



**CITY COUNCIL MEETING**  
**777 B Street, Hayward, CA 94541**

**Virtual Platform (Zoom)**

<https://hayward.zoom.us/j/83584518480?pwd=VUIYZ0djV1BlcFlQNGhmY0tKL2dVUT09>

**Tuesday, March 21, 2023, 7:00 p.m.**

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

**Pledge of Allegiance:** Council Member Roche

Present: COUNCIL MEMBERS Andrews, Goldstein, Márquez, Roche, Syrop, Zermeño  
MAYOR Salinas

Absent: None

**PRESENTATION**

Mayor Salinas read a proclamation declaring the month of March 2023 as a month celebrating the 21<sup>st</sup> Annual March for Meals Month. The proclamation was presented to Spectrum Community Services Inc., and Service Opportunity for Seniors (SOS) Meals on Wheels. SOS Development Director Dan Ashbrook accepted the proclamation on behalf of SOS Meals on Wheels and Senior Meals Program Manager Becky Bruno accepted the proclamation on behalf of Spectrum Community Services Inc.

**PUBLIC COMMENTS**

There were none.

**CITY MANAGER'S COMMENTS**

There were none.

**CONSENT**

Consent Item No. 3 and Item No. 6 were removed from the Consent Calendar for a separate vote.

1. Approve the City Council Minutes of the City Council Meeting on February 28, 2023 **MIN 23-037**

It was moved by Council Member Márquez, seconded by Council Member Syrop, and carried unanimously, to approve the minutes of the City Council meeting on February 28, 2023.

2. Approve the City Council Minutes of the City Council Meeting on March 7, 2023 **MIN 23-038**

It was moved by Council Member Márquez, seconded by Council Member Syrop, and carried unanimously, to approve the minutes of the City Council Meeting on March 7, 2023.

3. Adopt an Ordinance Amending Chapter 10, Article 1, Section 10-1.2750 (Alcoholic Beverage Outlets) of the Hayward Municipal Code to Update the Regulations Governing Alcoholic Beverage Outlets Throughout the City **CONS 23-150**

Staff report submitted by City Clerk Lens, dated March 21, 2023, was filed.

City Attorney Lawson requested to remove Item 3 from the Consent Calendar and hold it over to the March 28, 2023, Council meeting. City Attorney Lawson noted the item was considered by Council at its March 7, 2023 meeting and approved unanimously; added that following the meeting a media report characterized Council's actions as violative of the Brown Act, unduly influenced by special interests, and inconsistent with the Council's procedural rules; noted the allegations were not supportable; and indicated a memorandum would be issued with the March 28, 2023 staff report to confirm on the record that Council's actions were transparent, consistent with the Brown Act, and in accordance with the procedural framework identified in the Council Member Handbook.

4. Adopt a Resolution Approving an Amendment to the City of Hayward Salary Plan for Fiscal Year 2023 **CONS 23-153**

Staff report submitted by Human Resources Director Frye, dated March 21, 2023, was filed.

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

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

Resolution 23-057, "Resolution Approving the Amended Fiscal Year 2023 Salary Plan Designating Positions of Employment in the City of Hayward and Salary Range; and Superseding Resolution No. 23-042 and all Amendments Thereto"

5. Adopt a Resolution Authorizing the City Manager to Execute an Amendment to the Agreement with Dutchover & Associates for Landscape Architect Services, Increasing the Not-to-Exceed Amount to \$405,000 **CONS 23-143**

Staff report submitted by Acting Development Services Director Buizer, dated March 21, 2023, was filed.



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

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

Resolution 23-058, "Resolution Authorizing the City Manager to Negotiate and Execute an Amendment to the Agreement with Dutchover & Associates, for Landscape Architect Services Increasing the Not to Exceed Amount to \$405,000"

6. Adopt a Resolution Authorizing the City Manager to Execute a Professional Services Agreement with the Renaissance Entrepreneurship Center and the Pop-Up Guide in the Amount Not-to-Exceed \$150,000 for the Management and Implementation of the Downtown Activation Pilot Program **CONS 23-152**

Staff report submitted by Chief Economic Development Officer Nguyen and Assistant City Manager Youngblood, dated March 21, 2023, was filed.

Council Member Zermeño expressed support for the proposed downtown activation pilot program including performers, artists and vendors scheduled Fridays and Saturdays; and recommended that Sundays also be considered as an option after the six-month pilot program. City Manager McAdoo noted staff could consider the suggestion and evaluate the program during the pilot phase over the first six months and added that a possible expansion of the program could be presented to the Council Economic Development Committee.

