



CITY COUNCIL MEETING

777 B Street, Hayward, CA 94541

Council Chambers

<https://hayward.zoom.us/j/86083894455?pwd=JCsFloPS0lWAU01K5jFvGgLCeaen5U.1>

Tuesday, March 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 Syrop

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 March 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 Blickenstaff vs. City of Hayward, et al. Case No. 21-cv-09952-AMO (US District Court, Northern District); 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) Conference with labor negotiators pursuant to Government Code Section 54957.6, regarding all labor groups; and 4) public employment pursuant to Government Code section 54957(b)(1) regarding City Attorney and City Clerk. City Attorney Lawson indicated that the City Council discussed Items 2 and 3, gave direction, but took no reportable action. Regarding Item 2, City Attorney Lawson reported that the City Council unanimously approved, with Council Member Syrop moving and Council Member Zermeño seconding, settlement in the amount of \$500,000, with the City contributing \$250,000 from budgeted funds, and the City's insurance partners contributing \$250,000. Mayor Salinas announced that the City Council discussed Item 4 but took no reportable action.

City Attorney Lawson announced that the City Council unanimously approved to convene in closed session on March 8, 2025, pursuant to Government Code sections 54954.2(b)(2) and 54957.

PRESENTATION

Mayor Salinas read a proclamation declaring March 2025 as Women's History Month in the City of Hayward. Eleven organizations were acknowledged: Jahna Nicks, Vice President of the Hayward Tri-City Alumnae Chapter of Delta Sigma Theta Sorority, Inc; Susan Gehlke and Pat McNichol, Co-Presidents of the Hill and Valley Club; Sara Lamnin, President of the League of Women Voters of the Eden Area; Elisa Márquez, District 2 Supervisor of Alameda County; RocQuel Johnson, President of the Hayward South County Chapter of Black Women Organized for Political Action (BWOPA); Amy Marshall, Program Coordinator and Fellow of Women in

Leadership at California State University East Bay; Vanessa Russell, Executive Director of Love Never Fails; Jayanti Addleman, Hayward Public Library Director; Chao Li, Director of Development at SAFE (Safe Alternatives to Violent Environments); Alexis Austin, Representative of the Tau Mu Undergraduate Chapter of Zeta Phi Beta Sorority, Inc. at California State University East Bay; and Dr. Annetta Clark, President of the Iota Delta Zeta Chapter of Zeta Phi Beta Sorority, Inc.

PUBLIC COMMENTS

Free Lazor, a Chabot College student and radio DJ, raised concerns about receiving parking fines due to street sweeping, despite having a disability placard and facing mobility challenges; and suggested the City consider policy changes to avoid potential ADA violations and litigation.

Theresa Rezendes requested an increase in police presence and surveillance on the rooftop parking area of the Lucky's grocery store on Mission Boulevard following a homicide, citing unverified reports of illicit activity; and invited the public to attend the upcoming Housing Policy and Resource Committee meeting.

CITY MANAGER'S COMMENTS

City Manager Dr. Ana Alvarez made five announcements: 1) the Hayward Police Department *Pastries with the Police* community event on March 25, 2025, at Paris Baguette on Mission Boulevard; 2) the East Bay Economic Development Alliance selected two Hayward companies—Veev, a modular homebuilding company, and Endiatx, a micro-robotics technology—as finalists for the 2025 East Bay Innovation Awards, with winners to be announced March 27, 2025, at the Oakland Scottish Rite Center; 3) starting March 28, 2025, applications will be accepted for a lottery to purchase 13 below-market-rate condos at the SOMI development in South Hayward, with the application period closing May 8, 2025, and the lottery held on May 20, 2025; Zocalo Coffee will hold its grand opening at the Downtown Library Pocket Café on April 5, 2025; and 5) the Hayward Fire Department launched a public information campaign to raise awareness about the new Fire-Hazard Severity Maps, with more information on the City of Hayward website.

CONSENT CALENDAR

Consent Items 3, 8 and 9 received comments.

1. Approve the City Council Minutes of the Meeting on February 25, 2025 **MIN 25-034**
It was moved by Council Member Roche, seconded by Council Member Andrews, and carried unanimously, to adopt the City Council meeting minutes of February 25, 2025.

