



CITY COUNCIL MEETING

777 B Street, Hayward, CA 94541

Council Chambers

<https://hayward.zoom.us/j/81459812366?pwd=YYr9GXwLtXfatgfCmLf2mBbQ8xpZwi.1>

Tuesday, February 18, 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 Andrews

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 February 18, 2025, at 5:30 p.m., with all members present and no public speakers, regarding four items: 1) Conference with legal counsel pursuant to Government Code section 54956.9(d)(1) regarding Rebeca Olvera v. City of Hayward, et al. Alameda County Superior Court Case No. 22CV008594; 2) Conference with legal counsel pursuant to Government Code section 54956.9(d)(1) regarding Ghali et al v. City of Hayward, US District Court, Northern District of California Case 3:25-cv-01116; 3) public employment pursuant to Government Code section 54957(b)(1) regarding City Attorney and City Clerk; and 4) conference with legal counsel pursuant to Government Code section 54956.9(d)(2) regarding anticipated litigation, one case.

City Attorney Lawson indicated the City Council discussed Item 1 and unanimously approved, with Council Member Zermeño moving and Council Member Goldstein seconding, settlement of the personal injury lawsuit, with the City contributing \$275,000 and co-defendant contributing \$575,000. City Attorney Lawson indicated the City Council discussed Item 2 and took no reportable action. Mayor Salinas indicated that the City Council discussed Item 3 and Item 4 and took no reportable action.

PRESENTATION

Mayor Salinas read a proclamation declaring February 2025 as Black History Month in the City of Hayward. The following community members accepted a proclamation on behalf of their organizations: Phillip Oliver, National Association for the Advancement of Colored People (NAACP), Hayward South Alameda County; Dorothy Dominique, Treasures Unleashed & Hidden Jewels Unleashed; Kenneth E. Maxey II, Chief Executive Officer, Urban League of Greater San Francisco Bay Area; RocQuel Johnson, President, Black Women Organized for Political Action (BWOPA), Hayward South County Chapter; Lonnie Taylor, President, Delta Sigma Theta Sorority, Inc., Hayward-Tri-City Alumnae Chapter; Dr. Candace Cofield, Hayward Unified School District (HUSD) Administrator, Special Assignment for Equity, Anti-Bias, and Anti-Racism Programs; Lindsey Vien, Deputy Director of Library Services, Hayward Public Library

Department; Steven Cleveland, Professor, California State University East Bay, Black Excellence Project; and Dr. Anneta Clark, Zeta Phi Beta Sorority Inc., Iota Delta Zeta.

PUBLIC COMMENTS

TJ, with Hayward Concerned Citizens, thanked Communications and Marketing Officer Finnie and the IT team for launching the commission/committee meeting agenda subscription webpage; and encouraged its promotion in the City newsletter.

Carlos Hernandez, artistic administrator and music director of the Youth Orchestra at Bay Philharmonic, invited the community to an Aretha Franklin Tribute concert on March 16, 2025, at Chabot College Center for the Performing Arts and a Beatles Tribute concert on June 22, 2025.

Akeem Brown, representing Associated Students Inc. at California State University East Bay, raised concerns about what is perceived as a ban on Greek housing in Hayward; and requested a discussion to clarify the issue and explore ways to restore Greek life, highlighting its long-standing contributions and economic benefits to the community.

CITY MANAGER'S COMMENTS

There were none.

CONSENT

1. Approve the City Council Minutes of the Meeting on January 21, 2025 **MIN 25-013**
It was moved by Council Member Andrews, seconded by Council Member Goldstein, and carried unanimously, to adopt the City Council meeting minutes of January 21, 2025.
2. Approve the City Council Minutes of the Meeting on January 28, 2025 **MIN 25-014**
It was moved by Council Member Andrews, seconded by Council Member Goldstein, and carried unanimously, to adopt the City Council meeting minutes of January 28, 2025.
3. Approve the Special City Council Minutes of the Meeting on February 4, 2025 **MIN 25-015**
It was moved by Council Member Andrews, seconded by Council Member Goldstein, and carried unanimously, to adopt the special City Council meeting minutes of February 4, 2025.
4. Adopt a Resolution Authorizing the City Manager to Negotiate and Execute Five (5) Three-Year Professional Services Agreements with SNG & Associates, Inc., Substrate Inc., Swinerton Management & Consulting, Twining Inc., and Willdan Engineering for On-Call Construction Inspection Services, from April 1, 2025, to June 30, 2028, in an Amount of \$200,000 Annually per Firm, with an Aggregate Not-To-Exceed Amount of \$600,000 Annually **CONS 25-037**



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Tuesday, February 18, 2025, 7:00 p.m.