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

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

Resolution 23-065, “Resolution Authorizing the City Manager to Execute the Professional Services Agreement with the Renaissance Entrepreneurship Center and the Pop-Up Guide for Program Management Services for the Downtown Activation Pilot Program for a Total Not-to-Exceed Amount of \$150,000 through December 31, 2023”

7. Adopt a Resolution Authorizing the City Manager to Execute an MOU and Partnership Agreement, and to Accept and Appropriate up to \$101,000 for the Operation of Family Education Program Services for Hayward Unified School District (HUSD) Schools **CONS 23-154**

Staff report submitted by Library Services Director Addleman, dated March 21, 2023, was filed.

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

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

Resolution 23-059, “Resolution Authorizing the City Manager to Execute an MOU with Hayward Unified School District (HUSD) Allowing the Library to Offer Library Programs and Mobile Outreach Services at Four (4) HUSD Schools During the 2022-2023 School Year”

Resolution 23-060, “Resolution Authorizing the City Manager to Execute a Partnership Agreement with the Center for Community Engagement at the California State University, East Bay (CSUEB), Providing Funding or the Training, Supervision, and Tutor/Mentorship Placements of CSUEB College Corps Students in the Homework Support Centers at Four (4) HUSD Schools During the 2022-2023 School Year”

Resolution 23-061, “Resolution Authorizing the City Manager to Accept and Appropriate Up to \$80,000 from Hayward Unified School District (HUSD) for the Operation of Family Education Program Services at Four (4) HUSD Schools in FY 2023”



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Resolution 23-062, "Resolution Authorizing the City Manager to Accept and Appropriate \$21,000 from the Center for Community Engagement at the California State University, East Bay (CSUEB) for the Operation of Family Education Program Services at HUSD Schools and Both Library Locations in FY 2023"

8. Adopt a Resolution Authorizing the City Manager to Accept and Appropriate the Pieces of Art Being Donated to Hayward Public Library by Monica Chan and Dean Quock **CONS 23-155**

Staff report submitted by Library Services Director Addleman, dated March 21, 2023, was filed.

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

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

Resolution 23-063, "Resolution Authorizing the City Manager to Accept and Appropriate the Pieces of Art Being Donated to Hayward Public Library by Monica Chan and Dean Quock"

9. Adopt a Resolution Authorizing the City Manager to Appropriate \$228,000 from the Mutual Aid Revenue Project of the Capital Projects General Fund (Fund 405 - Project 05002) to Purchase a Telehandler Heavy-Duty Forklift for Use at the Hayward Fire/Rescue Training Center and During/to Prepare for Emergency Disasters **CONS 23-160**

Staff report submitted by Fire Chief Contreras, dated March 21, 2023, was filed.

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

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

Resolution 23-064, "Adopt a Resolution Authorizing the City Manager to Appropriate \$228,000 from the Mutual Aid Revenue Project of the Capital Projects General Fund (Fund 405-Project 05002) to Purchase a Telehandler Heavy Duty Forklift for Use at the Hayward Fire/Rescue Training Center and During/to Prepare for Emergency Disasters"

## **PUBLIC HEARING**

10. Master Fee Schedule: Adopt a Resolution Approving the FY 2024 Master Fee Schedule, and Finding the Action is Exempt from CEQA Review **PH 23-014**

Staff report submitted by Finance Director Gonzales, dated March 21, 2023, was filed.

Finance Director Gonzales announced the item and introduced Management Analyst Mullins who provided a synopsis of the staff report.

Discussion ensued among members of the City Council and City staff regarding: the Tenant Relocation Assistance Hearing Fee; once the Heritage Plaza is ready, staff will work on its programming plan and fee schedule; the proposal to move the Housing Division under the Development Services Department during the budget's proposal is meant to reflect the new organizational structure; updates fees associated with administration of the Residential Rent Stabilization and Tenant Protection Ordinance will be presented to Council on March 28, 2023; a consulting firm had reviewed the City's fees in the past to ensure the appropriate amount was being charged for the services being provided and compared it to other agencies; most of the programming at the Library is free and a majority of recreational fees are provided through the Hayward Area Recreation and Park District; Executive Team could look into whether departments were assessing program usage fees; non-profit groups serving Hayward were allowed two free uses per month of meeting Room C at the Main Library; the Master Fee Schedule is updated on an annual basis in coordination with each City department to make any necessary adjustments to adhere to government regulations, to achieve full-cost recovery or incorporate changes approved by the City Council throughout the year; if the Master Fee Schedule is adopted, it will be effective starting July 1, 2023; the Hayward Unified School District (HUSD) decided to conduct most of its board meetings at their own facility and if they planned to host a meeting in the Council Chambers, they would cover staff costs of operating the equipment and broadcasting the meeting; increased accessory dwelling unit (ADU) fees were based on the



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valuation of the construction and a majority of the complaints related to ADU fees were for sewer and water connection fees and fewer on building permits; the City is exploring implementing an online reservation system for all City facilities with the goal to have a uniform platform allowing easy access for residents to make reservations; tenant relocation hearings are not frequent and when they occur the requestor pays the fee and the City pays for the administration; residents are notified of the proposed fee increases by way of two hearing notices published in the newspaper in advance of the hearing and via the City's website; and larger fee increases, such as park in-lieu fees, would require an extensive outreach process.

