



SPECIAL CITY COUNCIL MEETING

777 B Street, Hayward, CA 94541

Council Chambers and Virtual Platform (Zoom)

<https://hayward.zoom.us/j/83639328548?pwd=ZUdDZE5lM2R1dHNFbVJoVXJBckdmQT09>

Tuesday, December 12, 2023, 7:00 p.m.

The Special City Council meeting was called to order by Mayor Salinas at 5:30 p.m. The City Council held a hybrid meeting in Council Chambers and virtually via Zoom.

Pledge of Allegiance: Council Member Goldstein

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

Absent: None

CLOSED SESSION ANNOUNCEMENTS

The City Council convened in closed session on December 12, 2023, at 4:00 p.m., with all members present and no public speakers, regarding three items: 1) conference with legal counsel pursuant to Government Code section 54957 (a) to discuss matters posing a threat to the security of essential public services; 2) conference with legal counsel pursuant to Government Code section 54956.9 (a) regarding Poulsen, Thor v. City of Hayward, Claim No. 202000029HAY Workers' Compensation Appeals Board Case No. ADJ12642990; and 3) conference with legal counsel pursuant to Government Code section 54956.9 (d)(1) and 54956.9 (e)(2) regarding Chaplin/City of Hayward Workers' Compensation Appeals Board Case No. 2296000195. City Attorney Lawson indicated the Council discussed all three items and gave direction to staff but otherwise took no reportable action. The closed session adjourned at 5:10 p.m.

PRESENTATION

Mayor Salinas read a proclamation declaring July 22, 2023, as National Arbor Day in the City of Hayward. The Arbor Day Proclamation was presented to HARD Director Sara Lamnin.

PUBLIC COMMENTS

Arieana Castellanos, Hayward resident, urged the Council to amend its policy on international matters to allow them to pass a resolution for the ceasefire in Gaza, and review its investment policy.

Alejandro Jasso, Bike East Bay vice chair and Bike Hayward president, shared concern about the realignment of the East Bay Greenway project between Hayward and South Hayward BART stations and lack of public outreach; and urged the City to preserve the 2022 proposed alignment along Mission Boulevard as noted in the petition.

Carlos Gutierrez, Golden Gate Boys Choir board member, shared the Board's disappointment that the invitation for the choir to perform at the opening of the Mt. Eden Mansion was

rescinded because the City did not approve the music selection which included winter and secular songs.

Bishop Robert Lopez, Eden Area Interfaith Council (EAIC) outgoing president, spoke about the Council's formation and how it sponsors community education forums about different faiths.

Stephanie Spencer, EAIC member, stated that in response to the community outcry regarding the conflict in the Middle East, the EAIC was offering its network and experience to engage with faith communities of various ethnic backgrounds.

Julie Greenfield distributed a letter for the record on behalf of EAIC Board of Directors.

Sara Lamnin, EAIC member, stated she was working with faith groups on a consensus statement that could be delivered to federal legislators; and shared that a candlelight vigil would be held next week for an interfaith solidarity community service project helping support South Hayward Parish.

Al Mendall, former Hayward Council Member, expressed that while the situation in the Middle East was tragic, the sad reality was that there is no resolution, referral, or action the Council could take to save lives there and emphasized the Council's job was to work on issues locally to save lives in Hayward.

CITY MANGAGER'S COMMENTS

City Manager McAdoo spoke about the programs the Hayward Public Library had launched in support of senior residents; thanked the Hayward Police Department for their outstanding charitable work collecting toys for its annual drive; and acknowledged staff and community members for the additional charitable work through the Hayward Fire Department and the Adopt-a-Family program.

Mayor Salinas announced the order of items on the agenda would change to ensure certain consent items and the public hearing were heard at or after 7:00 p.m. per legal noticing requirements.

LEGISLATIVE BUSINESS

16. Palace Poker Casino: Transfer of Partial Ownership of the Palace Poker Casino Per the Hayward Card Club Regulations Located at 22821 Mission Boulevard (APN 428-0081-033-00) and Finding that the Project is Statutorily Exempt from the California Environmental Quality Act, Catherine Aganon and Pamela Roberts (Owners and Applicants) **LB 23-046**

Staff report submitted by Development Services Director Buizer, dated December 12, 2023, was filed.



