



CITY COUNCIL MEETING

777 B Street, Hayward, CA 94541

Council Chambers

<https://hayward.zoom.us/j/82784685571?pwd=oE2bMmjpVbV3lDV9bgkFPma0uYGlmI.1>

Tuesday, December 16, 2025, 7:00 p.m.

The City Council meeting was called to order by Mayor Salinas at 7:10 p.m. in the Council Chambers.

Pledge of Allegiance: Council Member Goldstein

ROLL CALL

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

CLOSED SESSION ANNOUNCEMENT

The City Council convened in closed session on December 9, 2025, at 5:30 p.m., with all members present and one public speaker, Dan Magalhaes, and considered five items: 1) conference with labor negotiators pursuant to Government Code section 54957.6, regarding all labor groups; 2) conference with property negotiators pursuant to Government Code section 54956.8, regarding price and terms related to two parcels at Depot Road and Whitesell Street (APNs 439-0070-006-01, 439-0070-006-02); 3) conference with legal counsel pursuant to Government Code section 54956.9(d)(1), regarding pending litigation, Ghali et al v. City of Hayward, US District Court – Northern District of California Case 3:25-cv-01116; 4) conference with legal counsel pursuant to Government Code section 54956.9, regarding pending litigation, Earl Boles v. City of Hayward, Workers' Compensation Appeals Board Case No. ADJ1785352; and 5) conference with legal counsel pursuant to Government Code section 54956.9 regarding pending litigation, Ronald Womack v. City of Hayward, Workers' Compensation Appeals Board Case Nos. ADJ17146394, ADJ18686562, ADJ18686541. City Attorney Lawson reported that the City Council discussed the items but took no reportable action. The closed session adjourned at 8:48 p.m.

The City Council convened in closed session on December 16, 2025, at 5:30 p.m., with all members present and no public speakers regarding two items: 1) conference with labor negotiators pursuant to Government Code section 54957.6, regarding all labor groups; and 2) conference with legal counsel pursuant to Government Code section 54956.9(d)(1), regarding pending litigation, Ghali et al v. City of Hayward, US District Court – Northern District of California Case 3:25-cv-01116. City Attorney Lawson reported that the City Council discussed the items but took no reportable action. The closed session adjourned at 7:00 p.m.

PRESENTATION

Mayor Salinas read a commendation honoring Acting Fire Chief Eric Vollmer, upon his retirement from the City of Hayward on December 30, 2025, and recognizing his exemplary service and leadership; detailed Chief Vollmer's extensive career, which began with Cal Fire



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community members to volunteer at the Point-in-Time Count of people experiencing homelessness, scheduled for January 22, 2026, noting the importance of accurate data to inform funding and policy decisions.

CONSENT

Items 4, 7, 8, and 9 were removed from the Consent Calendar.

1. Approve the City Council Minutes of the City Council Meeting on November 18, 2025, **MIN 25-124.**

It was moved by Council Member Syrop, seconded by Council Member Andrews, and carried unanimously to adopt the City Council minutes of November 18, 2025.

2. Approve the City Council Minutes of the City Council Meeting on December 2, 2025, **MIN 25-126.**

It was moved by Council Member Syrop, seconded by Council Member Andrews, and carried unanimously to adopt the City Council minutes of December 2, 2025.

3. 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 **CONS 25-491**

Staff report submitted by Real Estate Manager Irvin, Senior Assistant City Attorney Vigilia, and Community Services Manager Cole-Bloom, dated December 16, 2025, was filed.

TJ with Hayward Concerned Citizens spoke in opposition to Consent Item No. 3, urging the City Council to consider the broader impact of selling City land for psychiatric or rehabilitation facilities without community input; expressed concern over a lack of oversight, citing past issues with similar projects such as Regis Village; and questioned how many such facilities Hayward should accommodate, given their long-term effect on the community.

It was moved by Council Member Syrop, seconded by Council Member Andrews, and carried unanimously, to adopt the resolution.

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

NOES: None

ABSENT: None

ABSTAIN: None



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It was moved by Council Member Syrop, seconded by Council Member Andrews, and carried unanimously, to adopt the resolution.

