



CITY COUNCIL MEETING

777 B Street, Hayward, CA 94541

Virtual Platform – Zoom

<https://hayward.zoom.us/j/84882724188?pwd=ZkhObFQzc1U4amlOK3FkeDgyWUFuUT09>

Tuesday, February 22, 7:00 p.m.

The meeting of the Hayward City Council was called to order by Mayor Halliday at 7:00 p.m. The City Council held a virtual meeting with teleconference participation by members of the City Council, staff and public.

Pledge of Allegiance: Council Member Andrews

ROLL CALL

Present: COUNCIL MEMBERS Andrews, Márquez, Salinas, Wahab, Zermeño
MAYOR Halliday

Absent: COUNCIL MEMBER Lamnin

CLOSED SESSION ANNOUNCEMENT

The City Council convened in closed session at 5:30 p.m., regarding two items: 1) conference with legal counsel pursuant to Government Code Section 54956.9 regarding Justin Nishioka v. City of Hayward, Alameda County Superior Court, Case No. RG 20078266; and 2) public employment pursuant to Government Code Section 54957 regarding the annual performance evaluation for City Clerk. City Manager McAdoo reported there was no reportable action related to Item No. 1 and Mayor Halliday reported there was no reportable action related to Item No. 2.

PUBLIC COMMENTS

TJ with Hayward Concerned Citizens, thanked the City Council for getting the locker room renovation needed for the Hayward Police Department building.

CITY MANAGER'S COMMENTS

There was none.

CONSENT

1. Approve City Council Minutes of the Special City Council Meeting on January 29, 2022
MIN 22-023

It was moved by Council Member Wahab, seconded by Council Member Márquez, and carried unanimously with Council Member Lamnin absent, to approve the minutes of the Special City Council meeting on January 29, 2022.

2. Approve City Council Minutes of the Special Joint City Council and Planning Commission Meeting on February 1, 2022 **MIN 22-022**

It was moved by Council Member Wahab, seconded by Council Member Márquez, and carried unanimously with Council Member Lamnin absent, to approve the minutes of the Special Joint City Council and Planning Commission Meeting on February 1, 2022.

3. Adopt a Resolution Accepting the Resignation of Ms. Tatiana Backlund from the Community Services Commission, Effective Immediately **CONS 22-110**

Staff report submitted by City Clerk Lens, dated February 22, 2022, was filed.

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

AYES:	COUNCIL MEMBERS Andrews, Márquez, Salinas, Wahab, Zermeño MAYOR Halliday
NOES:	None
ABSENT:	COUNCIL MEMBER Lamnin
ABSTAIN:	None

Resolution 22-043 “Resolution Accepting the Resignation of Ms. Tatiana Backlund from the Community Services Commission”

4. Adopt a Resolution Approving Plans and Specifications and Calling for Bids for the FY22 Pavement Improvement Project, Project No. 05239 **CONS 22-100**

Staff report submitted by Director of Public Works Ameri, dated February 22, 2022, was filed.

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

AYES:	COUNCIL MEMBERS Andrews, Márquez, Salinas, Wahab, Zermeño MAYOR Halliday
NOES:	None
ABSENT:	COUNCIL MEMBER Lamnin
ABSTAIN:	None

Resolution 22-044, “Resolution Approving Plans and Specifications for the FY22 Pavement Improvement Project, Project No. 05239 and Calling for Bids”



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5. Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with Newton Construction & Management for the Tenant Improvements and Workspace Reconfiguration for Fire Administration in an Amount Not-To-Exceed \$311,762 and Making Associated Findings Authorizing Procurement of the Work through a Cooperatively Purchase Contract **CONS 22-102**

Staff report submitted by Director of Maintenance Services

Rullman, dated February 22, 2022, was filed.

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

AYES: COUNCIL MEMBERS Andrews, Márquez, Salinas, Wahab, Zermeño
MAYOR Halliday

NOES: None

ABSENT: COUNCIL MEMBER Lamnin

ABSTAIN: None

Resolution 22-045, “Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with Newton Construction & Management for the Workspace Reconfiguration for Fire Administration in an Amount Not to Exceed \$311,762 and Making Associated Findings Authorizing Procurement of the Work Through a Cooperatively Purchase Contract”

6. Adopt a Resolution Authorizing the City Manager to Accept and Appropriate Funds for the California Water and Wastewater Arrearage Payment Program for Drinking Water Arrearages in an Amount Not-to-Exceed \$1,853,487 **CONS 22-104**

Staff report submitted by Director of Public Works Ameri, dated

February 22, 2022, was filed.

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

AYES: COUNCIL MEMBERS Andrews, Márquez, Salinas, Wahab, Zermeño
MAYOR Halliday

NOES: None

ABSENT: COUNCIL MEMBER Lamnin

ABSTAIN: None

Resolution 22-046, "Adopt a Resolution Authorizing the City Manager to Accept and Appropriate Funds for the California Water and Wastewater Arrearage Payment Program for Drinking Water Arrearages in an Amount Not to Exceed \$1,853,487"

7. Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Professional Services Agreement with Dewberry Architects, Inc., for Design of the Hayward Police Department Locker Room Project, Project No. 07420, in an Amount Not-to-Exceed \$416,000 **CONS 22-117**

Staff report submitted by Director of Public Works Ameri, dated February 22, 2022, was filed.

In response to Council Member Wahab's inquiry if there would be space for a lactation room for employees at the Hayward Police Department, City Manager McAdoo responded that space could be incorporated in the design of the locker room.