Members of the City Council had the following requests: provide a post-Covid evaluation on how much revenue is generated from parking citation fees using GIS tools to create a heat map; explore a subsidy in the event a hardship is experienced related to a Tenant Relocation Assistance Hearing Fee.

Mayor Salinas opened the public hearing at 7:39 p.m.

Mr. Carlos Gonzales, President of the Prospect Hill Neighborhood Association, extended an invitation to the City Council to attend their monthly meeting, and asked if the Board could hold a meeting at City Hall or the Library. Library Services Director Addleman noted most homeowners' associations and groups meet at the Weekes Library at no charge, and residents could send an email to [reservations@hayward-ca.gov](mailto:reservations@hayward-ca.gov)

Mayor Salinas closed the public hearing at 7:42 p.m.

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

AYES: COUNCIL MEMBERS Andrews, Goldstein, Márquez, Roche,  
Syrop, Zermeño  
MAYOR Salinas

NOES: None

ABSENT: None

ABSTAIN: None

Resolution 23-066 "Resolution Adopting the FY 2024 Master Fee Schedule that Reflects Updated Fees and Charges for Departments in the City of Hayward and Rescinding Resolution No. 22-073 and all Amendments Thereto and Finding that the Action is Exempt from CEQA Review"

## **COUNCIL REPORTS AND ANNOUNCEMENTS**

Council Member Zermeño announced that the Hayward Rotary Club was hosting an Omelet Champagne Brunch on March 26, 2023, with Council members and City staff cooking, and noted funds raised will benefit community organizations and children.

Council Member Márquez invited the community to save the date for the City's 38<sup>th</sup> Cinco de Mayo celebration on April 29, 2023, in downtown Hayward hosted by La Alianza de Hayward.

Council Member Andrews announced the Keep Hayward Clean and Green Task Force was organizing a Beautification Planning Project on March 25, 2023, at St Joachim's Catholic Church.

Mayor Salinas commended City staff for doing a great job on behalf of the Keep Hayward Clean Task Force for their social media campaign.

## **COUNCIL REFERRALS**

### **11. City Council Referral: Accelerating BART Transit Oriented Development in Hayward RPT 23-037**

Staff report submitted by Council Members Andrews and Syrop, dated March 21, 2023, was filed.

Council Member Syrop shared that a Bay Area Rapid Transit District (BART) representative brought to his attention that BART is considering reprioritizing different agencies for Phase II development of its Transportation Oriented Development (TOD) work plan and noted that Hayward can be prioritized as Phase I was in progress. Council Member Syrop indicated one way to improve the City's ranking was to engage with BART proactively, added the referral aligned with the Strategic Roadmap goals to continue to work with BART to encourage TOD on BART-owned properties in Hayward, and provided a synopsis of the referral.

Council Member Andrews requested that BART help at the crucial station sites in Hayward for the future of the community especially in South Hayward; underscored the need for positive activity at the sites that will show smart and responsible growth; hoped the reprioritization will help provide resources to address the needs; expressed her support engaging BART more to resolve issues; and thanked Council Member Syrop for his leadership on the referral.

Council Member Márquez thanked her colleagues for their leadership on the referral and for partnering with BART, commented there were a lot of priorities in Hayward, and this was a good example of how there were two existing committees that could vet the project early and strengthen the partnership with BART.

Mayor Salinas noted the proposed referral was intentional and thoughtful as it aligned with the City's priorities and expressed his support of it.





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Council Member Zermeño shared that former Council Member Mendall, Council Member Lamnin and himself were also a part of the JPA with BART and for four years they consistently urged BART for developing its two sites in Hayward; and noted the referral was an additional push for this to happen and supported the referral.

There being no public comment, Mayor Salinas opened and closed the public comment period at 7:54 pm.

It was moved by Council Member Syrop, seconded by Council Member Andrews, and carried by the following roll call vote, to approve the referral.

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

## **ADJOURNMENT**

Mayor Salinas adjourned the City Council meeting at 7:55 p.m.

## **APPROVED**

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Mark Salinas  
Mayor, City of Hayward

## **ATTEST:**

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Miriam Lens  
City Clerk, City of Hayward