Staff report submitted by Public Works Director Ameri, dated February 18, 2025, was filed.

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

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

Resolution 25-014, "Resolution Authorizing the City Manager to Negotiate and Execute Five (5) Three Year Professional Services Agreements with SNG & Associates, Inc., Substrate, Inc., Swinerton Management & Consulting, Twining, Inc., And Willdan Engineering for On-Call Construction Inspection Services, from April 1, 2025, to June 30, 2028, in an Amount of \$200,000 Annually per Firm, with an Aggregate Not-To-Exceed Amount of \$600,000 Annually"

5. Adopt a Resolution Approving Plans and Specifications, and Call for Bids for the Tennyson Road and Winton Avenue Signal Coordination Project, Project No. 05342 **CONS 25-038**

Staff report submitted by Public Works Director Ameri, dated February 18, 2025, was filed.

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

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

Resolution 25-015, "Resolution Approving Plans and Specifications and Call for Bids for the Tennyson Road and Winton Avenue Signal Coordination Project, Project No. 05342"

6. Adopt a Resolution Awarding a Contract for the Citywide Tree Condition Assessment, Inventory, and Tree Management Software to PlanIt Geo, Inc. in a Not-to-Exceed Amount of \$410,000 **CONS 25-039**

Staff report submitted by Maintenance Services Director Rullman, dated February 18, 2025, was filed.

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

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

Resolution 25-016, "Resolution Awarding a Contract for the Citywide Tree Condition Assessment, Inventory, and Tree Management Software to PlanIt Geo, Inc. in a Not-To-Exceed Amount of \$410,000"

7. Adopt a Resolution Authorizing the City Manager to Accept and Appropriate \$100,000 in Grant Funding from the U.S. Department of Energy for Streetlight Conversion to Light Emitting Diodes (LEDs), Project 06935 **CONS 25-040**

Staff report submitted by Public Works Director Ameri, dated February 18, 2025, was filed.

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

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

Resolution 25-017, "Resolution Authorizing the City Manager to Accept and Appropriate \$100,000 in Grant Funding from the U.S. Department of Energy for the Streetlight Conversion to LEDs, Project 06935"



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Tuesday, February 18, 2025, 7:00 p.m.

PUBLIC HEARING

8. Utility Rate Adjustments: Adopt Resolutions Amending the Master Fee Schedule and Approving the Proposed FY 2026 through FY 2030 Sewer Rates and FY 2026 and FY 2027 Connection Fees, and Finding the Actions are Exempt from CEQA Review (Report from Public Works Director Ameri) **PH 25-002**

Staff report submitted by Public Works Director Ameri, dated February 18, 2025, was filed.

Public Works Director Ameri announced the item and introduced Principal Consultant with Water Resources Economics Nancy Phan and Management Analyst Trang Nguyen who provided a synopsis of the report; and noted that 42 written protest letters were received by the February 4, 2025, deadline.

Discussion ensued among members of the City Council and City staff and the following clarifications were made: despite vigorous advocacy, including testimony before the San Francisco Bay Regional Water Quality Control Board (Water Board) alongside regional agencies, the City had no alternative but to comply with the mandate due to the absence of state or federal funding, with no direct benefit to Hayward beyond meeting environmental regulatory requirements; although the proposed 12% annual increase rate will stabilize to 5% and then 4% after five years, the high borrowing cost (approximately \$488 million with about a \$33 million annual repayment over 30 years) precludes any rate reduction until after the repayment period; non-compliance with the mandate (Nutrient Watershed Permit Order No. r2-2024-0013) was explained to potentially result in significant fines and environmental damage, such as enhanced phytoplankton growth causing oxygen depletion and fish kill in the Bay; context was provided on the strict state mandates prompted by environmental concerns, including red tide events and fish die-offs in recent years; residents are most concerned with how the rate increases will impact their daily lives; and facilities such as the City's Water Resource Recovery Facility, are built to withstand major earthquakes and elevated above projected sea level rise.

Mayor Salinas opened the public hearing at 8:26 p.m.

Mahen Prasad, a longtime Hayward resident, expressed concerns about the sewer rate structure, particularly how exceeding eight units of metered water usage would result in a significant billing increase rather than a prorated charge; noted that as a retiree on a fixed income, the projected future rate increases would be unaffordable; and requested access to financial records detailing revenue and expenditures for water and sewer services to better understand how the fees are allocated.