2. Approve the City Council Minutes of the Meeting on March 4, 2025 **MIN 25-036**
It was moved by Council Member Roche, seconded by Council Member Andrews, and carried unanimously, to adopt the City Council meeting minutes of March 4, 2025.



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3. Adopt a Resolution Approving the Final Map for Tract 8104, a Residential Subdivision at 123 A Street (Assessor's Parcel Number 431-0016-088-03), to Allow the Construction of Ten (10) Townhouse-Style Residential Units with Common Open Space Areas and Related Site Improvements; Accepting Easements Dedicated for Public Use; Authorizing the City Manager to Execute a Subdivision Agreement; and Finding that the Action is Exempt from CEQA Review. Applicant/Owner: Habitat for Humanity Easy Bay Silicon Valley Inc., Application Nos. PL-2013-00291, PL-2013-00290, and TM-23-0003 **CONS 25-099**

Staff report submitted by Development Services Director Buizer, dated March 18, 2025, was filed.

Council Member Roche expressed support for the Habitat for Humanity partnership project, calling it a positive collaboration between the City and the organization.

It was moved by Council Member Roche, seconded by Council Member Andrews, 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 25-031, "Resolution Approving the Final Map of Tract 8104, Accepting the Easements Dedicated Thereon for Public Use, Authorizing the City Manager to Negotiate and Execute the Subdivision Improvement Agreement and Related Other Documents, and Finding that the Action Is Exempt from CEQA Review"

4. Adopt a Resolution Authorizing the City Manager to Award a Construction Contract to DC Electric Group, Inc. for the Tennyson Road and Winton Avenue Signal Coordination Project, Project No. 05342 in the Amount of \$184,541, and Approving \$55,362 in Administrative Construction Contingency **CONS 25-104**

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

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

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

Resolution 25-032, "Resolution Authorizing the City Manager to Award a Construction Contract to DC Electric Group, Inc. for the Tennyson Road and Winton Avenue Signal Coordination Project, Project No. 05342 in the Amount of \$184,541, and Approving \$55,362 in Administrative Construction Contingency"

5. Adopt a Resolution Approving Addendums No. 1, No. 2, No. 3 and No. 4, and Authorizing the City Manager to 1) Award a Construction Contract to Rodan Builders, Inc., for a Not-to-Exceed Amount of \$43,967,000, 2) Amend the Existing Professional Service Agreements with Carollo Engineers and Brown, and Caldwell for the Water Resource Recovery Facility's (WRRF) New Administration Building and Laboratory Project, Project No. 07786 and WRRF Phase II Improvement Project No. 07760 **CONS 25-105**

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

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

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

Resolution 25-033, "Resolution Approving Addendums No. 1, No. 2, No. 3, And No. 4, Authorizing the City Manager to 1) Award a Construction Contract with Rodan Builders, Inc., in an Amount Not-To-Exceed \$43,967,000, 2) Amend the Professional Services Agreement with Brown and Caldwell to Increase the Contract Amount by \$1,422,748, and 3) Amend to the Professional Services Agreement with Carollo Engineers to Increase the Contract Amount by \$3,428,409, for the Water Resource Recovery Facility's New Administration Building and Laboratory, Project No. 07786 and WRRF Phase II Improvement Project No. 07760"



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6. Adopt a Resolution Awarding a Construction Contract to Cato's General Engineering, Inc., for the Hesperian Frontage Road Improvement Project, Project No. 05742 in an Amount of \$855,225, and Appropriating Additional Funds in the Amount of \$162,225 from Street System Improvements - Fund 450 **CONS 25-107**

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

It was moved by Council Member Roche, seconded by Council Member Andrews, 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 25-034, "Resolution Approving Construction of the Hesperian Frontage Road Improvement, Project No. 05742, Awarding the Construction Contract to Cato's General Engineering, Inc., and Appropriate Additional Funds in the Amount of \$162,225 from Street System Improvements - Fund 450"

7. Adopt a Resolution Authorizing the City Manager to Approve the Amended Ground Lease for California Department of General Services for the California Military Department on a Parcel of Land at Hayward Executive Airport **CONS 25-108**

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

It was moved by Council Member Roche, seconded by Council Member Andrews, 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 25-035, "Resolution Authorizing the City Manager to Negotiate and Execute a First Amendment to the Ground Lease with the State of California Department of General Services for the California Military Department"

8. Adopt an Ordinance Amending Chapter 2, Article 3, Sections 2-3.90, 2-3.91, 2-3.92, 2-3.93 of the Hayward Municipal Code, Relating to the Community Services Commission; and Finding that the Action Is Exempt from CEQA Review **CONS 25-109**

Staff report submitted by City Clerk Lens, dated March 18, 2025, was filed.