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Mayor Salinas announced the Legislative Business item, indicated the Council would forego staff's oral report and Development Services Director Buizer would be available to address questions.

In response to Council Member Roche's inquiry as to what would occur with the issuance of the transfer if Kaitlynn Roberts did not pass the extensive background check, Development Services Director Buizer indicated the partial ownership would not transfer.

There being no public comments, Mayor Salinas opened and closed the public hearing at 5:58 p.m.

City Manager McAdoo noted that Ms. Kaitlynn Roberts was available via Zoom to address any questions.

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

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

Resolution 23-285, "Resolution Finding the Project Exempt from CEQA Review and Approving the Partial Ownership Transfer Per the City's Card Club Regulations Associated with the Palace Poker Casino Located at 22821 Mission Boulevard"

17. Public Safety Committee: Adopt a Resolution Establishing the Council Public Safety Committee, Dissolving the Police Department Community Advisory Panel, and Consolidating the Council Airport Committee with the Council Infrastructure Committee
LB 23-045

Staff report submitted by City Manager McAdoo, dated December 12, 2023, was filed.

City Manager McAdoo provided a synopsis of the staff report.

Discussion ensued among members of the City Council and City staff and the following points were clarified: the AB 481 annual report (Military Equipment Use Policy) will be heard by the Council Public Safety Committee (CPSC) and then presented to the Council; the description of the CPSC's scope could be proposed at the first committee meeting; the Council's role in

an emergency is a topic that would be discussed by the CPSC; the Skywest item would remain on the agenda; and the Community Advisory Panel (CAP) wants to ensure there is community input including outreach and posting of information.

Council Member Syrop suggested that items related to airport ground leases be placed under the consent section of the Council Infrastructure Committee agenda to give tenants/users of the airport the opportunity to discuss.

Council Member Roche suggested having a standing section on the CPSC agenda for the Police/Fire Chief to report on emergent issues regarding crime or residential/business break-in incidents.

Council Member Bonilla Jr. recommended that CPSC meetings be held bimonthly rather than on a quarterly basis.

Council Member Andrews suggested that items, such as crime by urban design, be heard by the CPSC and upon request also presented to the Council Infrastructure Committee (CIC) depending on the project.

Mayor Salinas opened the public hearing at 6:10 p.m.

TJ, Hayward Concerned Citizens' member, agreed with using the CPSC forum for emergent matters, hoped items such as converter thefts would be addressed by the CPSC, and stated she wanted to see open-minded members appointed to the CPSC.

Mayor Salinas closed the public hearing at 6:12 p.m.

Members of the City Council thanked City staff for the work on preparing the report, acknowledged Council Member Bonilla Jr., for championing the idea around the CPSC, and thanked the Community Services Committee for its advocacy.

Council Member Syrop shared that there may be comments from a CAP member in review of the CPSC, expressed he would be supportive of the new committee meeting bimonthly if there were sufficient agenda items to be addressed and suggested exercising flexibility with the meeting frequency based on need.

Council Member Andrews noted that while she remained concerned about some voices being lost with the proposed change, she hoped meetings would include hefty public comments and tracked appropriately; was concerned about combining the Council Airport Committee (CAC) and CIC given certain pending items such as Skywest; appreciated review of existing committees to minimize overload; noted that reducing crime by design should remain a City priority; should the CPSC be formed, suggested agenda items such as regional updates on human trafficking, catalytic converter thefts, making HEART available 24 hours, and having community service officers in the downtown to improve safety.

Council Member Bonilla Jr. thanked his colleagues for their support in developing the CPSC and Council Member Syrop's support for the CPSC holding bimonthly meetings, appreciated the transparency that will be provided to the community, encouraged community members



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to contact the City on what they would like the committee to do, agreed with having standing updates from the Police Chief and Fire Chief to address emergent issues, noted that combining the CAC and CIC made sense as both committees were under the leadership of the Public Works Director, and made a motion to move the item.

