



CONCURRENT MEETING OF HAYWARD GEOLOGIC HAZARD ABATEMENT DISTRICT (GHAD) BOARD, CITY COUNCIL AND HAYWARD HOUSING AUTHORITY
777 B Street, Hayward, CA 94541
Council Chambers and Virtual Platform (Zoom)
<https://hayward.zoom.us/j/83639328548?pwd=ZUdDZE5lM2R1dHNFbVJoVXJBckdmQT09>
Tuesday, November 14, 2023, 7:00 p.m.

The Hayward Geological Hazard Abatement District (GHAD) Board/ City Council/Hayward Housing Authority (HHA) meeting was called to order by Mayor/GHAD/HHA Chair Salinas at 7:00 p.m. The City Council/GHAD Board/HHA Board held a hybrid meeting in Council Chambers and virtually via Zoom.

Pledge of Allegiance: Council/GHAD/HHA Member Andrews

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

The Hayward Geological Hazard Abatement District Board held its meeting and adjourned it at 7:23 p.m. and reconvened into the City Council/Hayward Housing Authority Board meeting.

CLOSED SESSION ANNOUNCEMENTS

The City Council convened in closed session on November 14, 2023, at 5:30 p.m., with all members present regarding two items: 1) conference with labor negotiators pursuant to Government Code 54957.6 regarding all groups; and 2) conference with legal counsel pursuant to Government Code 54956.9(e)(3), 54957.5 regarding discussion of claim alleging damage to property at 30800 Faircliff Street, Hayward. City Attorney Lawson indicated there were five speakers (Saad Mohammad, Evelyn Olivera, Danny Magalhaes, John Varga, Minnie Vij) who addressed the Council related to Item 1, and after public comment, the Council discussed the item and took no reportable action. Regarding Item 2, City Attorney Lawson indicated the Council discussed the item related to Medranos/Faircliff storm damage and authorized global settlement of the claims among the Medranos, the Hayward Area Recreation and Park District, and the City; and added that details of the settlement were available for public inspection in the office of the City Attorney. The closed session ended at 6:55 p.m.

PUBLIC COMMENTS

Noel Ramirez, via an English/Spanish interpreter, spoke about \$7,000 in fees that he was being asked to pay by the Housing Division and Code Enforcement related to tenant eviction charges and asked for assistance noting he was being asked to pay an unfair amount.

Bryan Baca, Tennyson Road resident, shared there were damages done to vehicles, unsafe conditions and traffic collisions resulting from motorists speeding at the intersection of Tennyson Road and Pacific Street, and requested that a traffic light be installed at the intersection.

Briseida Ayala Rodriguez referenced an email she had sent to the Council urging support for Palestinians' right of freedom like the city of Richmond had declared, and while she understood the matter was not in the City's jurisdiction, she noted the country sends taxpayer dollars to support Israel's mission of ethnic cleansing and those funds could be utilized locally and urged Council's support.

CITY MANAGER'S COMMENTS

City Manager McAdoo shared that the repaving project on West Winton, between Southland Drive and Santa Clara Street, had been completed, and thanked Public Works staff.

CONSENT

1. Approve the Minutes of the City Council Meeting on October 24, 2023 **MIN 23-119**
It was moved by Council Member Syrop, seconded by Council Member Goldstein, and carried unanimously, to approve the minutes of the City Council Meeting on October 24, 2023.
2. Adopt a Resolution Authorizing the City Manager to Accept and Appropriate \$5,000 in Grant Funding from the University of California Davis School of Veterinary Medicine Under the California for All Animals Open Arms Challenge Grant for Use by the Hayward Police Department's Animal Services Bureau **CONS 23-590**

Staff report submitted by Acting Police Chief Matthews and Animal Services Administrator Comstock, dated November 14, 2023, was filed.