Rambo Ramos, a small ranch owner in Hayward, echoed Prasad's concerns about rising water costs; requested a history of rate increases over the past decade; questioned the availability of discounts for low-income and disabled residents; emphasized the impact of water rate hikes on food production costs; shared that his summer water bills exceeded \$900, despite conservation efforts; and urged the City Council to reconsider the increases and requested more information on potential discounts.

Mayor Salinas closed the public hearing at 8:44 p.m.

Council Member Bonilla Jr. praised transparency efforts but raised concerns for residents on fixed incomes; and urged improved communication of discount programs in the notice sent to community members.

In response to Council Member Bonilla Jr.'s request to clarify the tiered fee system, Public Works Director Ameri explained the service charge is less for lower usage (economy/lifeline) but increases for higher consumption (standard).

Council Member Roche suggested improved public education on the tier system and low-income discount programs; and despite concerns, she supported the proposed rate increase, citing no viable alternatives.

In response to Council Member Andrews' request for clarification about eligibility for assistance programs, Public Works Director Ameri indicated that for sewer service, the economy (5 to 8 units of metered water usage) and lifeline (0 to 4 units of metered water usage) rates are based on water consumption and not income; and for water service there is a program for low-income residents.

Council Member Andrews, serving on the East Bay Dischargers Authority, recommended residents should contact state representatives to express that state requirements are directly impacting residents; and agreed to change the sewer service tier name to remove the connotation to income, through the Council Infrastructure Committee.

In response to Council Member Goldstein's inquiry about the regulatory scope of service charge increases and available homeowner water efficiency use programs, Public Works Director Ameri noted that increases are occurring nationwide, and highlighted Hayward's advanced metering system, and rebate program for leak repairs and efficiency upgrades.

Council Member Syrop linked rate hikes to federal funding priorities involving reduced infrastructure investment; noted the cost of not complying with the requirement, would cost the City more; and added that even with the proposed increases, Hayward's rates remain lower than nearby cities.

It was moved by Mayor Salinas, seconded by Council Member Zermeno, and carried unanimously, to adopt the resolutions.



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

Resolution 25-018, "Resolution Amending the Master Fee Schedule and Approving Sewer Rates"

Resolution 25-019, "Resolution Amending the Master Fee Schedule and Approving Sewer Connection Fees"

INFORMATIONAL ITEM

9. Informational Report: FY25 Quarter 1 and Quarter 2 Semiannual Capital Improvement Program Progress Report **RPT 25-013**

Staff report submitted by Public Works Director Ameri, dated February 18, 2025, was filed.

Public Works Director Ameri indicated the item was before the City Council for information only.

Members of the City Council thanked Public Works Director Ameri for the Capital Improvement Program (CIP) report and his knowledge of projects in progress and the following comments were offered: provide an update on the Access Control System project; evaluate adding a flashing crosswalk at Russell Way and 2nd Street near senior housing; evaluate a hazardous intersections at E Street and East Avenue; and review traffic signal timing issues at D Street and Mission Boulevard intersections.

Discussion ensued among members of the City Council and Public Works Director Ameri and the following clarifications were made: Decorative Crosswalks project can be incorporated in downtown improvements, and they can be highlighted for pedestrian safety; Phase III of the South Hayward Youth and Family Center (Stack) project consists of its completion; encourage public engagement in City projects, highlighting their impact on livability; the Hayward Police Department locker room construction would be coming before the City Council for approval of plans and specifications and call for bids; the City has reached an agreement with HARD for La Vista Park bids; pilot projects on Orchard Avenue and Carlos Bee Boulevard are in place to ensure community feedback influenced decisions; the conceptual facility and site design for the Public Safety Center is work in progress; once the Recycled Water System Master Plan is

completed the City will pursue grants for the Recycled Water Phase II project; praised the City's bike and pedestrian safety efforts but acknowledged resident frustrations over reduced driving lanes; Alternatives to Downtown Loop project's 2028 target covered only analysis and design, with further funding needed for implementation; the City Council will see incremental changes to the Loop including reduction of lanes and added parking on Mission Boulevard with the goal of smoother traffic flow; the Root Foaming project is in place to control tree growth within a sewer pipeline; and traffic calming measures generated mixed opinions but stressed their role in preventing reckless driving and fatal accidents and urged patience as measures are implemented for safety.

COUNCIL REPORTS AND ANNOUNCEMENTS

Council Member Andrews announced the Keep Hayward Clean and Green Task Force beautification event on February 22, 2025, at Rancho Arroyo Park.

COUNCIL REFERRALS

There were none.

ADJOURNMENT

Mayor Salinas adjourned the City Council meeting at 9:11 p.m.

APPROVED



Mark Salinas
Mayor, City of Hayward

ATTEST:



Miriam Lens
City Clerk, City of Hayward