Published Agenda. Documents received after 3:00 p.m. through the adjournment of the meeting will be included as part of the meeting record and published the following day.

How to provide live Public Comment during the City Council Meeting:

Participate in the Council Chambers or click link below to join the meeting:
<https://hayward.zoom.us/j/82784685571?pwd=oE2bMmjpVbV3lDV9bgkFPma0uYGlml.1>

Meeting ID: 827 8468 5571

Password: CC1216@7pm

or

Dial: +1 669 900 6833 or +1 646 931 3860

Meeting ID: 827 8468 5571

Password: 1553629441

CITY COUNCIL MEETING

CALL TO ORDER: Mayor Salinas

Pledge of Allegiance: Council Member Goldstein

AB 2449 TELECONFERENCE NOTIFICATIONS AND CONSIDERATION**ROLL CALL****CLOSED SESSION ANNOUNCEMENT**

December 9, 2025

December 16, 2025

PRESENTATION**Acting Fire Chief Vollmer Proclamation****PUBLIC COMMENTS**

The Public Comments section provides an opportunity to address the City Council on items not listed on the agenda or Informational Staff Presentation items. The Council welcomes comments and requests that speakers present their remarks in a respectful manner, within established time limits, and focus on issues which directly affect the City or are within the jurisdiction of the City. As the Council is prohibited by State law from discussing items not listed on the agenda, items will be taken under consideration and may be referred to staff. The City Council welcomes comments, including criticism, about the policies, procedures, programs, or services of the City, or of the acts or omissions of the City Council. Speakers shall not use threatening, profane, or abusive language which disrupts, disturbs, or otherwise impedes the orderly conduct of a City Council. The City is committed to maintaining a workplace free of unlawful harassment and is mindful that City staff regularly attend Council meetings. Discriminatory statements or conduct that is hostile, intimidating, oppressive, or abusive – are per se disruptive to a meeting and will not be tolerated. ration and may be referred to staff.

CITY MANAGER'S COMMENTS

An oral report from the City Manager on upcoming activities, events, or other items of general interest to Council and the Public.

ACTION ITEMS

The Council will permit comment as each item is called for the Consent Calendar, Public Hearings, and Legislative Business. In the case of the Consent Calendar, a specific item will need to be pulled by a Council Member in order for the Council to discuss the item or to permit public comment on the item. Please notify the City Clerk any time before the Consent Calendar is voted on by Council if you wish to speak on a Consent Item.

CONSENT

1. [MIN 25-124](#) Approve the City Council Minutes of the City Council Meeting on November 18, 2025

Attachments: [Attachment I Draft Minutes of 11/18/2025](#)
2. [MIN 25-126](#) Approve the City Council Minutes of the City Council Meeting on December 2, 2025

Attachments: [Attachment I Draft Minutes of 12/2/2025](#)
3. [CONS 25-491](#) Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Disposition and Development Agreement with Bay Area Community Services for the Transfer of Two Parcels on Depot Road with APNs 439-0070-006-01 and 439-0070-006-02; and Finding that the Action is Exempt from Environmental Review

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III Exhibit A to Resolution](#)
4. [CONS 25-525](#) Adopt a Resolution Adjusting the City's Transient Occupancy Tax (TOT) Rate from 12% to 14% Effective February 1, 2026, and Finding that the Action is Exempt from CEQA Review

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III Resolution No. 25-109](#)
5. [CONS 25-539](#) Adopt a Resolution Approving the Appropriation of \$264,000 from Fund 213- Measure BB (Ped & Bike) for the Safe Streets Hayward Plan (Capital Improvement Program (CIP) Project Nos. 06942 - High Injury Network, 06943 - Speed Management Plan, and 06945 - Evaluate Alternatives to Downtown Loop)

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)

6. [CONS 25-541](#) Adopt a Resolution Establishing the City Contribution for Active and Retiree Medical Premiums Set by the California Public Employee Retirement System (CalPERS) for Calendar Year 2026 Pursuant to California Government Code Section 22892 of the Public Employees' Medical and Hospital Care Act

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)

7. [CONS 25-547](#) Adopt a Resolution Adopting the Updated Comprehensive Emergency Management Plan, Disaster Debris Management Plan, and Shelter Management Plan; and Finding that the Action is Exempt from Environmental Review

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III CEMP 2025](#)
 [Attachment IV Disaster Debris Management Plan](#)
 [Attachment V Hayward Shelter Management Plan 2025](#)

8. [CONS 25-552](#) Adopt a Resolution: (1) Declaring a City Council Recess from December 22, 2025 through January 2, 2026; (2) Cancelling the Regular City Council Meetings Scheduled for December 23, 2025, and January 6, 2026; and (3) Authorizing the City Manager, or their Designee, to take Action on Administrative Matters as Necessary During the Recess

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)

9. [CONS 25-569](#) Adopt a Resolution Approving Side Letter of Agreements Amending Memoranda of Understanding between the City of Hayward and Both the International Association of Firefighters, Local 1909 and Hayward Fire Officers Association and Authorizing Staff to Execute the Agreement

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)

WORK SESSION

Work Session items are non-action items. Although the Council may discuss or direct staff to follow up on these items, no formal action will be taken. Any formal action will be placed on the agenda at a subsequent meeting in the action sections of the agenda.