Council Member Syrop seconded the motion.

Council Member Zermeño supported the formation of the CPSC and bimonthly meetings as there were many matters to be addressed related to public safety, did not favor dissolving the CAC due to plans for the Hayward Executive Airport such as international flights in and out of the airport, aviation classes for Chabot College and ROP students, and suggested either dissolving the Housing-Homelessness Task Force as issues related to homelessness and housing had been resolved or waiting until February 2024 to bring about the dissolution of the CAC.

Council Member Roche commented that a CPSC should have been created a long time ago; added the proposed committee was a great forum to focus on public safety topics and emerging trend topics among others; noted the committee would satisfy a need in the City for public transparency with meeting videos available for review; understood the concerns about combining the CAC and CIC and indicated that increasing the meeting frequency from quarterly to bimonthly would increase capacity to take on topics related to the executive airport.

City Manager McAdoo suggested that one compromise could be renaming the committee to Council Infrastructure and Airport Committee to acknowledge the executive airport as an important part of the committee.

Council Member Goldstein noted the proposed CPSC would be a benefit to the community enabling direct interaction with elected representatives on issues of public safety; and supported having a section on the agenda dedicated to emergent issues as well as for the list of recommended items.

Mayor Salinas stated he was in favor of the recommendation and changing the frequency of meetings to bimonthly; supported renaming the committee to Council Infrastructure and Airport Committee to preserve the integrity of both committees and agreed there was economic development planned around the airport; noted that through the Hayward Neighborhood Alert Program, community members had opportunities to engage with the police department and the City in a formal way; and mentioned that neighborhood issues and crime could be tackled through neighborhood activities and by engaging with one another.

It was moved by Council Member Bonilla Jr. seconded by Council Member Syrop, with two amendments: 1) setting the frequency of meetings to bimonthly and 2) changing the name of the consolidated committee to Council Infrastructure and Airport Committee; and carried by the following roll call vote, to adopt the resolution.

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

Resolution 23-286, “Resolution to Establish the Council Public Safety Committee, Dissolve the Police Department Community Advisory Panel, and Consolidate the Council Airport Committee with the Council Infrastructure Committee”

18. FY 2024 Salary Plan Amendment: Adopt a Resolution Approving an Amendment to the City of Hayward Salary Plan for Fiscal Year 2024 **LB 23-047**

Staff report submitted by Human Resources Director Frye, dated December 12, 2023, was filed.

Human Resources Director Frye provided a synopsis of the staff report.

There being no public comments, Mayor Salinas opened and closed the public hearing at 6:34 p.m.

It was moved by Council Member Syrop, 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, Zermeño
MAYOR Salinas
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 23-287, “Resolution Approving the Amended Fiscal Year 2024 Salary Plan Designating Positions of Employment in the City of Hayward and Salary Range; and Superseding Resolution No. 23-252 and All Amendments Thereto”



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COUNCIL REFERRAL

19. City Council Referral: Recreational Vehicle (RV) Parking in Hayward **RPT 23-117**

At the request of Council Member Goldstein and Council Member Roche, the item was pulled from the agenda and discussion tabled until the Council's Strategic Roadmap retreat in February.

20. City Council Referral: City of Hayward Funding and Support for St. Rose Hospital **RPT 23-126**

Council referral submitted by Mayor Salinas and Council Member Bonilla Jr., dated December 12, 2023, was filed.

City Manager McAdoo indicated that if Council directed staff to move forward with the request which was to potentially find \$250,000 to \$500,000 of annual ongoing funding to support operations at St. Rose Hospital, then staff would come back at the Midyear budget with a proposal.

In response to Council Member Roche's inquiry about a funding source, City Manager McAdoo responded that funds could potentially come from Measure C as a public safety and emergency response item and noted this was a new request.

In response to Council Member Andrews' inquiry about metrics, Mayor Salinas indicated the plan would include metrics on how the money would be spent and the goals achieved.

Mayor Salinas stated that St. Rose Hospital was an important part of the healthcare system throughout the region serving some of the lowest income and indigent patients and had not received its share of entitlements through the county; and noted there was change in leadership at the county level and was hopeful the City could support the mission of the hospital in partnership with the county.