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

AYES:	COUNCIL MEMBERS Andrews, Márquez, Salinas, Wahab, Zermeño
	MAYOR Halliday
NOES:	None
ABSENT:	COUNCIL MEMBER Lamnin
ABSTAIN:	None

Resolution 22-047, "Resolution Authorizing the City Manager to Negotiate and Execute a Professional Services Agreement with Dewberry Architects Inc., for Design Services Associated with the Hayward Police Department Lock room Project"

PUBLIC HEARING

8. FY 2022 Mid-Year Budget: Adopt a Resolution Approving the FY 2022 Mid-Year Budget Update and Receiving the General Fund Long Range Financial Model Update **LB 22-007**

Staff report submitted by Director of Finance Claussen, dated February 22, 2022, was filed.

Finance Director Claussen and Deputy Director of Finance Gonzales provided a synopsis of the staff report which included a summary of proposed General Fund Mid-Year changes in expenditures, updated General Fund 5-Year Forecast, long range General Fund reserve projection, and summary of proposed Mid-Year changes for CIP and other funds.



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City Manager McAdoo acknowledged the outstanding work of the Finance Department and expressed gratitude for ARPA (American Relief Plan Act) federal funds. Mayor Halliday commended the City Manager, City staff and her Council colleagues for their help with the City budget.

Discussion ensued among members of the City Council and City staff regarding: the real time financial forecasting tool; analysis of staffing levels in every department; a strategic plan for Human Resources to address staffing levels to support the organization; 20% reserve funds; Measure C forecast and unmet capital needs; cannabis tax rate; FEMA reimbursements; cannabis businesses that have not started operating; the estimate for a new Police building which was projected at \$90 to \$110 million; tax as a source of revenue; and reserve projections.

Mayor Halliday opened the public hearing at 7:45 p.m.

Suzanne agreed that it did cost a lot to build a new City building, but noted that the longer the City waited, the more it would cost.

Mayor Halliday closed the public hearing at 7:46 p.m.

Members of the City Council expressed appreciation for the work of City staff, especially during COVID,

Council Member Zermeño made a motion to approve staff's recommendations and Council Member Wahab seconded the motion.

Council Member Wahab recommended increasing reserve levels a couple percentage points in the event of another emergency such as COVID, supported maintaining and improving City infrastructure, wished the City would be strict on licenses, including those for cannabis businesses, that are not operating within two years of obtaining their licenses, opposed raising taxes for residents, appreciated working with her colleagues on the Council Budget Committee and stressed the importance of investing in the Information Technology Department to monitor cyberspace.

Council Member Andrews was concerned about relying on cannabis to generate revenue, expressed she would like businesses to start generating sales tax and find ways to help support further economic development, and recommended locating funds for public art as a preventative measure.

Council Member Márquez wanted to better understand staffing levels as well as outstanding infrastructure needs, reminded all that Measure C and the Utility Users Tax had sunset dates, recommended strengthening the Economic Development team for the high results it yields for the community, and reminded all to continue to shop in Hayward.

Council Member Salinas remarked that the reserve policy and budget policies came out of the economic downturn, and noted thoughtful disciplined actions taken over the years have yielded positive results, including through the pandemic.

Mayor Halliday stressed the importance of striking a balance, noted the City must continue to provide services to the public while noting that this year was the healthiest since she was in office, acknowledged ARPA funds helped during the pandemic, noted the City needed to maintain a healthy staffing level while balancing all needs, and suggested some changes could be revisited based on comments during discussions over the FY23 budget.

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

AYES:	COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab, Zermeño MAYOR Halliday
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution 22-048 “Resolution Amending Resolution 21-100, as Amended, the Budget Resolution for the City of Hayward Operating Budget for Fiscal Year 2022, Relating to an Appropriation of Funds”

Resolution 21-049 “Resolution Amending Resolution 21-101, as Amended, the Budget Resolution for the City of Hayward Capital Improvement Projects for Fiscal Year 2022, Relating to an Appropriation of Funds”

COUNCIL REPORTS AND ANNOUNCEMENTS

Council Member Andrews thanked Council Members and the local NAACP who attended the raising of the Pan-African flag ceremony at the City Hall Plaza, noted she would be moderating an African American Wellness panel on February 27, 2022, hosted by the Hayward Historical Society.

Council Member Wahab thanked Council Member Andrews for hosting the flag raising ceremony and urged staff to post via social media information on bulky pickup service by Waste Management of Alameda County.



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Council Member Márquez urged residents to take advantage of the twice per year bulky pickup service and announced (510) 537-5500 was the number to call.

COUNCIL REFERRALS

There were none.

ADJOURNMENT

Mayor Halliday adjourned the City Council meeting at 8:11 p.m., in memory of Ms. Paulette Arteaga and Ms. Christine Ochoa.

Ms. Paulette Arteaga was a Hayward resident, longtime postal worker, active member of Glad Tidings Church, founder of the annual event - Pink Ribbon Tea - held for those fighting cancer and their families and was the sister of former City Clerk Angelina Reyes.

Ms. Christine Ochoa was a resident of the Southgate neighborhood, wife of educator Anthony Ochoa for whom Ochoa Middle School is named, mother of local author Dr. Maria Ochoa, mother-in-law of former Hayward Mayor Michael Sweeney, Library Commission member, tutor with Literacy Plus, member of the FESCO Board, member of the Kaiser Hospice Program, counselor at a continuation high school, and someone who always had kind words.

Mayor Halliday asked City staff to work with their families to plant trees in their memories. Mayor Halliday also suggested this might be an opportunity to rededicate Anthony Ochoa's plaque at the Heritage Plaza and add Christine Ochoa's name.

APPROVED

Barbara Halliday
Mayor, City of Hayward

ATTEST:

Miriam Lens
City Clerk, City of Hayward