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

Resolution 25-211, "Resolution Approving the Appropriation of \$264,000 from Fund 213 Measure BB (Pedestrian & Bicycle) for the Safe Streets Hayward Plan Capital Improvement Program Project No. 06942 - High Injury Network, 06943 - Speed Management Plan and 06945 - Evaluate Alternatives to Downtown Loop"

6. 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 **CONS 25-541**

Staff report submitted by Human Resources Manager Cole, dated December 16, 2025, was filed.

It was moved by Council Member Syrop, seconded by Council Member Andrews, and carried unanimously, to adopt the resolution.

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

Resolution 25-212, "Resolution Agreeing to Meet the Minimum Employer Contribution Toward Medical Cost as Set by California Public Employees Retirement System One Hundred Sixty-Two Dollars (\$162) Per Month for Calendar Year 2026"



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It was moved by Mayor Salinas, seconded by Council Member Bonilla Jr., and carried unanimously to adopt the resolution with a change that the City Council will hold a City Council meeting on January 6, 2026.

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

NOES: None

ABSENT: None

ABSTAIN: None

Resolution 25-214, "Resolution of the City Council of the City of Hayward Declaring a City Council Recess from December 22, 2025 through January 2, 2026; Cancelling the Regular City Council Meeting Scheduled for December 23, 2025; and Authorizing the City Manager, or Their Designee, to Take Action on Administrative Matters as Necessary During the Recess"

9. Adopt a Resolution Approving Side Letter of Agreements Amending the 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 **CONS 25-569**

Staff report submitted by Human Resources Director Tecson, dated December 16, 2025, was filed.

Council Member Syrop expressed gratitude to members of Local 1909 for initiating conversations with the City to help address the budget deficit; and acknowledged other labor groups that have begun similar discussions.

It was moved by Council Member Syrop, seconded by Council Member Andrews, and carried unanimously, to adopt the resolution.

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

NOES: None

ABSENT: None

ABSTAIN: None



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Natalie Weber, IFPTE Local 21 member, outlined the vital services the Hayward Public Library provides and warned of community impacts if layoffs proceed, noting there are alternative budget solutions, such as Measure C and sales tax, that have not been fully explored.

Wenny Wallace, Library employee and IFPTE Local 21 member, described how staffing cuts are already straining library services and program delivery, and asked the City to consider alternatives to further staff reductions as done during the pandemic.

Marylou Gal, lab technician and IFPTE Local 21 member, highlighted the essential public health services provided by her role at the Wastewater Treatment Facility and urged the City not to proceed with layoffs during the holidays, calling it demoralizing and harmful.

Jose Medina, City employee of 27 years, stressed the burnout and understaffing issues already impacting workers and pleaded with the City to support staff and avoid further cuts that jeopardize operations and morale.

Emily Wallace, IFPTE Local 21 representative, argued that recent savings and revenue increases have already closed the projected deficit, making layoffs unnecessary and politically damaging; criticized past spending decisions; and called for City Council accountability.

Carlos Noe Saavedra, Hayward resident, criticized the lack of long-term budget solutions and urged the City Council to address high executive compensation in Police and Fire before laying off frontline workers or raising taxes.

Mayor Salinas closed public comment at 8:57 p.m.

Council Member Roche acknowledged the pain caused by the budget crisis and layoffs, admitting that past decisions, particularly approving contracts based on inaccurate financial data, contributed to the City's deficit and depleted reserves; expressed trust in the new city manager and finance director; apologized for the decisions made under faulty assumptions; and emphasized the urgency and seriousness of the City's financial reality, while thanking labor groups that have already contributed concessions.

Council Member Andrews thanked staff for continued budget transparency; acknowledged labor groups for meeting and offering ideas to help address the deficit; called for City Council members to match public safety and labor concessions by reducing their own salaries in solidarity; and requested a deeper budget analysis for the next work session, including 10-year projections, departmental budget-to-actuals, review of non-essential and Council-initiated projects, and policy updates, all aimed at returning to a structurally balanced budget and rebuilding reserves.