Council Member Andrews suggested, if funding was provided to St. Rose Hospital, that staff explore a partnership between the hospital and the Hayward Evaluation and Response Team (HEART) program, and research USC Keck School of Medicine's program as an example of how this could be accomplished; and asked staff to research if other cities were providing funding to hospitals.

Council Member Bonilla Jr. echoed Mayor Salinas' sentiments with the referral underscoring that St. Rose Hospital was an important safety net hospital in the community; noted the referral sought for staff to bring back options to provide \$250,000 to \$500,000 in ongoing

funding to support critical services and to work with Alameda County Health Care Services Agency staff to maximize the benefit of the services; while he appreciated Council Member Andrews suggestions, he did not support St. Rose Hospital taking on more services as the hospital had enough trying to maintain critical services; and noted he would support any additional funding outside of the referral.

Council Member Syrop supported the referral stating it was an outstanding example of what public safety means as it relates to a holistic view of a community's health; and commented that when a community hospital closes it leads to extreme costs downstream to individuals, families, the government, and taxpayers and has an impact on other emergency services such as police and fire.

Council Member Zermeño noted the referral was important for the community and as a long-term member of the St. Rose Hospital Foundation he supported the referral.

Council Member Goldstein noted that St. Rose Hospital was the only hospital serving the indigent community within fifteen miles; underscored the number of lives saved by emergency care; and emphasized that it was a priority to keep St. Rose working as the hospital was a benefit to the community.

Council Member Roche understood that St. Rose Hospital was an important infrastructure in the community; and favored the City doing its part to contribute to the service and allowing the hospital to leverage funding with the county for further grants.

Mayor Salinas opened the public comment period at 6:51 p.m.

Ms. Karen Moore, Hayward resident, appreciated that Council members were respectful to one another, and urged that more research be done to understand what is going on with the healthcare system.

Susan, Hayward Concerned Citizens member, expressed that while she was not opposed to the City granting funding to support St. Rose Hospital, she shared that Kaiser Hospital donated fourteen million dollars to the hospital when it left Hayward.

Mayor Salinas closed the public comment period at 6:54 p.m.

It was moved by Mayor Salinas, seconded by Council Member Bonilla Jr., and carried by the following roll call vote, to approve the referral.

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



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COUNCIL REPORTS AND ANNOUNCEMENTS

Council Member Andrews thanked those who attended the Holiday Party/Toy Drive on December 7, 2023, and Supervisor Márquez and Council Member Roche for their collaboration and Council Member Bonilla Jr. for his help; and shared that toys, baby items, and canned goods were donated to local organizations.

Mayor Salinas noted that December 13 would mark his one-year anniversary serving as Hayward's Mayor; and expressed gratitude to everyone in the city for their support and words of encouragement.

Council Member Bonilla Jr. thanked Council Member Andrews, Council Member Roche and Supervisor Márquez for the Holiday Party/Toy Drive they hosted on December 7, 2023, which demonstrated their commitment to the community especially during the holidays.

Council Member Syrop expressed his gratitude to staff for organizing the Commission and Task Force Member Reception on December 8, 2023, and thanked the members for attending the event and doing great work.

CONSENT

Consent Item No. 9 was removed from the Consent Calendar for clarification and Consent Items 11 through 14 for comment.

1. Adopt a Resolution Accepting Transmittal of the Annual Mitigation Fee Act Report (AB1600) **CONS 23-651**

Staff report submitted by Finance Director Gonzales, dated December 12, 2023, was filed.

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

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

Resolution 23-271, “Resolution Accepting the Report and Adopting Findings Related to Fees Collected for the Development Projects Subject to the Requirements of the Mitigation Fee Act”

2. Adopt a Resolution Authorizing the Purchase of Two Plunger Valves from Core & Main LP in an Amount Not-to-Exceed \$155,850 as part of the 250-Foot Zone for Pressure Reducing Strategy at Decoto Pump Station Project No. 07074 **CONS 23-652**

Staff report submitted by Public Works Director Ameri, dated December 12, 2023, was filed.