Council Member Syrop requested clarification whether the ordinance was being introduced or adopted and inquired about the inclusion of the ordinance text. City Clerk Lens confirmed that the ordinance was being adopted, having been introduced on March 4, 2025, and noted it was standard practice to include only a summary of the ordinance at the adoption stage.

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

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

Ordinance 25-03, "An Ordinance of the City Council of the City of Hayward Amending Sections 2-3.90, Et Seq., of the Hayward Municipal Code, Relating to the Community Services Commission; and Finding that the Action is Exempt from CEQA Review"

9. Adopt a Resolution Accepting the Resignation of Mr. Douglas Mansel from the Keep Hayward Clean and Green Task Force, Effective Immediately **CONS 25-110**

Staff report submitted by City Clerk Lens, dated March 18, 2025, was filed.

Council Member Andrews thanked Mr. Douglas Mansell for his dedicated service to the Keep Hayward Clean and Green Task Force, highlighting his contributions to education and outreach efforts.

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



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

Resolution 25-036, "Resolution Accepting the Resignation of Mr. Douglas Mansel from the Keep Hayward Clean and Green Task Force"

WORK SESSION

10. Tree Preservation Ordinance: Work Session on Proposed Text Amendments to the Hayward Municipal Code for the Adoption of an Updated Tree Preservation Ordinance (Report from Development Services Director Buizer) **WS 25-012**

Staff report submitted by Development Services Director Buizer, dated March 18, 2025, was filed.

Planning Manager Lochirco provided an overview of the staff report.

Mayor Salinas opened the public comment section at 8:21 p.m.

Bruce Lepore, Hayward resident, raised concerns about the clarity and enforceability of the City's tree ordinance (Chapter 10, Article 15 of the Hayward Municipal Code), particularly regarding definitions of tree care and owner's obligation, inconsistent appeal processes, and removal of eucalyptus trees.

Amos White, 100K Trees for Humanity representative, expressed strong support for Hayward's revised tree ordinance, emphasizing the critical role of trees in public health, and climate resilience.

Mimi Dean praised the City's program for its inclusion of native trees, but urged consideration for preserving eucalyptus trees at the former Skywest Golf Course due to their role as vital habitat for monarch butterflies.

Melissa Milleman, Clean and Green Commission Chair, commended the City's work on the ordinance and echoed support for preserving tree canopy at the former Skywest Golf Course, emphasizing its ecological and health value to the community.

Mayor Salinas closed the public comment section at 8:33 p.m.

Discussion ensued among members of the City Council, Planning Manager Lochirco, and Landscape Architect Jensen, and the following clarifications were made: while fines are currently set at double the removal fee, no detailed cost-benefit analysis had been conducted; complaints typically come through Access Hayward, are reviewed by Code Enforcement, and verified by the City's landscape architect; in 2024, six out of 106 complaints, were related to illegal removals, with most concerning pruning without permits; redwood trees are only protected once they reach a larger diameter threshold to align with sustainability goals; eucalyptus trees are protected but removal may be necessary in high fire hazard areas; the airport exemption applies specifically to safety-related issues defined by both the Federal Aviation Administration (FAA) and the City's flight safety zones; certified arborist reports are required to designate a tree as hazardous, and hazardous trees are exempt from permit fees; agencies such as Hayward Unified School District (HUSD) and Hayward Area Recreation and Park District (HARD) are largely exempt from local land-use control, but if the City owns the land, it can enforce its regulations; the Fire Department had been consulted and fire safety concerns helped shape the hazard exemption in the ordinance; a planting and maintenance guide was being developed with species-specific recommendations, and best practices would be shared in a future public handout; applicants are not charged if a permit is denied; and future outreach materials and support will help educate homeowners.