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PUBLIC HEARING

11. 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**) PH 25-049

Staff report submitted by Development Services Director Buizer, dated December 16, 2025, was filed.

Development Services Director Buizer announced the item and introduced Associate Planner Kowalski, who provided a synopsis of the staff report.

Members of the City Council thanked City staff for the work on the item.

Discussion ensued among members of the City Council and City staff and the following clarifications were made: in 2017 there were three retail dispensary operators approved for a Commercial Cannabis Business Permit, and Applicant Esther Lopez was unable to reach a final agreement with the operator to operate a retail dispensary; the evolution of the cannabis ordinance and challenges in site selection was explained; there was confirmation that on-site consumption would not be allowed and would be actively monitored by security personnel; after an applicant secures local zoning and land use approvals, they can secure state approvals; dispensaries are held to higher standards than other retail establishments, and security staff would handle potential on-site issues; calls for service at Cookies and Garden of Eden were relatively low; barriers need to be approved by Planning; the applicant confirmed extra security measures and signage restrictions would be in place to protect the youth; the proposed cannabis dispensary would not create a disproportionate impact on public safety resources; the proposed location complies fully with Hayward's zoning and distancing regulations and State law; the applicant emphasized her long-term commitment and dedication to operating transparently and responsibly; any future majority ownership changes would return to City Council for review; any operational changes, such as hours, signage, or advertising, would need to come back to the City Council for review and approval; there are only two dispensaries nearby, one outside of Hayward (Garden of Eden) and one within the city (Cookies); while there is no size cap in the ordinance, much of the dispensary's space is allocated for secure storage and staff areas, not retail, making it comparable in scale to other dispensaries and far smaller than what would typically be considered "mega"; the parking spaces at the proposed site are shared among all businesses in the shopping center; the average time a customer would spend at a dispensary is 15 to 20 minutes, with many customers pre-ordering online, and these timing



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Jared Perkins, neighborhood resident
Theresa Resentez
Brook Lyn, Hayward employee
Anthony Scandar, Hayward student and neighborhood resident
Sandra Archuleta, prevention specialist
Dalila
TJ with Hayward Concerned Citizens
Anh Thu Nguyen, student
Rose A, Hayward resident
Zoom User
Teresita (Zoom), local resident
Suzanne Luther, Hayward resident
Claire Dugan, Hayward resident
Dr. Ann Maris, educator, scientist and community advocate
Suhel Singh
Jenna
Samantha, Hayward student
Oscar G, neighborhood resident
Tom Ferreira, Hayward resident
Tyler Dragoni

The following speakers spoke in support of the proposed dispensary, Phenos Hayward, citing the applicant's integrity and community roots, the creation of local jobs, increased tax revenue, and the ability to provide a safer, regulated alternative to illegal cannabis sales; argued that dispensaries, such as the proposed one, have proven to be low-risk, well-regulated operations with effective security measures, and they do not increase youth access or crime. Many praised the applicant's transparency, commitment to safety, and history of philanthropy, while some highlighted personal or professional benefits of legal cannabis access, especially for veterans and patients.

Carlos Rocha, owner of Ta Danado dojo
Yessenia Serrano with Flavors Dispensary in Oakland
Brooke Benson
Eric Lathrop, veteran and employed at a licensed dispensary
David Mariano, veteran and Phenos employee
Samantha Soto with Flavors Dispensary in Riverbank
Destiny Chuca with Flavors Dispensary in Riverbank
Laura Balcita, Hayward resident
Chris Traina, teacher
Aroyn Nangeyaii, Hayward resident
Giulia
Shanell Mora



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Members of the City Council thanked speakers who spoke on both sides of the matter and to those who submitted letters and emails.

Council Member Zermeño expressed support for the proposed cannabis dispensary, highlighting the City's prior vote in favor of cannabis legalization and the structured process that resulted in awarding three dispensary permits; emphasized that Applicant Lopez, presented a solid business and safety plan and met all City requirements; spoke highly of Applicant Lopez as a professional and a long-standing Hayward business owner, having known her as his accountant and community supporter; and moved to approve the application based on staff's recommendation.

Council Member Bonilla Jr. seconded the motion.