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

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

Resolution 23-272, “Resolution Authorizing the City Manager to Execute the Purchase of Two Plunger Valves from Core & Main LP in an Amount Not-to-Exceed \$155,850 as Part of the 250-Foot Zone for Pressure Reducing Strategy at Decoto Pump Station Project No. 07074”

3. Adopt a Resolution Authorizing the City Manager to Apply for a United States Environmental Protection Agency (EPA) Water Infrastructure Finance and Innovation Act (WIFIA) Loan for the Water Pollution Control Facility (WPCF) Improvements – Phase II Project No. 07760 **CONS 23-654**

Staff report submitted by Public Works Director Ameri, dated December 12, 2023, was filed.

It was moved by Council Member Goldstein, seconded by Council Member Zermeño, and carried by the following roll call vote, 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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Resolution 23-273, "Resolution Authorizing the City Manager to Apply for a United States Environmental Protection Agency (EPA) Water Infrastructure Finance and Innovation Act (WIFIA) Loan for the Water Pollution Control Facility (WPCF) Improvements – Phase II Project No. 07760"

4. Adopt a Resolution Authorizing the City Manager to Accept and Appropriate \$515,000 in Awarded Transportation Fund for Clean Air Funding from the Alameda County Transportation Commission for the Winton Avenue/D Street and Tennyson Road Corridors Signal Timing Project for Construction of Traffic Signal Infrastructure and Implementation of Adaptive Signal Timing **CONS 23-657**

Staff report submitted by Public Works Director Ameri, dated December 12, 2023, was filed.

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

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

Resolution 23-274, "Resolution Authorizing the City Manager to Accept Funds from the Alameda County Transportation Commission for Winton Avenue/D Street and Tennyson Road Corridors Signal Timing Project for Construction of Traffic Signal Infrastructure and Implementation of Adaptive Signal Timing"

5. Adopt a Resolution Approving the Plans and Specifications and Call for Bids for the Hayward Police Department Locker Room Building Project No. 06926 **CONS 23-659**

Staff report submitted by Public Works Director Ameri, dated December 12, 2023, was filed.

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

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

Resolution 23-275, "Resolution Approving the Plans and Specifications and Call for Bids for the Hayward Police Department Locker Room Building, Project No. 06926"

6. Adopt a Resolution Authorizing the City Manager to Appropriate Additional Funds in the Amount of \$120,000 from Transportation System Improvement - Fund 460 for the Traffic Signal Upgrade at Huntwood Avenue, Project No. 05737 **CONS 23-670**

Staff report submitted by Public Works Director Ameri, dated December 12, 2023, was filed.

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

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

Resolution 23-276, "Resolution Authorizing the City Manager to Appropriate \$120,000 from Transportation System Improvement (Fund 460) to the Traffic Signal Upgrade at Huntwood Avenue, Project No. 05737"

7. Adopt a Resolution Approving Addendum Nos. 1,2,3 and 4, Rejecting the Bid from CWS Construction Group, Inc. and Awarding a Construction Contract to Rodan Builders, Inc., for The Stack Center - Phase I Project, Project No. 06960, in the Amount of \$8,699,000 and Authorizing an Administrative Change Order Budget of \$871,000 **CONS 23-672**

Staff report submitted by Public Works Director Ameri, dated December 12, 2023, was filed.

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



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

NOES: None

ABSENT: None

ABSTAIN: None

Resolution 23-277, "Resolution Approving Addendum Nos. 1,2,3 and 4, Rejecting the Bid from CWS Construction Group, Inc. and Awarding Construction Contract to Rodan Builders Inc. for The Stack Center – Phase I Project, Project No. 06960 in the Amount of 8,699,000 and Authorizing an Administrative Change Order Budget of \$871,000"

8. Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with LookingPoint for Implementation of Network Refresh in an Amount Not-to-Exceed \$2,340,126 **CONS 23-660**

Staff report submitted by CIO/Information Technology Director Kostrzak, dated December 12, 2023, was filed.