10. [WS 25-042](#) City Budget Status Update: Oral Report by the City Manager as Information Becomes Available (Oral Report from City Manager Ott)

PUBLIC HEARING

11. [PH 25-049](#) Phenos Hayward: Proposal to Operate a Commercial Cannabis Retail Dispensary in a 14,928-Square-Foot Tenant Space at 21463 Foothill Boulevard (Assessor Parcel No. 414-0086-056-02) in the General Commercial (CG) Zoning District, Requiring Approval of Conditional Use Permit Application No. UP-25-0011 and a Finding that the Project is Categorically Exempt from the Provisions of the California Environmental Quality Act (CEQA) Pursuant to Section 15301 of the CEQA Guidelines. Applicants/Operators: Esther Lopez and Angilbert Sarkis, Gream Enterprises, Inc. [DBA Phenos Hayward]; Property Owner: Foothill-Grove LLC.(Report from Development Services Director Buizer)

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III Business & Operations Plan](#)
[Attachment IV Project Plans](#)
[Attachment V Correspondence in Opposition](#)
[Attachment VI Correspondence in Support](#)
[Attachment VII Applicants' Response to PC Hearing Results](#)

LEGISLATIVE BUSINESS

12. [LB 25-041](#) Hayward Municipal Code Update: Introduction of an Ordinance Amending Sections 2-13.02, 2-13.04 and 2-13.06 of Article 13 of Chapter 2 of the Hayward Municipal Code Relating to Revised Voluntary Campaign Expenditure and Contribution Limits (Report from City Attorney Lawson)

Attachments: [Attachment I Staff Report](#)
[Attachment II Ordinance](#)

13. [LB 25-046](#) Temporary Moratorium: Adopt an Interim Urgency Ordinance Pursuant to Government Code section 65858, Imposing a Temporary Moratorium on New Massage Businesses in Hayward, and Finding that the Action is Exempt from Environmental Review (Report from Development Services Director Buizer)

Attachments: [Attachment I Staff Report](#)
 [Attachment II Moratorium Ordinance](#)

14. [LB 25-047](#) Mayor Pro Tempore Election: Adopt a Resolution Authorizing the Election of Mayor Pro Tempore of the City of Hayward for 2026 (Report from City Clerk Lens)

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Mayor Pro Tempore List](#)

INFORMATION ITEMS

Information items are presented as general information for Council and the public, and are not presented for discussion. Should Council wish to discuss or take action on any of the "information" items, they will direct the City Manager to bring them back at the next Council agenda as an Action Item.

15. [RPT 25-097](#) Update on Federal Advocacy and City Legislative Priorities for the 2026 Federal Legislative Session

Attachments: [Attachment I Staff Report](#)

16. [RPT 25-099](#) Update on State Advocacy and Legislative Developments for the 2025-26 Session

Attachments: [Attachment I Staff Report](#)
 [Attachment II State Legislative Overview Memo](#)

COUNCIL REPORTS AND ANNOUNCEMENTS

Council Members can provide oral reports on attendance at intergovernmental agency meetings, conferences, seminars, or other Council events to comply with AB 1234 requirements (reimbursable expenses for official activities).

COUNCIL REFERRALS

Council Members may bring forward a Council Referral Memorandum (Memo) on any topic to be considered by the entire Council. The intent of this Council Referrals section of the agenda is to provide an orderly means through which an individual Council Member can raise an issue for discussion and possible direction by the Council to the appropriate Council Appointed Officers for action by the applicable City staff.

ADJOURNMENT

**December 23, 2025 and January 6, 2026 Council Meetings - CANCELED -
NEXT MEETING, January 20, 2026, 7:00 PM**

PUBLIC COMMENT RULES

Any member of the public desiring to address the Council shall limit their comments to three (3) minutes unless less or further time has been granted by the Presiding Officer or in accordance with the section under Public Hearings. The Presiding Officer has the discretion to shorten or lengthen the maximum time members may speak. Speakers will be asked for their name before speaking and are expected to honor the allotted time.

PLEASE TAKE NOTICE

That if you file a lawsuit challenging any final decision on any public hearing or legislative business item listed in this agenda, the issues in the lawsuit may be limited to the issues that were raised at the City's public hearing or presented in writing to the City Clerk at or before the public hearing.

PLEASE TAKE FURTHER NOTICE

That the City Council adopted Resolution No. 87-181 C.S., which imposes the 90-day deadline set forth in Code of Civil Procedure section 1094.6 for filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure section 1094.5.

****Materials related to an item on the agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office, City Hall, 777 B Street, 4th Floor, Hayward, during normal business hours. An online version of this agenda and staff reports are available on the City's website. Written comments submitted to the Council in connection with agenda items will be posted on the City's website. All Council Meetings are broadcast simultaneously on the City website, Cable Channel 15 - KHRT, and YouTube. ****

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request the accommodation at least 48 hours in advance of the meeting by contacting the City Clerk at (510) 583-4400 or cityclerk@hayward-ca.gov.

Assistance will be provided to those requiring language assistance. To ensure that interpreters are available at the meeting, interested persons must request the accommodation at least 48 hours in advance of the meeting by contacting the City Clerk at (510) 583-4400.