Members of the City Council thanked City staff for all the work related to the proposed text amendments and offered the following: recommended simplifying the appeal process by creating consistency between protected and heritage trees; raised questions about the economic impact of illegal tree removals; advocated for language clarifying safety-related exemptions for eucalyptus trees adjacent to hazard areas; expressed concern about a blanket airport exemption and urged that community input be built into decisions related to tree removal in sensitive areas such as the former Skywest Golf Course; supported removing hazardous eucalyptus trees and making such removals easier, citing safety concerns and costs; suggested more proactive identification of dangerous trees before they cause harm; inquired about the jurisdiction of other agencies such as HUSD and HARD regarding tree removals and emphasized inter-agency collaboration; endorsed continued collaboration with the airport to maintain safety while protecting the environment; recommended intuitive educational tools such as visuals and user-friendly websites; supported using in-lieu fees equitably to assist lower-income residents with tree maintenance; suggested exploring community "tree cleanup" days; stressed tying tree removal exemptions to safety, not general development plans; clarified that the tree preservation ordinance does not apply to street trees; supported regulating private property trees cautiously, acknowledging the sensitivity around personal property rights while emphasizing the importance of preserving urban canopy; appreciated the ordinance's focus on canopy replacement rather than just tree-for-tree swaps; supported ongoing flexibility and fairness in implementation; requested the inclusion of language promoting Hayward's goal of becoming an "urban forest"; recommended adding visuals and tree species education to public materials; recommended seeking partnerships with PG&E, Chabot College, and Caltrans; raised equity concerns and advocated for tree planting in underserved neighborhoods; stressed the importance of preserving trees; and requested to clarify language that an exemption to remove trees would



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exist for trees that are in conflict with the FAA flight requirement and the Hayward Executive Plan.

11. Greenhouse Gas Emissions Inventory: Review and Discuss 2023 Greenhouse Gas Emissions Inventory (Report from Director of Public Works Ameri) WS 25-014

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

Public Works Director Ameri announced the item and introduced Environmental Services Manager Pearson, who provided a synopsis of the staff report.

There being no public comments, Mayor Salinas opened and closed the public comment section at 9:27 p.m.

Discussion ensued among members of the City Council and City staff and the following clarifications were made: while emissions from off-road vehicles appear large, they are relatively minor overall; the 2023 state ban on sales of new gas-powered lawn equipment is expected to reduce those numbers; achieving the next goal of 55% emissions reduction by 2030 will be difficult and will require significant reductions in natural gas usage in existing buildings; vehicle emissions from non-residents driving through Hayward are included in the model; tree planting helps reduce atmospheric carbon but is not directly reflected in the inventory methodology; upcoming Bay Area Air Quality Management District rules requiring electric appliance replacements starting in 2027 will support reductions in natural gas emissions; while local policies on vehicle emissions are limited, the City continues to invest in bicycle and pedestrian infrastructure; proposed data centers are committing to use 100% renewable electricity, which would minimize their emissions impact; the 1.3% increase in emissions between 2021 and 2023 will be monitored, although comparable data from neighboring cities is not yet available; the wastewater treatment facility currently produces renewable energy for its operations and exports surplus power to outside entities including City Hall, with expansion plans dependent on future demand; and no current local programs exist for gas-powered landscaping equipment buyback or exchange.

Members of the City Council thanked City staff for the 2023 Greenhouse Gas Emissions Inventory report and offered the following: emphasized the role of tree planting in reducing carbon in the atmosphere and requested that its contribution be reflected in City climate strategies; thanked staff for including airport emissions in the report, acknowledging they represent a small share of the City's total but exceed emissions from the City's bus system; advocated for continued investment in walkability, public transit, and biking infrastructure; and called for a multi-faceted approach, including zoning, development, and transportation planning, to reduce car dependency and meet climate goals.

COUNCIL REPORTS AND ANNOUNCEMENTS

Council Member Roche wished everyone a happy belated St. Patrick's Day and highlighted the importance of recognizing Irish American contributions.

Mayor Salinas announced a March 23, 2025, fundraiser at Casa Del Toro to help send Tennyson High School's "We the People" students to Washington, D.C., where they will receive the prestigious John Lewis Youth Leadership Award; and invited fellow City Council members and regional elected officials.

COUNCIL REFERRALS

There were none.

ADJOURNMENT

Mayor Salinas adjourned the City Council meeting at 9:45 p.m.

APPROVED

A handwritten signature in black ink, appearing to be 'MS' followed by a stylized flourish.

Mark Salinas
Mayor, City of Hayward

ATTEST:

A handwritten signature in blue ink, appearing to be 'Miriam Lens'.

Miriam Lens
City Clerk, City of Hayward