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

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

NOES: None

ABSENT: None

ABSTAIN: None

Resolution 23-278, "Resolution of the City Council of the City of Hayward Authorizing the City Manager to Negotiate and Execute an Agreement between the City of Hayward and LookingPoint for Network Refresh"

9. Adopt a Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Clifford Moss in an Amount Not-to-Exceed \$90,000 Plus Direct Communications Expenses Estimated at \$155,000 and with Fairbank, Maslin, Maullin, Metz & Associates (FM3) in an Amount Not-to-Exceed \$45,750 for Education and Outreach Services Relating to a Potential Early Extension of the ½ cent Local District Sales Tax and Appropriating Funds for these Agreements **CONS 23-675**

Staff report submitted by City Manager McAdoo, dated December 12, 2023, was filed.

Mayor Salinas opened the public comment period at 7:08 p.m.

TJ, Hayward Concerned Citizens (HCC) member, requested staff help the general public better understand the intended purpose of the item; noted that taxpayer dollars could have been used to fund unfinished projects such as the Stack Center; did not agree with spending money on consultants and surveys; and asked staff to explain why \$290,750 would be used for items not intended with Measure C funds.

Susan G, HCC member, asked why the City would pay ahead of time for a survey prior to passing Measure C; stated that given the state of the economy it was uncertain that Measure C would pass; and cautioned against engaging with more consultants prior to knowing that there will be access to Measure C funds.

Suzanne Luther, HCC member, was confused if the proposed survey was about how to use the already approved Measure C funds for the next ten years or what residents would be interested in seeing if Measure C was extended ten years out; and stated that residents had already provided input on what they want Measure C funds used for.

Peggy Guernsey noted the City was looking to extend a ½ cent sales tax while it already had the highest sales tax in the county; urged the City to use sales tax generated from car dealerships; and was opposed to spending funds on a consultant.

Tom Ferreira stated that Measure C funds did not provide for any new police equipment nor a new a police building; commented that a proposed extension of Measure C would most likely be used to complete the future Stack Center; requested that public safety be prioritized with Measure C funds; and noted that Supervisor Márquez gave St. Rose Hospital \$5 million, and wondered if Measure C funds would go into effect after this is used.

Mayor Salinas closed the public comment period at 6:16 p.m.

City Manager McAdoo clarified the proposed contract was to explore the potential to extend Measure C for an additional thirty years which would allow the City the debt capacity to build the new police building and public safety center; highlighted that Consent Item 5 related to the police department locker room project was an \$8 million project funded by current Measure C funds; noted that \$1 million had been spent to replace the roofs at the current police building, and that these projects were being done to make the facility livable until at least \$100 million could be identified to build a new building; and added that a number of police positions had been hired and police equipment purchased using Measure C funds.

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



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Syrop, Zermeño
MAYOR Salinas
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 23-279, "Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Clifford Moss in an Amount Not to Exceed \$90,000 Plus Direct Communications Expenses Estimated at \$155,000 and Fairbank, Maslin, Maullin, Metz & Associates (Fm3) in an Amount Not-to-Exceed \$45,750 for Services Relating to a Potential Early Extension of the Half Cent Local District Sales Tax; to Authorize and Appropriate Funds for These Contracts"

10. Adopt an Ordinance Amending Chapter 4, Article 12 of the Hayward Municipal Code Regarding Spectators at Illegal Speed Contests and Exhibitions of Speed **CONS 23-665**

Staff report submitted by City Clerk Lens, dated December 12, 2023, was filed.

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

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

Ordinance 23-09, "Ordinance of the City of Hayward, California Amending Chapter 4, Article 12 of the Hayward Municipal Code Regarding Spectators at Illegal Speed Contests and Exhibitions of Speed"

11. Adopt a Resolution Accepting the Resignation of Commissioner Artavia Berry from the Community Services Commission, Effective Immediately **CONS 23-668**

Staff report submitted by City Clerk Lens, dated December 12, 2023, was filed.

Members of the City Council thanked Commissioner Berry for her service to the City through the Community Services Commission, acknowledged her work around public safety and social justice, and commended her on her appointment to the Alameda County Task Force for Reparations.