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 23-248, "Resolution Authorizing the City Manager to Accept and Appropriate \$5,000 in Grant Funding from the University of California Davis School of Veterinary Medicine Under the California for all Animals Open Arms Challenge Grant for Use by the Hayward Police Department's Animal Services Bureau"

3. Adopt a Resolution Authorizing Application to and Participation in the Prohousing Designation Program **CONS 23-592**

Staff report submitted by Development Services Director Buizer, dated November 14, 2023, was filed.



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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 23-249, "Resolution Authorizing the City Manager to Apply to and Participate in the Prohousing Designation Program"

4. Adopt a Resolution Authorizing the City Manager to Execute an Agreement with Precision Survey Supply LLC for the RTC360 3D Laser Scanner in an Amount Not-To-Exceed \$130,000
CONS 23-593

Staff report submitted by Acting Police Chief Matthews, dated November 14, 2023, was filed.

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 23-250, "Resolution Authorizing the City Manager to Execute an Agreement with Precision Survey Supply LLC for the RTC360 3D Laser Scanner in an Amount Not to Exceed \$130,000"

5. Adopt a Resolution Authorizing Staff to Apply for the SB1383 Local Assistance Grant Program from CalRecycle **CONS 23-594**

Staff report submitted by Public Works Director Ameri, dated November 14, 2023, was filed.

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 23-251, “Resolution Authorizing Submittal of Application for Calrecycle Grants and Payment Programs and Related Authorizations”

6. Adopt a Resolution Approving an Amendment to the City of Hayward Salary Plan for Fiscal Year 2024 **CONS 23-598**

Staff report submitted by Human Resources Director Frye, dated November 14, 2023, was filed.

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 23-252, “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. 23-220 and all Amendments Thereto”

7. Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with Staples Construction Company for the City Hall Second Floor Restroom Remodel in an Amount Not-To-Exceed \$315,739 **CONS 23-599**

Staff report submitted by Maintenance Services Director Rullman, dated November 14, 2023, was filed.

It was moved by Council Member Syrop, seconded by Council Member Goldstein, 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 23-253, "Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with Staples Construction Company for the City Hall Second Floor Restroom Renovations in an Amount Not-to-Exceed \$315,739 and Making Associated Finding Authorizing Procurement of the Work Through a Cooperatively Purchased Contract"

8. Adopt a Resolution Authorizing the Execution of a Third Amendment to Disposition, Development, and Loan Agreement with Habitat for Humanity East Bay to Modify the Conditions of Transfer for the Property Located at 123-197 A Street (A & Walnut/Sequoia Grove) and Affirming the Mitigated Negative Declaration which was Prepared for the Project in Accordance with the Requirements of the California Environmental Quality Act (CEQA) as Adopted by City Council on January 27, 2015 **CONS 23-600**

Staff report submitted by Housing Manager Morales and Development Services Director Buizer, dated November 14, 2023, was filed.

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

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

Hayward Housing Authority Resolution 23-02, "Resolution of the Housing Authority of the City of Hayward Authorizing Execution of a Third Amendment to the Disposition, Development, and Loan Agreement for the A & Walnut/Sequoia Grove Habitat for Humanity Housing Development and Affirming the Mitigated Negative Declaration which was Prepared for the Project in Accordance with the Requirements of the California Environmental Quality Act (CEQA)"

9. Adopt Resolutions Authorizing the City Manager to Amend the Professional Services Agreements with (1) Kitchell CEM for Extended Construction Support Services by \$98,000 for a Not-To-Exceed Amount of \$2,631,000, (2) with RossDrulisCusenbery Architecture, Inc., by \$107,000 for a Not-To-Exceed Amount of \$3,361,000; and (3) Transfer and Appropriate Additional Funds in an Amount of \$2,030,000 for the Current Project Cost the Fire Station 6 and Fire Training Center Project, Project Nos. 07481 and 07482 **CONS 23-604**

Staff report submitted by Public Works Director Ameri, dated November 14, 2023, was filed.