Council Member Roche acknowledged the concerns expressed by the immediate neighborhood and proposed that the dispensary implement a public hotline for residents to report issues; while she expressed understanding for neighborhood worries, she also stressed that Applicant Lopez met all City criteria, and that the dispensary's one-year conditional use permit allows for swift revocation if problems arise; proposed future town halls with the City, County, and other dispensaries to address neighborhood concerns, should the application be approved; and noted the lack of evidence linking dispensaries to youth drug use.

In response to Council Member Andrews' inquiries about Parcel Group 8 and tax revenue from cannabis, City staff indicated the item would come before the City Council in January and a conservative estimate would be \$500,000 to \$800,000 in annual revenue.

Council Member Andrews emphasized the importance of consistency and fairness in City processes; reminded the City Council that Applicant Lopez's application was already approved in 2018 and had followed all of the City's established rules and zoning requirements; reiterated that predictability for businesses is key and stated that if the dispensary causes problems, the City should not hesitate to shut it down; shared the idea of a moratorium on new dispensaries in the downtown area; proposed working with the operator to find an alternative location if needed in the future; and noted that community complaints would be taken seriously and acted upon.

Council Member Bonilla Jr. emphasized the need for the City Council to follow its own rules and maintain consistency in business permitting; noted that Applicant Lopez met all the City's rigorous cannabis requirements and praised her as a long-time Hayward resident and business owner; noted that failure to operate in compliance with permit conditions may result in revocation of the permit; emphasized that allowing competition in the cannabis market can benefit residents and bring needed tax revenue to Hayward; demonstrated a plan to mitigate concerns raised including posting a phone number that people can call with any concerns; and



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LEGISLATIVE BUSINESS

12. 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) LB 25-041**

Staff report submitted by City Attorney Lawson and City Clerk Lens, dated December 16, 2025, was filed.

Mayor Salinas forwent staff's oral report, advised that the report and presentation were available online, and opened the floor for questions; none were received.

There being no public speakers, Mayor Salinas opened and closed the public hearing at 1:00 a.m.

Council Member Syrop thanked Council Members Zermeño and Bonilla Jr. for their collaboration on the ordinance via the referral process and the rest of the City Council for their review, noting it had been thoroughly discussed in a previous October work session and encouraged the public to revisit that meeting for more context.

It was moved by Council Member Syrop, seconded by Council Member Bonilla Jr., and carried unanimously to introduce the ordinance.

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

Introduction of Ordinance 25-__, "An Ordinance of the City Council of the City of Hayward Amending Sections 2-13.02, 2-13.04 and 2-13.06 of Article 13, Chapter 2 of the Hayward Municipal Code Relating to Revised Voluntary Campaign Expenditure and Contribution Limits"



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14. 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) LB 25-047

Staff report submitted by City Clerk Lens, dated December 16, 2025, was filed.

City Clerk Lens provided a synopsis of the staff report.

There being no speakers, Mayor Salinas opened and closed public comment at 1:07 a.m.

Mayor Pro Tempore Roche made a motion to elect Council Member Syrop as Mayor Pro Tempore for 2026. Council Member Syrop seconded the motion, thanking Mayor Pro Tempore Roche for her service.

Council Member Andrews thanked Mayor Pro Tempore Roche for her service and wished success to the incoming Mayor Pro Tempore in the coming year.

Council Member Bonilla Jr. expressed agreement with Council Member Andrews' remarks and formally seconded her comments.

Mayor Salinas praised Mayor Pro Tempore Roche's leadership, accessibility, and thoughtful partnership throughout the year.

It was moved by Council Member Roche, seconded by Council Member Syrop, and carried unanimously to adopt the resolution electing Council Member Syrop as Mayor Pro Tempore for 2026.

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

Resolution 25-217, "Resolution Authorizing the Election of Mayor Pro Tempore of the City of Hayward for 2026"



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ADJOURNMENT

Mayor Salinas adjourned the City Council meeting at 1:15 a.m.

APPROVED

Mark Salinas
Mayor, City of Hayward

ATTEST:

Miriam Lens
City Clerk, City of Hayward