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

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

Resolution 23-280, "Resolution Accepting the Resignation of Artavia Berry from the Community Services Commission"

12. Adopt a Resolution Appointing Hoang Dao to the Community Services Commission to Fill the Unexpired Term of Artavia Berry **CONS 23-669**

Staff report submitted by City Clerk Lens, dated December 12, 2023, was filed.

Members of the City Council congratulated Hoang Dao on his appointment to the Community Services Commission and welcomed him.

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

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

Resolution 23-281, "Resolution Appointing Hoang Dao to the Community Services Commission to Fill the Unexpired Term of Artavia Berry"

13. Adopt a Resolution Accepting the Resignation of Commissioner Arti Garg from the Planning Commission Effective Immediately **CONS 23-677**



SPECIAL CITY COUNCIL MEETING
777 B Street, Hayward, CA 94541
Council Chambers and Virtual Platform (Zoom)
<https://hayward.zoom.us/j/83639328548?pwd=ZUdDZE5lM2R1dHNFbVJoVXJBckdmQT09>
Tuesday, December 12, 2023, 7:00 p.m.

Staff report submitted by City Clerk Lens, dated December 12, 2023, was filed.

Members of the City Council thanked Commissioner Garg for her commitment to the City through her service on the Keep Hayward Clean and Green Task Force, Community Services Commission and Planning Commission; acknowledged her work which included policies on sustainability, initiatives around the Yard Contest, and racial justice; and hoped there would be a role for her in the future.

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

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

Resolution 23-282, "Resolution Accepting the Resignation of Arti Garg from the Planning Commission"

14. Adopt a Resolution Appointing Ron Meyers to the Planning Commission to Fill the Unexpired Term of Arti Garg **CONS 23-676**

Staff report submitted by City Clerk Lens, dated December 12, 2023, was filed.

Members of the City Council congratulated Ron Meyers on his appointment to the Planning Commission and welcomed him to his new role.

Mayor Salinas opened the public comment period at 7:06 p.m.

TJ with Hayward Concerned Citizens spoke highly of Ron Meyers and congratulated him on his appointment to the Planning Commission.

Mayor Salinas closed the public comment period at 7:08 p.m.

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

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

Resolution 23-283, “Resolution Appointing Ron Meyers to the Planning Commission to Fill the Unexpired Term of Arti Garg”

PUBLIC HEARING

15. Hayward Residential Design Study: Consideration of Proposed Text Amendments to Hayward Municipal Code Chapter 10, Article 1 (Zoning Ordinance), Article 2 (Off Street Parking Regulations), Article 24 (Mission Boulevard Code), and Article 28 (Downtown Development Code); Zoning Map Amendments; and Finding that No Further Environmental Review is Required Pursuant to the California Environmental Quality Act **PH 23-049**

Staff report submitted by Development Services Director Buizer, dated December 12, 2023, was filed.

Mayor Salinas announced the Public Hearing item, indicated the Council would forego staff’s oral report and Development Services Director Buizer would be available to address questions.

Discussion ensued among members of the City Council, Senior Planner Blanton and Associate Planner Richard and the following points were clarified and recommendations offered: according to the Transportation Demand Management (TDM) point system, the project site could have a reduction in parking requirements in exchange for items such as a bike facility, and staff could potentially add to this list a shared offsite parking agreement allowing spillover parking for residents during certain hours; points could be given for community rooms but these would go towards open space; consider noise mitigation for a pickleball amenity associated with points; dog waste bag dispensers were amenities associated with points; unbundled parking meant separating the cost of parking from housing and per new state law, all new rental developments with sixteen or more units must unbundle their parking for new construction beginning in 2025; new standards indicate that a higher density development next to lower density development require additional trees and buffers; the development community had clarity about the point system and appreciated the tables and written standards and it was suggested that staff might want to upload the presentation to the website for informational purposes; the Planning Commission’s concern was addressed by modifying the Mission Boulevard Façade Design table related to points for public art by requiring any public art to be approved through the City’s established Mural Art Program; staff recommended requiring households above 3,000 square feet gross floor