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

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

Resolution 23-254, "Resolution Authorizing the City Manager to Execute an Amendment to the Professional Services Agreement with Kitchell Cem for Construction Support for the Fire Station 6 and Fire Training Center Improvement Project"

Resolution 23-255, "Resolution Authorizing the City Manager to Execute an Amendment to the Professional Services Agreement with Rossdruliscusenbery Architecture Inc. for Construction Support for the Fire Station 6 and Fire Training Center Improvement Project"

Resolution 23-256, "Resolution to Appropriate Additional Measure C Funds, in an Amount of \$2,030,000 for the Fire Station 6 and Fire Training Center Project, Project Nos. 07481 And 07482, from Measure C Operating (Fund 101) to Measure C (Fund 406)"

10. Adopt a Resolution Approving the Recommended Alignment for the East Bay Greenway Multimodal Project **CONS 23-615**

Staff report submitted by Public Works Director Ameri, dated November 14, 2023, was filed.

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



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MAYOR Salinas
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 23-257, “Resolution of the City Council to Approve the Recommended Alignment for the East Bay Greenway Multimodal Project”

In response to Council Member Syrop’s question as to when Council would review the pedestrian scale improvements along Mission Boulevard and the timeline for completing them, Gary Huisingsh, Deputy Executive Director of Projects with Alameda County Transportation Commission, responded they would be integrated at the same time during the design process. Council Member Syrop noted the project was significant in improving bike and pedestrian safety and connecting Hayward with other cities in the region, and thanked staff for consulting with Bike East Bay and for the input provided by Bike Hayward.

WORK SESSION

11. HPD Jail Assessment: Review of Findings and Recommendations from the HPD Jail Assessment Report **WS 23-042**

Staff report submitted by Acting Police Chief Matthews dated November 14, 2023, was filed.

Acting Police Chief Matthews provided a synopsis of the staff report.

Mayor Salinas opened the public comment section at 7:51 p.m.

Theresa R, Hayward Concerned Citizens member, supported maintaining a Type 1 Jail facility, and noted she did not want to require on-street officers to transport arrestees to a level 1 jail outside of Hayward resulting in officers not being available to respond to calls for service.

TJ, Hayward Concerned Citizens member, concurred with comments from the prior speaker, mentioned the jail provided essential services and was necessary in the community, noted the jail needs to be considered when plans are being solidified for construction of a new police building, wondered what was the study’s cost and how it was paid, and indicated she did not see demographic data on who was consulted that were not HPD/City personnel.

Suzanne Luther, Hayward Concerned Citizens member, supported HPD retaining its jail facility at the new safety center location the City was planning on building, had the same questions as TJ about study cost and stakeholders' assessment, and wondered why her group was not approached with the proposed report.

Mayor Salinas closed the public comment section at 7:56 p.m.

Members of the City Council thanked the Hayward Police Department for the staff report and study conducted by the consultant Jensen Hughes.

Acting Police Chief Matthew and Lieutenant Wagner addressed and clarified questions posed by Council as follows: there are several agencies within Alameda County that had jails; the cost analysis for realizing the ten recommendations had not yet been conducted; staff recommended maintaining a Type 1 Jail facility status as it would allow control over services, minimize costs associated with transporting arrestees to the county and create efficiency for investigative staff; there were two vacancies for Community Services Officers (CSOs), noting the jail was their primary assignment and they do not carry firearms and most of the equipment carried by police officers; male and female detainees are not housed together; data collected will help inform the appropriate size of the jail facility; a Type 1 Jail facility could hold individuals up to 96 hours and arrestees with felony charges would eventually be transferred to the county; if the jail were eliminated or downgraded, officers would have to transfer arrestees to the Santa Rita Jail, and this may have a significant impact on HPD's ability to staff the streets; the jail takes inmates from other jurisdictions and most consistently individuals brought from Hayward CHP Office; using personnel from the Fire Department and St. Rose Hospital met the state standard for a Type 1 Jail facility; as currently used, the jail is larger than is needed; a Type 1 Jail facility gives staff the ability to hold individuals for a longer period of 24 hours in the event of a major crime and would not be force the department to transfer suspects to Santa Rita Jail for processing as it may be difficult to have the investigators interview the suspects; a Type 1 Jail facility requires staff to complete a six-week corrections academy and 24 hours of annual training, whereas a temporary holding facility does not require staff to attend an academy and only four hours of annual training; the "Do Not Admit List" is primarily for assaulted behavior toward staff or for significant medical issues and names can be removed after review that the behavior no longer exists; a Type 4 Jail facility would be equivalent to a state prison; common offenses for arrests included DUI, misdemeanor and felony domestic violence, battery, and narcotic related offenses; CSOs work with Hayward Evaluation and Response Team (HEART) or Hayward Mobile Evaluation Team (HMET) for individuals experiencing issues; and arrestees have to be transported to Dublin and Oakland courthouses as the Hayward Courthouse is only used for family court.