SPECIAL CITY COUNCIL MEETING

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Tuesday, December 12, 2023, 7:00 p.m.

area to have additional parking; side and rear yard fence height was proposed to increase from six feet to seven feet tall for residential properties; disputes about shared fences were a private property matter; related to bicycle infrastructure, TDM measures were changed to a point system and a residential development may be allowed to reduce the parking requirement by five percent if it achieved a total of 15 points which included a publicly accessible Class IV bicycle facility or a Class I bicycle facility and a 50 percent increase in long-term bicycle storage above Cal Green requirements; and public art at the library was a part of the capital planning process for that facility.

Council Member Roche appreciated reducing points for passive options of Transportation Demand Management (TDM) and increasing points for real solutions promoting disuse of vehicle.

Council Member Goldstein appreciated the approach to unbundling, mailbox safety, open space points, TDM program, and making the Hayward Residential Design Study available online.

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

Karen Moore, Hayward resident, challenged the City to find better solutions for affordable housing; and noted that taller fences, allowing ADUs and reducing parking will not solve the housing problem.

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

Members of the City Council thanked staff for the report and the extensive public outreach.

Council Member Andrews appreciated the proposed regulation related to mailboxes being required to be located within secure areas to resolve the issue of mail theft; expressed disappointment to hear the Planning Commission did not support points for public art and was inclined to revisit public art during the next Strategic Roadmap; expressed the point system was unique to Hayward and easy for individuals to follow; and hoped to see more developments at the Economic Development Committee address these items.

Council Member Syrop agreed with comments about enclosed mailboxes and noted these were essential and hoped that developers would accommodate quickly; recommended the City consider a more ambitious stance on rezoning some of the lower density areas and hoped to continue the conversation at the next Strategic Roadmap planning; and made a motion to approve the item.

Council Member Andrews seconded the motion.

Council Member Bonilla Jr. expressed the proposed was a responsive set of recommendations that were objective, intentional, and included extensive community

outreach and captured all the feedback provided; thanked the Planning Commission, community, and staff; and spoke favorably of the information presented on the webpage for the Hayward Residential Design Study.

Council Member Roche stated that the plan tried to find a balance between providing local input in how the City is building in Hayward and responding to state laws (SB9, SB35, SB330) that provided guidance and the state’s priority of building affordable housing to meet RHNA (Regional Housing Needs Allocation) numbers.

Council Member Zermeño commended staff for their excellent work.

Mayor Salinas shared that the process had been long and thanked staff for their work and patience.

It was moved by Council Member Syrop, seconded by Council Member Andrews, 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, Zermeño MAYOR Salinas
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution 23-284, “Resolution to Adopt Zoning Map and Text Amendments to Chapter 10, Article 1 (Zoning Ordinance), Article 2 (Off-Street Parking Regulations), Article 24 (Mission Boulevard Code), and Article 28 (Downtown Development Code) of the Hayward Municipal Code Related to the Hayward Residential Design Study”

Ordinance 23-09 “Ordinance Amending the Zoning Map and Chapter 10, Article 1 (Zoning Ordinance), Article 2 (Off-Street Parking Regulations), Article 24 (Mission Boulevard Code) and Article 28 (Downtown Development Code) of the Hayward Municipal Code Associated with the Hayward Residential Design Study”

ADJOURNMENT

Mayor Salinas adjourned the City Council meeting at 8:28 p.m. in memory of Ms. Jodie Gordon, acknowledging her work with the Hayward Neighborhood Alert Program.

Council Member Zermeño shared that Ms. Jodie Gordon worked at St. Rose Hospital, contributed to the Southgate community, taught at Cal State Hayward, served on the City’s



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Tuesday, December 12, 2023, 7:00 p.m.

Human Services Commission for eight years, joined the Martin Luther King Committee, and joined the Sun Gallery and Hayward Arts Council.

Mayor Salinas wished everyone happy holidays, a happy new year, and a safe holiday season.

APPROVED

Mark Salinas
Mayor, City of Hayward

ATTEST:

Miriam Lens
City Clerk, City of Hayward