Council Member Zermeño expressed support for the Type 1 Jail facility and the recommendations outlined in the staff report and noted that Jensen Hughes' findings will be helpful in assessing the jail when and if a new police department facility is approved/constructed.

Council Member Syrop asked staff to evaluate how many of the 15 CSOs would be freed up with a proposed smaller jail once data is collected, commended jail staff for not having any legal



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claims throughout its history, supported CSOs providing more services in the field, and wondered about having more CSOs specialized for certain tasks.

Council Member Andrews shared she had heard of individuals getting arrested for access to food and medical attention and suggested that it would be an asset to the community to use resources such as CSOs to connect individuals to wraparound services; and suggested evaluating converting CSO positions into downtown support or in any other corridors experiencing major issues.

Mayor Salinas commended staff for prioritizing the use and collection of qualitative data which would inform the size and type of jail needed for Hayward.

City Manager McAdoo thanked the HPD leadership team for embarking on the evaluation.

12. Informational Report: FY24 Quarter 1 Capital Improvement Program Progress Report RPT 23-112

Staff report submitted by Public Works Director Ameri dated November 14, 2023, was filed.

City Manager McAdoo noted the item was presented as an informational item and Council can direct staff to bring it back as an action item.

Council Member Andrews asked staff to clarify the reference of Chamber of Commerce related to the Downtown Parking Program, appreciated mural art projects for underpasses and streetlights along Tennyson Road, and expressed her support for the Bridge Structures Maintenance project.

COUNCIL REPORTS AND ANNOUNCEMENTS

Council Member Goldstein shared that a Community Services Commission meeting was being held on November 15, 2023.

Council Member Syrop encouraged the reporting of dead birds via mosquito.org and thanked HFD and HPD for their quick response time to a vehicle colliding into a fire hydrant.

Council Member Andrews updated on Per- and polyfluoroalkyl substances (PFAS) noting that the Environmental Protection Agency (EPA) had adopted a strategic roadmap to deal with PFAS on a larger scale; reminded that the Together for Hayward e-Gift Card Program would start on November 20, 2023, with 120 participating businesses; commended staff on the Water Quality Improvement Grant noting that staff would be obtaining grants that were nature-based

solutions at the Wastewater Treatment Facility; reminded all about the Light Up The Season event on December 2, 2023, commended Council Member Syrop on The Stack reference to the People’s Budget, and added that a survey was being conducted on the Tree Preservation Ordinance, and thanked Burbank Elementary School for celebrating Ruby Bridges Walk to School Day.

Mayor Salinas thanked parents and teachers for organizing students around Ruby Bridges Walk to School Day and thanked HPD for providing escort service from City Hall to various school sites; and thanked his colleagues for attending the Alameda County Mayors Conference held November 8, 2023, at California State University, East Bay; and wished all a good Thanksgiving holiday.

ADJOURNMENT

Mayor Salinas adjourned the City Council/Hayward Housing Authority Board meeting at 8:42 p.m.

APPROVED

Mark Salinas
Mayor, City of Hayward
Chair, Hayward Housing Authority Board

ATTEST:

Miriam Lens
City Clerk, City of Hayward
Secretary, Hayward Housing Authority Board